

# Oldham Borough Council



**Extraordinary Council Meeting  
Wednesday 27 January 2016**



## **OLDHAM BOROUGH COUNCIL**

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

**Tuesday, 19 January 2016**

**You are hereby summoned to attend the meeting of the Council which will be held on Wednesday 27 January 2016 at 6.30 pm in the Council Chamber, Civic Centre, for the following purposes:**

- 1 To receive apologies for absence
- 2 To receive declarations of interest in any matter to be determined at the meeting
- 3 Appointment of the Leader of the Council (Pages 1 - 8)
- 4 Cooperative Borough: The role of the Borough's Members of Parliament (Pages 9 - 12)
- 5 Update on Cities and Devolution Bill



**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



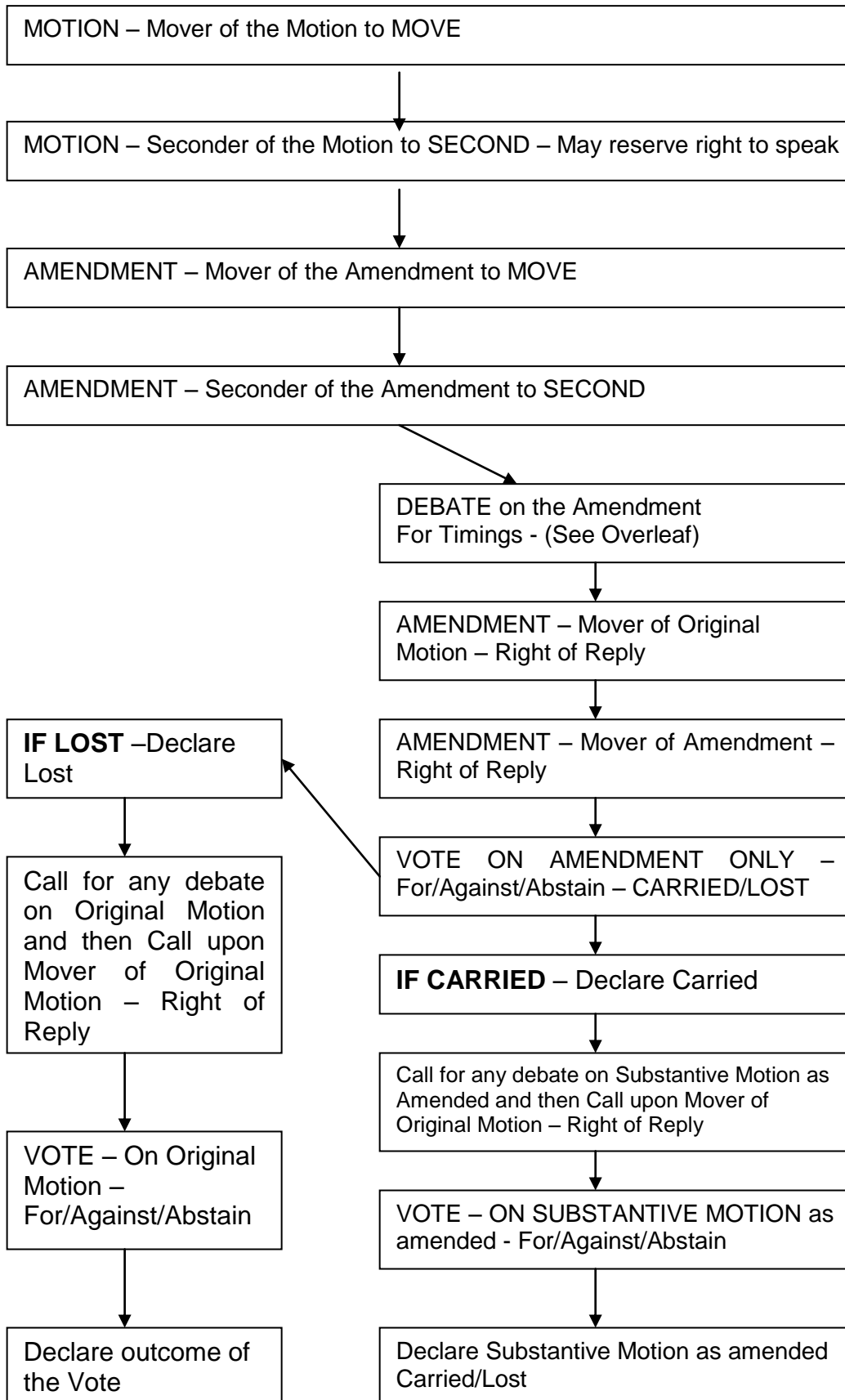
Declare outcome of the VOTE

**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



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## Report to COUNCIL

# Appointment of the Leader of the Council

**Officer Contact:** Paul Entwistle, Director of Legal Services

**Report Author:** Liz Drogan, Head of Constitutional Services  
**Ext.** 4705

**27<sup>th</sup> January 2016**

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### Reason for Decision

The appointment of the Leader of the Council is a Council function in accordance with provisions of the Local Government Act 2000 as amended.

Following the receipt by the Chief Executive of the resignation of Councillor Jim McMahon MP as Leader of the Council on the 15<sup>th</sup> January 2016, the Council is required to consider a nomination(s) for the position of Leader of the Council.

### Recommendations

1. That the Council note the resignation of Councillor Jim McMahon MP as Leader of the Council.
2. That Council receive the nomination(s) for the office of Leader of the Council.
3. That Council approve the appointment of the Leader of the Council from the 27<sup>th</sup> January 2016 and ending on the day when the Council holds its first annual meeting of the Leader's normal day of retirement as Councillor as outlined at paragraph 1.2 of the report.
4. That Council approve the changes to the various outside bodies of which the Leader of the Council is appointed to.
5. That any consequential amendments to the Constitution arising from the appointment of a new Leader be delegated to the Director of Legal Services.
6. That Council approve the proposal in relation to a Members Allowance as outlined at paragraph 2.3 of the report.

