

Oldham Borough Council



Council Meeting
Wednesday 12 December 2018

OLDHAM BOROUGH COUNCIL

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

Tuesday, 4 December 2018

You are hereby summoned to attend a meeting of the Council which will be held on Wednesday 12 December 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 7th November 2018 be signed as a correct record (Pages 1 - 40)
- 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 41 - 42)

(time limit 20 minutes)

There are four petitions to note.

- 8 Outstanding Business from the previous meeting

(time limit 15 minutes).

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.

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 43 - 50)

(time limit 20 minutes):-

- a) 22nd October 2018

12 Notice of Administration Business

(time limit 30 minutes)

Motion 1

Universal Credit

Councillor Jabbar to MOVE and Councillor Judd to SECOND

This council notes with great concern the recent reports from the United Nations on extreme poverty and human rights in the UK, and from the Equality and Human Rights Commission on the unequal (and possibly illegal) impact of government cuts. The UN highlighted a number of issues that we as Oldhamers know through experience, including that:

- “Local authorities ...which perform vital roles in providing a real social safety net have been gutted by a series of government policies.”
- “As a result of changes to taxes, benefits, and public spending from 2010 through 2020, Black and Asian households in the lowest fifth of incomes will experience the largest average drop in living standards, about 20%.”
- “Another 1.5 million more children will fall into poverty between 2010 and 2021/22 as a result of the changes to benefits and taxes, a 10% increase”.
- “The experience of the United Kingdom, especially since 2010, underscores the conclusion that poverty is a political choice.”

Universal Credit, introduced by the Coalition Government, is at the heart of the misery inflicted upon so many in our communities. While the government stoically insists on a punitive five week wait time before receiving any benefits, the Peabody Trust estimates that more than 100,000 children are at risk in households struggling with this wait over Christmas. The government’s solution – advance loans for those able to prove they can’t afford to eat – only serves to extend the hardship with one in three claimants losing up to 40% of their monthly income to repay these debts.

Government welfare reform policy has increased the overall level of deprivation in Oldham and resulted in 40.66% of our children living in poverty.

The latest Secretary of State for Work and Pensions, and fifth in a little over two years, has acknowledged the “real problems” with Universal Credit and promised a root-and-branch review. To this end, this council resolves to instruct the Chief Executive to write to the Rt Hon Amber Rudd MP, Secretary of State for Work and Pensions, inviting her to:

1. Visit Oldham as part of her review, to learn from councillors, officers and residents about the effects of her government’s policies since the borough became a pathfinder for Universal Credit in 2013.
2. Eliminate the five week delay in receiving benefits, as recommended by the UN, or at least reduce it to two weeks, as recommended by the Peabody Trust.
3. Review the effectiveness of the ‘digital by default’ approach to managing and maintaining Universal Credit claims for vulnerable residents
4. End on-going austerity measures such as the benefit freeze to working age benefits which are set to continue until 2020

Motion 2

Gender Based Violence

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

This council notes that Monday 10th December was Human Rights Day, marking the

end of an international 16 days of activism against gender-based violence. The campaign aims to shine a light on the scale of gender-based violence that continues to blight our society.

Gender-based violence remains an issue of fundamental importance affecting Oldham residents, with signs that the challenge is growing. Across Greater Manchester, reported sexual offences increased by 44% between 2016 and 2017 to over 9,000, and 27 women were murdered by their partners. Over 6,000 incidents of domestic violence and abuse are reported to the police each year in Oldham alone.

In addition to action taken by the police to prosecute offenders, there are a range of services concerned with supporting survivors and addressing the behaviour of perpetrators including:

- Referral to the Multi-Agency Safeguarding Hub to assess the support needs of survivors and their families;
- Refuge provision to provide emergency accommodation and support;
- Four Independent Domestic Violence Advisers (IDVAs) working with survivors and a Greater Manchester team of three specialist IDVAs, based in Oldham, who support survivors of so-called “honour-based” violence – such as forced marriage and female genital mutilation
- The REFRAME programme to challenge the behaviour of perpetrators of domestic violence;
- Work of voluntary and community groups such as Inspire Women Oldham which involve survivors of violence and abuse.

This council resolves to:

1. Produce a comprehensive action plan with its partners to marshal the resources and influence of Oldham Council and the community to tackle gender-based violence in the borough, working towards a White Ribbon Award.
2. Commit to raising awareness of the scale of gender-based violence, and the resources and services available to residents.
3. Expand our work with community groups and those with experience of gender-based violence, putting them at the heart of solutions, in line with this year’s 16 days of activism theme, #HearMeToo.

Motion 3

Suffrage and Peterloo

Councillor Roberts to MOVE and Councillor Chadderton to SECOND:

In 2018 Oldham has celebrated the centenary of women’s parliamentary suffrage and the 90th anniversary of universal adult suffrage.

This Council welcomes the installation of Annie Kenney’s statue in Parliament Square and the unveiling on the 14th December 2018, the anniversary of the first general election when women could stand as candidates and vote.

This Council recognises that the struggle for equality and the right to vote was long and hard fought. We reaffirm our commitment to commemorating the Peterloo Massacre of 16th August 1819 as a significant contribution to the struggle.

This Council resolves to

1. Thank everyone who has contributed to commemorative and celebratory activities, events and everyone who has helped to raise the money to pay for Annie Kenney’s statue
2. To invite Oldham residents and community organisations to join with the Council in commemorating Peterloo and the fight for equal rights

13 Notice of Opposition Business

(time limit 30 minutes)

Motion 1

Improving Public Safety in Oldham's Night time Economy

Councillor H Gloster to MOVE and Councillor Sykes to SECOND:

Council notes that:

- In Bradford and Manchester local businesses and community groups have joined with local colleges and universities to establish Student Safe Spots / Zones; these are premises self-identifying as havens for students who are being followed, or are feeling vulnerable or unwell.
Staff at these venues offer assistance in booking taxis home; in contacting the emergency services if their assistance is required; or offer a temporary safe haven until a problem has passed. Venues signed up to the scheme receive a sticker to place prominently to advertise their involvement and a list and map of venues is published on line for students to access.
- In Bradford, there also exists an agreement with local taxi businesses that students without money but presenting with a valid student ID badge will be offered carriage and the bill is then sent to the student for payment, via the relevant college and university authorities.
- The 'Ask for Angela' scheme is operated nationwide in many pubs and clubs. If a member of the public who feels vulnerable or threatened 'Asks for Angela' of the on-premises staff they know to take that person to a safer location and offer them assistance, such as calling a taxi, contacting friends or in certain circumstances ringing the police. Premises promoting the scheme display posters, which are usually placed in the toilets of those establishments to be discreet.

Council believes that establishing such schemes in our borough would help safeguard vulnerable people in our Borough, especially students and women enjoying our night time economy, and would complement the excellent work being done by the Oldham Street Angels.

Council therefore resolves to ask the Overview and Scrutiny Board to examine in conjunction with relevant partners, including the Oldham College, Oldham Sixth Form College, University Campus Oldham, schools with post-16 provision, licensed premises and public and private hire taxi businesses, the practicality of establishing such schemes as soon as possible in our town and district centres.

Motion 2

Changes to the Planning System to Fast-track Fracking:

Councillor Murphy top MOVE and Councillor Heffernan to SECOND:

Council notes:

- With concern that the government is proposing two major changes to the planning system as it applies to shale gas extraction (or fracking) by:
 - Granting automatic planning permission for exploratory drilling prior to fracking, using 'permitted development' rules. This would remove the need for companies to submit a planning application and so also reduce local democratic scrutiny.
 - Including shale gas production projects in the Nationally Significant Infrastructure Projects regime. This would take decision-making powers on shale gas production away from local councils and hand it to central government.

- That wherever fracking has been proposed, it has been opposed by the public and local authorities because of real fears about noise, traffic, air pollution, the impact on the countryside, and the effects on climate change.
- That the Cardiff Business School has produced a report that reveals that to replace 50% of the UK's projected future gas imports for 2021-2035 would in the most likely scenario require around 6100 fracking wells to be built on well pads that could cover the area of 4900 football pitches. This would require the equivalent of drilling and fracking one well every day for fifteen years.

Council believes that:

- The Government's proposals completely contradict the principles of localism and set a dangerous precedent for planning authorities in denying them the right to determine certain types of planning applications locally and in denying members of the public and communities their say during the planning process.
- 'Permitted Development' – the category of planning that the government wants to move shale gas exploration drilling into – which was designed for developments with a low environmental impact and is an inappropriate category for drilling which has such wide-reaching implications for local communities and climate change.
- Bringing fracking applications under the Nationally Significant Infrastructure Projects regime will be harmful to local communities.
- Local authorities and local people are best placed to continue to make decisions throughout the planning process on matters that affect their locality, including fracking.

Council therefore resolves to ask the Chief Executive to:

- Write to the relevant government ministers outlining this Council's objections to the proposed changes and requesting that fracking applications, or indeed on any other planning matter relating to our locality and its people, be determined locally.
- Copy in our three local Members of Parliament and the Mayor of Greater Manchester and ask for their support on this issue.

Motion 3

Sustainable Public Health Funding

Councillor C Gloster to MOVE and Councillor Harkness to SECOND:

Council notes that:

- Around four in ten cancers are preventable, largely through avoidable risk factors, such as stopping smoking, keeping a healthy weight and cutting back on alcohol. Smoking accounts for 80,000 early deaths every year and remains the largest preventable cause of cancer in the world. Additionally, obesity and alcohol account for 30,000 and 7,000 early deaths each year respectively. All three increase the risk of: cancer, diabetes, lung and heart conditions, poor mental health and create a subsequent burden on health and social care.
- The public health grant funds vital services and functions largely delivered by local authorities to prevent ill health and reduce the burden placed upon the NHS and local authorities; for example, social care for smoking-related illnesses is estimated to cost local authorities £760 million per annum.
- In 2018/19 and 2019/20 every local authority will have less to spend on public health than the year before.
- The Government is looking to phase out the Public Health Grant by 2020/21 and to replace this with funding via business rates retention.

Council believes that:

- The impact of cuts to public health on our communities is becoming difficult to ignore.
- It is vital that local authorities have enough funding to deliver the functions and services they need to provide. Deprived areas, like Oldham, suffer the worst health outcomes, so it is also vital that areas with the greatest need receive sufficient funding to meet their local challenges.
- Taking funds away from prevention is a false economy. Without proper investment in public health services, people suffer, demand on local health services increases and the economy suffers. Poor public health costs local businesses heavily through sick days and lost productivity.
- We must restore public health funding or our health and care system will remain locked in a 'treatment' approach, which is neither economically viable nor protects the health of residents.

Council resolves to:

- Continue to support and fund public health initiatives to the best of our abilities - to prevent ill-health, reduce inequalities and support a health and social care system that is fit for the future.
- Ask the Chief Executive to write to:
 - Cancer Research UK setting out this Council's support for their call for increased and sustainable public health funding.
 - The Secretary of State for Health calling on the Government to deliver increased investment in public health and to support a sustainable health and social care system by taking a 'prevention first' approach.

