

Public Document Pack

CABINET
25/01/2016 at 6.00 pm

Present: Councillors Stretton (Chair)
Akhtar, Brownridge, Harrison, Hibbert, Jabbar and Shah

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

2 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

3 **URGENT BUSINESS**

There were no items of urgent business received.

4 **DECLARATIONS OF INTEREST**

Councillor Shah declared a prejudicial interest at Item 11 of the agenda by virtue of her knowledge of the tenderers. She left the room and took no part in the vote thereon.

5 **PUBLIC QUESTION TIME**

There were no public questions received.

6 **MINUTES OF PREVIOUS MEETING**

RESOLVED - That the minutes of the meeting held on 14th December 2016 and 15th January 2016 be approved be approved as a correct record.

7 **COUNCIL TAX AND NON DOMESTIC RATES TAX BASES
2016/17**

Consideration was given to a report of the Director of Finance which set out information on the Council Tax base for 2016/17 using the most up to date valuation list and all other information and estimates available.

It was reported that after applying adjustments for the Local Council Tax Support scheme, to reflect charges to empty properties and an anticipated increase in the number of properties to be included in the valuation list over the year, the number of band D equivalent properties reduced to 56,152. The final Council Tax base after the application of the anticipated collection rate of 96.89% was 54,406 which was an increase of 1,005 over the Council Tax base for 2015/16. The Tax base for Saddleworth Parish Council of 8,389 and for Shaw and Crompton Parish Council of 5,305 had been calculated on the same basis.

It was further reported that under the current government finance system, local billing authorities were required to prepare and submit to the Department of Communities and Local Government (DCLG) a locally determined and approved Business Rates forecast through the National Non-Domestic Rates 1 return by January 31 each year. This forecast was to be used to determine the 2016/17 "demand" and payment schedule for Business Rates between the Oldham Council, Central

Government and the Greater Manchester (GM) Fire & Rescue Authority. The Council was only able to retain 49% of the income with 1% being paid to the GM Fire & Rescue Authority and 50% to Central Government.

The estimated rating income for 2016/17 attributable to Oldham Council was £28.360m. Delegation was being sought from Cabinet to enable changes to the Business Rates Tax Base to be made in accordance with information available on 31 January 2016.

Options/Alternatives considered

The Council had little discretion in the calculation of the number of properties incorporated into the Council Tax Base given the legislative framework that was in place. However, there was some discretion over estimating the number of new properties that would be included on the Council Tax register during 2016/17. A prudent view has been taken in this regard. The main area for an alternative approach was over the level of assumed collection rate. An increase in the collection rate would boost the anticipated Council Tax income and a decrease in the rate would decrease income. There would however have to be a reasoned argument to support an alternative anticipated collection level.

The National Non-Domestic Rate¹ return generated the figures upon which the Non-Domestic Rate Tax (NNDR) Base was prepared. It was not therefore appropriate to consider an alternative approach. However, as the figures included on the NNDR on 31st January 2016 may vary from the expected level, delegation was sought to allow the opportunity to revise the Tax Base and approve a revised and more accurate position.

The Council had little discretion in the calculation of the number of properties incorporated into the Council Tax Base given the legislative framework that was in place. However, there was some discretion over estimating the number of new properties that would be included on the Council Tax register during 2016/17. A prudent view has been taken in this regard. The main area for an alternative approach was over the level of assumed collection rate. An increase in the collection rate would boost the anticipated Council Tax income and a decrease in the rate would decrease income. There would however have to be a reasoned argument to support an alternative anticipated collection level.

The National Non-Domestic Rate¹ return generated the figures upon which the Non-Domestic Rate Tax (NNDR) Base is prepared. It was not therefore appropriate to consider an alternative approach. However, as the figures included on the NNDR on 31st January 2016 may vary from the expected level, delegation was sought to allow the opportunity to revise the Tax Base and approve a revised and more accurate position.

RESOLVED – That:

1. The Council Tax base for 2016/17 at 54,406 Band D equivalent properties be approved
2. The Final estimated net Business Rate yield and subsequently Oldham Council's estimated 2016/17 Business Rates Tax base at £28.360m be approved.

3. The decision to vary the final Business Rates forecast and hence the Business Rates Tax Base, if required, be delayed to the Cabinet Member responsible for Finance in consultation with the Executive Director of Corporate and Commercial Services and the Director of Finance.
4. The Tax Base for Saddleworth and Shaw and Crompton Parish Councils of 8,389 and 5,305 respectively be noted.
5. The report be exempted from call-in on the basis that the implementation of the recommendations contained within the report were required before the expiry of the call-in period.