## Appointment of Leader of the Council

**1 Background**

- 1.1 The Council on the 16<sup>th</sup> December 2009 agreed to adopt the Leader and Cabinet model of governance.
- 1.2 The Leader's term of office will end on the day when the Council holds the first annual meeting after the Leader's normal day of retirement as a Councillor unless:
- a) he or she resigns from the office or
  - b) he or she is no longer a Councillor or
  - c) he or she is removed from office by the resolution of the Council.
  - d) the appointment of a successor at a subsequent Annual Meeting of the Council
- 1.3 Under the arrangements, it shall be the responsibility of the Leader to determine the size and membership of the Cabinet (provided the membership comprises between two and nine Members, not including the Leader). The Leader shall also determine the remit of each portfolio. The Council does not have any decision-making role in this regard. The Leader will circulate a report for Council to note.
- 1.4 Under the arrangements, all Executive functions are vested in the Leader and it is his/her responsibility to determine how such functions shall be delegated. This responsibility can be a simple re-affirmation of the existing delegation of executive functions to the Cabinet, and Officers. The Council does not have any decision-making role in this regard. The Leader will circulate a report for Council to note.

**2 Current Position**

- 2.1 Councillor Jim McMahon MP was reappointed Council Leader on the 20<sup>th</sup> May 2015. The Chief Executive received Councillor Jim McMahon MP resignation as Leader of the Council on the 15<sup>th</sup> January 2016. The Council are required to consider nominations for the position of Leader of the Council and appoint the new Leader from the 27<sup>th</sup> January 2016 and ending on the day when the Council holds its first annual meeting of the Leader's normal day of retirement as Councillor.
- 2.2 There are various outside bodies of to which the Leader is appointed. Council is asked to approve these appointments as detailed at appendix 1.
- 2.3 In addition to the consideration of the nomination for the position of Leader, Members will be aware that the Member Allowances Scheme entitles a member to forego their allowance by notifying the Chief Executive in writing of this intention. As a member has requested that their allowance is foregone, members are requested to consider a proposal that any allowance foregone by a member be distributed to the Oldham Food Bank the Co-operative Oldham Fund.  
This does not relate to a second Special Responsibility Allowance which a Member is not entitled to claim an allowance for under the scheme.

