

Oldham Borough Council



**Council Meeting
Wednesday 23 March 2016**

OLDHAM BOROUGH COUNCIL

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

Tuesday, 15 March 2016

You are hereby summoned to attend a meeting of the Council which will be held on Wednesday 23 March 2016 at 6.00 pm in the Council Chamber, Civic Centre, for the following purposes:

- 1 Civic Appreciation Award

Open Council

- 2 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

- 3 To receive apologies for absence
- 4 To order that the Minutes of the meeting of the Council meetings held on 16th December 2015, 27th January 2016 and 24th February 2016 be signed as a correct record (Pages 1 - 56)
- 5 To receive declarations of interest in any matter to be determined at the meeting
- 6 To deal with matters which the Mayor considers to be urgent business
- 7 To receive communications relating to the business of the Council
- 8 To receive and note petitions received relating to the business of the Council (Pages 57 - 58)

(time limit 20 minutes)

- 9 Outstanding Business from the previous meeting

(time limit 15 minutes).

Motion 1

Councillor Hibbert to MOVE and Councillor Fielding to SECOND:

“This council notes that:

- That the Housing and Planning Bill has been consulted on and will be debated in Parliament and, if passed, it would threaten the provision of affordable homes for rent and purchase by:
Forcing 'high-value' council homes to be sold on the open market;

Extending the right-to-buy to housing association tenants;
Undermining section 106 requirements on private developers to provide affordable homes.

- There is no commitment in the Bill that affordable homes will be replaced like-for-like in the local area.
- That whilst measures to help first-time buyers are welcome, the 'starter homes' proposals in the Bill will be unaffordable to families and young people on ordinary incomes in most parts of the country; will not preserve the taxpayer investment; and will be built at the expense of genuinely-affordable homes to rent and buy.
- That the Bill undermines localism by taking 32 new wide and open-ended powers for the Secretary over councils and local communities, including the ability to over-ride local plans; to mandate rents for social tenants; and to impose a levy on stock-holding councils, violating the terms of the housing revenue account self-financing deal.
- That the Bill, whilst introducing some welcome measures to address issues relating to rogue landlords, does not help with the high rents, poor conditions and insecurity affecting many of England's 11m private renters, including one in four families with children, and does nothing to help to arrest the recent rise in homelessness.

Oldham Council is already working with partners to use its land and skills to bring forward new housing in the Borough. The Government's 'one size fits all' approach to Planning and Housing doesn't work for areas like Oldham and Greater Manchester. This council resolves to contact Cllr. Sue Derbyshire, Chair of Greater Manchester Planning and Housing Commission, suggesting that GM should contact the Housing Minister to request a discussion with the Government on the challenges we face and how they can assist us in bringing forward more difficult housing sites."

10 Youth Council

(time limit 20 minutes)

There is no Youth Council business to consider.

11 Leader and Cabinet Question Time

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

12 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 59 - 76)

(time limit 20 minutes):-

- a) 14th December 2015
- b) 15th January 2016
- c) 25th January 2016

13 Notice of Administration Business

(time limit 30 minutes)

Motion 1

Councillor Garry to MOVE and Councillor McMahon to SECOND:

That in the month of International Women's Day this council reflects on the leading role women have played in fighting for equality and fairness for all.

The council notes the importance of promoting women in public life and celebrates the fact that two of the three borough Members of Parliament are women as are the Leader, Chief Executive and the Borough Treasurer of the Council in addition to the majority of the senior management team.

The council also reflects on the remarkable life of Annie Kenney, the Springhead born millworker who went on to be a pioneering suffragette. With others she secured the right for women to vote.

The council also looks forward to 2019 when the borough will mark the 200th anniversary of the Peterloo Massacre where four of the fifteen killed were women.

The council notes that while progress has been made much more is needed to realise full equality.

This council commits to:

- 1). Supporting the idea of and investigating funding sources for a permanent memorial to Annie Kenney in the town centre.
- 2). Supporting the idea of and investigating funding sources for a permanent memorial to those killed and injured at Peterloo at Cheapside (outside the civic centre tower) near where the Oldham contingent gathered before marching to Manchester, and that the proposed memorial ideally be in place to mark the 200th anniversary of the massacre.
- 3). Placing on record its thanks and appreciation to the organisers of events across the Borough which were held to mark International Women's Day.

