

# Oldham Borough Council



**Council Meeting**  
**Wednesday 17 December 2014**



## OLDHAM BOROUGH COUNCIL

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

Tuesday, 9 December 2014

You are hereby summoned to attend a meeting of the Council which will be held on Wednesday 17 December 2014 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 22nd October 2014 be signed as a correct record (Pages 1 - 38)
- 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

*(time limit 20 minutes)*

There are none.

- 8 Outstanding Business from the previous meeting

*(time limit 15 minutes).*

### Motion 1

Councillor Dearden to MOVE and Councillor Haque to SECOND:

Oldham Council, with its responsibility for Public Health, is determined to improve health outcomes in the borough.

This Council notes:

There are three and a half million overweight or obese children in England.

That one in every seven hospital beds is occupied by someone with diabetes.

The number of admissions in NHS hospitals with a primary diagnosis of obesity has risen over 11 times in the last decade.

That 34 per cent of children in year six in Oldham are overweight or obese.

That 6.4 per cent of Oldham's population are recorded as having diabetes; this is above the average for England.

The NHS currently spends £1 million an hour on diabetes, equivalent to 10 per cent of its annual budget. If a new government allows local government to reinvest a fifth of existing VAT on soft drinks, fast food and confectionery in activity programmes, it could help to prevent problems such as obesity and diabetes to help reduce the burden of ill health later in life.

This Council Resolves:

To support the Local Government Association's First 100 days of the next government campaign.

Also to instruct The Chief Executive to write to the leaders of all three parties calling on them to adopt the proposal in '100 days' to help the three and a half million overweight or obese children by reinvesting a fifth of existing VAT on soft drinks, fast food and confectionery on activity programmes.

## Motion 2

Councillor Heffernan MOVED and Councillor Williamson to SECOND:

The Council notes that:

- Local authorities are currently obliged by law to sell entries from the open electoral register to marketing companies. This personal information – the names and addresses of electors in this borough – is used by these companies for direct marketing purposes generating junk mail.
- Like nuisance calls, junk mail is an irritant to many residents in this borough.
- 90% of all junk mail is immediately deposited by its recipients in the bin
- 17.5 billion items of junk mail are produced every year in the UK, using 550,000 tonnes of paper and 16.5 billion litres of water. It takes about 17 mature trees to produce a tonne of paper. The equivalent of 550,000 tonnes of paper is therefore 9.35 million trees.

This Council believes that this legal obligation:

- Demears and cheapens local democracy
- Deters some potential voters from registering to vote by compromising their privacy
- Is damaging to our local environment and runs contrary to the authority's commitment to reducing its carbon footprint

This Council therefore supports the position of the Local Government Association that:

- The open register be scrapped
- The obligation on local authorities to sell electors' personal details be abolished

This Council resolves to:

- Request that the Chief Executive write to the Secretary of State for Communities and Local Government, The Rt. Hon. Mr. Eric Pickles MP, outlining the Council's support for the LGA's position.
- Request that the Chief Executive also write to our three local MPs asking them to make representations to the Secretary of State supporting this position.

10 Devolution of Powers to the Greater Manchester Combined Authority and Transition to a Directly Elected Mayor (Pages 651 - 684)

11 Youth Council

*(time limit 20 minutes)*

No business received.

12 Leader and Cabinet Question Time

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

13 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 685 - 696)

*(time limit 20 minutes):-*

- a) 20<sup>th</sup> October 2014
- b) Draft minutes 8<sup>th</sup> December 2014
- c) Urgent key decisions from 24<sup>th</sup> February 2014 to 20<sup>th</sup> October 2014

14 Notice of Administration Business

*(time limit 30 minutes)*

No business received.

15 Notice of Opposition Business

*(time limit 30 minutes)*

#### Motion 1

Councillor Harkness to MOVE and Councillor McCann to SECOND:

This Council recognises that a significant number of disabled residents and carers of this borough wish to secure appropriate employment.

As a Council, we are committed to supporting them in this ambition as part of our aspirat to Get Oldham Working.

Many people with disabilities or long-term ill-health have conditions which fluctuate in intensity on a day-by-day basis and many carers care for loved ones with similar conditic Traditionally employment is offered on the basis of a set number of hours on a set number of days each week.

This means that where such individuals are seeking employment they do so at a significant disadvantage to able-bodied applicants as they may find it impossible to commit to a

regular pattern of work.

Some employers are however open to employing workers on the basis of flexible attendance.

Council recognises that identifying those local employers who are able to offer suitable employment opportunities on this basis to candidates with disabilities or with caring responsibilities will:

- advance our corporate goal to Get Oldham Working and
- help create more-inclusive local workforces that harness the talent and commitment of disabled people and carers

This Council therefore resolves to:

- Establish a register for disabled persons and carers wishing to secure flexible employment with local employers
- Contact those employers who have pledged to support Get Oldham Working to identify those who are willing to offer future opportunities on this basis
- Provide a service to match suitable applicants from the register to suitable opportunities advertised by employers
- Promote such a Flex-Ability scheme, and the Access to Work support available through the Department of Work and Pensions, widely to prospective applicants and employers, especially through the Council webpages

## Motion 2

Councillor Sykes to MOVE and Councillor Blyth to SECOND:

Disability hate crime is defined by the Crown Prosecution Service and the Association of Chief Police Officers as being –

‘Any criminal offence which is perceived by the victim, or any other person, to be motivated by hostility or prejudice based on a person’s disability or perceived disability’  
Disability hate crime comprises verbal abuse, harassment, damage to the property of a person because of their disability, and, in three in ten cases, a physical assault.

