

**CABINET**  
**21/09/2015 at 6.00 pm**



**Present:** Councillor McMahon (Chair)  
Councillors Akhtar, Brownridge, Harrison, Hibbert, Shah and Stretton

1           **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Jabbar.

2           **URGENT BUSINESS**

There were no items of urgent business received.

3           **DECLARATIONS OF INTEREST**

Councillors Brownridge and Hibbert declared a personal interest in Item 8, Changes to the Constitution of First Choice Homes Oldham (FCHO) Board, by virtue of their Council appointment to the First Choice Homes Board.

Councillor Brownridge declared a personal interest in Items 10 and 12, Oldham Coliseum Theatre and Heritage Centre, by virtue of her Council appointment to the Oldham Coliseum Theatre and Heritage Centre Shadow Board.

4           **PUBLIC QUESTION TIME**

There were no public questions received.

5           **MINUTES OF THE CABINET MEETING HELD ON 24TH AUGUST 2015**

RESOLVED – That the minutes of the meeting of the Cabinet held on 24<sup>th</sup> August be approved.

6           **COUNCIL TAX REDUCTION SCHEME 2016-17**

The Cabinet gave consideration to a report of the Director of Finance which sought approval of the Council Tax Reduction scheme 2016/17 as detailed at Appendix 1 of the report.

It was reported that from the 1<sup>st</sup> April 2013 the Council introduced a localised Council Tax reduction scheme as required by the Local Government Finance Act 2012.

Each year a collection authority must formally consider revising its Council Tax reduction scheme and ensure there was consultation on a proposed scheme.

The Council had made a change to the Council Tax Reduction Scheme for 2015/16 which had increased the maximum reduction awardable from 80% of the Band A rate of Council Tax to 85%. That had meant an extra £53.43 per year for someone who was entitled to the maximum award and this was agreed by Full Council in December 2014.

A Council Tax Reduction working group had been formed to ensure a thorough review process and help to inform decision making around whether the Council should make Council Tax Redcution changes for 2016/17.

The Cabinet was informed that the current scheme had only been in place since 1st April 2015 and it was difficult to estimate

what the exact percentage collection rate might be at year end. An early indication was that the collection rate for the extra amount billed in 2015/16 would be higher than originally estimated at between 70% and 75%, however this could change in the remainder of the year.

The Cabinet was further informed that another consideration was estimating the financial impact of the new government proposals for welfare and tax reform on Oldham. Whilst insufficient detail was available at this early stage to quantify the impact of these changes on the Council Tax Reduction Scheme as a means-tested benefit, it was highly likely that demand on the scheme would rise next year, as benefit freezes and reductions in tax credits would mean reducing incomes for sizeable numbers of Oldham residents.

As that the scheme had been changed for 2015/16 and, having considering the current financial position of the Council, it was not proposed to change the threshold level. If no change was made, the maximum amount of reduction available would remain at 85% of a Band A rate of Council Tax.

Options/Alternatives considered:

Option 1: Leave the current Council Tax reduction scheme unchanged from 2016 onwards.

Option 2: Change the level of Council Tax Reduction.

RESOLVED – That the report be commended to the Council.

RECOMMENDED – That the Council makes no revision or replacement to the existing Council Tax Reduction Scheme.

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## **SOCIAL CARE PERSONAL BUDGETS POLICY AND RESOURCE ALLOCATION SYSTEM FOR CHILDREN AND YOUNG PEOPLE WITH DISABILITIES AND THEIR FAMILIES**

The Cabinet gave consideration to a report of the Director of Safeguarding which set out the statutory requirements for the Council to have a Personal Budget policy and Social Care Resource Allocation System for Children and Young People with Disabilities and their Families, as a result of the Special Educational Needs and Disabilities (SEND) reforms contained in the Children and Families Act 2014.