8

OLDHAM EDUCATION AND SKILLS COMMISSION FINAL REPORT AND FUTURE IMPLEMENTATION

The Cabinet gave consideration to a report of the Director of Education and Early Years which presented the final report of the Oldham Education and Skills Commission to Members and sought approval of £1m to be invested towards the implementation of key recommendations.

It was reported that due to the history of low educational standards in Oldham, in 2014 the Leader of the Council invited Baroness Estelle Morris to lead a commission of education and skills experts to consider the future direction of education in Oldham. The report included at appendix 1 provided details of the 19 key recommendations which had emerged from the extensive research undertaken by the commission, investigation of best practice in Oldham and elsewhere and contributions from stakeholders engaged in the work of the commission.

Members welcomed the report and the recommendations and thanked those involved in the process. It was agreed that education was everyone's business and aspirations of residents needed to be raised within the Borough for all ages.

It was further noted that quality education and educational attainment was varied within the Borough, the recommendations of the Commission would go some way to address this and good practice would be replicated throughout the Borough.

Options/Alternatives considered

Option 1 – Not to accept the recommendations of the report.

Option 2 – Accept the recommendations of the report and not approve additional funding for implementation.

Option 3 – Accept the report and approve the funding required.

RESOLVED – That:

1. The Oldham Education and Skills Commission report as detailed at appendix 1 to the report be approved.
2. An allocation of £1m towards the implementation of the recommendations of the report over 4 financial years be approved.
3. The allocation of £250,000 with immediate effect subject to appropriate governance being established be approved.
4. The Director of Enterprise and Skills to work with partners to commission the additional reviews recommended by the Oldham Education and Skills Commission in respect

of vocational education, improving higher skills and addressing worklessness.

5. A vote of thanks be given to Baroness Estelle Morris, Jim McMahon MP and Councillor Akhtar for the work undertaken on the Commission.

9

CHILDREN'S SOCIAL CARE SERVICES REDESIGN - PHASE 1 PROPOSALS

Consideration was given to a report of the Executive Director Health and Well Being which sought approval to implement a number of proposals in respect of Children's Social Care services, driven by the findings of an Ofsted inspection of children in need of help and protection, looked after children and care leavers and the subsequent requirement to produce an improvement plan.

It was reported further proposals would be developed later in the year following a comprehensive review of service structures, but the proposals as detailed within the report were required as a matter of urgency to address identified areas of improvement. A number of proposals had been identified listed below and further detail and the rationale was contained in Appendix 1 to the report

1. Improve management oversight by increasing the number of senior practitioner at (Grade 9) within fieldwork services from 4 to 7;
2. Redesign how services were structured in order to improve services to children in need of protection and those looked after by the Council on a permanent basis by the establishment of a Permanence team;
3. Improve throughput of casework at the 'front door' by increasing the number of social work posts within the Children's Assessment Team from eighteen to twenty social workers on a permanent basis and over recruiting to vacant social work posts in order to maintain workforce stability at times of turnover at Grade 7;
4. Establish a Quality Manager who would have the principle social worker responsibilities. This role would be responsible for developing and implementing a performance framework in conjunction with business intelligence colleagues. This will drive up standards of professional practice within the service;
5. Improve outcomes for those young people moving from services delivered by Children's Social Care to those delivered by Adult's Social Care by recruiting to a longstanding vacant post of Transitions Worker;
6. Improve outcomes for males who may be vulnerable to child sexual exploitation by the establishment of a family support post aimed at working with this under-represented group;
7. Disestablishment of the post of Placement Officer;
8. Establish the post of Performance Officer;
9. Establish the post of Framework I Development and Performance Manager to replace current Framework I Consultant role;

10. Investment in additional business intelligence and business support capacity

Options/Alternatives considered

Option 1 – Approve the proposals as outlined above.

- There would be additional social work capacity to meet the increased demand evidenced during the last two years;
- There would be increased management capacity to improve management oversight;
- Performance improvement would be enhanced to evidence impact;
- The workforce strategy would be enhanced to evidence impact;
- Services to boys vulnerable to child sexual exploitation would be enhanced;
- Services to children moving into Adult Services would be enhanced.

The proposal would cost £370,410 (2016/17).

Option 2 - To leave the posts and structures as they were currently configured.

There would be no immediate additional pressure on the budget. The improvements identified by Ofsted would be more challenging to achieve.

Option 3 - To await a full proposal relating to structural arrangements of how services are delivered which would include; development of revised role profiles to reflect the most critical work and autonomous working in particular, the establishment and improvement of career pathways/ training arrangements, proposals regarding how posts will be filled across the service in the future.

- Enable consultation to take place across the whole range of proposals in one period
- There would be a delay in implementation measures considered critical in achieving the improvements required and detailed by Ofsted.