Motion 2

Councillor Dearden to MOVE and Councillor Moores to SECOND:

This Council notes with alarm, the recent statement from the Department for Communities and Local Government (DCLG) confirming that new guidelines are to be introduced which will curb councils' powers to divest from or stop trading with organisations or countries they regard as unethical. Council further notes that the new guidelines, which will amend Pensions and Procurement law, follow on from the government's announcement made at the beginning of October 2015 that it was planning to introduce new rules to stop "politically motivated boycott and divestment campaigns" (Greg Clarke, Secretary of State for the Department of Communities and Local Government).

Oldham Council is proud of its commitment to human rights and to putting this into practice through such measures as an ethical approach to its relationship with business. Council believes that the proposed measures now being outlined by the DCLG will seriously undermine the Council's ability to implement its commitment to ethical procurement and pensions investments.

Council also notes that the new guidelines represent a further, serious attack on local democracy and decision-making through a further restriction on councils' powers. This is directly contrary to the government's own stated commitment to the principle of

localism, given a statutory basis by the Localism Act of 2011, which holds that local authorities are best able to do their job when they have genuine freedom to respond to what local people want, not what they are told to do by government.

This Council resolves to:

- 1). Instruct the Chief Executive to write to Greg Clarke, Secretary of State for Communities and Local Government to express Council's unequivocal opposition to the proposed changes.
- 2). Write to Debbie Abrahams MP, Angela Rayner MP and Jim McMahon MP to ask them to use any parliamentary means available to oppose these proposals.

Motion 3

Councillor Roberts to MOVE and Councillor Dearden to SECOND:

This Council notes the significant increase in demand for school places in Oldham and welcomes the necessary actions already taken including:

1. Setting up a better forecasting method looking at all available data on births, housing and new arrivals to enable forward planning.
2. Implementing an expansion programme to provide extra capacity. That includes plans to boost primary places with a new three-form entry school on the former Grange School site, plus the expansion of places in Failsworth, Hollinwood and Lees. A proposed new Saddleworth School will increase pupil numbers from 1,350 to 1,500 - and plans are also about to go out to statutory consultation to double the capacity at Greenfield primary with a new build two-form entry school.

Oldham Council will continue to work with the whole of the school sector including academies and free schools, however the range of providers makes planning school places much more challenging. Under the Government's rules, all new schools to help cope with this demand must be "free schools", created outside of local authority control.

There are now fewer and fewer schools under the direct control of councils. This council believes that local authorities are well placed to act to ensure school places can be created on time - and in the right places.

This Council supports the LGA's call for councils themselves to be able to open new schools, and to require academies to expand to meet local demand, where necessary.

Council also resolves to instruct the Chief Executive to:

- 1) .Write to the Secretary of State for Education to urge her to change the rules to allow Local Authorities to open new schools and to require academies to expand to meet local demand
- 2) .Write to the three borough MPs to inform them of the council's position and request that they use whatever parliamentary means available to raise this matter with government

14 Notice of Opposition Business

(time limit 30 minutes)

Motion 1

Councillor Harkness to MOVE and Councillor Williamson to SECOND:

Council notes that:

- Trees are a natural resource that are greatly treasured by the people of our borough

- Many residents would wish to do what they can to ensure that the trees around them – especially those in our public parks – are properly looked after to preserve their beauty and majesty for future generations
- Other local authorities have established tree warden schemes
- In Oldham, we already have members of Friends of Parks, Moors and green spaces groups who meet as a network hosted by Voluntary Action Oldham; these dedicated individuals represent a potential source of volunteers.

Council believes that establishing a tree warden scheme would:

- Represent an embodiment of the Co-operative Oldham principal in action;
- Compliment the delivery of the Get Oldham Growing Strategy, particularly in supporting the work of the newly-appointed Tree Planting project officer;
- Provide useful, interesting and accessible voluntary work activity to a wide range of people, including young people and individuals with learning disabilities, physical disabilities and mental health conditions;
- Be an educational resource for our schools when linked to the Forest Schools initiative;
- Supplement the resources of staff at a time of dwindling public finances

Council therefore resolves to ask the relevant Cabinet Member(s) to establish such a scheme for the borough of Oldham.