Council notes that

- there is much general hostility toward disabled people, some of which is whipped up by sensational and vindictive media reporting and by intemperate and ill-advised comments by politicians and candidates.
- despite an overall rise of over 1,000 in convictions for other forms of hate crime in 2013/14, disappointingly the number of disability hate crime convictions fell over the year from 494 to 470.
- there has been good work carried out by the Police, the Association of Chief Police Officers, the Crown Prosecution Service, and the Disability Hate Crime Network, but the Director of Public Prosecutions acknowledged ‘that there is more to do, especially around disability hate crime’.

Council resolves to:

- Ask Overview and Scrutiny Committee to:
  - convene a special hearing to investigate, with disability advocacy groups, the prevalence of this type of crime in Oldham and what can be done locally through a multi-agency approach to prevent it and what can be done to bring about criminal prosecutions

- bring a report back to full Council as soon as practicable.
- Support the Disability Hate Crime Network, an umbrella body that promotes the reporting of disability hate crimes and supports the work of the Police in bringing prosecutions.
- Support Mencap's 'Stand by Me' campaign to help stop hate crime against people with a learning disability.
- Ask the Chief Executive to write to the Justice Minister, the Rt. Hon. Simon Hughes MP, and Director of Public Prosecutions, Alison Saunders, urging them to:
  - redouble their efforts to prosecute offenders
  - consider introducing new legislation for England and Wales which mirrors that which already exists in Scotland (the Offences (Aggravation by Prejudice) (Scotland) Act 2009)
  - provide magistrates with appropriate training so that they are aware of the extra sentencing powers they have to deal with disability hate crime offences.
- Ask the Chief Executive to write to the Police and Crime Commissioner Tony Lloyd urging him to:
  - ensure the prosecution of perpetrators of disability hate crime is given equal prominence to the prosecution of those committing other hate crimes
  - ensure that reporting procedures allow for British sign language and appropriate formats for those with learning difficulties
- Ask the Cabinet Member for Education and Safeguarding, Cllr Amanda Chadderton, to promote the materials published by the Crown Prosecution Service to support the delivery of the Disability Hate Crime Schools Project in local schools and academies
- Ask the Cabinet Member for Corporate Support, Cllr Abdul Jabbar, to review the existing support mechanisms for employees who become victims of disability hate crime to ensure that these model best practice

### Motion 3

Councillor Heffernan to MOVE and Councillor Williamson to SECOND:

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#### Motion 4

Councillor Klonowski to MOVE and Councillor Bates to SECOND:

In order to make a contribution to the £60 million savings required, Council should reduce all Councillors' allowances and special responsibility payments by 50% with immediate effect.

The savings made will all be used to protect jobs within the Council workforce.

- 16 To note the Minutes of the following Joint Authority meetings and the relevant a spokespersons to respond to questions from Members (Pages 697 - 754)

*(time limit 8 minutes):-*

Transport for Greater Manchester	12 <sup>th</sup> September 2014
Greater Manchester Fire and Rescue Authority	4 <sup>th</sup> September 2014 16 <sup>th</sup> October 2014
Greater Manchester Combined Authority	26 <sup>th</sup> September 2014 31 <sup>st</sup> October 2014 3 <sup>rd</sup> November 2014
Joint GMCA/AGMA Executive	26 <sup>th</sup> September 2014 31 <sup>st</sup> October 2014
Greater Manchester Waste Disposal Authority	3 <sup>rd</sup> October 2014
Police and Crime Panel	29 <sup>th</sup> August 2014

- 16 To note the Minutes of the following Partnership meetings and the relevant b spokespersons to respond to questions from Members (Pages 755 - 774)

*(time limit 7 minutes)*

Unity Partnership Board	3 <sup>rd</sup> September 2014
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Health and Wellbeing Board

9<sup>th</sup> September 2014

Oldham Care and Support Company

18<sup>th</sup> September 2014

17 Council Tax Reduction Scheme 2015/16 (Pages 775 - 810)

The appendix will be available to view at Access Oldham, Civic Entrance West Street Oldham OL1 1 UL and the group rooms.

18 Licensing Act 2003 - Review of Statement of Licensing Policy (Pages 811 - 848)

19 Civic Appreciation Award Nomination (Pages 849 - 850)

20 Land and Property Protocol Amendment (Pages 851 - 856)

21 Polling District and Polling Place Review 2014 (Pages 857 - 898)

Appendix B is available to inspect at Access Oldham Civic Centre and Civic Reception West Street OL1 1 UL and the group rooms.

22 Update on Actions from Council (Pages 899 - 938)

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



**Carolyn Wilkins  
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 four 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 30 seconds shall be allowed.

(b) A Member replying to more than question will have up to six minutes to reply to each question with an extension of 30 seconds

**WITH AMENDMENT**