**3 Options/Alternatives**

- 3.1 N/A

**4 Appendices**



4 **Background Papers**

- 4.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act :

Local Government and Public Involvement in Health Act 2007 (published works available of the OPSI website)

Localism Act 2011 (published works available of the OPSI website)

Local Government Act 2000 (published works available of the OPSI website)

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**APPENDIX 1**  
**OLDHAM METROPOLITAN BOROUGH COUNCIL**  
**LEADER APPOINTMENTS TO OUTSIDE BODIES – 2015-16**

**LGA General Assembly – 4 places 3 RA + 1 Main Opp**

Contact: Cathy Boyle, Head of Member Services, Tel: 0207 664 3205 OR  
Fatima de Abreu Tel: 0207 664 3136 Local Government House, Smith  
Square, London SW1P 3HZ

**LGA Executive – 1 place 1 RA**

Contact: Frances Marshall Tel: 0207 664 3220 Local Government House,  
Smith Square, London SW1P 3HZ

**Meridian Development Company Ltd – 1 place 1 RA**

Contact: Becky Collinge Tel: 08450 540528  
Meridian Business Centre King Street Oldham Lancs OL8 1EZ

**Oldham Economic Development Association Board – 8 places (Directors  
appointed by Monitoring Officer) 6 RA + 2 Main Opp**

Contact: Mr P Entwistle, Borough Solicitor Tel: 0161 770 4822  
OMBC Legal Division, Civic Centre, West Street, Oldham, OL1 1UL

**Oldham Leadership Board- 4 places Leader of the Council and Leader  
of the Main Opposition, Portfolio Holder for Commissioning & Chair of  
Health and Wellbeing Board**

Contact: Vicky Sugars, Partnerships and Project Manager, Room 317,  
OMBC, Civic Centre, West Street, Oldham, OL1 1UL. Tel: 0161 770 3303

**Oldham Property Partnership Limited– 2 places Leader of the Council +  
Leader of the Main Opposition**

Contact: Bryn Cooke, PDI Team Leader, Development and Infrastructure  
Tel: 0161 770 4134 Room 310, Level 3, Civic Centre, West Street, Oldham  
OL1 1UL

**Rochdale Canal Trust – 1 place RA**

Contact: Fabiola Fuschi, Constitutional Services, OMBC, Civic Centre, West  
St, Oldham OL1 1UL Tel: 0161 770 3862.

**Southlink Developments Limited – 3 places (Director) 2 RA + 1 Main Opp**

Contact: Mr P Entwistle, Solicitor Tel: 0161 770 4822 Room 328 Legal  
Division, OMBC, Civic Centre, Oldham, OL1 1UP

**AGMA/GMCA NOMINATIONS**

**APPOINTMENT TO OUTSIDE BODIES – 2015-16**

**GM Combined Authority – 1 place Leader + 1 sub**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
Manchester City Council, Town Hall, PO BOX 532, M60 2LA

**AGMA Executive Board – 1 place Leader + 2 subs**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
Manchester City Council, Town Hall, PO BOX 532, M60 2LA

**Police and Crime Panel – 1 place Leader of the Council + 2 subs**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
Manchester City Council, Town Hall, PO BOX 532, M60 2LA



**Report to COUNCIL**

## **Cooperative Borough: The role of the Borough's Members of Parliament**

**Officer Contact:** Carolyn Wilkins, Chief Executive

**Report Author:** Liz Droган, Head of Constitutional Services  
**Ext. 4705**

**27<sup>th</sup> January 2016**

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### **Reason for Decision**

To designate an ambassadorial role in line with the Council's Corporate ambition and objectives to the three Members of Parliament representing Oldham West and Royton, Oldham East and Saddleworth and Ashton Under-Lyne in their capacity as a figurehead for the local area.

### **Recommendations**

1. That the designation of an ambassadorial role to the three Members of Parliament representing the Borough in their capacity as a figurehead for the local area, in line with the Council's Corporate ambition and objectives be agreed.
2. That the designation of Jim McMahon MP as an ambassador for the Borough's regeneration in his capacity as a figurehead for the local area be agreed.

Cooperative Borough: The role of the Borough's Members of Parliament

**1 Background**

- 1.1 Members of Parliament (MPs) have a responsibility to three main groups: their constituents, Parliament and their political party. MPs' duties in Parliament include participating in debates and voting on legislation and other matters.
- 1.2 MPs can help their constituents by advising on problems (particularly those that arise from the work of Government departments), representing the concerns of their constituents in Parliament and acting as a figurehead for the local area.

**2 Current Position**

As a figurehead for the local area it is the intention of the Council to designate the three Borough MPs an ambassadorial role in line with the Council's Corporate ambition and Objectives.

- A productive place to invest where business and enterprise thrive
- Confident communities where everyone does their bit
- A co-operative council creating responsive and high quality services

In carrying out the ambassadorial role the Borough's MPs will act as an advocate for the Borough of Oldham, championing the Borough and will support relationships between the Council and central Government departments.