- 14 To note the Minutes of the following Partnership meetings and the relevant a spokespersons to respond to questions from Members (Pages 51 - 66)

(time limit 7 minutes)

MioCare Board	17 September 2018
Health and Wellbeing Board	25 September 2018

- 14 To note the Minutes of the following Joint Authority meetings and the relevant b spokespersons to respond to questions from Members (Pages 67 - 116)

(time limit 8 minutes):-

Greater Manchester Combined Authority Waste and Recycling Committee	13 September 2018
Police and Crime Panel	30 October 2018
Greater Manchester Combined Authority	26 October 2018
National Park Authority	5 October 2018
Transport for Greater Manchester	14 September 2018

- 15 Update on Actions from Council (Pages 117 - 134)
- 16 Failsworth East By-Election Result and Political Balance Update
Report to follow.
- 17 Brexit Update
Report to follow.
- 18 Civic Appreciation Nomination (Pages 135 - 136)
- 19 Youth Justice Plan (Pages 137 - 172)
- 20 Gambling Policy Review (Pages 173 - 218)
- 21 A- Boards Policy Statement Update (Pages 219 - 228)
- 22 Treasury Management Strategy (Pages 229 - 250)
- 23 Organisational Framework (Pages 251 - 254)

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



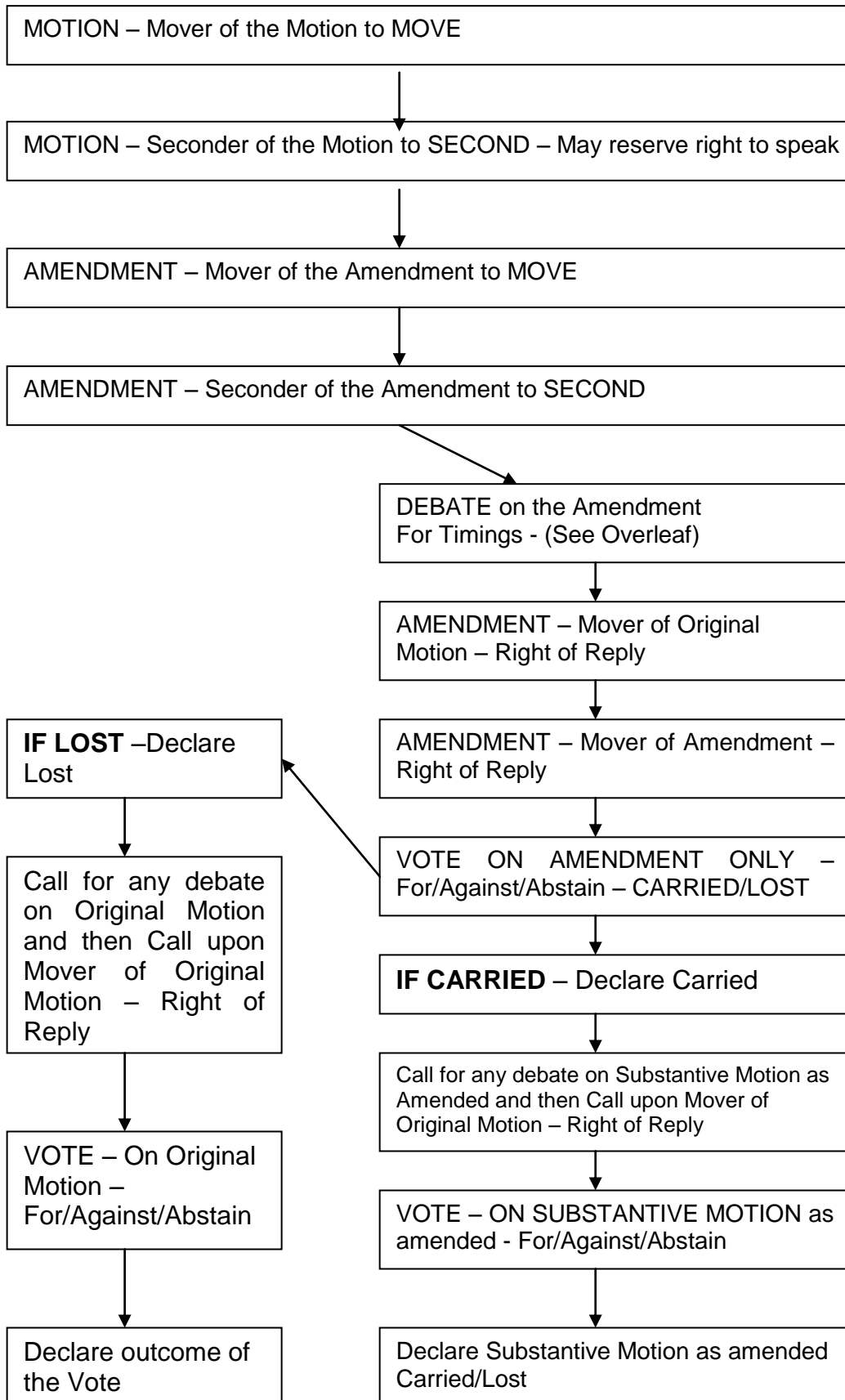
Declare outcome of the VOTE

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





COUNCIL
07/11/2018 at 6.00 pm

Present: The Mayor – Councillor Iqbal (Chair)

Councillors Ahmad, Akhtar, A. Alexander, Ali, Azad, Ball, M Bashforth, S Bashforth, Briggs, Brownridge, Byrne, Chadderton, Chauhan, Cosgrove, Curley, Davis, Dean, Fielding, Garry, C. Gloster, H. Gloster, Goodwin, Haque, Harkness, Harrison, Heffernan, Hewitt, F Hussain, Jabbar, Jacques, Judd, Leach, Malik, McLaren, Murphy, Mushtaq, Phythian, Price, Qumer, Rehman, Roberts, Salamat, Shah, Sheldon, Shuttleworth, Stretton, Sykes, Taylor, Williamson and Williams

1 **QUESTIONS TO CABINET MEMBERS FROM THE PUBLIC AND COUNCILLORS ON WARD OR DISTRICT ISSUES**

The Mayor advised the meeting that the first item on the agenda in Council was Public Question Time. The questions had been received from members of the public and would be taken in the order in which they had been received. Council was advised that if the questioner was not present, then the question would appear on the screens in the Council Chamber.

The following questions had been submitted:

1. Question received from Syed Maruf Ali via Facebook:

“Please raise this question at the next full council meeting and ask the Mayor to read the questions. The Ritchie report into rioting in 2001 concluded that Oldham authority had done little to challenge racial segregation in education and housing. It claimed many of the town’s problems were not cause by race but as a result of poverty and social exclusion. The Ritchie report criticised Oldham council for failing to address segregation, education and housing etc. The report called for more investment, partnership working, capitalising on the mood of togetherness, and placing more focus on young people and education among the factors to help ensure the delivery of its vision. We the residents of Town Centre base especially from Primrose Bank and Coppice would like the local authorities and regional School commissioner to carry out independent investigation into if residents of Town Centre Case are being socially excluded from Good/Outstanding primary and secondary School due to each individual School admission criteria. Oldham Council are backing plans for a new school that discriminates against children who are not religious and children whose religion is not a member of the inter-faith forum. A proposed Church of England faith school in Oldham will select 50% of its pupils based on their parents’ religion. The Cranmer Education Trust – affiliated with the C of E – is

proposing a new Christian faith school in west Oldham. As yet unnamed will select 50% of its pupils based on their parents' religion. How is this School going to address the shortage of Secondary School places for residents of Town Centre Base especially from Coppice/Primrose Bank? What is the current position of Oldham council supporting / promoting faith School?"

Councillor Jacques, Cabinet Member for Education and Culture, responded that it was now more than 17 years since the disturbances in 2001. Significant progress had been made since then in addressing the problems identified in the report. It was important to move on and focus on Oldham today. There was an ambitious Oldham Plan which set out proposals for:

- Creating an inclusive economy which offered opportunities for all;
- Working with residents to deliver co-operative services which met their needs; and
- Developing thriving communities in ways which built the capacity for people to support themselves and others.

A key part of the plan was to ensure there were enough good and outstanding schools for all of our children and young people. Support for the free school proposed by the Cranmer Trust was to help the objective be achieved. The existing Bluecoat School was high performing and respected across the Borough. The new school would be a separate entity but would benefit from the expertise of Bluecoat. The new school would have its own admission policy and certainly not exclude disadvantaged students. It would be fully accessible to parents in Coppice/Primrose Bank. The proposed admissions policy set out the admissions policy set out by the Cranmer Trust had been reviewed by Council officers and per pupil projection figures would ensure the local children to which the question referred would all receive a place whilst the school would also be able to ensure a multi-ethnic population with an ethos of togetherness – which tied in with the recommendations of the Ritchie Report.

2. Question received from Louie Hamblett via email:

"In July the Shaw and Crompton Events group agreed that as this year of 2018 is the centenary of the first world war they would like to show their respect and appreciation to those who sacrificed so much. So they set about to put poppies up on every lamppost within the town centre of Shaw and Crompton. In a very wet and windy weekend all lamppost in July were furnished with a Poppy. Coincidentally I now notice that something similar has been done in Parliament square by the Town Hall ahead of remembrance day. I'd like to ask and invite the leader of the administration to thank

the events group for their hard work and dedication to our forefathers.”



Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise responded that it was important to commemorate Remembrance Sunday especially in the centurial year. The Leader provided his thanks to the groups and the countless volunteers and to the Royal British Legion in the organisation of events over the coming weekend. The Leader encouraged a visit to “A Story of Sacrifice” Exhibition that was currently in Oldham Gallery until 1 December.

3. Question received from Chris Ackroyd via email:

“How can i trust this Labour administration to look after my Council and town following the recent blood bath that saw Cllr Jean Stretton ousted, for the record can I thank Cllr Stretton for all her hard work, she did not deserve what happened.”

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise responded that the Labour Group meeting was a series of ballots and that group meetings were fairly pedestrian. With regard to trusting the current Leader, Councillor Fielding referred to his Annual Statement which would appear later on the agenda and what had been delivered.

4. Question received from Donna Gould via email:

“Parish Councils add real value to areas of Oldham providing an enhanced service to their residents when areas are often forgotten about or ignored by some at Oldham Council - for those wishing to form a Parish Council how would one go about setting a Parish Council up? Following the Leader’s comments, does the Council Leader support Parish Councils? and would he support the establishment of a Parish Council say in his own ward of Failsworth?”

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise challenged the assertion that parts of the borough were not cared about and it would be necessary to establish a parish council to fill in the gaps. The Leader had researched and found the powers available to a parish council were cleaning and drainage of ditches, toilets, consultation to provide a burial ground and rights of way. The process to establish a parish council was to collect signatures from 7.5% of the electorate of the area, a governance review conducted and reviewed by the Council. The Leader had no objection to getting together in Failsworth. The Leader stated that Oldham Council did a fantastic job of maintaining the ditches in Failsworth.

5. Mr. Brown asked the following question:

“Question to be asked in person to a Cabinet Member. Please acknowledge receipt. Can you answer how many of our 60 councillors replied to last year's consultation regarding strengthening standards for elected mayors and councillors in England? And how many knew of this consultation?”

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise responded that the consultation had been considered by Group Leaders at the time and a response had been submitted in December 2017. The Leader had not sent a response as an individual and was not able to respond as to whether other members had responded. Each individual member would need to be contacted to advise if they had personally responded.

6. Mr. Bates asked the following question:

“I would be grateful for a public explanation as to the reason why suddenly after only a short period. Cllr Cheryl Brock” verbally “on the 5th Oct gave her resignation to her party Leader. This Cllr was highly respected in Failsworth and had many friends and neighbours. Concerns have been raised because of lack of contact for months with the Cllr. The reason being because during her short career she was an excellent communicator and also a credit to her party. Furthermore she was credited for the tireless work she put in especially for the lonely, the elderly, and vulnerable.”

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise responded that he did not have a conversation with former Councillor Brock on 5 October and was baffled by the premise of the question. It was not possible to resign verbally. Former Councillor Brock had resigned in writing on 25th October 2018 with immediate effect.

7. Question received from Mr. Kenyon via letter:

“I recently read an article in a local newspaper in which Cllr. Gloster misinterpreted the truth, this misinterpretation of actual facts meant that myself and my fellow constituent, Peter Brown, were portrayed in a negative way. Is Cllr. Gloster willing to give a written apology to Peter Brown and myself for misleading the General Public in this way?”

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise responded that he was unable to ask the question as this was Leader and Cabinet Member question time and Councillor Gloster

was not a member of the Cabinet. The Leader of the Council advised Mr. Kenyon to write to Councillor Gloster.



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8. Question received from Melanie Platt via email:

“Members may or may not be aware of a Guardian news report that Labour councils in the North East of England are refusing to house failed asylum seekers who have a criminal background, on the grounds of preserving Community Cohesion. <https://www.theguardian.com/uk-news/2018/sep/27/uk-asylum-seekers-refused-housing-over-social-cohesion-issues>. The government has agreed to their requests and no longer will house criminal failed asylum seekers in that region. This means that they have to be housed elsewhere and as the North West is the nearest region this means we are being expected to house these criminals with all the problems this brings. Given the former council leader Jim McMahan's comments this month that “It will harm communities and be of no benefit to those who are asked to live within them.” What steps are Oldham Council taking to make sure that the citizens of Oldham are kept safe from criminal elements being housed within the borough, and would the council consider following the example of other Labour councils in refusing to house these criminals in a town which has suffered more than it should in the past few years?”

Councillor Roberts, Cabinet Member for Housing responded that the Council did not house failed asylum seekers as they had no recourse to public funds. In Oldham, the government commissioned SERCO to provide housing and support to asylum seekers. The Council had a legal duty to consider individuals and families who were identified as in priority need of housing on a case-by-case basis. Social housing in Oldham was managed by partner housing providers including First Choice Homes. The majority of these were signed up to the Allocations Framework which used the Council's allocation policy to decide to who let a home to. Oldham Council's Housing Allocations Policy stated that a person would not meet the qualifying criteria (and therefore not eligible for social housing) if s/he or a member of the household was considered to be guilty of serious unacceptable behaviour.

Unacceptable behaviour included (but not limited to):

- Conviction of illegal or immoral purposes
- Committing certain criminal offences in or near the home and still posed a threat to neighbours or the community
- Being violent towards a partner or member of the family

- Misusing prescribed or illegal substances unless there was evidence to show that an applicant was adhering to a drug reduction programme
- Behaving in a threatening manner.

