

Oldham Borough Council



Council Meeting
Wednesday 18 December 2013

OLDHAM BOROUGH COUNCIL

To: ALL MEMBERS OF OLDHAM BOROUGH COUNCIL,
CIVIC CENTRE, OLDHAM

Tuesday, 10 December 2013

You are hereby summoned to attend a meeting of the Council which will be held on Wednesday 18 December 2013 at 6.00 pm in the Council Chamber, Civic Centre, for the following purposes:

Open Council

- 1 Questions to Cabinet Members from the public and Councillors on ward or district issues

(20 minutes for public questions and 20 minutes for Councillor questions)

Formal Council

- 2 To receive apologies for absence
- 3 To order that the Minutes of the meeting of the Council held on the 23rd October 2013 be signed as a correct record (Pages 1 - 32)
- 4 To receive declarations of interest in any matter to be determined at the meeting
- 5 To deal with matters which the Mayor considers to be urgent business
- 6 To receive communications relating to the business of the Council
- 7 To receive and note petitions received relating to the business of the Council (Pages 33 - 34)

(time limit 20 minutes)

1 petition to note re – Higher Memorial Park Failsworth

- 8 Outstanding Business from the previous meeting

(time limit 15 minutes).

There is none.

- 9 Youth Council

(time limit 20 minutes)

There is none.

- 10 Leader and Cabinet Question Time

(time limit 30 minutes – maximum of 2 minutes per question and 2 minutes per response)

- 11 To note the Minutes of the meetings of the Cabinet held on the undermentioned dates, including the attached list of urgent key decisions taken since the last meeting of the Council, and to receive any questions or observations on any items within the Minutes from Members of the Council who are not Members of the Cabinet, and receive responses from Cabinet Members (Pages 35 - 52)

(time limit 20 minutes):-

- a) 21st October 2013
- b) 18th November 2013
- c) Urgent Key Decisions – Cabinet 23rd September 2013

- 12 Notice of Administration Business

(time limit 30 minutes)

1. Councillor A Chadderton to MOVE and Councillor Alexander to SECOND:

This Council is committed to providing outstanding education in good facilities which gives the young people of this borough the best possible educational experience. This Council regrets that the severe curtailment of the BSF programme which would have seen the replacement of Saddleworth and Royton & Crompton schools together with the upgrading of Hathershaw School, Blue Coat and Crompton House. The Council notes that both Saddleworth and Royton & Crompton schools had reached the end of their useful lives and required full replacement to obtain best value for money.

The Council welcomes the opportunity to support Saddleworth School and its governing body to apply for new funds through the Education Funding Agency but acknowledges that, the timescales involved, the available sites and the available budget present challenges.

Once the funding for the replacement of Saddleworth School is confirmed this Council resolves to:

- 1. Lobby the Government to fund the replacement of Royton and Crompton and work towards a replacement school at the earliest opportunity.
- 2. Lobby for greater devolved capital and other funding to invest in urgent repairs and upgrades required for the remaining secondary school estate.

Also:

- 3. This Council reconfirms the position it adopted under the BSF programme that the present site of Saddleworth School in Uppermill is an unsuitable and inadequate site for a replacement Secondary School. The Uppermill site is not fit to meet the education needs of future generations of students, nor does the proposal by some residents to rebuild Saddleworth School on the present Uppermill site meet the aspirational wishes of parents, staff and school governors.
- 4. This Council requests our MPs to support this resolution and Oldham Council's determination to campaign to providing outstanding education in good facilities which gives the young people of this borough the best possible educational

experience.

2. Councillor Dearden to MOVE and Councillor Haque to SECOND:

Newcastle City Council passed a declaration in May 2013 to tackle the harm smoking causes our communities. It has since been supported by the Public Health Minister, the Chief Medical Officer and Public Health England.

All councils are being urged to sign up to the Declaration which will be formally launched in Parliament on December 11th 2013.

