

Oldham Borough Council



**Council Meeting
Wednesday 7 November 2018**

OLDHAM BOROUGH COUNCIL

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

Tuesday, 30 October 2018

You are hereby summoned to attend a meeting of the Council which will be held on Wednesday 7 November 2018 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

(15 minutes for public questions and 25 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 12th September 2018 be signed as a correct record (Pages 1 - 46)
- 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
- 8 Outstanding Business from the previous meeting

(time limit 20 minutes)

(time limit 15 minutes).

Councillor Chauhan to MOVE and Councillor M Bashforth to SECOND:

Creating a healthy and thriving Oldham

Oldham Council notes:

- That good health is more than the lack of disease or illness.
- The World Health Organisation (WHO) has estimated that 13 million deaths annually are attributable to preventable environmental causes. WHO estimates that 24% of the global disease burden (healthy life years lost) and 23% of all deaths (premature mortality) are attributable to environmental quality.
- For Oldham residents to thrive good mental, physical and social wellbeing is essential.
- Health and wellbeing has an important relationship to income, quality employment,

decent housing, access to basic services including education, physical activity, a good quality built environment, the natural environment and cultural and social fulfilment.

- That access to affordable, quality healthy food is essential to good health.
- The number of environmental factors locally, such as the sale of harmful products and unhealthy food, impacts directly on health in our communities.
- Environmental factors within Oldham have resulted in a higher than the national average number of deaths from heart disease and smoking related illness, and vast health inequalities and gaps in life expectancy between different parts of our borough
- Of particular concern is the health of young people and Oldham has unacceptably high levels of childhood obesity, young people smoking and children with poor dental hygiene. Furthermore, low quality environments impact upon the quality of mental health

This Council believes:

1. That immediate action is required to eradicate environmental factors contributing to poor health and wellbeing of residents
2. The council and its partners has an important role to play to protect health and wellbeing of residents

This council resolves:

1. To create a Health Impact Assessment (HIA) process as a means of evidence-based policy in order to make improvements in health and wellbeing. Any policy, project or programme that does not necessarily have health as its primary objective will be subject to a robust Health Impact Assessment
2. To use this process to develop Health Improvement Zones in areas where environmental factors have a significant detrimental impact on the health and wellbeing of local communities, developing additional policies where needed e.g. Supplementary Planning Documents aimed at managing the availability of unhealthy take away food.

9 Leader's Annual Statement

10 Youth Council

(time limit 20 minutes)

This Council notes that from the 1st April 2018 the law changed and Local Authority Children's Services must provide care leavers with support up to the age of 25 (even if they are not in education as used to be the case). This is in recognition that young people still need help and support in these early adulthood years. For most young adults that support comes from their own parents or family members, for many care leavers this support simply isn't there.

Council recognises that over the past few years the Children in Care Council have made health a priority issue and have undertaken much work in this area to improve the health experiences of looked after children and care leavers. This includes:

- Creating the passport to independence that provides a comprehensive guide and information resource for care leavers including information and advice around health
- Working with the Clinical Commissioning Group (CCG) and GP practices to

raise awareness of the issues facing children and young people accessing primary care.

- Addressing the CCG AGM and the Devolution Difference Conference sharing the perspective of care leavers and their health experiences.

Council notes:

- The health inequality that is facing some of the Borough's care leavers.
- Currently the cost of an NHS prescription £8.80 per item.
- For care leavers aged 19 – 25 who are in receipt of DWP benefits they are able to have free prescriptions as a national exemption criteria.
- Care leavers who are in work or in higher education are not entitled to free prescriptions.
- The Borough has 86 care leavers currently that are having to pay for prescriptions.
- Many of these young people are on low income employment via apprenticeships, or are in higher education. They do not earn a lot of money.
- With the money from their employment they are having to sustain a totally independent way of living, paying the rent, the bills, transport cost and food for example.
- Many are managing on a very tight budget, where having to make a decision about paying for the medication needed or paying for food or fuel is a real choice.

Council recognises:

The Government's corporate parenting principles, Principle 1 is 'To act in the best interest and promote the physical and mental health and wellbeing of children and young people.'