At this point in the meeting, the Mayor advised that the time limit for this item had expired.

The Mayor reminded Members that the Council had previously agreed that questions would be taken in an order which reflected the political balance of the Council. The following questions were submitted by Councillors on Ward or District matters:

1. Councillor Shuttleworth asked the following question:

“The public counter at the Chadderton Police Station, on Broadgate closed in 2016, and now the building appears to be standing empty? Could the Cabinet Member responsible for policing, please tell us:

1. What if any services are being delivered from Chadderton Police Station?
2. What are the future plans for the building?
3. What is the annual cost of the PFI contract.”

Councillor Williams, Deputy Cabinet Member for Policing and Community Safety responded that no services were currently running and the building was currently empty. The Scenes of Crime Officers (SOCO) were going to move in and operate from the building, however, this would require the building to be refurbished and modified for this purpose. It was anticipated that the work would take place in 2019/20. Costings were not able to be provided. The property was owned by the Police and Crime Commissioner for Greater Manchester, GMP Headquarters, Central Park, Northampton Road, Manchester M40 5Bp and of GMP Openshaw Complex, Lawton Street, Manchester M11 2NS.

2. Councillor Akhtar asked the following question:

“I am pleased that since the last Council meeting Bright Tribe has announced it is withdrawing as the sponsor for Werneth primary School. Local Councillors and parents had raised their concerns about the way the school was being run for many years. Could the Cabinet member for Education update us in regards to identifying a new academy sponsor for Werneth School and assure me and local parents that the Council will do all it can to ensure the new sponsor will raise standards at the school?”

Councillor Jacques, Cabinet Member for Education and Culture, responded that the Council was content that the local Pinnacle Trust, led by the Principal of the successful 6th Form College, had been approved by the Regional

Schools Commissioner to take over Werneth School in Oldham. The local authority had an excellent relationship with this Trust, and indeed with all the trusts working in the borough, and the Council was confident the school would flourish under Pinnacle, working closely with the local authority. The headteachers from all schools, irrespective of which Trust they came from, regularly met with the Director of Education and his team and shared data and performance targets. There was no doubt that all headteachers and local authority officers in Oldham were driven by the moral purpose of securing the very best for the borough's children and young people and worked together for this purpose. The Cabinet Member was confident in reassuring residents of the positive role of the MATs in the borough.

3. Councillor McLaren asked the following question:

“The Crossley playing fields in Chadderton Central Ward are an asset used and enjoyed by football teams from across Oldham. Car parking facilities for those using the pitches are provided on Petworth Road and adjacent to the Ancora restaurant off Broadway. Both these car parks are subject to serious anti social behaviour, involving cars spinning their tyres, drug use and sexual activity which are obviously a major concern for residents in neighbouring properties. Ward Councillors have worked with Local residents, OMBC Officers and GMP to try and resolve the issues, a scheme has been put in place to fence off the a section of the Ancora car park and this section of the car park will only be available when matches are being played. The Car park on Petworth Road lies within the Crossley estate and a number of the adjacent properties are adapted for use by people with disabilities and the antisocial behaviour is having a particularly adverse impact on them. It would be of great benefit to the residents of Petworth Road and the adjoining tower blocks If the use was of this Car park was also restricted to match days. Could the relevant cabinet member please consider what steps can be taken to deter those people wishing to use the Petworth Road car park for antisocial behaviour?”

Councillor Williams, Deputy Cabinet Member for Policing and Community Safety responded that the Community Safety Officer for the area had recently been made aware of the issues on the Petworth Road car park and had arranged a site visit for this week with colleagues from the Council's Regeneration Department. Due to the location of the car park, work was ongoing to confirm who owned and/or was responsible for the maintenance of the land. The impact the behaviour would be having on some of the most vulnerable community members was recognised and as soon as the land status was confirmed Community Safety Services would work with partnership colleagues to develop a response which would seek to resolve the

problems currently being faced by the residents who lived adjacent to the car park.



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4. Councillor Heffernan asked the following question:

“Last winter, especially when we were battered by ‘The Beast from the East’ we all praised our hard-working gritting teams which got our network back up and running and demonstrated that they are ahead of our neighbours at this. The bad weather did appear to highlight a few issues. The M62 was closed due to snow, however, it did appear that traffic and lots of lorries had been told to go up the A672 which led to highways officers turning around several vehicles. Later in the evening, there were a considerable number of vehicles stranded around Delph with vehicles trying to pass when it was not safe to do so. There appears to be some issues with the flashing warning signs when some signs indicate a road closed and then others do not do so. More than once I noticed that the snow sign by Tesco on Huddersfield Road was indicating that the A62 was blocked after the road had re-opened. With this in mind, can I ask the Cabinet Member if she will please ensure that a system is put in place so that warning signs reflect the actual status? And can she also look at what communication we have the Highways Agency with regards to the use of diversion routes in the event of a motorway closure? Do we need to look to reduce the risk of people being stranded? Also we had the situation where Lower Turf Lane, Scouthead was seemingly removed from the list of highways to be gritted. It had only recently been reinstated. The gritters come down Huddersfield Road spreading and turn on to Lower Turf Lane. They travel about 300 metres not spreading and then continue onto Cooper Street again spreading grit. That short, steep downhill stretch gets very icy and dangerous. Children going to two schools, Springhead Infants and Knowsley Junior, aged from risings fives to eleven plus, and elderly people use it. For a short distance there is no pavement. Pedestrians are at the mercy of vehicles. Can this short stretch be included again on the gritting runs?”

Councillor Shah, Deputy Leader of the Council and Cabinet Member for Neighbourhood Services responded that the M62 was controlled by Highways England and where a decision was taken to close a motorway there would inevitably be disruption. However, officers had been working closely with colleagues from Highways England and the police which result in an agreement that an alternative diversion route would be introduced should a similar set of circumstances be repeated. This involved closing the motorway at an earlier junction to allow more favourable diversion routes and reduce the impact on the rural Saddleworth community. Every effort was made to ensure signs reflected the current status, any delays in updating the signs were kept to a minimum even during times when the service was at full stretch. Lower Turf

Lane was not a main gritting route having been removed as part of an overall review of the gritting network many years ago, the road being unsuitable for heavy goods vehicles as was clearly signposted. It was confirmed that the primary gritting route for this area did not involve turning down Lower Turf Lane from Huddersfield Road.

5. Councillor Taylor asked the following question:

“The Ward Councillors and many residents in Chadderton Central ward, were dismayed to learn that First Bus were making changes to the 415 bus service that would mean that the half hourly service would be reduced to an hourly service. Many of our residents depend on the 415 bus route to provide them transport to Oldham College, Oldham Town Centre and recreational facilities such as Foxdenton Park and Oldham Leisure Centre. These changes will have a detrimental impact on many of our residents, including young and older people, wishing to access education, training, leisure and retail facilities. Elected Members were also disappointed at the total lack of consultation with them or the service users prior to this decision being taken. Could the relevant Cabinet Member please raise this issue with TfGM and First Bus and do all in their power to have the half-hourly service reinstated.

Councillor Shah, Deputy Leader of the Council and Cabinet Member for Neighbourhood Services responded that this issue has already been raised with TfGM and First Manchester, who operated the service. Unfortunately the nature of the bus service industry is such that neither the Council nor TfGM has any control over the route or frequency of services. Due to their budget position, TfGM were unable to intervene to maintain the frequency of the 415 service. Furthermore, there was no duty on the operator to consult service users, their only legal duty was to notify the local transport authority (TfGM) if they wished to make any changes. Recently, the statutory notice period was increased from 56 to 70 days prior to service revision. TfGM had now also contacted First and invited them to comment in response to this question but this had not yet been received. Engagement would continue with TfGM to try and address bus service issues and for the offer for our residents to be improved.

6. Councillor Phythian asked the following question:

“Andy Burnham’s visit to Royton last month to launch Royton’s inclusion in the Mayor’s Town Centre challenge scheme is welcome. Could the relevant cabinet member provide an update on the progress of Town Centre regeneration in Royton and how the Town Centre Challenge will help us to achieve this?”

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise responded that since

the GM Mayor's visit in September, the Council had submitted the planning application for the works to the Town Hall and Library buildings. Demolition had commenced at Highbarn House which would release a brownfield site for residential development and ease pressures on the green belt. A meeting had taken place with Chris Boardman, GM Cycling and Walking Commissioner who gave an overview of the Beelines Project that planned to create a city-region-wide cycling and walking network, which reflected some of the objectives of the Royton Masterplan. The Town Centre Challenge status would help future-proof Royton to become a multi-functional destination well linked to GM's transport infrastructure by bringing together all the key stakeholders and partners in a concerted effort and represented the Council's commitment to regeneration beyond Oldham Town Centre and develop and stimulate the local economy. The Town Centre Challenge Status represented the commitment of the GM Mayor's Office supported the work of the Council, it also enabled the use of the Mayor's 'soft' powers and branding to bring forward potential investment and delivery partners.

7. Councillor Garry asked the following question:

"We should all be aware, the 200th anniversary of the Peterloo massacre will take place on the 16 August 2019. Given the significant contribution of many Oldhamers to the events of that fateful day, could I ask what plans, if any, the Council has to commemorate this important local event?"

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise agreed that the Peterloo Massacre marked a turning point in Britain's democracy. It was the fight of ordinary people for civil rights and liberties which were still important issues today. Peterloo was one of the most important political events ever to take place in Manchester. There was a significant contingent of men and women who brought their children into Manchester to peacefully call for political reform and expected speeches, not the bloodiest political clash in British history. There were casualties from Oldham. It was therefore important that the fateful day was commemorated. Gallery Oldham will have a main gallery exhibition devoted to Peterloo from 27th May to 23rd September 2019 and there would be associated talks to accompany the exhibition. Oldham was working closely with Manchester Histories who had been awarded a heritage lottery fund grants and there were proposals to join up with larger initiatives across the region. The Council was working with the People's History Museum who were leading on an education / schools pack which ensured that local information related to Oldhamers was included. Events were in the early stage of planning and Council members would be kept informed as further plans emerged.



8. Councillor H. Gloster asked the following question:

“In Shaw and Crompton there are social housing estates where the responsibility for the maintenance of pathways, roadways and weeds falls between the Council, First Choice Homes Oldham and Housing 21. Unfortunately at times, the service provided to residents falls way short of expected standards, as one or more parties tries to pass the buck for carrying out the work and things are left in a mess. In Shaw, the areas where these issues have arisen are the Britannia Avenue-Oak Street estate, the Smallbrook estate, the Cunliffe Drive-Pemberton Way estate and the Cedar Grove-Hawthorn Crescent estate and, in Crompton, the Assheton Road estate. For example, from time to time Britannia Avenue can be a disgrace. The verges become in dire need of cutting, the kerb edgings are weed strewn and litter is prevalent across the estate. Britannia Avenue is very close to the Shaw and Crompton Metrolink stop and does not present a positive visual image to residents and visitors alike. Residents complaint to elected members, elected members complain to officers and ultimately things happen, but this is not a satisfactory situation and it should not be happening in the first place. Can the Cabinet Member responsible please outline what can, and will, be done to bring the parties together to convince them to adopt a joined-up approach and carry out the maintenance work that is necessary, both now and in the future, so the lives of residents do not continue to be blighted?”

Councillor Shah, Deputy Leader of the Council and Cabinet Member for Neighbourhood Services responded that Environmental Services and FCHO worked together to ensure that the maintenance of the estates mentioned follow the same maintenance regime as other parts of the Borough. The clearly defined ownership plans that were available ensured the responsibility for any works to be undertaken could be directed to the right area. A walkabout would be arranged between officers of the Council, FCHO and Members to ensure that there was a clear understanding of the work undertaken by the respective organisations.

9. Councillor Hewitt asked the following question:

“My question is about the proposed link road by Russell Homes in their planning application for housing at Knowls Lane. The Council’s Local Development Framework Policy 17 of the Council’s DPD (Gateways and Corridors) states that the Council will continue to safeguard, or identify land for a number of future transport infrastructure proposals, including the extension of Lees New Road. Paragraph 6.90 goes on to recognise that the extension is necessary to unlock the housing allocation at Knowls Lane and that the provision of the highway link would be part of the

development costs and not at a cost to the public purse. But this link is for the designated housing H2.1.10 to which there is no objection, there is no mention of the OPOL land which is on a par to Daisy Nook in its beauty. Can the Cabinet member for Housing and Planning tell us the weight given to this paragraph and policy 17 in relation to other policies (Policies 1, 4, 5, 6, 7, 9, 10, 16, 19, 21, 22, 23 and 25) which this development as a whole does not adhere to and which would stop this development.”

