

**Present:** Councillor Fielding (Chair)  
Councillors Chauhan, Mushtaq, Roberts and Shah

1           **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Chadderton, Jabbar, Jacques and Ur-Rehman.

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 received.

5           **MINUTES OF PREVIOUS MEETING**

**RESOLVED** that the minutes of the Cabinet meeting held on 25<sup>th</sup> June 2018 be approved as a correct record.

6           **CLARKSFIELD PRIMARY SCHOOL 1 FE EXPANSION AND ACADEMY CONVERSION**

The Cabinet gave consideration to a report of the Director of Education and Early Years which sought approval of basic need funding for a 1 FE expansion at Clarksfield Primary School.

The Local Authority had a statutory duty to provide sufficient school places within its area. There was a forecasted shortfall in the East Oldham planning area from September 2018. In order to meet this demand, the Local Authority is under a statutory obligation to provide an additional 2 FE in East Oldham by 2020. Clarksfield was due to convert to academy status in 2018.

Informal discussions had taken place with the proposed academy sponsor of the school (Oasis Learning Trust) regarding the feasibility of adding a 1FE expansion to the current site. Clarksfield Primary School was situated in an area of significant demand for places.

Members were informed that detailed work and consultation had been undertaken. Members commented on the good relationship between the local authority, schools and academies. Members also commented on the fact that the Council could not open schools and how important partnership working was in working with sponsors.

Options/Alternatives

Option 1 – Expand Clarksfield Primary School by 1 FE post conversion to academy status. The total cost for this proposal is £2.9M. This expansion would provide an additional 210 places

bring the total available primary places at the school to 630 places. In addition the school was located in a central position, in the area of greatest place pressure and is within the LA statutory reasonable distance from all of East Oldham.

Option 2 – Expand Littlemoor Community Primary School. The cost for this proposal was £3M per form of entry.

Option 3 – Expand St. Thomas Moorside. The cost for this proposal was £3M per form of entry. In addition the school could apply faith criteria on admissions.

Option 4 – Expand Woodlands Academy. The cost of this proposal was £3M per form of entry.

Option 5 – Expand Mayfield Academy. The cost of this proposal was £4M per form of entry.

Option 6 – Expand St. Anne’s RC by one form of entry. The cost for this proposal was £5M per form of entry. In addition, the school could apply faith criteria on admissions.

Option 7 – Do nothing. This will mean the LA is in breach of its statutory duty to provide sufficient school places across the borough.

**RESOLVED that:**

1. The basic need funding of £2.9M for a 1 FE Expansion at Clarksfield Primary School be approved.
2. Further opportunities be explored by officers to provide an additional 1 FE with other providers in the area be agreed.
3. The Director of Legal Services or his nominee to enter into all necessary documentation contracts and legal commitments in accordance with the agreed schools expansion programme.
4. The release of the previously approved £85,564 for electrical condition works be noted. The release of this funding was consistent with the position taken in the Academy Conversion Policy 2016.

**NOTE:** Councillor Shah entered the room during this item.

7

**AIR QUALITY FEASIBILITY STUDY**

The Cabinet gave consideration to a report of the Deputy Chief Executive, People and Place related to the Air Quality Feasibility Study.

The Council had been mandated by Government to review options available in order to bring forward nitrogen dioxide emissions compliance on an identified link of road in Oldham as soon as possible. Cabinet were required to approve, in principle, options to achieve this to ensure that the Council was legally compliant within directive which had been served. The feasibility study required Oldham to develop a list of measures which would bring about nitrogen dioxide compliance in the shortest possible time as well as set out the preferred measure. The current position was outlined at Section 2 of the report. The refined shortlist of measures at Section 2.9 of the report was highlighted.

### Options/Alternatives

Option 1 – approve, in principle, the shortlist from which the preferred option(s) will be selected (if any) to bring forward nitrogen dioxide compliance in the shortest possible timeframe as determined by Oldham’s local feasibility study. This option would ensure the Council was legally compliant with the directive with which it had been served.

Option 2 – do not approve the shortlist from which the preferred option(s) would be selected (if any) to bring forward nitrogen dioxide compliance in the shortest possible timeframe as determined by Oldham’s local feasibility study. This option risked non-compliance with a legal mandate from government and associated consequences.

**RESOLVED** that the preferred option(s) be approved, in principle, to bring forward nitrogen dioxide compliance in the shortest possible timeframe.

8

### **ACKERS FARM RETAINING WALL RECONSTRUCTION - TENDER ACCEPTANCE REPORT**

The Cabinet gave consideration to a report of the Deputy Chief Executive, People and Place which sought approval for the award of a civil engineering contract in excess of £400,000 to the contractor of choice for the Ackers Farm Retaining Wall Reconstruction Scheme following the tender selection process. The works included the demolition of an existing dilapidated masonry structure that supported the A670 Standedge Road, Diggle and the reconstruction of the structure which used a combination of ground stabilisation techniques, ground anchors, in-situ concrete and masonry cladding.

Members were informed that the contract had been tendered using a mini-competition under the Low Value Construction and Highways Framework with support and involvement of the Council’s Procurement Team. The agreed procurement route had been followed and the tender assessment completed.

### Options/Alternatives

Option 1 – Agree to appoint the Contractor of choice and enable a purchase order for the works value to be raised for the works associated with the Ackers Farm Retaining Wall Reconstruction.

Option 2 – Do not agree to appoint the Contractor of choice, to undertake the works associated with the Ackers Farm Retaining Wall Reconstruction Scheme. This option would leave the retaining wall in a precarious condition with existing damage and does not address additional future structure failures.

**RESOLVED** that the Cabinet would consider the commercially sensitive information contained at Item 10 of the agenda before making a decision.

9 **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.

10 **ACKERS FARM RETAINING WALL RECONSTRUCTION - TENDER ACCEPTANCE REPORT**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 8 – Ackers Farm Retaining Wall Reconstruction – Tender Acceptance Report.

**RESOLVED** that the contract for the Ackers Farm Retaining Wall Reconstruction scheme be awarded to the preferred bidder as detailed within the commercially sensitive report.

The meeting started at 6.00 pm and ended at 6.06 pm