The Declaration commits councils to:

- Act at a local level to reduce smoking prevalence and health inequalities and to raise the profile of the harm caused by smoking to our communities
- Develop plans with our partners and local communities to address the causes and impacts of tobacco use
- Participate in local and regional networks for support
- Support the government in taking action at national level to help local authorities reduce smoking prevalence and health inequalities in our communities
- Protect our tobacco control work from the commercial and vested interests of the tobacco industry by not accepting any partnerships, payments, gifts and services, monetary or in kind or research funding offered by the tobacco industry to officials or employees
- Monitor the progress of our plans against our commitments and publish the results
- Publicly declare our commitment to reducing smoking in our communities by joining the Smokefree Action Coalition, the alliance of organisations working to reduce the harm caused by tobacco.

Oldham has a higher percentage of people who smoke (27.2%) than the average for North West (22.8%) and England (20.7%).

Being part of this campaign will help us to raise awareness and improve the health of Oldhamers.

Therefore: This Council resolves to adopt the tobacco declaration.

3. Councillor A Chadderton to MOVE and Councillor McMahon to SECOND:

This council notes that

- Universal Credit is a single system created by the Government to replace a number of individual tax credits and benefits including Jobseeker's Allowance, Employment and Support Allowance, Income Support, Working Tax Credit, Child Tax Credit and Housing Benefit;
- Oldham is one of eight pilot areas nationally for Universal Credit since July 2013;
- On 15 November 2013, the Chief Executives of Oldham, Tameside and Wigan Councils (the Universal Credit Pathfinder areas of Greater Manchester) wrote jointly to the Department for Work and Pensions highlighting their concerns with the publication of the Jobseeker's Allowance figures in these local authority

areas, having received no data since July 2013;

- On 22 November 2013, the Department for Work and Pensions' Director of Information, Governance and Security David Frazer responded to this letter highlighting that information would be released on 3 December 2013.

This council believes that the information released by the Department for Work and Pensions on 3 December 2013 is insufficient and lacks clarity for the following reasons

- A wait of up to 4 months for relevant information is deeply unhelpful in assisting our efforts for timely support under Get Oldham Working - a monthly release of statistics would be a much better schedule;
- It highlights the monthly number of new starters to the Universal Credit system from July to September in Oldham but does not include a breakdown by previous tax credit or benefit type indicating how these residents would have been assisted prior to Universal Credit.
- It also gives no indication of how many of these residents are completely new to the benefits system and how many have been mandated off other forms of benefits including Jobseeker's Allowance: We know that the numbers of people in Oldham receiving Jobseeker's Allowance has fallen by over 2100 since April 2013 but are not able at present to clarify how many of this number have been mandated on to Universal Credit and therefore how many remaining have found work;
- It highlights the caseload of Universal Credit claimants from July to September in Oldham but includes no information about discrepancies between starter and caseload figures (i.e. what is happening to those who come off Universal Credit: how many are mandated off it, and how many are finding work etc)

This council therefore resolves to

- Ask the Chief Executive to write to the Secretary of State for Work and Pensions outlining our concerns and asking for the urgent confirmation of the requested information so that the council is able to more effectively target its resources to help people into work;
- Ask the Chief Executive to write to the borough's MPs to highlight this issue and request their help in lobbying to resolve it.

13 Notice of Opposition Business

(time limit 30 minutes)

1. Councillor McCann to MOVE and Councillor Beeley to SECOND:

This Council believes that the 'national living wage' first established by the National Living Wage Foundation in the UK in 2001 should be the minimum pay rate for all employees.

Other local authorities who have adopted the 'national living wage' rate have found that staff morale, productivity and retention improves as a result.

The current rate for employees outside of London is £7.65 per hour, a figure significantly higher than the National Minimum Wage set by statute. Creditably this Council has introduced an intermediate Oldham Living Wage guaranteeing employees the equivalent of £7.31 per hour; however this is still 34 pence per hour less than the out-of-London 'national living wage' rate.