Councillor Roberts, Cabinet Member for Housing responded that the Knowls Lane planning application was likely to be heard by the Planning Committee on 14th November 2018. If the Cabinet Member were to comment about the weight that should be given to any particular planning policy, that could possibly be seen as pre-determining the application or trying to influence a member of the Planning Committee. This would be left to be determined by the Planning Committee in the normal way. However, the reason the Knowls Lane applicant was seeking to build housing in addition to the allocated site was simply because the cost of building the link road was such that additional house numbers were required to afford its construction. Unfortunately, the original housing allocation nowadays did not have a sufficient density of proposed housing to support the construction of a link road without it resulting in unacceptably high density levels that would conflict with adjacent areas housing density, its character and appearance.

10. Councillor A. Alexander asked the following question:

“Old maps show that this area of OPOL land is covered in streams, springs and pools of water underground, hence we have local names like Springhead and Waterhead. Houses that have been built on Knowls Lane are already prone to flooding, in their basements and it cannot be got rid of. This is a big environmental question and part of many questions as to why this land is required for development, Could the cabinet member for Housing and Planning please tell me who is responsible for the conclusion that houses can be built on a Flood Plain by Knowls Lane, in Lees? How did they reach the conclusion that it is only surface water running into the area?”

Councillor Roberts, Cabinet Member for Housing, responded that the proposed Knowls Lane development was not located on the flood plain as illustrated in the applications flood risk assessment, a document that had been reviewed by the relevant statutory and Council consultees and found to be sound. Whilst the development has yet to be determined by the Planning Committee, it was to be noted that part of the site was already a phase 2 housing allocation. This meant that part of the site had been accepted as a housing allocation for many years

following the local plan public inquiry and the testing such a process involved.



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At this point in the meeting, the Mayor advised that the time limit for this item had expired.

RESOLVED that the questions and responses provided be noted.

2 **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies were received from Councillors G. Alexander, Hudson, A. Hussain, Larkin, Moores, Toor, Turner and Ur-Rehman

3 **TO ORDER THAT THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 12 TH SEPTEMBER 2018 BE SIGNED AS A CORRECT RECORD**

RESOLVED that the minutes of the Council meeting held on 12th September 2018 be agreed as a correct record.

4 **TO RECEIVE DECLARATIONS OF INTEREST IN ANY MATTER TO BE DETERMINED AT THE MEETING**

In accordance with the Code of Conduct, elected members declared the following interests:

Councillor M. Bashforth declared a personal interest at Item 15b, by virtue of her appointment to the MioCare Board.

Councillor Chauhan declared a personal interest at Item 15b, by virtue of his appointment to the MioCare Board.

Councillor F. Hussain declared a personal interest at Item 15b, by virtue of his appointment to the MioCare Board.

Councillor Heffernan declared a personal interest at Item 15b, by virtue of his appointment to the MioCare Board.

Councillor Garry declared a pecuniary interest at Item 15a, by virtue of her husband's employment by Greater Manchester Police.

Councillor C. Gloster declared a pecuniary interest at Item 15a, by virtue of his employment by Greater Manchester Police.

Councillor H. Gloster declared a pecuniary interest at Item 15a, by virtue of her husband's employment by Greater Manchester Police.

5 **TO DEAL WITH MATTERS WHICH THE MAYOR CONSIDERS TO BE URGENT BUSINESS**

There were no items of Urgent Business.

6 **TO RECEIVE COMMUNICATIONS RELATING TO THE BUSINESS OF THE COUNCIL**

The Mayor made reference to the resignation of former Councillor Cheryl Brock and to the recent death of former Councillor and Executive Member Eleanor Ritchie.

Councillors Fielding, C. Gloster and Sheldon paid tribute to the work of former Councillor Cheryl Brock.

Councillor Sykes paid tribute to the work of former Councillor Eleanor Ritchie.

Council held a minute's silence.



7 **TO RECEIVE AND NOTE PETITIONS RECEIVED
RELATING TO THE BUSINESS OF THE COUNCIL**

There were no petitions to be noted.

8 **OUTSTANDING BUSINESS FROM THE PREVIOUS
MEETING**

Creating a Healthy and Thriving Oldham

Councillor Chauhan MOVED and Councillor M. Bashforth
SECONDED the following MOTION:

“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.

Councillor Harkness spoke in support of the Motion.

Councillor Judd spoke in support of the Motion.

Councillor S. Bashforth spoke in support of the Motion.

Councillor Chauhan exercised his right of reply.

On being put to the vote, the MOTION was CARRIED UNANIMOUSLY.

RESOLVED that:

1. A Health Impact Assessment (HIA) process as a means of evidence-based policy in order to make improvements in health and wellbeing be created. Any policy, project or programme that did not necessarily have health as its primary objective would be subject to a robust Health Impact Assessment.
2. This process to be used to develop Health Improvement Zones in areas where environmental factors had 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

The Leader of the Council, Councillor Fielding, delivered his First Annual Statement. The Leader reflected on being out in the communities and visiting staff in the last six months from across the organisation hearing and seeing what they did and listened to their challenges. The Leader highlighted the outstanding Lifelong Learning Service and meeting service users who were learning to speak English which opened up opportunities such as seeking work and assisting their children with schoolwork which underpinned the objective of school readiness and for Oldham to be a prosperous place. The Leader also highlighted the Holts Estate Hub where staff from a number of organisations including the Council worked together to deliver a better service for residents, created community groups where there had been none before, helped residents into

work and supported people in the community rather than when a crisis point was reached.



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The Leader reflected on making the Borough a place it could be, there was a lot to be proud of and a lot to do. The Leader reflected on the Administration's priorities. Colleagues had had conversations on doorsteps on what was important which were basic services which included better and safer roads. There was an investment programme in primary and secondary routes. If a road was in need of investment, the Leader asked that residents report it to their local councillors. The Leader highlighted cleaner streets and the investment in extra staff and changed rotas. The Leader also reflected on communities loving where they lived and keeping communities tidy and the launch of the Big Clean Up.

The Leader reflected on community safety, the appointment of a dedicated Cabinet Member for Policing and Community Safety, the success of Operation Infinity. Violent behaviour would not be tolerated.

The Leader highlighted regeneration including the review of the Town Centre Master plan which included being sympathetic to heritage and aspiration of people, not exclusively shopping as town centres evolved. Regeneration was not just about Oldham Town Centre and the Leader reflected progress in other areas which included Hollinwood Junction, Broadway Green and an application had been submitted for the demolition of Hartford Mill to complete development in the Freehold area.

The Leader also reflected that regeneration was not just about physical but also social regeneration for healthy and happy communities which included Get Oldham Working and the success of getting residents into work. The Leader highlighted education and the challenge to support schools and academies. Eighty percent of schools were rated good or outstanding. The Leader highlighted the shortage of places, working with providers to build new schools and the investments being made across the borough. The Leader highlighted that the Environment Agency had withdrawn their objections to the new Saddleworth School and hoped to soon provide facilities to those students which they deserved.

The Leader reflected on making devolution work which include the delivery of health and social care integration and highlighted the variations in life expectancy. The Leader also highlighted the Town Centre Challenge and the nomination of Royton Town Centre and the offer to make other nominations for the regeneration of this corner of Greater Manchester.

The Leader made reference to austerity and the declaration that it was coming to an end. The authority would have to be make further cuts to the budget which had already taken out £208m. The Leader highlighted the continued rollout of Universal Credit. The Administration continued to be active, demand better for Oldham, challenged detractors and continued to invest despite

the financial challenges. The Leader announced the authority would apply for accreditation as a Living Wage Employer. The authority already paid the living wage to those directly employed but this would be rolled out to wholly owned companies and further work with suppliers. The authority would set an example as one the largest employers in the borough.

Aspirations were only meaningful if everyone shared in it. Oldham needed to demand better and aim higher. Together with the right aspirations Oldham would be the place it could be.

RESOLVED that the content of the Leader's Annual Statement be noted.

10

YOUTH COUNCIL

The Youth Council **PROPOSED** the following **MOTION**:

“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 issues and have undertaken 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
- Work 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, 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 the care leavers until the age of 25 becomes a national exemption criteria on prescription charges."

Councillor Chadderton spoke in support of the motion.

Councillor Chauhan spoke in support of the motion.

Councillor Williamson spoke in support of the motion.

Councillor Harkness spoke in support of the motion.

Councillor Byrne spoke in support of the motion.

On being put to the vote, the MOTION was CARRIED UNANIMOUSLY.

RESOLVED that the Chief Executive be asked to write to the Secretary of State for Health to ask that care leavers until the age of 25 become a national exemption criteria on prescription charges.

NOTE: Councillor Salamat left the meeting during this item.

11

LEADER AND CABINET QUESTION TIME

The Leader of the Main Opposition, Councillor Sykes, raised the following two questions:

1. Question 1: Giving Certainty to Tommyfield Traders

"My first question tonight concerns people living with great uncertainty; they are nervous about their future; or indeed if they have a future; and a Leader who is promising a plan that will deliver a 'New Jerusalem'... But in this case I am not talking about the people of the United Kingdom, Theresa May and Brexit, but rather the traders of Tommyfield Market, our new Council Leader, and the revised (yet again) Oldham Town Centre

Masterplan. We all know that the Leader tore up the old £350 million masterplan – not good enough said he; it ‘falls short of what is required to give a compelling vision for Oldham’. I am sure the traders at Tommyfield were at that time grateful that he described the market as ‘much loved’ and ‘a significant feature of Oldham town centre... in need of investment’. It must have filled them with hope for the future. But since that time the same traders have been living with more uncertainty, made worse by the fact that the new revised, better-than-the-old-one masterplan is now not scheduled to be unveiled until at least March 2020. Yes not March 2019, but March 2020 – in at least 18 months-time. Most citizens of this Borough will wonder why it will take so long and why urgency is not put into the process. With our recent experience of town centre regeneration projects falling behind schedule or just failing to happen; think Hotel Futures and Princes Gate. Traders are right to ask questions and they deserve some answers. At present traders report that when their leases are up for renewal they are being offered new agreements in which they could be given as little as three months’ notice to quit. Many of these traders have been in the market for decades, with a loyal customer base to match, and one – Levers – has its own blue plaque celebrating Oldham as being the historic home of fish and chips. So how can it be right that they can be out on their ear in only 12 weeks? I ask you is this any way to treat traders who were recently described as ‘much loved’. Giving them so little notice means they have no incentive to invest in their business or premises. Some say that in any case a three month notice period makes their business now practically worthless. It causes difficulties with recruiting and keeping staff and impacts on the wellbeing of the owners and their families let alone their pockets. So I would ask the Leader tonight if he will rethink the Council’s offer to traders. Will he do the right thing and agree to requests that they be at least granted five-year automatically renewable leases as a way to guarantee them some future for their businesses and staff? Will he promise traders that they will be consulted regularly as stakeholders as plans for the new market hall (or not) develop and be offered spaces in or around the new market hall which meet their needs and on terms that are affordable to them?”

Councillor Fielding, Leader of the Council, responded that he was unsure as to where the March 2020 date had come from. Tommyfield was a loved and significant feature in Oldham. Any plans required key engagement with stakeholders and the Leader had met with market traders not long ago and discussed the ambitions. It was the best meeting attended for some time and the items discussed had been well received. Traders would be consulted as they had a key stake in the future of Tommyfield Market. With regard to the 12 week notice period, whatever happened would result in traders having

to move out on a temporary basis. The market hall needed work. It had been built in 1993 as a temporary structure. Whatever happened may result in traders moving out on a temporary basis so action had been put into place which enabled that move, if required to take place. A 12 week notice period was sensible. As plans were developed the market traders would have advance notice in excess of 12 weeks of what the future would be.

2. Question 2: Can We Build It? Yes we can.

“For my second question to the Leader tonight I would like to look at another important issue – the shortage of social and rented housing in our Borough. In Oldham, we have a huge housing waiting list. We have a particular shortage of larger houses, as these are the homes most frequently lost to sales under the misguided policy of Right to Buy. We are also desperately short of homes that are built to meet the needs of disabled people or future proofed for an aging population. I know that the Leader will join me in welcoming the announcement by the Prime Minister that, for once, represents good news for this Borough – the lifting of the borrowing cap which has prevented Councils from investing in much needed social and affordable housing. Following pressure from many voices speaking common sense, including those of myself and my fellow group leaders in the cross-party Local Government Association, the cap on the Housing Revenue Account is finally being abolished. In their hey-day, councils were building four in every 10 of the nation’s homes – we will now need to see a Council house building revival to build affordable and social housing if we are to meet the shortfall in new homes that we need in the future. Decent homes improve health and well-being, educational performance and many, many other factors other than just a decent roof over people’s head. We need to get on with it now – with more haste than it took this Administration to recently adopt the idea of establishing an arms-length housing development company that the Liberal Democrat Group first suggested three years ago. The children’s TV character, Bob the Builder, famously said ‘Can we build it? Yes we can!’ I would like to ask the Leader tonight if he is going to adopt Bob’s mantra by ensuring the Council works with our social housing partners and supportive housing developers to quickly rise to this challenge and build the affordable homes that we so desperately need as soon as possible. In short, have we got a plan in place, have we got sites ready to build on and will we see diggers on the ground very soon?”