RESOLVED – That the list of actions identified below at a cost of £370,410 be approved:

1. Improve management oversight by increasing the number of senior practitioners at (Grade 9) within fieldwork services from 4 to 7;
2. Redesign how services were structured in order to improve services to children in need of protection and those looked after by the Council on a permanent basis by the establishment of a Permanence team;
3. Improve throughput of casework at the 'front door' by increasing the number of social work posts within the Children's Assessment Team from eighteen to twenty social workers on a permanent basis and over recruiting to vacant social work posts in order to maintain workforce stability at times of turnover at Grade 7;
4. Establish a Quality Manager which would have the principle social worker responsibilities. This role would be responsible for developing and implementing a performance framework in conjunction with business

intelligence colleagues. This would drive up standards of professional practice within the service;

5. Improve outcomes for those young people moving from services delivered by Children's Social Care to those delivered by Adult's Social Care by recruiting to a longstanding vacant post of Transitions Worker;
6. Improve outcomes for males who may be vulnerable to child sexual exploitation by the establishment of a family support post aimed at working with this under-represented group;
7. Disestablishment of the post of Placement Officer;
8. Establish the post of Performance Officer;
9. Establish the post of Framework I Development and Performance Manager to replace current Framework I Consultant role;
10. Investment in additional business intelligence and business support capacity.

10

OCCUPATIONAL HEALTH AND ASSOCIATED SERVICES CONTRACT

The Cabinet gave consideration to a report of the Executive Director of Corporate and Commercial Services which sought approval for the Council to re contract Occupational Health and associated services from the 1st March 2016 as part of a collaboration of Association Greater Manchester Authorities.

Options/Alternatives considered

Option 1 - Do nothing. This was not a practical an option and would result in the expiration of the Council's current service provision and lead to the loss of essential services to the Council and those receiving the service under service level agreement (Schools and Greater Manchester Waste Disposal Authority).

Option 2 - Run a separate procurement process independently This would likely result higher costs to the services and negate the benefits outlined in para 1.4. This would also result in a period of service withdrawal given the timescales in which a new provider was required.

Option 3 - Join the AGMA Collaboration and contract the services of Health Management Limited for the full contract period of 4 years. As above, this would be delivered within the Council's current budget for the provision of these services.

RESOLVED – That the in appointment of Health Management Ltd to provide occupational Health and associated services over the next four 4 years effective from 1st March 2016 be approved.

11

PRINCE'S GATE DEVELOPMENT

Consideration was given to a report of the Director Economic Development which provided Members with details of the progress of the Prince's Gate retail development including updates on:

- Replacement Park and Ride
- Marks and Spencer

- RSPCA building
- New retail and supermarket
- Refurbishment of former Nat West Bank
- Design of Prince's Gate
- Planning application for Prince's Gate
- Delivery Strategy and programme for Prince's Gate

It was reported that following that following recent financial modelling and financial due diligence it had been determined that the optimum procurement solution for the development of Prince's Gate was for the Council to procure the development itself. Self-delivery would also bring forward the completion of the Price's Gate to summer 2018.

Full commercial details of the project were provided at Item 14 of the agenda.

Options/Alternatives considered

To be considered at Part 14 of the agenda

RESOLVED – That Cabinet would consider the commercially sensitive information contained at Item 14 of the agenda.

12

GLODWICK SWIMMING POOL, NUGGET STREET, GLODWICK.

Councillor Shah declared a prejudicial interest at Item 11 of the agenda by virtue of her knowledge of the tenderers. She left the room and took no part in the vote thereon.

The Cabinet gave consideration to a report of the Executive Director, Economy and Skills which provided details of tenders received following a recent marketing exercise in relation to Glodwick Pool, Nugget Street Oldham.

A delegated report seeking authority to dispose of the property Asset No: 1123 (shown edged red on the site plan at Appendix 1 of the report) via a four week tender exercise was approved on the 17th November 2015 on the following basis:-

The Council was to grant a 999 year lease subject to a peppercorn rent in return for a premium payment. The Council would to retain a degree of influence/control over the building's future use through the imposition of the following covenants:-

- Continued use of the building.
- A restrictive covenant not to use the building as a place of worship or political gatherings.
- An overage clause in the event of future redevelopment for a higher value use.
- Not to use the Property or any part of it for the purposes of a school providing main stream primary or secondary education which is State or privately funded on a full time basis or to operate between the hours of 5.00pm and 9.00pm Monday to Friday nor to use the property as a children's home or a home for the elderly but shall be used for the Permitted Use only.
- It was intended that the afore-mentioned covenants and user clauses will be very tightly drawn/specific and shall not permit use as a madrassa/school.