Employees working for other public or private sector organisations across Oldham fare much worse.

As a leading employer in the borough, this Council resolves to lead the way by:

- Committing itself to introducing the 'national living wage' rate for all employees at the earliest possible time, with the timetable being determined through consultation between the three party group leaders, senior officers and trades unions
- Seeking thereafter accreditation from the Living Wage Foundation as a living wage employer
- Seeking the same wage rate for the staff of contractors, arms-length organisations and agencies engaged in contracts with the Council
- Promoting the adoption of the 'national living wage' rate to other Oldham employers
- Asking the Chief Executive to write to:
 - The Living Wage Foundation expressing the Council's support for the campaign
 - Our three local MPs and the leaders of the Government and principal Opposition parties calling upon them to support legislation to replace the National Minimum Wage with the 'national living wage' as the statutory minimum

2. Councillor Thompson to MOVE and Councillor McCann to SECOND:

This Council is committed to working with registered providers, and as a social landlord itself, to making best use of the social housing stock in the borough by promoting 'right sizing'.

'Right sizing' would free up larger family homes for occupation by applicants living with over-crowding, whilst supporting under-occupying tenants taking in lodgers or wishing to move to smaller properties to avoid housing benefit penalties, to reduce their heating or maintenance bills or because of infirmity or disability.

Council notes that:

- In the report on welfare reform dated 17th July 2013, of the social housing stock, 341 properties were under-occupied by 2 bedrooms, 25 by 3, and 7 by four or more spare bedrooms.
- This figure fails to account for tenants over working age, who are under-occupying, yet are in receipt of full housing benefit or tenants who under-occupy and pay their rent from their own resources.
- In contrast, as of 30th June 2013, there were 2,118 applicants on the waiting list requiring homes with three or more bedrooms, many households living with overcrowding

This Council therefore resolves to ask the Overview and Scrutiny Board to examine the practicalities of:

- Reinstating the council's downsizing policy to encourage under-occupying households to move;
- Giving an appropriate additional priority to those who are under-occupying on the waiting list, with greatest additional priority being given to those under-occupying by two or more bedrooms;
- Establishing procedures to vet and match up tenants who can property share or who wish to take in a lodger, with a model legal agreement being supplied free for any tenant taking in a lodger;
- Examining the effectiveness and use of the housing exchange and transfer option;
- Promoting the services and the offer of the AGMA Help with Rent housing team which supports tenants moving into smaller properties;
- Explore the adoption of a no eviction policy and the creation of a hardship fund using monies from the Housing Revenue Account to meet the rent arrears for tenants who under-occupy Council properties but who are actively seeking a move until such time as two reasonable offers of alternative accommodation have been made;
- Examining the legal remedies available to the authority to take possession of properties that are abandoned or grossly under-occupied

3. Councillor Harkness to MOVE and Councillor Sedgwick to SECOND:

This Council, being committed to supporting local jobseekers to secure employment, recognises that there are practical barriers that prevent jobseekers from attending job interviews or taking up employment opportunities.

Council is heartened to hear of the support made available to benefit claimants through Job Centre Plus, particularly:

- Access to the Flexible Support Fund from which payments can be made to "remove any barrier to employment" for a claimant, including reimbursing travel expenses and unavoidable overnight accommodation, providing work clothes and tools, and meeting the cost of specialist training provision.
- The new Travel Support to Jobseekers pilot in Greater Manchester that enables claimants to claim a travel voucher that can be exchanged for a day's travel on public transport for the purposes of job-seeking, coupled with a concessionary travel ticket for only £25 in each of the first three months of employment.
- The Stagecoach Group "Back on Board" scheme which permits claimants to receive a 50% discount on the majority of Stagecoach services.
- Assistance with travel planning from Job Centre Plus advisors and Transport for Greater Manchester.