Councillor Fielding, Leader of the Council, joined the Leader of the Opposition in welcoming the announcement of the lifting of the borrowing cap in investing in social and affordable housing. The Leader responded that no detailed information had yet been received. The Council

was planning to build homes for social rent as per the motion at a previous meeting. Proposals were progressing at pace. The Leader was in favour of the Council being able to build and provide housing which catered for the needs of the most vulnerable and poorest residents of the borough. The Leader raised issues around substandard housing and the only way to address this was to build homes to realise the ambitions of Oldham being a more prosperous borough.

Councillor Sheldon asked a question related to gully and street cleaning. Over the past few weeks members had received calls regarding unclean streets and leaves so deep which were a hazard. If streets were not cleaned on a regular basis grids and gullies became blocked. Councillor Sheldon asked if all members could share the schedule of street clearing activities so as not to delay highways teams.

Councillor Fielding, Leader of the Council, responded about the investment in street cleaning across the borough and the change of rotas. As a ward councillor there should be the ability to seek the information available and did not have an objection with the information being shared. The Leader encouraged elected members to visit Moorhey Street to view how gully and street cleaning was mapped.

The Mayor reminded the meeting that the Council had agreed that, following the Leaders' allocated questions, questions would be taken in an order which reflected the political balance of the Council.

1. Councillor Shuttleworth asked the following question:
“At PMQ's on 17 October, Labour MP for Birmingham, Selly Oak, Steve McCabe asked the prime minister, who is a diabetic and wears the Free Style Libre Flash Glucose monitoring system on her arm, about its availability on the NHS. The PM replied: 'It is now available on the National Health Service.' For the benefit of those in our Borough who live with diabetes, and who may well benefit greatly from this form of device, would the relevant Cabinet Member confirm just how 'available' this is on the NHS in Oldham.”

Councillor Chauhan, Cabinet Member for Health and Social Care responded that a national newspaper had completed a survey and noted the device was not available in 50% of the country. An explanation of how the sensor worked was provided. Oldham CCG had followed clinical guidance on the use of the Free Style Libre Flash Glucose Monitoring System which was agreed in November 2017. The guidance contained criteria which was published. Some patients in Oldham already used the device on the NHS. Oldham CCG and the Royal Oldham Hospital were currently developing an Oldham-specific patient pathway which would cover the

use of the device for people in Oldham. The pathway was expected to be finalised later in November 2018.

2. Councillor Leach asked the following question:

“The Leader of the Council has highlighted the increasing evidence of the damage to health caused by air pollution. It particularly affects young children, whose physical and mental development are jeopardised. What will the council do to minimise the number of car trips, to encourage parents not to drive their children to school, but rather to walk with them to school? What implications are there for the council in planning for clean-air zones? In considering new developments which lead to increasing numbers of cars on the road?”

Councillor Shah, Deputy Leader of the Council and Cabinet Member for Neighbourhood Services responded that this was a topic the Council was taking very seriously. The Council was currently committed to working on a GM response as a combined response to tackle air pollution from traffic which was essential. The work was being coordinated by TfGM who were currently working with each of the local authorities to develop proposals which offered the best approach to controlling air pollution which included the potential for an effective clean air zone and other measures which supported a reduction in emissions from vehicles. The work should be concluded by the end of the year in accordance with the Government Directive when the outcomes of the work would be shared.

3. Councillor Akhtar asked the following question:

“I welcome the Council’s support for the Cranmer Trust application for a new school but however I have some concerns about the admissions policy that Cranmer Trust is proposing for the new school. The application for the new school is based on the extra school places pressure from the wards surrounding the town centre. However, I feel the admission policy of Cranmer Trust is trying to accommodate pupils from across the Borough resulting in unfairness to pupils who actually require the extra places. Could the cabinet member please assure the Council that pupils who require the extra places will not be treated unfairly by Cranmer Trust.”

Councillor Jacques, Cabinet Member for Education and Culture, responded that the proposed policy put forward by the Cranmer Trust would provide 240 places for year 7 pupils on opening. There would be 60 places reserved for Christian children of any denomination, 60 places for children of other faiths. These places would be available to children from central, east and west Oldham and beyond. 120 additional places would be available for those children who lived within a 1 mile radius (40 places), 2 miles (40 places) and 3 miles (40 places).

There would be six secondary schools operating in east and west Oldham by 2022. For context, Blue Coat and the new school would provide over 25% of places in this area by 2022. This represented a very fair offer to parents of children who lived in central, east and west Oldham, as well as guaranteeing a multi-ethnic mix in the school community.

4. Councillor C. Gloster asked the following question:

“Can I ask the relevant Cabinet Member to update the Council as to the current position regarding the development of a new health centre for Shaw and Crompton? It is now ten years since the development was first proposed, and despite the land and a brand new electricity sub-station being in place for several years, we have yet to see any plans for this much needed and desired development, and patients in Shaw and Crompton continue to be ill-served by the current building which frankly is far from fit for purpose.”

Councillor Chauhan, Cabinet Member for Health and Social Care responded that the original scheme had been put on hold with the demise of the Local Investment Finance Trust (LIFT) as a development option in 2011. With the introduction of the NHS England Estates & Technology Transformation Fund in 2015, the opportunity to reconsider a scheme in Shaw and Crompton had been made possible and a successful bid for funding to progress the Outline Business Case (OBC) was made in the financial year 2016-17. Since then, work to create an affordable GM Health and Social Care OBC project management brief had been undertaken and was close to completion. It had been agreed at the Oldham Strategic Estates Group that the OBC for both the Shaw and Crompton and Chadderton Hubs would benefit by being completed upon the results of the Local Asset Review, the premises Utilisation Studies and the updated Strategic Estates Plan in response to new models of care and ways of working. Each of these projects would be completed or underway by the end of February 2019 and it was agreed at the Strategic Estates Group meeting last week that the results of the above works could be reflected in the OBC related to both schemes. It was expected that the OBC would be completed by May 2019.

5. Councillor Ali asked the following question:

“Winter is coming and the weather is changing. Could the Cabinet Member for Housing update us on the action being taken by the Council to support the Mayor’s pledge that every rough sleeper who needs a bed this winter will have one?”

Councillor Roberts, Cabinet Member for Housing responded that the Council was supporting the GM

Mayor's Pledge with regard to assisting rough sleepers by taking part in the 'a bed for every night (ABEN) project'. The ABEN project went live on 1st November and would continue through to 31st March 2019 in line with the Mayor's guidance. Oldham Council was setting up a night shelter at Oldham Fire Station which offered rough sleepers a bed for the evening during the timeframe identified above. Service users would also have access to shower facilities and access to hot food and drinks. (The shelter was due to open on 16th November). In the interim, bed and breakfast accommodation was being used. The night shelter would be run by the DePaul Trust Organisation and the provision was for male rough sleepers only. The shelter could accommodate up to 10 people. Females would be accommodated at an alternative provision (Porter Street). Referrals to the night shelter would be coordinated through the existing housing advice / homelessness contract with FCHO and the service could also be accessed out of hours using the Freephone out of hours telephone number (0800 988 7061). Referrals were coordinated this way to ensure service users received the correct advice and/or support and were assisted with sourcing longer term, more sustainable accommodation. If the shelter reached capacity, alternative provision would be sought via bed and breakfast accommodation.

6. Councillor Haque asked the following question:

"The new administration have reaffirmed their ambition to see regeneration of Oldham Town Centre. Could the relevant Cabinet Member describe the vision that underpins the new administration's ambition for Oldham Town Centre?"

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise emphasised the ambitions for the Town Centre as raised earlier in the Leader's Annual Statement. A town centre which was sustainable and future proof in the long term was sought. A town centre which was not exclusive as a shopping destination but also a leisure and living offer to be sustainable and not just from within Oldham but outside.

7. Councillor Ball asked the following question:

"Could the Cabinet member for Education and Culture inform residents if the much publicised difficulties in funding Children's social services have had a negative impact on the level of support given to young people with Special Educational Needs?"

Councillor Jacques, Cabinet Member for Education and Culture responded that the administration had fully supported the revenue costs required to ensure the Council achieved all of the recommendations in the

Ofsted written statement of action which followed the SEND inspection in October 2017. Cabinet had approved a revenue allocation of £500,000 for SEND in December 2017 which resulted in the creation of a strengthened SEND team and created resources to be allocated to key areas requiring support. Recent monitoring from the DfE and NHS England agreed that four of the five areas identified in the written statement were now “RAG” rated green and the fifth was in amber/green with an expectation that from January 2019 this would also revert to green. There had only been a positive impact on children and young people with SEND.

8. Councillor Harkness asked the following question:

“A good education is essential and it is also the foundation of a fair society. We should not be satisfied with anything less but, sadly, far too many children are still not reaching their full potential. Unfulfilled talent is criminal.’ These are not my words but the words of the former Council Leader in the Oldham Education and Skills Commission report entitled A Self-Improving Education System in 2016. It also stated by 2020, all performance indicators would be at the national average or above and all education providers would be judged ‘good’ or better by Ofsted. We are now in 2018 and the GCSE results across the borough have declined despite significant investment. Does the Cabinet Member agree that the GCSE results are still not good enough overall in the borough and with a 1 per cent drop in results the direction of travel needs to be a cause for concern?”

Councillor Jacques, Cabinet Member for Education and Culture responded that the hard work and dedication of staff, students and parents should be acknowledged whilst recognising that the changes to the GCSEs were more fundamental than changing the grades from letters to numbers. Coursework and controlled assignments were not allowed this year which placed more pressure on students than ever before to do well in an increasing number of examinations that had to be sat in an intensive period of time. Subject curricula were changed to be more demanding than ever before to allow a smoother transition to follow ‘A’ level courses. In addition, the English education system was designed to fail students no matter how good their performance. The government used a comparability of outcomes measures to ensure standards were maintained, whilst previous administrations used a criterion referenced system that guaranteed a pass if the student did well in the test that was passed. The current system was akin to having a driving test system that once the allocated number of drivers had passed their test, no more drivers were allowed to pass, no matter how good their test results were. The Cabinet Member was proud of the outcomes that the young people of the borough had obtained,

recognised the huge pressure that any change brought but was still aware of the need to support schools and academies on their journey of self-improvement.

At this point in the meeting, the Mayor advised that the time limit for this item had expired.

RESOLVED that the questions and responses provided be noted.

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

The minutes of the Cabinet meetings held on 20th August 2018, 17th September 2018 and the urgent key decisions taken between 28th October 2017 and 26th October 2018.

There were no questions or observations raised.

RESOLVED that the minutes of the Cabinet meetings held on 20th August 2018, 17th September 2018 and the urgent key decisions taken between 28th October 2017 and 26th October 2018 be noted.

13

NOTICE OF ADMINISTRATION BUSINESS

Motion 1 – Tackling Child Hunger

Councillor Jacques MOVED and Councillor Ball SECONDED the following MOTION:

“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 a 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."

Councillor Mushtaq spoke in support of the Motion.
Councillor Harkness spoke in support of the Motion.
Councillor Jabbar spoke in support of the Motion.
Councillor H. Gloster spoke in support of the Motion.

Councillor Roberts MOVED and Councillor Jabbar SECONDED that the motion be put to the VOTE. The MOVE to the VOTE was AGREED.

Councillor Jacques exercised his right of reply.

On being put to the vote, the MOTION was CARRIED UNANIMOUSLY.

RESOLVED that efforts to provide free lunches for those who need them during school holidays be supported which included:

1. Additional sources of funding be investigated and applied for, including using District budgets, where possible and appropriate
2. Different models of tackling holiday hunger including 'Feed and Read' and 'Feeding Britain' be researched and put together in a strategy that best meets Oldham's needs using Council and community resources such as libraries, community and leisure centres and faith buildings.
3. An Oldham Programme to alleviate child holiday hunger be introduced as soon as practically possible.

Motion 2 – Oldham Crown Post Office Closure

Councillor Taylor MOVED and Councillor McLaren SECONDED the following MOTION:

"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 to 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 office 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 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."

Councillor Fielding **MOVED** and Councillor Jabbar **SECONDED** that the **MOTION** be put to a **RECORDED VOTE**. The **MOVE** to a **RECORDED VOTE** was **AGREED**.