It was reported that two tenders were received by the closing date as well as a late offer via email.

The commercially sensitive information including the detail of the bids was provided at Item 15 of the agenda for Members to consider.

Options/Alternatives considered

Option 1- To refuse all offers received and proceed to demolish the premises at the earliest opportunity and thereafter re-advertise the cleared site for sale on the open market either by tender or via auction.

It was considered there was no real advantage in the Council pursuing this course of action. It would result in continued revenue expenditure in terms of holding costs as well as capital expenditure for demolition of the property.

Option 2 - To accept the highest offer received on the basis that contracts were exchanged within two months of the date of the letter confirming the Council's acceptance.

In the event this did not occur then the Council could either:-

- (i) Approach the unsuccessful tenderer to ascertain whether they remain interested in purchasing the property on the same basis as above ie within two months of acceptance, or
- (ii) Withdraw and proceed to demolish the premises at the earliest opportunity. Should this arise, the Council would subsequently re-advertise the cleared site for sale on the open market either by tender or via auction.

In circumstances where any future disposal sale was via auction, then the Director of Economic Development was to agree a reserve price with the Cabinet Member (Economy and Enterprise) immediately prior to the auction date.

Option 3 -To accept the lower offer referred to within the Part B report for the reasons outlined therein on the basis that contracts are exchanged within two months of the date of the letter confirming the Council's acceptance.

In the event this did not occur then the Council could similarly adopt the alternative options as referred to in option 2 (i) & (ii) above.

RESOLVED – That the Cabinet would consider the commercially sensitive information as detailed at Item 15 of the agenda before making a decision.

13

DELIVERY OF THE ENGAGEMENT CASEWORK ELEMENT OF THE EARLY HELP OFFER

The Cabinet gave consideration to a report of the Director of Community Services, which sought approval of the delivery of the Engagement Casework element of the Early Help offer via an external supplier.

It was reported approval was given as part of efficiency savings to reduce the overall envelope of the two contracts and align them into a single tender for delivery from April 2016, the value being £500,000. This would generate a saving of £130,000.

Two tenders were received and in accordance with the Council's Contract Procedure Rules, the evaluation of the tender submission sought to identify best value.

Options /Alternatives considered

The new contract would increase the scope for delivery of the Engagement Casework element of the offer and would benefit residents of the Borough.

Option 1 - Award the contract to the preferred provider.

Option 2- Do not to award the contract; this would cause a high risk to the delivery of the Early Help offer; the service would not be able to meet agreed targets.

RESOLVED – That the Cabinet would consider the commercially sensitive information detailed at Item 16 of the agenda.

14

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 paragraphs 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.

15

PRINCE'S GATE DEVELOPMENT

Cabinet gave consideration to the commercially sensitive in relation to Item 10 – Prince's Gate Development.

RESOLVED – That the recommendations as outlined in the report be approved.

16

GLODWICK SWIMMING POOL, NUGGET STREET, GLODWICK.

Councillor Shah declared a prejudicial interest at Item 11 of the agenda by virtue of her knowledge of the tenderers. She left the room and took no part in the vote thereon.

Cabinet gave consideration to the commercially sensitive in relation to Item 11 – Glodwick Swimming Pool, Nuggett Street Glodwick.

RESOLVED – That:

1. The second highest offer be accepted on the basis that this was deemed to be of greater social value / benefit when compared to the other offer received.
2. The property in question was to be disposed of at less than best consideration and approval was given to an "undervalue" of £52,000 in accordance with the General Disposals Consent 2003, ie Secretary of State Consent was not required where the undervalue was less than £2 million and the disposal also contributed to the promotion or improvement of the economic, social or environmental well-being of the area.
3. That a 999 year lease be granted to the successful tenderer subject to the following covenants:-
 - a. Continued use of the building.

- b. Not to use the building as a place of worship or political gatherings,
 - c. An overage clause in the event of future redevelopment.
 - d. Not to use the Property or any part of it for the purposes of a school providing main stream primary or secondary education which was State or privately funded on a full time basis or to operate between the hours of 5.00pm and 9.00pm Monday to Friday nor to use the property as a children's home or a home for the elderly but shall be used for the Permitted Use only.
4. All further recommendations detailed within the report be approved.

17

**DELIVERY OF THE ENGAGEMENT CASEWORK
ELEMENT OF THE EARLY HELP OFFER**

Cabinet gave consideration to the commercially sensitive in relation to Item 12 – Delivery of the Engagement Casework Element of the Early Help Offer.

RESOLVED – That the contract be awarded to the preferred provider as detailed within the report to deliver the externally commissioned engagement Casework from April 2016.

The meeting started at 6.00pm and ended at 6.25pm