- Oldham Council takes its role as a corporate parent seriously and that health and improving the health and wellbeing of Oldham citizens is a high priority for Oldham.
- Being ill isn't something that anyone can plan for and the unforeseen cost of prescriptions is a concern and financial worry the Children in Care Council would like to see eradicated for care leavers now and in the future.
- The cost of prescriptions is nothing compared to the health risks faced when the appropriate medication isn't obtainable at the right time.

Council therefore resolves to ask the Chief Executive to write to the Secretary of State for Health asking that care leavers until the age of 25 becomes a national exemption criteria on prescription charges.

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 47 - 58)

(time limit 20 minutes):-

- a) 20th August 2018
- b) 17th September 2018
- c) Urgent Key decisions between 28th October 2017 and 26th October 2018

13 Notice of Administration Business

(time limit 30 minutes)

Motion 1 – Tackling Child Hunger

Councillor Jacques to MOVE and Councillor Ball to SECOND:

This Council notes

1. that the numbers of children living in poverty continues to rise. In Oldham in 2017, 40.66% of our children lived in poverty (the 7th highest across the UK) including 62.11% of Coldhurst Ward's children, the highest rate in the UK. Government policy, including welfare reform and the impact of full service Universal Credit, underpins this increase.
2. That Oldham Council, working with many local partners, has taken steps to tackle food poverty and to ensure that children receive award winning nutritious school meals. However, during school holidays many children, especially those entitled to Free School Meals, go hungry
3. The pilot work done by Oldham Council, If Oldham, the Food Bank and local community and church groups this summer to provide free lunches for children.

This Council believes that every child has the right to a balanced and adequate diet and resolves to support efforts to provide free lunches for those who need them during school holidays including

1. To investigate and apply for additional sources of funding , including using District budgets where possible and appropriate
2. To research different models of tackling holiday hunger including 'Feed and Read' and 'Feeding Britain' and to put together an strategy that best meets Oldham's needs using Council and community resources such as libraries, community and leisure centres and faith buildings
3. To introduce an Oldham programme to alleviate child holiday hunger as soon as practically possible

Motion 2 – Oldham Crown Post Office Closure

Councillor Taylor to MOVE and Councillor McLaren to SECOND:

This Council is extremely concerned by Post Office Ltd plans to close 74 Crown Post Offices across the UK, including Oldham's Crown post office, which will be replaced by a franchised service in WH Smiths.

The Council recognises the essential nature of the services provided by this busy branch, including specialist facilities offered, such as, Home Office Biometric Enrolment and Care Quality Commission ID Checks, and the inconvenience its closure will cause for many residents and businesses; especially older and disabled residents, due its current close proximity to vital bus services and disabled parking bays.

Reports by Consumer Focus (2012) and Citizens Advice (2016) have identified a number of problems with franchising of post offices to WH Smiths, including poor accessibility for people with mobility impairments, longer queuing times, and inferior service and advice on products.

Franchising also means the loss of secure, quality jobs, and good terms and conditions, in favour of replacing experienced post office staff with new employees in typically minimum wage part-time roles. This is clearly bad for jobs in the local area and the post office workers.

This privatisation will be financed using millions of pounds of public money that could be put to better use by investing in the post office network. The CWU trade union estimates that staff compensation costs of the latest round of closures will cost at least £30 million and affect 800 staff.

No explanation has been given as to why the profit making Crown post offices are being handed to a failing retailer, with an uncertain future, or what will happen to these services if WH Smiths folds.

This council believes that:

- Oldham's Crown post office is a key asset for the community and the expertise and experience of staff there is invaluable.
- This closure will downgrade vital services and result in the loss of a prime high street facility, which is detrimental to our town centre.
- The relentless franchising and closure programme of the profit making Crown post offices points to a lack of vision rather than a plan for growth and innovation that is needed.
- The Government should halt these closures and bring together stakeholders, including the staff trade union, the CWU, and industry experts to develop a new strategy that safeguards the future of the post office network.

This Council resolves:

1. To ask the Leader of the Council to meet, as a matter of urgency, with the Post Office and WH Smiths to urge a stop to the planned franchise in Oldham.
2. To instruct the Chief Executive to write to the Secretary of State for Business, Energy and Industrial Strategy (BEIS) to raise the apparent managed decline of the post office network, the adverse impact on the high street, the reduction in service in the franchised premises, and the poor quality of jobs that result.
3. to raise awareness of the values of our Crown Post Office and the need for it to remain an asset of and for the people.