Councillor		Councillor	
Ahmad	FOR	Hussain, F.	FOR

Akhtar	FOR	Jabbar	FOR
Alexander, A.	FOR	Jacques	FOR
Alexander, G.	ABSENT	Judd	FOR
Ali	FOR	Larkin	ABSENT
Azad	FOR	Leach	FOR
Ball	FOR	Malik	FOR
Bashforth, M.	FOR	McLaren	FOR
Bashforth, S.	FOR	Moores	ABSENT
Briggs	FOR	Murphy	FOR
Brownridge	FOR	Mushtaq	FOR
Byrne	ABSTAIN	Phythian	FOR
Chadderton	FOR	Price	FOR
Chauhan	FOR	Qumer	FOR
Cosgrove	FOR	Rehman	FOR
Curley	FOR	Roberts	FOR
Davis	FOR	Salamat	ABSENT
Dean	FOR	Shah	FOR
Fielding	FOR	Sheldon	ABSTAIN
Garry	FOR	Shuttleworth	FOR
Gloster, C.	FOR	Stretton	FOR
Gloster, H.	FOR	Sykes	FOR
Goodwin	FOR	Taylor	FOR
Haque	ABSENT	Toor	ABSENT
Harkness	FOR	Turner	ABSENT
Harrison	FOR	Ur-Rehman	ABSENT
Heffernan	FOR	Williams	FOR
Hewitt	FOR	Williamson	FOR
Hudson	ABSENT	Iqbal	FOR
Hussain, A.	ABSENT		

Councillor Taylor did not exercise her right of reply.

On being put to the vote, 47 votes were cast in FAVOUR of the MOTION and 0 votes were cast AGAINST with 2 ABSTENTIONS. The MOTION was therefore CARRIED.

RESOLVED that:

1. The Leader of the Council be asked 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. The Chief Executive be instructed 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 jobs that result.
3. Awareness be raised of the values of our Crown Post Office and the need for it to remain an asset of and for the people.

The Mayor informed the meeting that the time limit for this item had expired and Councillor Shah a Mover of the Motion and Councillor Jabbar as Seconder of the Motion requested the

following motion be rolled over for discussion at the Council meeting.

Motion 3 – Air Quality

Councillor Shah **MOVED** and Councillor Jabbar **SECONDED** the following **MOTION**:

“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 each 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.”

RESOLVED that the Motion be rolled over the next Council meeting to be held on 12th December 2018.

NOTICE OF OPPOSITION BUSINESSMotion 1 – Conductors on Trams

Councillor Sykes MOVED and Councillor H. Gloster
SECONDED the following MOTION:

“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 trade 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.”

Councillor Murphy spoke in support of the Motion.

Councillor Fielding spoke in support of the Motion.

Councillor Williamson spoke in support of the Motion.

Councillor C. Gloster MOVED and Councillor Murphy SECONDED the motion be put to the VOTE. The MOVE to the VOTE was AGREED.



Councillor Sykes exercised his right of reply.

On being put to the vote, the MOTION was CARRIED UNANIMOUSLY.

RESOLVED that the Chief Executive be asked to write to the Chief Executives of Transport for Greater Manchester and Metrolink outlining the Council's position and request the introduction of conductors on the Rochdale – Oldham line as a pilot.

Motion 2 – Tackling Dangerous Potholes

Councillor C. Gloster MOVED and Councillor Harkness SECONDED the following MOTION:

“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 at least 40mm depth, but did not necessarily require them to repair it.
- The thresholds 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 £9billion 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.”

AMENDMENT

Councillor Shah MOVED and Councillor A. Alexander SECONDED the following AMENDMENT:

“Delete first 3 points under ‘this Council notes that’ beginning ‘the threshold fails’.

Extend final bullet point under ‘this Council notes’, after ‘damaged road surfaces’ add ‘however in the recent budget the Conservative Chancellor allocated just £420m of additional money for Councils to tackle this problem.’

Insert additional bullet point under ‘this Council notes’ to read:

- The Oldham Council administration is aware that highway conditions are a concern of our residents and have taken the following action ourselves to address this:
 - A 24 hour repair promise on priority routes.
 - A 3 year, £12 million capital investment programme in secondary routes to improve the quality of our highways which includes, at its’ core, the opportunity for meaningful engagement with elected members which will allow them to influence the programme.

Under ‘Council resolves to’ delete 1st and 4th bullet points.”

Amended motion to read:

“This Council notes that:

- 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 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 however in the recent budget the Conservative Chancellor allocated just £420m of additional money for Councils to tackle this problem.

- The Oldham Council administration is aware that highway conditions are a concern of our residents and have taken the following action ourselves to address this:
 - A 24 hour repair promise on priority routes.
 - A 3 year, £12 million capital investment programme in secondary routes to improve the quality of our highways which includes, at its' core, the opportunity for meaningful engagement with elected members which will allow them to influence the programme.

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:

- 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.”

At this point in the meeting, the Mayor advised that the time limit for this item had expired.

Councillor C. Gloster exercised his right of reply.
Councillor Shah did not exercise her right of reply.

A vote was then taken on the AMENDMENT.

On being put to the vote, 44 votes were cast in FAVOUR of the AMENDMENT and 7 votes were cast AGAINST with 0 ABSTENTIONS. The AMENDMENT was therefore CARRIED.

A vote was then taken on the SUBSTANTIVE MOTION.

On being put to the vote, the SUBSTANTIVE MOTION was CARRIED UNANIMOUSLY.

RESOLVED that the Chief Executive be asked 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.

Motion 3 – Creating Council Bus Services

Councillor Sykes MOVED and Councillor Heffernan SECONDED the following MOTION be withdrawn.

“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."

RESOLVED that the Motion be withdrawn.

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

The minutes of the Joint Authorities were submitted as follows:

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
National Park Authority	28 th September 2018
Transport for Greater Manchester	6 th July 2018
	13 th July 2018

There were no questions raised on the Joint Authorities minutes.

Members raised the following observations:

Councillor Sykes: Greater Manchester Combined Authority, 27th July 2018, GMCA 170/18: Introduction of a Zonal Fares Structure on the Metrolink Network. Councillor Sykes raised the short consultation undertaken on the boundary of Shaw and Crompton under the fare structure and the poor deal from Metrolink. As a result it was cheaper for Shaw and Crompton residents to go to Rochdale than to Oldham. The boundary should have been moved.



Councillor Fielding, Leader of the Council, responded that he did not disagree with Councillor Sykes. It would have been ideal for every tram stop in Oldham to be in the same zone. Despite lobbying from members, they were not able to get the result wanted.

RESOLVED that:

1. The minutes of the Joint Authority meetings as detailed in the report be noted.
2. The observation and response provided be noted.

- 15b To note the Minutes of the following Partnership meetings and the relevant spokespersons to respond to questions from Members

The minutes of the Partnership meetings were submitted as follows:

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

There were no questions or observations raised.

RESOLVED that the minutes of the Partnership meetings as detailed in the report be noted.

16 **UPDATE ON ACTIONS FROM COUNCIL**

Consideration was given to a report of the Director of Legal Services which informed members of actions that had been taken following previous Council meeting and provided feedback on other issues raised at the meeting.

RESOLVED that the update on Actions from Council be noted.

17 **BREXIT UPDATE**

Council gave consideration to a report which provided an update on the European Referendum following the publication of the latest GMCA Brexit Monitor report.

The report referenced the latest analysis from the GMCA Brexit Monitor and reviewing the timeline as the Brexit negotiations

moved in to the final six months. It was reported that the Gross Domestic Product had grown 0.7% (although this was below the pre-Brexit predicted 2.1%). It was noted that the Prime Minister continued to iterate that trade models such as the European Economic Area or the Canadian Comprehensive Economic and Trade Agreement were not an option for any deal and called instead for a creative solution that was unique to the UK. However, the issue of the Irish border had become a key focal point, which if not resolved, was likely to lead to a 'no-deal' exit.

The EU accounted for 58 percent of goods exported from Greater Manchester firms in 2015, which represented a greater reliance on the EU as an export market than the average for England as a whole (42 percent). Analysis cross-referencing national data with local intelligence suggested that in general, low-skilled jobs were likely to be most vulnerable to potential changes in migration as a result of the UK leaving the EU.

The GM Industrial Strategy and devolution would be key to unlocking the lack of productivity and increasing wages benefits. The Council would need to ensure that businesses were able to continue to access the workforce needed and residents able to find jobs which were well paid and secure. In Greater Manchester this meant better integration of post-16 skills through approaches to planning, accountability and delivery which were jointly developed between Greater Manchester and the Government.

Councillor Fielding spoke on the report.
Councillor Sykes spoke on the report.

RESOLVED that the update on the European Union Referendum be noted.

18

DISTRICT PLANS

Consideration was given to a report which set out the District Plans for the Municipal Year 2018/19. The actions plans were based on thorough consultation, analysis of data and deliberation by elected members in each district. The intention was for priorities to be set on a rolling two year basis, but for action plans to provide detail as to how the priorities would be delivered for one year.

RESOLVED that the District Plans as agreed by each District Executive be approved.

19

CONSTITUTIONAL AMENDMENTS - PROCEDURAL AND LAND AND PROPERTY PROTOCOLS

Consideration was given to a report of the Director of Legal Services which sought approval to Constitutional Amendments.

Public question time for Committees and District Executives was not consistent. It was proposed to have standard timings for public questions time and deadline for submission of questions

(amendments to Part 3, p. 32, Public Question Time to read 'Public questions can be submitted to Constitutional Services by noon up to two working days before the day of the meeting' and to Part 8, Appendix 1 – Public Access to Information).

It was also proposed that as motions were now delivered by email, that a physical signature was no longer required and the sending of the email by the relevant mover and seconder was proof of intention (Amendment to Part 4 – Council Procedure Rules, 8 Notice of Motion remove '... signed by at least one Member.').

An amendment was proposed to the Land and Property Protocol. There had been a number of legal challenges related to the sale of land by public authorities which had resulted in seminal case law. The amendment proposed sought to clarify the position for officers so that the sales of Council property, which were exempt from the Council's Contract Procedure Rules, remained disposal of land and did not stray into the field of procurement law.

Options/Alternatives

Option 1 – Approve the proposed amendments to the Constitution.

Option 2 – Do not approve the proposed amendments. This would not provide consistency in the procedural rules and the Land and Property Protocols would not be in line with seminal case law.

RESOLVED that:

1. The time limit of public question time for all Committees and District Executives be 30 minutes be approved.
2. Each public question asked be no longer than 2 minutes be approved.
3. Submission of motions without a signature be approved.
4. Submission of public questions by noon two working days before the day of the meeting be approved.
5. The proposed amendments to the Land and Property Protocol in Part of the Council's Constitution (Codes and Protocols) be approved.

20

MUNICIPAL CALENDAR 2019/20

Council gave consideration to a report of the Director of Legal Services which sought approval of the draft Calendar of Meetings for the 2019/2020 Municipal Year.

RESOLVED that:

1. The Council's Calendar of Meetings for the Municipal Year 2019/2020 as set out in Appendix 1 of the report be approved.
2. Approval of any outstanding dates be delegated to the Chief Executive in consultation with Group Leaders.

The meeting started at 6.00 pm and ended at 9.32 pm



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COUNCIL

Petitions

Portfolio Holder: Various

Officer Contact: Various

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

12th December 2018

Reason for Decision

The decision is for Elected Members to note the petitions received by Council in accordance with the Petitions Protocol.

Petitions Received

People and Place

Reference 2018-17: Petition entitled "Greenfield by Name; Greenfield by Nature", Objections to Planning Application PA/342222/18 – Land to Rear of 29 – 51 Shaw Hall Bank Road and 5 – 23 Shaw Hall Close, Greenfield, Saddleworth, OL8 7LD (Saddleworth South Ward) received on 29 October 2018 with 665 signatures.

Reference 2018-19: Petition requesting Traffic Calming Procedures on Keb Lane (Medlock Vale Ward) received on 15 November 2018 with 99 signatures.

Reference 2018-21: Petition for Street Lighting and Tackle Anti-Social Behaviour behind Garforth Street (Coldhurst Ward) received on 3 December 2018 with 51 signatures.

Corporate and Commercial

Reference 2018-20: Petition related to Welfare Rights, Benefits and Adult Social Care (Borough Wide), received on 26 November 2018 with 251 signatures.

Recommendations

It is recommended that Council note the petitions received.

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CABINET
22/10/2018 at 6.00 pm

Present: Councillor Fielding (Chair)
Councillors Chadderton, Chauhan, Jabbar, Jacques, Mushtaq,
Roberts and Shah

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Cabinet meeting held on
17th September 2018 be approved as a correct record.

6 **HIGHWAYS INVESTMENT PROGRAMME - KEY
PRINCIPLES**

The Cabinet gave consideration to a report of the Director of Environmental Services which identified the approach and principles to be applied for delivery of the highways investment programme, based on good practice and ensuring best value for future investment. It had been an election pledge that there would be investment in highways and the report set out proposals for delivery.