Motion 2

Councillor Sykes to MOVE and Councillor Williamson to SECOND:

Council notes that the Living Wage Foundation:

- Exists to recognise and celebrate the leadership shown by living wage employers in raising the living standards of workers.
- Establishes two Living Wage rates every year for employees outside and inside London.
- Has over 1,800 employers accredited with them, with over 1,000 having registered as payers of the National Living Wage in the past year.
- Permits accredited employers to proudly display the Living Wage Employer Mark.

Council further notes that:

- Oldham Council first resolved to become a National Living Wage employer as a result of a motion brought to full Council in December 2013
- The National Living Wage was introduced as the minimum pay scale for all staff in April 2015.
- As a result five hundred and forty staff had a pay increase.
- In his annual statement to September Council the Leader of the Council rightly highlighted the fact that this was a commendable achievement.

However despite this achievement, Oldham Council is not currently Living Wage accredited and therefore has not yet received the Living Wage Employer Mark.

Council therefore resolves to ask the Chief Executive to:

- Seek accreditation with the Living Wage Foundation and
- Ensure that the Living Wage Employer Mark is proudly displayed on appropriate pages within the Council's website and in appropriate printed materials.

Motion 3

Councillor Heffernan to MOVE and Councillor Blyth to SECOND:

Oldham Council currently requires companies bidding for council contracts to have

ethical and social policies.

Council believes that it should also require these bidders to account for their past tax record.

Council notes

- That the UK Government has taken steps to tackle the issue of tax avoidance and evasion by requiring bidders to account for their past tax record in accordance with Procurement Policy Note 03/14 (PPN 03/14). This applies to all central government contracts worth more than £5m.
- In early 2015 new regulations required public bodies, including councils, to ask procurement qualification questions of all companies for tenders over £173,000 for service contracts and £4m for works contracts. However, these questions are not as detailed as the PPN 03/14.

Council believes that it should require bidders for council contracts to account for their past tax record, using the standards in PPN 03/14, rather than the lower standards in the recent regulations.

Council therefore calls upon the relevant Cabinet Member to:

- Instruct officers to revise our procurement procedures to require all companies bidding for council service contracts worth more than £173,000 and works contracts worth more than £4 million to self-certify that they are fully tax-compliant in line with central government practice using the standards in PPN 03/14.
- Ensure that the Council publicises this policy and reports on its implementation on an annual basis.

- 15 To note the Minutes of the following Joint Authority meetings and the relevant a spokespersons to respond to questions from Members (Pages 77 - 154)

(time limit 8 minutes):-

Greater Manchester Fire and Rescue Authority	3 rd December 2015
Police and Crime Panel	30 th October 2015
Greater Manchester Combined Authority	27 th November 2015 18 th December 2015 29 th January 2016
Joint GMCA/AGMA Executive	27 th November 2015 18 th December 2015 29 th January 2016
National Park Authority	4 th December 2015
Transport for Greater Manchester	13 th November 2015
Greater Manchester Waste Disposal Authority	18 th September 2015

- 15 To note the Minutes of the following Partnership meetings and the relevant b spokespersons to respond to questions from Members (Pages 155 - 184)

(time limit 7 minutes)

Oldham Leadership Board	10 th December 2015
-------------------------	--------------------------------

Health and Wellbeing Board	10 th November 2015 19 th January 2016
Oldham Care and Support	7 th December 2015 18 th January 2016
Unity Partnership Board	5 th November 2015

- 16 Approval of Oldham Council's Pay Policy Statement for 2016/17 (Pages 185 - 254)
- 17 Revisions to the Code of Conduct for Employees (Pages 255 - 270)
- 18 Amendment to the Constitution - Petitions Protocol (Pages 271 - 276)
- 19 Adoption of Statement of Community Involvement - Update (Pages 277 - 330)
- 20 Revision of Byelaws made under Section 19 of the Public Libraries & Museums (Pages 331 - 344)
- 21 Welfare Reform - Thematic Analysis: Young People (Pages 345 - 372)
- 22 Update on Actions from Council (Pages 373 - 424)

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 1 minute.

WITH AMENDMENT