It is intended that the roles will be appointed on a 4 year term, the role will be voluntary and no allowance will be paid to the post holder.

- 2.1 It is suggested that the first role to be designated is Jim McMahon MP as ambassador for the Borough's regeneration. A role description is attached at appendix 1 to the report. The regeneration ambassador will champion Oldham as a place of opportunity and as a place to invest both nationally and within the City Region and promote Oldham's regeneration ambitions and achievements.

**3 Options/Alternatives**

- 3.1 Option 1 – To designate an ambassadorial role to the three Borough MPs in their capacity as figureheads for the local area, the first being Jim McMahon MP as Figurehead for the Borough's regeneration.

Option 2 - Not to designate an ambassadorial role to the three Borough MPs.

**4 Preferred Option**

- 4.1 Option 1.

**5 Consultation**

- 5.1 n/a

**6 Financial Implications**

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6.1 None

7 **Legal Services Comments**

7.1 n/a

8. **Co-operative Agenda**

8.1 Oldham is committed to developing a co-operative future; one where citizens, partners and staff work together to improve the borough and create a confident and ambitious place. The ambassadorial role for the Borough's MPs will be an important part of their cooperative contribution.

9 **Appendices**

Oldham Ambassador Role description.

10 **Background Papers**

10.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act :

You and Your MP House of Commons Information Office

House of Commons Code of Conduct Approved by the House of Commons on 17<sup>th</sup> March 2015

(Published works available on the Parliament website)

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**Role:** Oldham Ambassador

**Role:**

Each Ambassador key role duties will be agreed between the Leader and role holder, once the topic of each Ambassador role has been confirmed.

Broadly the Ambassador will act as an advocate for the borough of Oldham, promoting Oldham's ambitions and achievements.

It is intended that the role will be appointed to for a four year term expiring in 2020.

The post is voluntary and no allowance is payable to the post holder.

**Key Tasks:**

Key tasks for the Ambassador role will be agreed with the Leader of the Council.

The Ambassador will:

1. Host visits and events from a variety of audiences both in Oldham and in Westminster to promote the opportunities across the Borough;
2. Chair and attend appropriate Strategic meetings, which will meet no more than four times a year;
3. Liaise with Oldham's other borough MPs to ensure they are updated on key activity in relation to this work area;

**Contacts:**

Chief Executive, Executive Directors, Senior Officer and other staff across the Council, Council Leader, Elected Members, Key Partners, National agencies, GMCA and GM Councils Chief Executives and Leaders, LGA and Government Departments.

Also include investors, business, voluntary and community sector.

Date: 07 January 2016





**Report to COUNCIL**

## **Update on Cities and Devolution Bill**

**Officer Contact:** Paul Entwistle, Director Legal Services

**Report Author:** Liz Drogan  
**Ext.** 4705

**27<sup>th</sup> January 2016**

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### **Reason for Decision**

To update Members on the status of the Cities and Devolution Bill and the next steps of implementation following the special Cabinet meeting on the 15<sup>th</sup> January 2016.

### **Recommendations**

1. To note the progress of the Bill and next steps required for implementation.
2. To note the delegation to the Leader of the Council or in the absence of the Leader, the Deputy Leader in consultation with the Chief Executive, to consent to the terms of the Order required to establish the role of Greater Manchester Combined Authority (GMCA) elected Mayor and to provide for the Mayor to exercise the functions of the Police and Crime Commissioner (PCC) in relation to the Greater Manchester Police area.
3. To note the delegation to the Leader of the Council or in the absence of the Leader, the Deputy Leader of the Council in consultation with the Chief Executive the authority to consent to the terms of Orders required to enable the GMCA to carry out health related functions from April 2016.

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## Update on Cities and Devolution Bill

### 1 Background

1.1 The Cities and Devolution Bill went through the report stage in the House of Commons on the 7<sup>th</sup> December 2015. The Bill will be going back into the House of Lords on the 12<sup>th</sup> January 2016 and it is anticipated that it will receive Royal Assent shortly after.

The Bill was discussed extensively at Committee and Report stages in the House of Commons and was amended to take into account Government proposals and respond to amendments made to the Bill in the House of Lords.