The Cabinet were informed that the current approach resulted in best value for money and a well maintained Classified Network, however the unclassified Network continued to deteriorate without additional significant investment. The criteria used were set out in the report.

Work had been commissioned to undertake a full survey of the full Highway Network to provide an accurate status, and costs required for future maintenance. It was recognised there was a need to be clear with regard to the principles to be adopted for future investment in order to use this data to build a future Programme, recognising that the state of the highways asset required investment beyond available funding. Therefore the principles of prioritisation needed to be agreed and understood prior to Programme development, in order to inform the programme development itself.

The 2018 survey would be an Annual Engineering Inspection (AEI), providing a proposed treatment from current condition. This would provide a much more accurate maintenance backlog estimate directly from the survey.

It was proposed that there would be investment over the next three years of £4m each year, a total of £12m, and it was suggested that a proportion of the budget be allocated to local schemes, enabling a programme informed by condition survey results and local Member knowledge.

The preferred option of how to allocate the potential funding would be chosen following the return of the AEI survey return. The exact programme would then be finalised following consultation with local Members, ensuring a balance between existing strategy and local knowledge. Local Members would be involved in identifying priorities in their area and members of the public were encouraged to report issues to their Ward Councillors for consideration.

Options/Alternatives considered

Option 1 – Do nothing.

Option 2 – Agree the proposed capital investment and approach.

RESOLVED that the capital investment of £12m in highways over the next 3 years be agreed.

7

DISPOSAL OF LAND KNOWN AS 'PLATEAU 1', SITUATED BETWEEN SALMON FIELDS AND TURF LANE, ROYTON

The Cabinet gave consideration to a report of the Principal Development Surveyor that provided an overview of the offers received by the Council, following the recent open market advertisement of a Council-owned opportunity at Salmon Fields, Royton.

The Cabinet were informed that the Council owned an area of land at Salmon Fields, Royton, measuring circa 5.69 acres. Whilst identified as a development opportunity, the site had been vacant for a number of years, following the expiration of an option agreement.

Marketing had begun in June 2018 and the marketing exercise had produced 10 offers.

Options/Alternatives considered

Option 1 – Do nothing.

Option 2 – Sell to any of the interested parties

Option 3 – Sell to the party submitting the highest financial offer

RESOLVED that the Cabinet would consider the commercially sensitive information contained at Item 13 of the agenda.

EMPTY HOMES

The Cabinet gave consideration to a report of the Principal Housing Market Intervention Officer that sought approval for the introduction of a robust empty homes intervention to bring empty properties across the borough back into use. Approval would pave the way for Oldham to secure full investment for a pilot initiative from the Housing Revenue Account (HRA) and Homes England. This funding would underpin a holistic intervention package to support ongoing work with empty home owners. It was anticipated that Homes for England could be approached to fund a larger programme when the success of the pilot could be demonstrated.

The Cabinet noted that the current housing shortage across the country had placed an obligation on Local Authorities to find innovative solutions to the current problem. Bringing empty homes back into use was one initiative as part of a wider strategy. The Council was looking to use two ways forward, purchase and repair (P&R) or lease and repair (L&R), and would procure partners to deliver the projects and manage the lettings.

The housing market in Oldham had come under pressure from growing demand and high levels of transience in central areas of the town. With growing demand for affordable housing and community challenges, an empty homes initiative could help deliver an innovative housing solution. The proposed solution formed a wider intervention package to deliver a wide range of benefits across the service and support the key priorities and ambitions of Oldham Council.

Options/Alternatives considered

Option 1 – Approve all of the recommendations and support a pilot intervention project.

Option 2 – Do not approve both interventions instead, only approve a P&R option and delay the development of an Empty Dwelling Management Order (EDMO) Policy

Option 3 – Do not approve both interventions instead, only approve a L&R option and delay the development of an EDMO Policy

Option 4 – Do nothing

RESOLVED that the Cabinet would consider the commercially sensitive information contained at Item 14 of the agenda.

REQUEST FOR ADDITIONAL FUNDING AND CONTRACT AWARD: CROMPTON HOUSE C OF E SCHOOL EXPANSION

The Cabinet gave consideration to a report of the Head of School Support Services that sought approval to accept a successful tender, approve additional funding and award a contract to expand Crompton House C of E School, as part of the Basic Need Programme of works.

As part of the Basic Needs Programme of Work and to address the increase demand and current shortfall of places it was proposed to expand Crompton House C of E School by an additional 4-form entry. Cabinet noted this was part of the project to provide good schools in the right places.

Cabinet had previously:

- Approved a programme of significant expansion at Crompton House School,
- Approved a programme of expansion at the school funded from the
- Education Basic Needs grant funding allocated to Oldham Council,
- Delegated authority to the Director of Education and Early Years to develop, consult, procure and arrange for the execution by the Director of Legal Services of any relevant contracts and incidental and ancillary documentation, in accordance with the agreed school expansions programme.

The Cabinet noted that consultation had previously taken place with the Cabinet Members, Ward Members, head teacher, school governors, school access officers, Director Education & Early Years, Corporate Landlord and procurement teams. The statutory compliance public consultation was complete.

Options/Alternatives considered

Option 1 – Do nothing.

Option 2 – Procure through the proposed route and approve additional funding of £2,890,000 from the Basic Needs Grant.

RESOLVED that the Cabinet would consider the commercially sensitive information contained at Item 15 of the agenda.

10

UNITY PARTNERSHIP SHAREHOLDER COMMITTEE TERMS OF REFERENCE: CABINET SUB-COMMITTEE

The Cabinet gave consideration to a report of the Audit and Counter Fraud Manager which sought approval for the Terms of Reference of the Unity Partnership Shareholder Committee and to the appointment of Cabinet Members to the Shareholder Sub-Committee.

Members were informed that the Council had acquired the shares held in the Unity Partnership Ltd and was is now the sole shareholder of the company. Once established, the Shareholder Committee would have responsibility for exercising “shareholder control”, with regard to wholly-owned Council companies.

The Shareholder Committee would safeguard the Council’s interest as shareholder and take decisions in matters that required the approval of the Council as owner of the company. Decisions in relation to the day to day operation of the company would be taken by the directors of the company.

It was recommended that four members of the Council's Cabinet become the Shareholder Committee, which would be supported by officers of the Council, including the Section 151 Officer (Director of Finance) and the Monitoring Officer (Director of Legal Services), or their designated officers.



Options/Alternatives considered

Option 1 – Approve the proposed terms of reference for the Shareholder

Committee, and nominate and appoint Members to sit on the Sub-Committee.

Option 2 – Do not approve the terms of reference for the Shareholder Committee.

RESOLVED that:

1. the terms of reference for the Unity Partnership Shareholder Committee be approved
2. Councillors Fielding, Jabbar, Shah and Ur-Rehman be appointed to sit on the Shareholder Committee, with full delegated powers in relation to any matter to consider the interests of the Council following the acquisition of the Unity Partnership Ltd.

11

PROPOSED CHANGES TO REGISTRARS' SERVICE FEES AND CHARGES 2018/19

The Cabinet gave consideration to a report of the Registration Services Manager that sought approval to adjust the fees set for ceremony charges in the 2018/19 Council budget.

Members were informed that fees set in the budget process for 2018/19 for registrars service had resulted in a greater increase than in previous years, being a £79 increase on fees charged for wedding and civil partnership ceremonies both at external venues and the Oak Room at Chadderton Town Hall. Fees set for the Green Room at Chadderton Town Hall had also seen a higher than usual year on year increase.

The resulting feedback from couples, some of which had booked their venue two years in advance, had suggested that the price rise had resulted in difficulties making the payments which were not expected and therefore not budgeted for in their plans, and as such, for some couples, had resulted in hardship.

The service had undertaken some market analysis and a comparison of its Greater Manchester competitors, along with a review of the current bookings for this financial year. The conclusion reached was that, should the fees remain as set at the start of the financial year, then the service would not be competitive with similar service providers. This may result in a loss of business over the financial year and consequently a loss of income, rather than an increase in the income generated from ceremonies. It could also have a detrimental effect on external venues, who may lose business if couples chose to

hold their ceremonies in other venues in neighbouring authorities to save money.

Options/Alternatives considered

Option 1 – Leave the fees as set in the 2018/19 budget

Option 2 – Change the fees listed, as per the proposals



RESOLVED that:

1. Wedding ceremony fees be changed to the following:
 - Wedding/Civil Partnership ceremonies at external non- religious venues Monday-Thursday £361.00
 - Wedding/Civil Partnership ceremonies at external non-religious venues Friday-Saturday £375.00
 - Wedding/Civil Partnership ceremonies in the Oak Room at Chadderton Town Hall Monday-Thursday £175
 - Wedding/Civil Partnership ceremonies all rooms at Chadderton Town Hall Friday/Saturdays AM £196
 - Wedding/Civil Partnership ceremonies all rooms at Chadderton Town Hall Saturdays PM £375.00
 - Wedding/Civil Partnership ceremonies in the Green Room at Chadderton Town Hall Monday-Thursdays £110
 - Wedding/Civil Partnership ceremonies in the Green Room at Chadderton Town Hall Fridays/Saturday AM £126
 - Wedding/Civil Partnership ceremonies in the Green Room at Chadderton Town Hall Fridays and Saturdays £130

2. That there be no change to fees charged on Sundays and Bank Holidays – all venues charged £421 for wedding/civil partnership ceremony (This also includes Christmas Eve and New Year's Eve)

12

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information under paragraph 3 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

13

DISPOSAL OF LAND KNOWN AS 'PLATEAU 1', SITUATED BETWEEN SALMON FIELDS AND TURF LANE, ROYTON

The Cabinet gave consideration to the commercially sensitive information in relation to Item 7 – Disposal of land known as 'Plateau 1', situated between Salmon Fields and Turf Lane, Royton [Royton South]

RESOLVED – That the recommendations as detailed within the report be approved.

14

EMPTY HOMES

The Cabinet gave consideration to the commercially sensitive information in relation to Item 8 – Empty Homes

RESOLVED – That the recommendations as detailed within the report be approved.

15

REQUEST FOR ADDITIONAL FUNDING AND CONTRACT AWARD: CROMPTON HOUSE C OF E SCHOOL EXPANSION

The Cabinet gave consideration to the commercially sensitive information in relation to Item 9 – Request for Additional Funding and Contract Award: Crompton House C of E School Expansion

RESOLVED – That the recommendations as detailed within the report be approved.

The meeting started at 6.00 pm and ended at 6.20 pm

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[MioCare Group CIC, Oldham Care and Support Ltd, MioCare Services Ltd]

**Minutes of the Board of Directors' Meeting
17th September 2018
Public Minutes**

<p>Present:</p>	<p>Board Members</p> <p>CLlr Fida Hussain (CLlr FH) - Chair</p> <p>CLlr Zahid Chauhan –Elected Member (CLlr ZC)</p> <p>CLlr Derek Heffernan – Elected Member (CLlr DH)</p> <p>Cathy Butterworth – Non Executive Board Member (CB)</p> <p>Karl Dean – Managing Director (KD)</p>	<p>In attendance</p> <p>June Rainford – Associate Director OPS & COoH (JR)</p> <p>Valerie Perrins – Associate Director QPC (VP)</p> <p>Mark Warren – Shareholder’s Advisor & DASS (MW)</p> <p>Paul Wilkinson – Finance Manager (PW)</p> <p>Karen Wilson – Business Support Manager (Minutes)</p>
<p>Apologies:</p>	<p>Peter White – Deputy Chair, Non-Executive Board Member (PW)</p> <p>Jeff Jones – Non Executive Board Member (JJ)</p> <p>CLlr Marie Bashforth (MB)</p>	<p>Diane Taylor – Associate Director LD & MH (DT)</p>

No	Agenda Item	Action
1	<p>In Confidence Section</p> <p>Members discussed one confidential item.</p>	
2	<p>Welcome, Introduction, attendees and apologies</p> <p>Officers joined the meeting. Chair welcomed the Board members. Apologies were noted from PW, JJ, MB and DT. PW and JJ provided written feedback on the papers and KD presented these at the appropriate time throughout the meeting.</p>	
3	<p>Declaration of Interest</p>	

