

Oldham Borough Council



**Council Meeting
Wednesday 1 April 2015**

OLDHAM BOROUGH COUNCIL

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

Tuesday, 24 March 2015

You are hereby summoned to attend a meeting of the Council which will be held on Wednesday 1 April 2015 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 4th February 2015 and 25th February 2015 be signed as a correct record (Pages 1 - 48)
- 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 49 - 50)

(time limit 20 minutes)

- 8 Outstanding Business from the previous meeting

(time limit 15 minutes).

Motion 1

Councillor Akhtar to MOVE and Councillor Ball to SECOND:

The New Economy recently published a report which reviewed the impact of benefit sanctions. This has been reviewed by the Oldham Poverty Action Group and local data collected through a workshop. The Group has stated that:

- The sanctions system itself is complex and the wording in official letters is difficult to understand. Local residents do not know they can access hardship payments from the DWP and are not clear about Local Welfare Provision.
- Many organisations that work to support claimants believe that sanctions are

applied when they shouldn't be. For example when there are exceptional circumstances that have led to the claimants actions e.g. when a person is sanctioned for not attending an interview when the letter inviting them arrived after the date of the meeting.

- People who are already vulnerable are often more likely to incur sanctions e.g. concerns were expressed about people with mental ill health and with poor literacy/numeracy skills.
- Overall there seems to be less support services available to help people facing multiple disadvantages who are affected by sanctions which means people are left isolated and need to turn to charitable help.

According to the Children in Poverty Action Group only about one third of sanctioned claimants appeal and yet 56% are successful at getting the sanction overturned which implies that confidence and understanding about the appeal process is likely to be poorly understood and that too many sanctions probably shouldn't have been applied. A number of work clubs in Oldham are now trying to support claimants with the appeal process and it appears that where claimants have skills issues (e.g. literacy issues) that they will not engage in submitting appeals.

I thereby call on the Chief Executive to write to the Government asking it to urgently review its approach to sanctioning. It is accepted that sometimes sanctions are required but there should be a fairness test and clear support pathways for those sanctioned.

Motion 2

Councillor Briggs to MOVE and Councillor Williams to SECOND:

This Council recognises the hazards caused by Sky Lanterns (also known as Chinese Lanterns).

Sky Lanterns have given rise to a number of serious safety concerns including:

- The risk to human life, especially to those who are members of the emergency services
- Risks to Pets, livestock, birds, wildlife and marine life.
- Fires and damage to property and vehicles.
- The impact on the environment, including littering.

Sky Lanterns were responsible for the fire at the Smethwick Recycling Plant in June 2013, which resulted in damage totalling around £6m. They have also been responsible for 62 fires within Greater Manchester.

Death and injury has been inflicted on Pets, livestock, birds, wildlife and marine life mainly through ingestion and entrapment caused by the lanterns wire frames.

The RSPCA, Fire and Rescue Authorities, farmers and vets have all warned of the dangers of Sky Lanterns. They have also been banned in several other countries including Australia, Spain and Germany.

This Council therefore, resolves to ban the sale and use of sky lanterns on any of its property or premises.

In addition, that the Council resolves to write to our three local Members of Parliament and urges them to support Early Day Motion 266 which states:

'That this House expresses concern regarding the use of sky lanterns, also known as Chinese lanterns and their impact on livestock, crops and the environment; notes that Cleveland Fire Brigade recognises that the lanterns pose a serious fire safety hazard due to their uncontrolled and unpredictable flight paths; further notes the existence of a ban on their use in Spain as a result of damage to property and death or injury to livestock caused by discarded lanterns and increases on the fire service, police and medical emergency services; and urges the Government to act swiftly.'

9 Youth Council

(time limit 20 minutes)

There is no Youth Council business to consider

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 51 - 68)

(time limit 20 minutes):-

- a) 26th January 2015
- b) 23rd February 2015

12 Notice of Administration Business

(time limit 30 minutes)

Motion 1

Councillor Akhtar to MOVE and Councillor Chadderton to SECOND:

This Council notes with great concern the announcement made by this Liberal Democrat/Tory Government of a further 25% reduction in the budget for adult skills for 2015/16.

This adult budget is the money which funds adults returning to education who have not achieved through the school system. It includes money which we use to fund 19 year olds who have not completed their Level 2 or Level 3 courses by the age of 18 (either because of their low attainment at 16, or other factors in their lives).

It also funds adults of any age coming back into education later in life, and it supports English for Speakers of Other Languages (ESOL) which plays such an important role in community cohesion.

The serious negative impact of this cut on Oldham should not be underestimated.

Currently, 60% of Oldham resident adults hold qualifications no higher than Level 2. As high skilled jobs in the City Region demand a skill level of 4-6, and it is estimated that 50% of future jobs will require this level of skills.

Indeed, many of those 60% of adults, who did not achieve well at school, will simply be

stuck in a low skilled, low paid trap - the consequences of these cuts will greatly influence the future of our town.

The Council resolves:

- To instruct to the Chief Executive to write to the appropriate government minister immediately after the General Election upon the forming of the next government, expressing the councils concern in regards to the future of adult skills funding.
- To ask our three Members of Parliament after the General Election to lobby the appropriate Secretary of State in regards to adult skills and its future funding, emphasising the specific concerns raised in regards to Oldham.

