

Oldham Borough Council



**Council Meeting
Wednesday 22 March 2017**

OLDHAM BOROUGH COUNCIL

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

Tuesday, 14 March 2017

You are hereby summoned to attend a meeting of the Council which will be held on Wednesday 22 March 2017 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

(15 minutes for public questions and 25 minutes for Councillor questions)

Formal Council

- 3 To receive apologies for absence
- 4 To order that the Minutes of the meeting of the Council held on 14th December 2016, Extraordinary Meeting 1st March 2017 and Budget Council 1st March 2017 be signed as a correct record (Pages 1 - 54)
- 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 55 - 56)
(time limit 20 minutes)
- 9 Outstanding Business from the previous meeting
(time limit 15 minutes).

Councillor McCann to MOVE and Councillor Sykes to SECOND:

This Council notes:

- The Government's stated commitment to encourage people with disabilities to return to paid employment
- The important role of railways in getting people to and from their places of work
- That, in contrast to Metrolink, disabled people still face difficulties in accessing some rail services

- The importance of the £102 million Department for Transport 'Access for All' programme in funding adaptations to railway stations to make them more accessible
- That around half of all of the 96 railway stations across Greater Manchester still require more work to make them accessible, including the only railway station in the borough, Greenfield Station

This Council notes with concern:

- Proposals within the recent Hendy Report to defer half of the 'Access for All' projects until the period 2019-24 meaning unacceptable delays in the adaptations to stations
- That any delay to the adaptation of a station means that rail services there will not be accessible to all which is contrary to UK equalities legislation

Council resolves to ask the Chief Executive to:

- Write to the relevant Secretary of State asking him to reject the proposed re-phasing of Access for All projects and to instead, wherever possible, undertake more station adaptations at the current time.
- Write to the Chair of Transport for Greater Manchester Committee and the Lead member on the Greater Manchester Combined Authority for Transport Tony Lloyd urging them to consider how more funding can be made available to bring our region's railway stations up to the high accessibility standards of Metrolink.

10 The Administration's Priorities

Report to be circulated.

11 Youth Council

(time limit 20 minutes)

There is no Youth Council business to consider.

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 57 - 78)

(time limit 20 minutes):-

- a) 19th December 2016
- b) 23rd January 2017
- c) 27th February 2017

14 Notice of Administration Business

(time limit 30 minutes)

Motion 1

Councillor Roberts to MOVE and Councillor Dearden to SECOND:

On the 8th March 2017 women from Oldham were among those who celebrated International Women's Day and Oldham Libraries hosted events including showing 'Boomtown Girls' highlighting Oldham women's role in the First World War and a talk about the life and work of Annie Kenney – the appeal to raise funds for a statue to Annie was also launched on the 8th March.

This Council notes that these celebrations of women's achievements took place against the backdrop of government policies which have had a disproportionate impact on women in Oldham and across the UK: tax and benefit changes since 2010 have increased the gender income gap.

The independent Women's Budget Group shows that tax and benefit changes since 2010 will have hit women's incomes twice as hard as men by 2020: it estimates women will be £1,003 worse off a year in comparison to men who will lose £555. Oldham is a low pay area and poorer women will be worse hit losing an average of £1,678 a year.

Women's independence will be undermined by the introduction of Universal Credit which is paid by default into the bank account of the main earner in the household rather than to individuals. Lone parents (90% are women) will be particularly badly affected by the introduction of Universal Credit.

Women continue to earn less than men: the Fawcett Society estimates that at the current rate of progress it will take 62 years for women's pay to equal men's.

Affordable and good quality childcare is essential to enable women to work and take up training opportunities and while this Council welcomes the extension of free early education for some 3 and 4 year olds to 30 hours a week from September 2017, Council also notes that this needs to be properly funded and that many childcare providers are warning that the rate on offer is not enough to cover costs.

Council supports the call of the Women and Equalities Select Committee for an independent inquiry into why the government has not published a proper analysis of how its spending plans will affect women, minorities and disabled people.

Council resolves to:

1. Write to the LGA to ask for it to lobby for
 - a. an independent enquiry into why the government has not published a proper analysis of how its spending plans will affect women, minorities and disabled people.
 - b. a realistic funding rate for free early education and childcare which meets the costs of providers (including schools) and enables them to provide high quality services.
2. Write to the Borough's three MPs to ask them to take whatever action is possible
 - a. to highlight the impact of austerity on women and to call for an independent enquiry into why the government has not published a proper analysis of how its spending plans will affect women, minorities and disabled people.
 - b. to secure a realistic funding rate for free early education and childcare

which meets the costs of providers (including schools) and enables them to provide high quality services.