On the 15<sup>th</sup> January 2016 the Cabinet agreed to:

- Delegate to the Leader of the Council or in the absence of the Leader, the Deputy Leader in consultation with the Chief Executive, to consent to the terms of the Order required to establish the role of Greater Manchester Combined Authority (GMCA) elected Mayor and to provide for the Mayor to exercise the functions of the Police and Crime Commissioner (PCC) in relation to the Greater Manchester Police area.
- Delegate to the Leader of the Council or in the absence of the Leader, the Deputy Leader of the Council in consultation with the Chief Executive the authority to consent to the terms of Orders required to enable the GMCA to carry out health related functions from April 2016.

### 2. Cities and Devolution Bill

2.1 The Bill as currently drafted is enabling legislation and the detail of the additional powers to be provided to the elected Mayor and the Combined Authority (CA) will be set out in Orders confirmed by Parliament through the affirmative process and any subsequent secondary legislation that may be required. The Bill in its current form does therefore meet the requirements of the Greater Manchester Devolution deals.

### 3 Current Position

#### 3.1 First Order

Discussions have taken place with the Department for Communities and Local Government (DCLG) on the timetable for implementation of the Orders required. The first Order will create the GM Mayor role, and provide for the Mayor to exercise the functions of the Police and Crime Commissioner (PCC) for the Greater Manchester Police area. It also provides for the election of the Mayor in May 2017 for an initial three year term and removes the requirement for a Greater Manchester PCC election in May 2016.

It is anticipated that the Order will be laid immediately after Royal Assent to meet the timetable required to stop the PCC election. The Order requires the consent of GMCA and the 10 constituent Councils.

#### 3.2 Orders Required for April 2016

As members are aware under the devolution deals certain powers will be exercisable by the Mayor alone, some Mayoral decisions require the approval of CA members and other powers will be exercisable by the CA as a body.

GMCA will require the ability to exercise health related functions from April 2016 to enable it to play a full part in health and social care devolution. It is proposed that this will be by

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way of providing for the CA to have the function that all local authorities have under the Health and Social Care Act 2012 to take appropriate steps to improve the health of people who live in their area.

Further work is taking place on other additional powers required to implement devolution from April 2016.

### 3.3 **Full Implementation**

The totality of powers to be granted to the CA and Elected Mayor will need to be finalised by November 2016. This process will begin in March 2016 with a 3 month period for drafting, CA engagement and Ministerial approval. It is envisaged that the Orders will then be laid before Parliament in May/June 2016. There will be a combination of Orders as there are a number of devolution deals across the country. It is likely that there will be one Order with general applicability for all CAs and specific bespoke Orders covering those issues which are not generic to all authorities.

Detailed work is now commencing on the precise requirements of GMCA in relation to those orders which covers financial functions, including borrowing powers; PCC and Fire Authority functions; functions to enable the implementation of the Greater Manchester Spatial Development Strategy; and housing and development functions.

Further reports will be brought back to members as this work develops.

## 4 **Options/Alternatives**

4.1 n/a

5 Consultation

5.1 n/a

## 6 **Financial Implications**

6.1 Some of the financial implications associated with Devolution such as indemnities given by the Council to secure extra funding for the region have already been reported to Cabinet. As the legislation is developed it is anticipated that additional financial commitments will need to be underwritten by the Council as a constituent District of the City Region. These will be specified in the individual future reports to Members on this topic as work develops (Anne Ryans)

## 7 **Legal Services Comments**

7.1 Legal comments are contained within the report

8. Co-operative Agenda

8.1 n/a

9 Human Resources Comments

9.1 n/a

## 10 **Risk Assessments**

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- 10.1 The future risks and opportunities associated with devolution will become clearer as the devolution proposals develop. There is no specific additional risk associated with the proposals in this report not already reported to Cabinet (Mark Stenson).
- 11 IT Implications
- 11.1 n/a
- 12 Property Implications
- 12.1 n/a
- 13 Procurement Implications
- 13.1 n/a
- 14 Environmental and Health & Safety Implications
- 14.1 n/a
- 15 Equality, community cohesion and crime implications
- 15.1 n/a
- 16 Equality Impact Assessment Completed?
- 16.1 n/a
- 17 Key Decision
- 17.1 No
- 18 Key Decision Reference
- 18.1 n/a
- 19 **Background Papers**
- 19.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act :
- The Cities and Devolution Bill published works available on the parliament website:  
<http://services.parliament.uk/bills/2015-16/citiesandlocalgovernmentdevolution.html>