This Council is however disappointed that this support is not more widely publicised to eligible claimants.

Council therefore resolves to:

- Promote this provision via elected members, the Make the Most of Your Money and Get Oldham Working teams, District Executives, Parish Councils and partner agencies such as the Oldham Work Club Network, the Citizens' Advice Bureau and the Oldham Credit Union to maximise take up
- Seek training from Transport for Greater Manchester so appropriate officers in each of the localities can become travel planning 'champions'
- Negotiate with Job Centre Plus and Transport for Greater Manchester to secure

stocks of the daily travel vouchers and establish a mechanism by which these can be disbursed through district centres so local claimants need not travel to the Oldham Job Centre to submit a claim

- Seek to negotiate a similar concessionary scheme from Metrolink in conjunction with TfGM and the other AGMA authorities

- 14 To note the Minutes of the following Joint Authority and Oldham Partnership meetings and the relevant spokespersons to respond to questions from Members (Pages 53 - 110)

(time limit 15 minutes):-

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| Association of Greater Manchester Authorities Executive | 27 th September 2013 25 th October 2013 |
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| Greater Manchester Combined Authority | 27 th September 2013 25 th October 2013 |
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| Police and Crime Panel | 26 th July 2013 |
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| Transport for Greater Manchester | 13 th September 2013 11 th October 2013 15 th November 2013 |
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| National Park Authority | 4 th October 2013 |
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| Greater Manchester Fire and Rescue Authority | 17 th October 2013 |
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| Unity Partnership Board | 4 th September 2013 |
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- 15 LGA Corporate Peer Challenge: Oldham Council, October 2013 - Report of Deputy Chief Executive (Pages 111 - 140)

- 16 Appointment of the Interim Chief Executive and Head of Paid Service - Report of the Assistant Executive Director, People Services (Pages 141 - 146)

- 17 Local Council Tax Reduction Scheme 2014/15 - Report of the Borough Treasurer (Pages 147 - 326)

The background documents to the Local Council Tax Reduction scheme are available in hard copy at Access Oldham, Civic Reception and the Group Rooms.

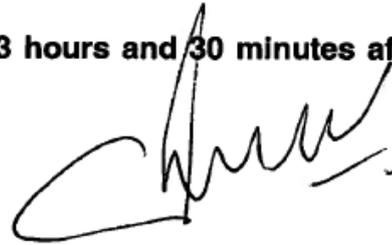
- 18 A Co-operative Approach to the use of Council Assets - Report of Executive Director Commercial Services (Pages 327 - 390)

The background documents to the C-operative approach to Council Assets are available in hard copy at Access Oldham, Civic Reception and the Group Rooms.

- 19 Civic Appreciation Nomination - Report of the Chief Executive (Pages 391 - 394)

- 20 Constitution Review - Report of the Borough Solicitor (Pages 395 - 400)
- 21 Update on Actions from Council (Pages 401 - 446)

NOTE: The meeting of the Council will conclude 3 hours and 30 minutes after the commencement of the meeting.

A handwritten signature in black ink, appearing to read 'Charlie Parker', with a large, sweeping initial 'C'.

**Charlie Parker
Chief Executive**

PROCEDURE FOR NOTICE OF MOTIONS
NO AMENDMENT

MOTION – Mover of the Motion to MOVE



MOTION – Secunder of the Motion to SECOND – May reserve right to speak



DEBATE ON THE MOTION: Include Timings



MOVER of Motion – Right of Reply



VOTE – For/Against/Abstain



Declare outcome of the VOTE

RULE ON TIMINGS

(a) No Member shall speak longer than five minutes on any **Motion or Amendment**, or by way of question, observation or reply, unless by consent of the Members of the Council present, he/she is allowed an extension, in which case only one extension of One Minute shall be allowed.

(b) A Member replying to more than question will have up to five minutes to reply to each question.

WITH AMENDMENT