The Cabinet were informed that the Children and Families Act 2014 required local authorities to offer families Personal Budgets where an Education Health and Care (EHC) plan was in place for children and young people with disabilities. A Personal Budget was an amount of money identified by the local authority to deliver the provision set out in an Education, Health and Care (EHC) plan where the parent or young person needed help above that provided by universal or targeted services.

The Council had piloted and tested a model for personal budgets in children's social care for children with additional and complex needs. Plans were in place to extend this across social care for children with additional and complex needs with the implementation of the Personal Budgets policy.

It was reported that the proposed policy as set out at Appendix 1 outlined what a Personal Budget/direct payment could be used for.

Further consultation to potentially enable the freeing up of more resources to be taken as 'cashable' element of a personal budget was planned for November 2015.

The Cabinet was informed that the development of the resource allocation system and policy had been carried out with significant input from the finance team to ensure that the financial model was sustainable, affordable and provided value for money.

The proposed model allocated a 'pound per point' value to the outcome of the RAS assessment, which was linked to the child's age, and a combination of the two produced an 'indicative' Personal Budget amount. The pound per point value had been derived by assessing the needs of a sample of Oldham's current cohort of children and from this sample equating the financial costs of that need.

This approach had been taken to ensure equality, consistency and transparency for all service users, with a clearly defined set of backup tables as set out at Appendix 2 to the report.

Options/Alternatives considered:

Option 1: To adopt the recommended policy and Resource Allocation System to enable implementation of Social Care Personal Budgets for children and young people with Special Educational Needs and Disabilities and their Families.

Option 2: Decide not to approve the policy and Resource Allocation System; this would put the Council in breach of statutory requirements.

RESOLVED - That:

1. The policy as set out at Appendix 1, to enable the implementation of Personal Budgets for Children and Young People with Disabilities and their Families, be approved.
2. The recommended Resource Allocation System and funding matrix as set out at Appendix 2 be agreed.

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## **CHANGES TO THE CONSTITUTION OF FIRST CHOICE HOMES OLDHAM (FCHO) BOARD**

The Cabinet gave consideration to a report of the Executive Director for Co-operatives and Neighbourhoods which sought agreement to changes proposed by First Choice Homes Oldham Ltd (FCHO) to its constitution.

It was reported that a Housing Stock Transfer Agreement was agreed between the Council and FCHO in February 2011. The Agreement set out the Council's requirements of FCHO as a Registered Provider of social housing and included a commitment for FCHO to deliver against an 'Offer Document' supported through a ballot of tenants.

Since 2011, FCHO had completed the £149 Million investment programme and commitments within the Housing Stock Transfer Agreement ahead of schedule, including the 'Offer Document' promises to tenants.

The Cabinet was informed that the Homes and Communities Agency, which regulated housing providers, in 2015 updated its rules for housing associations. FCHO wished to make some changes to their governance arrangements in line with the new

regulatory model. The FCHO Board had reviewed its governance arrangements and drafted a simplified shareholder structure which would amend the current voting arrangement shared by tenants, the Council and independent members. It was reported that the revised arrangements would affect the Council's voting share on the Board. Currently the Council had the right to nominate 3 members of the board and those nominations had seen the Council nominate 3 elected members. Under the proposed changes, the Council would have no shareholding and have a right to nominate one member to the Board. The nominated Board Member would be a shareholder in FCHO but the Council itself will not be a shareholder.

Options/Alternatives considered:

Option 1: Approve the recommendations for the constitutional changes to FCHO Board as agreed by the members of FCHO board on 8<sup>th</sup> July 2015.

Option 2: Do not approve the constitutional changes to FCHO board as agreed by the members of FCHO board on 8<sup>th</sup> July 2015.

RESOLVED - That:

1. The contents of this report be noted.
2. The excellent performance achieved by First Choice Homes since the Housing Stock Transfer Agreement of February 2011 where commitments have been met and in some case exceeded be noted.
3. The constitutional amendments proposed by First Choice Homes be supported, subject to the inclusion of a further amendment stating that one board member will be a Council nominee.
4. The Council's amended representation on First Choice Homes Oldham's Board from 3 elected members with voting rights to 1 elected member with voting rights be endorsed.