3. Publicise the 'Annie Kenney Fund' appeal for the money needed to erect a statue of Annie Kenney in Parliament Square.

Motion 2

Councillor Stretton to MOVE and Councillor Sykes to SECOND:

This Council notes with alarm that there are currently no legislative provisions in place to disqualify a Councillor who is placed on the sex offenders' register.

Section 27 (1) of the Localism Act 2011 declares that it is the job of a Council to promote and maintain high standards of conduct by members and co-opted members of the authority. Disallowing us to exclude Members who are placed on the sex offenders register compromises the Council's duty to maintain high standards of conduct by its members.

Oldham's definition of the role of a Councillor states that he/she should "be an active and visible community leader on behalf of the whole community". This Council acknowledges that an individual placed on the sex offenders register cannot honestly represent a whole community when they have shown clear contempt towards members of that community.

The nature of a Council's work makes it unsuitable for an individual on the sex offender's register to work as a Councillor. The Council works with children, adults in need of social care and adults with disabilities. A Councillor's role can involve working with these vulnerable groups and therefore it is unsuitable for those groups to have interaction with someone on the sex offenders register.

With this in mind, this Council resolves to:

Make representations to the Secretary of State to extend the 1972 Local Government Act to automatically disqualify any member who after conviction is placed on the sex offenders register.

Motion 3

Councillor Ur-Rehman to MOVE and Councillor Fielding to SECOND:

This Council supports the TUC's Dying to Work Campaign's charter as being an imperative way of preserving the rights and dignity of its workers who are diagnosed with a terminal illness.

Currently, workers with a terminal illness do not have a 'protected characteristic', and therefore have limited legal protection. Employers are free to dismiss terminally ill workers once they can prove they have made 'reasonable adjustments' to the employee's job to assist with the illness. In addition, this leaves an employee facing the possibility that they will lose their death in service benefits, adding further stress at a time when security for a family's future should be protected.

This Council believes that it should be the right of the employee to choose when or if they leave employment. An employee who is diagnosed with a terminal illness should be properly informed of their options and decide what is right for them, safe in the knowledge that they will not be put under undue pressure by their employer.

This Council recognises that in order to encourage other organisations to respect the rights of any of their terminally ill employees, the Council must lead by example.

Therefore this Council resolves to:

- 1) Sign the Dying to Work charter and integrate its contents into our HR procedures.

- 2) Instruct the Chief Executive to write to the Secretary of State for Work and Pensions lobbying for an amendment to the Equality Act 2010 that safeguards the rights of terminally ill employees.
- 3) Instruct the Chief Executive to write to the Borough's three MPs asking them to do everything they can to press for an amendment to the Equality Act 2010 that safeguards the rights of terminally ill employees.

15 Notice of Opposition Business

(time limit 30 minutes)

Motion 1

Councillor Sykes to MOVE and Councillor Murphy to SECOND:

This Council notes that:

- all councils are required by government to have a Local Plan which identifies land for housing, offices and industry;
- the proposed Greater Manchester Spatial Framework (GMSF) is one approach to fulfilling this requirement; however other local authorities have fulfilled this requirement by developing their own Local Plan;
- the GMSF is a twenty year plan, requiring a third more housing land to be identified than would be required by typical fifteen year Local Plans produced by many other local authorities, and is based upon pre-Brexit growth assumptions over such a long period, which cannot be verified;
- the GMSF proposals include significant releases of green-belt in the Borough of Oldham, particularly in Shaw, Crompton, Chadderton, Royton and Saddleworth;

Council further notes that:

- these early proposals were developed without sufficient involvement of residents or ward members;
 - many residents and local politicians, particularly in Shaw, Crompton, Chadderton, Royton and Saddleworth, are strongly opposed to many of these proposals;
- Council firmly believes that new housing development should first take place on brownfield or derelict sites, on sites with existing planning permission; and by converting long-term empty mills, shops and offices into homes; and that existing long-term empty homes should also be brought back into use, before any consideration is given to allocating green-belt or other protected open land for housing.

Consequently, Council condemns the current GMSF proposals as they fail to identify such sites that are available for development and are instead predicated upon developing new housing on green-belt land in the Borough of Oldham.

Council therefore resolves to:

1. Formally withdraw from the Greater Manchester Spatial Framework process and make arrangements to ensure that the GMSF does not apply to the Borough of Oldham;
2. Pursue Oldham's own local plan. This should be a fifteen year Local Plan for the Borough which identifies that new housing development should first take place on brownfield or derelict sites, on sites with existing planning permission; and by converting long-term empty mills, shops and offices into homes; and that existing long-term empty homes should also be brought back into use, before any consideration is given to allocating green-belt or other protected open land for housing.

3. Make arrangements to comply with the duty to cooperate with other planning authorities;
4. Review existing development plan documents and build in a review process every five years.