Motion 3 – Air Quality

Councillor Shah to MOVE and Councillor Jabbar to SECOND:

This council notes that air quality remains a significant issue affecting the life quality of the residents of Oldham, with levels of nitrogen dioxide (NO₂) driven up primarily by road transport. Local modelling has identified a number of stretches of road in the borough where NO₂ levels are expected to exceed legal limits beyond 2020, mainly on major roads near our town centres.

Air pollution recognises no boundaries, so a response is needed from individuals, from local governments and from national government. This council notes the important work ongoing across Greater Manchester to campaign for clean air, and welcomes the commitment of the Combined Authority to hit World Health Organisation targets for air quality by 2030 as part of being a WHO BreatheLife City. Greater Manchester councils have also pledged to be 100% fossil fuel free by 2050.

Given the scale of the challenge, this council notes with concern that national government has recently removed grants to encourage the take up of electric vehicles, and acknowledges the criticism of this decision by the Business, Energy and Industrial Strategy Select Committee.

This council resolves:

- 1) To work closely with the GMCA to deliver the Clean Air Plan, and to continue to promote the GM Clean Air campaign to encourage residents to think about how they can do their bit to reduce air pollution.
- 2) To ask the Chief Executive to seek immediate clarification from the Secretary of State on how national government will support Oldham's ambitions to improve air quality, particularly given recent decisions to cut grants for electric vehicles.
- 3) To seek new opportunities to further establish Oldham as the region's greenest borough and improve the life chances of residents and particularly young people beyond the Clean Air Plan, including:
 - a) Reducing air pollution caused by vehicle use around schools at the start and end of the school day.
 - b) Incentivising the use of electric vehicles through improved access to charging points and other preferential schemes, preparing the borough for a future where 3 million charging points will be needed nationally by 2040.
 - c) Growing trees in key sites in the borough to dampen pollution effects and make more liveable places.

14 Notice of Opposition Business

(time limit 30 minutes)

Motion 1 – Conductors on Trams

Councillor Sykes to MOVE and Councillor H Gloster to SECOND:

This Council notes that the Rochdale - Oldham Metrolink tram line has the highest number of acts of crime and anti-social behaviour and the highest level of fare evasion across the network. Most worryingly, several of these criminal acts have in recent months been of an extremely violent nature. As a result, passengers have become fearful of travelling on the line and resentful of fare evaders.

Council welcomes the recent crackdown on such activities during Operation Infinity when Metrolink staff, Police officers and the Council's Youth Engagement Team worked together to apprehend offenders and deter undesirable behaviour. However the resources devoted to this operation were finite and the operation was time-limited, and there is public and elected member concern that, without ongoing enforcement, the progress made on making tram travel safer will be reversed.

Council recognises that other tram networks in the UK, such as those in Nottingham and in Wolverhampton-Birmingham, operate with on-board conductors, and that the merits of having these staff include:

- Increased Revenue Collection as conductors are able to check tickets and passes, and collect outstanding fares from passengers on-board the tram
- Improved Passenger Safety as the conductor represents a visible on-board presence to deter criminal and anti-social behaviour and can ensure that passengers are able to board or alight safely
- Better Customer Service as the conductor can respond in person to passenger queries and to requests for assistance, such as aiding passengers with disabilities

or push-chairs

Council notes that these are the same reasons that the RMT trades union cites in seeking the retention of guards on trains in its ongoing dispute with Northern Rail. Given the reasons outlined above, and in light of the estimate that £9 million in revenue is lost across the Metrolink network in fare evasion, Council believes that there is merit in introducing conductors on the Rochdale - Oldham Metrolink tram line as a pilot project, and for an evaluation to be conducted after a trial period of 12 months of its impact, with a view to making conductors permanent should the results prove favourable.

Council therefore resolves to ask the Chief Executive to write to the Chief Executives of Transport for Greater Manchester and Metrolink outlining its position and requesting the introduction of conductors on the Rochdale - Oldham line as a pilot.