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## **COUNCIL PERFORMANCE REPORT JUNE 2015**

Consideration was given to a report of the Director of Policy and Governance which provided Members with a review of the Council's performance for June 2015 to acknowledged the highlights and scrutinise any areas of underperformance as appropriate.

It was reported that there were 57 rated measured within the period and of these 56% met the target. In addition there were 31 Corporate Plan Actions this quarter and 87% were on track or completed.

Options/Alternatives considered

None

RESOLVED - That the Corporate Performance report for June 2015 be noted.

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## **OLDHAM COLISEUM THEATRE AND HERITAGE CENTRE**

The Cabinet gave consideration to a report of the Executive Director Economy and Skills that:

- Updated Cabinet on the development of the project to date
- Widened the scope of the project to include buildings that would be vacated following completion of the Heritage Centre element, as well as other vacant and 'at risk' buildings on Union Street.
- Sought approval for the phased delivery schedule of the expanded project.
- Sought approval for the submission of re-profiled funding applications to the Heritage Lottery Fund (HLF) and Arts Council England (ACE).
- Sought approval to delegate subsequent decisions relating to the acceptance of, and approval of any conditions attached to, Heritage Lottery Fund (HLF) and Arts Council England (ACE) funding, should this external funding be secured.
- Sought approval to the expenditure of funds needed to progress the delivery of the project up to Investment Decision (Phases A and C) and feasibility studies (Phases B and D) within the relevant budget constraints and in accordance with the appropriate officer scheme of delegation.
- Endorsed the appointment of Gilbert Ash as the preferred contractor and delegated any subsequent decisions relating to the appointment of Gilbert Ash and any preconstruction services and enabling works contracts that may be necessary.
- Updated the Cabinet on the latest governance model.

The Oldham Coliseum Theatre and Heritage Centre (OCTHC) Project involved the relocation of the Coliseum Theatre, museum, archives, local studies and stores to the currently vacant former Library and Art Gallery building on Union Street and the rationalisation of off-site storage in to a new single storage facility.

The former Library building was to be refurbished and redeveloped to accommodate new activities and visitor facilities, along with access to the new theatre to be constructed on the adjoining Southgate Street car park.

The Council had reflected on the history of the Old Town Hall and other buildings of heritage importance such as the Old Gallery and Lyceum, which were vacated without a clear plan in place to secure their future. It was keen to ensure that, when services were relocated from the Old Post Office and the former Museum, there was a clear plan in place for their reuse.

Beyond the immediate site the Council was also working to secure the long term future of the Lyceum building, half of which was vacant and requiring investment.

The Council also sought to ensure comprehensive plans were in place to secure the future of heritage buildings in private ownership that had fallen into disrepair. These included the Principality Building and the former Masonic Hall. The expanded scope would include buildings recently acquired by the Council with heritage value in the area, including the former Conservative Club and the Old Bank at Mumps.

Options/Alternatives considered:

Option 1: To proceed with Phase A and Phase C by approving the recommendations – this would ensure the project remained on programme and this would allow development of the former Library Building by the end of 2018, and would provide the Coliseum Theatre with new facilities.

Option 2: Not to approve the recommendations – if the recommendations were not approved, the alternative option would be to cease the project. This would mean that the aims, objectives and critical successful factors would not be achieved.

RESOLVED - That the Cabinet would consider the commercially sensitive information as detailed at Item 12 of the agenda before reaching a decision.

11 **EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information under 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.

12 **OLDHAM COLISEUM THEATRE AND HERITAGE CENTRE**

The Cabinet considered the commercially sensitive information in relation to Item 10 of the agenda - Oldham Coliseum Theatre and Heritage Centre, which provided details of further necessary actions, delegations, negotiations and financial information in relation to the project.

RESOLVED – That the recommendations as detailed within the commercially sensitive report be approved.

The meeting started at 6.00 pm and ended at 6.30 pm