Motion 2

Councillor Jabbar to MOVE and Councillor Wrigglesworth to SECOND:

This Council recognises the wholly unequal and unfair way in which this Liberal Democrat/Tory Government has directly cut its funding to local authorities and towns such as Oldham. While Oldham has lost £176 Million in government support since 2009 with another £30 Million more to hit next year (2016/17) other councils such as Tewkesbury and Surrey have seen over 3% increases this year in their spending power.

This Council notes with concern comments made by the Chair of the Public Accounts Committee in regards to cuts to local authority funding, stating. "Councils with the greatest spending needs – the most deprived authorities – have been receiving the largest reductions. Further cuts could not just undermine the entire viability of most optional services, but might threaten some statutory services in these areas."

This Council calls for a fairer local government settlement from central government and recognises a recent Sigoma 'Protecting Vital Services' Report in which abhorrently unfair local and regional inequalities are presented. Furthermore this report and this Council stress the need for government to take a fresh look at local government finance going forward, especially given our increasing roles.

The Council resolves:

- To instruct the Chief Executive to write to the Secretary of State for Communities and Local Government immediately after the General Election and the forming of the government, representing this Council's concern and alarm at the inequality of council funding across the country, negatively effecting towns such as Oldham.
- To write to Oldham's 3 Members of Parliament asking them to make representations to the relevant ministers regarding the unfair and unbalanced local government funding model employed by this Liberal Democrat/Tory Government.

13 Notice of Opposition Business

(time limit 30 minutes)

Motion 1

Councillor Heffernan to MOVE and Councillor Sedgwick to SECOND:

This Council notes that in the Metropolitan Borough of Rochdale local residents have

since 2010 been encouraged to sign up for the “Love Rochdale Card”, a loyalty card scheme managed by the Rochdale Town Centre Management Company. The scheme rewards residents for shopping locally at over 200 shops and businesses in the town centre.

This Council recognises the merits of establishing a similar scheme for Oldham and its district centres as this helps support local businesses, local jobs and the local economy, as well as being better for the environment and promoting variety and choice on the high street.

This Council resolves to ask the Overview and Scrutiny Board to examine (in conjunction with the District Executives) the practicalities and timescale of introducing a shop local loyalty card scheme in Oldham and its district centres to encourage our residents to shop locally and so support our local economy.

Motion 2

Councillor Murphy to MOVE and Councillor McCann to SECOND:

This Council notes that:

- Section 106 planning contributions have historically been spent locally to benefit residents in the immediate area of a development. This has led to enhancements to the physical environment such as play spaces and community gardens that have been enjoyed by local people.
- The Community Infrastructure Levy, being introduced by Government to replace the Section 106 planning contributions, is prescriptive with Council being permitted by law to only spend 15% of the CIL planning gain in the immediate area and 85% being returned to the centre.
- This means that, unlike Section 106, there may be little direct benefit to the local community.

Council believes that:

- The prescription by central government of the 15:85 split is contrary to the spirit of localism and runs contrary to the Government’s intention that the arrangements for the levy should be ‘fairer and more transparent’.
- As well as deciding the actual amount of the levy, local authorities should be able to decide for themselves what percentage of the CIL planning gain is spent in the immediate area and how much is returned to the centre.

Council resolves to:

- Ask the Chief Executive to write to the Secretary of State for Communities and Local Government stating the Council’s position that local authorities should be able to determine the split of the levy between the local community and the centre.
- Ask the Cabinet Member for Planning to request officers investigate the merits of whether the Council should apply to the Government for the right to make its own determination of the split under the provisions of the Sustainable Communities Act 2007, and to bring a report back to Council on this issue.

- 14 To note the Minutes of the following Joint Authority meetings and the relevant a spokespersons to respond to questions from Members (Pages 69 - 130)

(time limit 8 minutes):-

Greater Manchester Waste Disposal Authority	5 th December 2014
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Police and Crime Panel	28 th November 2014
Greater Manchester Fire and Rescue Authority	4 th December 2014
National Park Authority	5 th December 2014
Transport for Greater Manchester	16 th January 2015
Greater Manchester Combined Authority	19 th December 2014 30 th January 2015
Joint GMCA/AGMA Executive	19 th December 2014 30 th January 2015

- 14 To note the Minutes of the following Partnership meetings and the relevant b spokespersons to respond to questions from Members (Pages 131 - 148)

(time limit 7 minutes)

Oldham Care and Support Company	19 th November 2014
Health and Wellbeing Board	20 th January 2015 17 th February 2015

- 15 The Devolution of Health and Social Care Responsibilities to Greater Manchester (Pages 149 - 208)
- 16 Standards Hearing Sub-Committee - Outcome of the Hearing regarding complaints against Councillor Bates (Pages 209 - 292)
- 17 Council Commitment to Community Cohesion (Pages 293 - 306)
- 18 Welfare Reform - Impact on Vulnerable People (Pages 307 - 324)
- 19 Council Calendar 2015/16 and 2016/17 (Pages 325 - 356)
- 20 Update on Actions from Council (Pages 357 - 384)

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