Motion 2 – Tackling Dangerous Potholes

Councillor C Gloster to MOVE and Councillor Harkness to SECOND:

This Council notes that:

- Residents are greatly concerned by the unsatisfactory state of highways and the prevalence of dangerous potholes in our Borough
- Elected members are aware of these are high-level public concerns because of the many complaints they receive from their constituents on these matters.
- Poor road surfaces and footpaths also harm the reputation of Oldham Council and the Borough, and can lessen the appeal of coming into the borough by these routes.
- The guidance issued to all local authorities by the Department of Transport in October 2016 required Councils to ‘investigate’ any potholes or instances of road surface erosion of at least 40mm depth, but did not necessarily require them to repair it.
- The threshold fails to take account of circumstances in which the top surface of a road is less than 40mm in the first instance, which can lead to this surface becoming completely eroded and dangerous to pedestrians, cyclists and motorists, yet ineligible for repair by a local authority under the Department of Transport guidance.
- The threshold for the repair of public footpaths is much lower at 25mm.
- The Local Government Association has estimated that there is a £9 billion national backlog of repairs to potholes and damaged road surfaces.

This Council reaffirms its commitment to:

- Ensure that any pothole or eroded surface, whatever the level of damage, which poses a danger to pedestrians, cyclists and motorists is repaired as quickly as possible
- Fight for greater resources from Government to tackle the road repair backlog.

Council therefore resolves to:

- Repair any pothole or eroded road surface within the Borough that represents a danger to members of the public, regardless of whether the arbitrary threshold of 40mm is met
- Ask the Chief Executive to write to the Secretary of State for Transport:
 - Supporting the call of the Local Government Association that a significant portion of the Road Fuel Duty raised by the UK Government be allocated to local authorities to enable them to tackle the estimated £9 billion backlog
 - Requesting the guidance issued to local authorities be revised to place an

emphasis upon the prompt repair of any pothole or road surface representing a danger to the public.

Motion 3 – Creating Council Bus Service

Councillor Sykes to MOVE and Councillor Heffernan to SECOND:

Council notes that:

- Until the 1968 Road Transport Act created the South East Lancashire and North East Cheshire (SELNEC) Passenger Transport Executive, the Oldham Corporation ran bus services across the municipality.
- Despite hopes that promised legislation would permit local authorities to reform municipal bus companies, the Bus Services Bill before Parliament includes Clause 21 effectively “prohibit(ing) a local authority from forming a company for the purpose of providing a local bus service.”
- The Bill also guarantees the power to introduce ‘franchising’ of bus services for areas with Mayoral Combined Authorities (such as Greater Manchester).
- Amendments to the Bill agreed by the House of Lords would extend franchising powers to all Local Transport Authorities.

This Council believes that:

- In denying local authorities the right to decide whether they wish to provide their own bus services, Clause 21 contradicts the general powers of competence granted to Councils under the Localism Act 2011.
- Franchising powers will lead to better, more reliable and more customer responsive bus services, and that this power should be open to all Local Transport Authorities to adopt to ensure that these positive effects can be achieved as widely as possible.

The Council resolves to:

- Ask the Chief Executive to write to the Secretary of State for Transport calling for franchising powers to be extended to all Local Transport Authorities by accepting the House of Lords amendments and excluding Clause 21 from the final legislation.
- Ask the Chief Executive to write to the Mayor of Greater Manchester and the three local MPs asking them for their support for this position.

15a To note the Minutes of the following Joint Authority meetings and the relevant spokespersons to respond to questions from Members (Pages 59 - 148)

(time limit 8 minutes):-

Greater Manchester Health and Care Board	13 th July 2018
Police and Crime Panel	2 nd July 2018
Greater Manchester Combined Authority	27 th July 2018 28 th September 2018
National Park Authority	6 th July 2018
Transport for Greater Manchester	13 th July 2018

- 15b To note the Minutes of the following Partnership meetings and the relevant spokespersons to respond to questions from Members (Pages 149 - 172)

(time limit 7 minutes)

Health and Wellbeing Board	26 th June 2018
Oldham Leadership Board	13 th September 2018
MioCare Board	9 th July 2018

- 16 Update on Actions from Council (Pages 173 - 238)
- 17 Brexit Update (Pages 239 - 256)
- 18 District Plans (Pages 257 - 292)
- 19 Constitutional Amendments - Procedural and Land and Property Protocols (Pages 293 - 298)
- 20 Municipal Calendar 2019/20 (Pages 299 - 316)

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