Motion 2

Councillor McCann to MOVE and Councillor Blyth to SECOND:

Council recognises that:

- Bees and other pollinators play an essential role in the Earth's ecosystem being vital for our food crops, gardens and countryside. Eighty percent of all crops reproduce as a result of the intervention of pollinators. The Government has estimated that this intervention is worth around £500 million to the UK food economy alone.
 - The number of bees is in decline and some species have become extinct. Pollinator decline is attributed to a variety of factors including disease, climate change, loss of habitat, and the use of insecticides, such as neonicotinoids (or neonics).
 - The use of herbicides containing glyphosate also poses a health hazard to humans.
- Council recognises the value of establishing an action plan for the borough to help support bees and pollinators, and minimising the use of neonicotinoids and glyphosate on its land.

This Council resolves to:

- Cease the use of neonicotinoids and glyphosate on all land that it manages, with the exception where it is absolutely necessary in the control of Schedule 9 plants (under the Wildlife and Countryside Act 1981) or to protect Council assets.
- Establish a bees and pollinators action plan for the borough. Such a plan could include:
 - Using planning powers to protecting habitats that are important to bees and pollinators
 - Encouraging all new developments to provide for pollinators
 - Stopping the use of insecticides on local authority land
 - Establishing wildflower meadows on public green spaces and along public highways
 - Planting pollinator-friendly plants, such as those identified in the Royal Horticultural Society's Perfect for Pollinators scheme
 - Planting trees for bees, such as blossom-producing, spring-flowering trees
 - Identifying measures to enable bee-keeping to thrive in our borough
 - Asking the public not to use insecticides in their garden and to plant bee-friendly plants
 - Encouraging schools to help children engage with this agenda
 - Asking public health bodies and social housing partners to support our efforts
- Ask the Chief Executive to write to the Minister responsible calling on the Government to maintain the temporary ban on the use of neonicotinoids and to fund proper research into the hazards of neonicotinoids and glyphosate on human health and the environment.

Motion 3

Councillor Harkness to MOVE and Councillor Turner to SECOND:

Council notes that:

- In April 2015, a motion was carried in relation to the application of benefits sanctions which stated that 'People who are already vulnerable are often more likely to incur sanctions'
- Vulnerable claimants, particularly claimants with mental health conditions, conditions on the autism spectrum, or learning disabilities, continue to be disproportionately sanctioned.
- Guidance from the Department of Work and Pensions (DWP) to its staff recognises the need for additional safeguards for vulnerable claimants in receipt of Employment Support Allowance (ESA) to reduce the incidence of sanctions.

Council welcomes the work that has been carried out by its officers with colleagues at the Department of Work and Pensions, to:

- Build on the 'minimum standards' in DWP guidance by creating additional safeguards for vulnerable claimants in receipt of ESA in Oldham, based on a model successfully introduced in the London Borough of Greenwich.
- Create a Vulnerability Guide and process flow chart for DWP staff and advisors in front-line organisations, backed by bespoke training, so they can better support vulnerable benefit claimants

Council hopes that these measures will help reduce the incidence of sanctions in Oldham amongst this client group and looks forward to the expansion of the pilot project to vulnerable claimants in receipt of other benefits later in 2017.

Council resolves to work with DWP staff to:

- Promote the new safeguarding model to front-line Council staff and those of partners who support vulnerable claimants, as well as through local disability, employment and housing forums and the Action Together Poverty Agenda Group.
- Feature information on the new safeguards on the Council's website and in future Council publications.
- Support the establishment of a local liaison group, with representation from DWP, work programme providers, and relevant local agencies to monitor the impact of safeguards.

- 16 To note the Minutes of the following Joint Authority meetings and the relevant a spokespersons to respond to questions from Members (Pages 79 - 192)

(time limit 8 minutes):-

National Park Authority	2 nd December 2016 3 rd February 2017
Transport for Greater Manchester	11 th November 2016 13 th January 2017
Greater Manchester Fire and Rescue Service	8 th December 2016 16 th February 2017
Police and Crime Panel	30 th June 2016
Greater Manchester Combined Authority	25 th November 2016 16 th December 2016 27 th January 2017
Joint GMCA/AGMA Executive	28 th October 2016

	16 th December 2016 27 th January 2017
Greater Manchester Waste Disposal Authority	2 nd December 2016 13 th December 2016 20 th January 2017 10 th February 2017

- 16 To note the Minutes of the following Partnership meetings and the relevant
b spokespersons to respond to questions from Members (Pages 193 - 216)

(time limit 7 minutes)

Oldham Leadership Board	17 th November 2016 12 th January 2017
MioCare	7 th November 2016
Health and Wellbeing Board	1 st November 2016
Unity Partnership Board	24 th November 2016

- 17 Update on Actions from Council (Pages 217 - 276)
- 18 Who put that there?: A street charter for Oldham (Pages 277 - 292)
- 19 Change to Committee Membership (Pages 293 - 294)

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