	<p>Cllr Chauhan is the Co-Chair of the Joint Commissioning Board of Oldham. Cllr Heffernan is a customer of a local care provider. MW is the DASS for Oldham and the MD for Community Health and Social Care Service.</p>	
For Information		
4	<p>Minutes of Last Meeting</p> <p>a) The confidential minutes of the last Board meeting held on 9th July 2018 were agreed as a true and accurate record.</p> <p>b) The public minutes of the last Board meeting held on 9th July 2018 were agreed as a true and accurate record.</p> <p>c) The Board action list was discussed and updated accordingly with acknowledgement of the actions yet to be completed.</p> <p>KD advised that ZC met with UNISON in relation to the request to recognise UNISON in MioCare Services and another meeting was planned.</p> <p>d) The Finance, Audit & Risk Committee minutes were reviewed. PW asked for an update on item 6, Internal Audit for Governance findings.</p> <p>KD informed the members that the outcome of the Internal Audit for Governance will go to the FAR Committee in October and then brought to the Board in November.</p> <p>Action: Chair and Deputy Chair to discuss the appraisals of Board members</p>	Chair/ PW
5	<p>Governance Action Plan</p> <p>The governance action plan was discussed and updated accordingly.</p>	
6	<p>MioCare Group Calendar</p> <p>VP advised of additions to the group calendar that provide an opportunity for the Board members to participate:</p> <p>21st and 28th November are the 'Getting in the Know' staff engagement events and 19th December the Christmas ring round to clients.</p> <p>KD informed the members an Oldham Care staff event will be taking place on 28th November. The 'Getting in the Know' staff engagement event planned on the same day may need re-visiting.</p> <p>CB informed the members she sends her apologies for the October Operations Committee.</p> <p>VP advised she would send details of service user events to the members.</p> <p>Action: VP to send service user event dates and details to the members.</p>	VP

For Discussion	
7	<p>MD Update</p> <p>KD gave an update on the following areas:</p> <ul style="list-style-type: none"> - The MioCare Group financial performance is better than expected and continues to be ahead of budget. - An update in relation to MioCare’s involvement in the Oldham Cares alliance. - Board Member tour of services. The feedback received from the members was very positive and all agreed it was a valuable day and the dedication of the staff shone through. - Oldham Council has announced that a tendering process will commence in September 2018 to appoint 1 provider for all 6 Extra Care schemes. The contract delivery start date will be 1st April 2019. Currently MioCare deliver 4 of the 6 Extra Care contracts. - Funding has been secured from CCG for Pennine Care to provide a Pharmacy Technician at Medlock Court. This is in recognition of the challenges and high risks surrounding the discharge of service users, especially at the weekend. <p>Chair thanked KD for an informative paper.</p>
8	<p>Management Accounts</p> <p>PWi gave an update on the financial performance of the group which was a positive position year to date for all three companies.</p> <p>Chair thanked PWi for the update on the finances.</p>
9	<p>Risk Report</p> <p>KD presented the risk paper to the Board members and asked the Board to approve the changes proposed and recommended in the report. The recommendations include the member’s review all risks of 12 and above, the members approve the new risks that have been added and the risks that have been reduced.</p> <p>Decision - Board members agreed to the recommendations.</p>
For Decision	
10	<p>Board Committee Membership</p> <p>KD advised after meeting the new Board members and reviewing their backgrounds, skills and interests he proposed memberships to the Operations Committee, Far Committee and the Remuneration Committee and asked Board members to agree to the proposals.</p> <p>Decision: There was agreement to the recommendations.</p>

11	<p>Holiday Pay</p> <p>KD asked the members to make a provision available of £22k to ensure MioCare CIC is compliant across the group with recent case law to safeguard levels of remuneration when employees take their holidays as per the European Working Time Regulations, regulation 13.</p> <p>Decision: There was agreement to the recommendations.</p>	
12	<p>AOB and Close</p> <p>KD informed the members that a paper covering the financial performance is required for the next Council PVFM Committee which takes place in early October 2018.</p>	
13	<p>Date and Time of next meeting</p> <p>Monday 12th November 2018, 9.30 – 11.30am at Ena Hughes Resource Centre, Failsworth</p>	

HEALTH AND WELL BEING BOARD
25/09/2018 at 2.00 pm



Present: Councillor Harrison (Chair)
Councillors M Bashforth, Chauhan and Sykes

Jill Beaumont	Director of Community Services
Julie Farley	Oldham Healthwatch
Nicola Firth	Acting Chief Officer, Oldham Care Organisation Northern Care Alliance
Majid Hussain	Lay Chair Clinical Commissioning Group (CCG)
Superintendent Daniel Inglis	Greater Manchester Police
Merlin Joseph	Interim Director of Childrens Services
Stuart Lockwood	Chief Executive, Oldham Community Leisure Alliance Director, Oldham Cares
Donna McLaughlin	Clinical Commissioning Group
Dr. John Patterson	FCHO
David Smith	Director, Adult Social Care
Mark Warren	Chief Executive
Carolyn Wilkins OBE	Voluntary Action Oldham
Liz Windsor-Welsh	

Also in Attendance:

Nadia Baig	NHS
Andrea Entwistle	Executive Support
Lori Hughes	Constitutional Services
Vicky Sugars	Strategy, Partnerships and Policy
Rebekah Sutcliffe	Place and Thriving Communities

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Chadderton, Councillor Jacques, and Dr. Jeffery.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

1. The following public question was received from Mr. James Allen:

“After going through NHS England news on 29th August 2018, there were three items of interest to be looked at:

1. Backing from mental health services in Cumbria as NHS England calls for support in GP surgeries
2. NHS England on why public sector marketing isn't the private sector's 'poor cousin'

3. NHS England asks GPs to house mental health therapists within practices



Oldham
Council

I would ask:

- 1(a) Will this be looked at by CCG?
- 1(b) Will this extend to all areas?
- 2) What does this item entail?
- 3) Where is the money to come from to put this into practice?"

The following response was provided:

1a). When will this be looked at by CCG?

Articles 1 and 3 both related to MH practitioners working in closer proximity to primary care – specifically in GP practices and better integration of mental and physical health. The CCG commissioned an 'IAPT Plus' services which is a collaborative between Pennine Care Healthy Minds and Tameside, Oldham and Glossop (TOG) Mind to deliver the stepped-care approach to psychological therapies in Oldham. It was recognised by the CCG that a service redesign was required to ensure that we deliver on the Five Year Forward View for Mental Health (FYFVMH) requirements to increase access to IAPT services and improve patient recovery. A key element of the IPAPT Plus service is the provision of 'Step 1' service run by TOG Mind – this is the delivery of drop-in and active monitoring counselling options for people, based in their GP practice. The Mind Services are running out of approximately 75% of Oldham practices and also provides an effective gateway for people who need 'core IAPT' services at step 2/3 (i.e. clinically led CBT or counselling). In addition to this, locality transformation funding has also been approved to deliver a 'Psychological Medicine in Primary Care (PMPC)' service in Oldham. This will support integrated physical and mental health care to significantly improve the quality of care for highly distressed, resource-intensive patients with complex physical health problems who 'fall through gaps' in existing services. There are a large group of underserved people in primary care with persistent physically unexplained symptoms (also known as 'medically unexplained symptoms'). This cohort require more long-term intensive support than IAPT provides. This service will be based in clusters and operate from GP practice, initially in 2 clusters as a pilot scheme, with the intention to scale to all 5 pending evaluation.

Further development of IAPT services is being looked at by the CCG and is on the 'long list' of CCG commissioning intentions. This recognises that there has to be a greater emphasis on supporting the psychological needs of people who have long term physical health conditions such as diabetes, CVD and COPD. Better integration of mental and physical health across both primary and secondary care is a key priority for the CCG and options across IAPT and other services are being explored. In Oldham we already have psychology input as part of an integrated MSK pathway and have commenced discussions with gastro leads at the Acute Trust to identify ways MH can support

on MDTs, etc., where there may be underlying MH issues that exacerbate conditions such as IBD and can result in repeat investigations. This will support GP attendances as people will become better equipped to manage their conditions. On the basis above, Oldham can be confident that either through existing services or planned transformation work, MH therapies within primary care is becoming well established. There is always more that can be done, however, and this continues to be a priority as we plan for 2019/20.

1b). Will this extend to all areas?

Yes, the CCG commissions the 'IAPT Plus' model to the whole borough. The PMPC transformation scheme will initially commence in 2 clusters as it is rolled out, however, will expand to 5 if successful and can evidence positive impact.

2) What does this item entail?

These developments will require either mobilisation and implementation of new services in Oldham (in the case of transformation schemes such as PMPC) or elements of service design (in IAPT Plus where there will need to be a greater focus on integration with physical health and strengthened links with primary care). Alignment of MH teams to developing clusters is fundamental to ensure that MH services are embedded in primary care where appropriate and this engagement work is underway.

3) Where is the money to come from to put this into practice?

The CCG will need to consider any additional funding proposals associated with expansion of IAPT as part of the wider commissioning intentions, although the CCG is committed to meet parity of esteem requirements, which require that the CCG increases the proportion of spend on MH year on year at the same level (or greater) than the annual increase in the allocation for programme budgets. Any FYFVMH investment proposals will be determined first and foremost within this financial envelope, and need to be considered alongside several other MH priorities.

RESOLVED that the question and response be noted.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting held on 26th June 2018 be approved as a correct record.

6 **MINUTES OF THE HEALTH SCRUTINY SUB-COMMITTEE**

RESOLVED that the minutes of the Health Scrutiny Sub-Committee meetings held on 20th March 2018 and 3rd July 2018 be noted.

7 **MEETING OVERVIEW**

RESOLVED that the meeting overview for the Health and Wellbeing Board held on 25th September 2018 be noted.

8 **ACTION LOG**

RESOLVED that the Action Log from the meeting held on 26th June 2018 be noted.

9 **SEND UPDATE**

The Board gave consideration to an update on the Special Educational Needs and Disabilities (SEND) Inspection and progress on the written Statement of Action. The Board were informed of good news related to the direction of travel where many items has been classed as ‘green’. Thanks were expressed to those who had been involved and the excellent progress which had been made. Attention was drawn to points developed and good examples of joint working and engagement between partner organisations. Both the local authority and the Clinical Commissioning Group (CCG) had made key appointments both at senior management and face to face level. EHC plans which had been examined were judged to be significantly better and the Oldham Parents and Carers had been commended. A further meeting was planned with the Department for Education.

RESOLVED that:

1. The progress made on the written Statement of Action and the comments from the Department for Education be noted.
2. A detailed update be provided to the Health and Wellbeing Board after the final submission.

10 **STRENGTHENING THE ROLE OF THE HEALTH AND WELLBEING BOARD AND APPOINTMENT OF SUB-COMMITTEES**

The Board gave consideration to a report which outlined a review of the Health and Wellbeing Board to ensure that it was still fit-for-purpose and not duplicating other arrangements – in particular, the establishment of new forms of governance through Oldham Cares. A number of recommendations were outlined to improve the operation of the Board to ensure it operated effectively and efficiently and to sharpen the focus of the Board by bringing the Joint Strategic Needs Assessment (JSNA) back as a foundation of the Board.

The Health and Wellbeing Board was a statutory body. Direction was sought from the Board on what sub-committees were required to support the Health and Wellbeing Board’s role. There had previously been three sub-committees: Health Protection, Air Quality and the JSNA. It was proposed to merge the Air Quality into Health Protection and seek views on whether a JSNA Sub-Committee was still required. In addition, the Best Start in Life Partnership had reported to the Health and Wellbeing Board and work was currently underway to establish a Children and Young People’s Strategic Partnership Board.

Members raised that as there had been significant change in personnel and the purpose of the meetings needed to be clear. The main reason previously was to promote integration. The Commissioning Partnership Board was now functioning. The Health and Wellbeing Board should have strategic oversight and make contributions. The wider alignment of business intelligence available from various organisations was raised and how to make the best use of information available.

RESOLVED that:

1. The operating principles for meetings and members be agreed.
2. The purpose and statutory requirements of the Health and Wellbeing Board be noted.
3. The Joint Strategic Needs Assessment be brought to the forefront of the role of the Health and Wellbeing Board be agreed.
4. The Air-Quality Sub-Group be merged into the Health Protection Group with the terms of reference as outlined in the report.
5. A review of the current arrangements of the Children and Young People's Strategic Partnership Board be undertaken in order to strengthen and build on existing arrangements.
6. Proposals be brought back related to the wider alignment of and making best use of business intelligence available.

11

OLDHAM'S JOINT STRATEGIC NEEDS ASSESSMENT

The Board gave consideration to an update on the current status of Oldham's Joint Strategic Needs Assessment (JSNA) and recommendations for the revision of the JSNA approach and process.

The JSNA was a process through which local strategic partners examined the current and future health and care needs of the local population to inform decision making and guide the commissioning of health, wellbeing and social care services. The scope of the JSNA was potentially vast and there was a need to plan, prioritise and agree the annual JSNA work programme to ensure it met strategic planning and commissioning priorities. JSNA arrangements were last considered in early 2017. To successfully transform the content and use of the JSNA locally commitment was required on the following principles:

- Inform and be informed by Oldham's work to establish an Integrated Care Organisation, improve population health, reduce demand and bridge the anticipated gap in health and social care finances;
- Be a shared responsibility of all Health and Wellbeing Board members with all organisations actively contributing to its development, and ensuring it was fit-for-purpose to inform strategic planning and commissioning.

- Beyond the core JSNA dataset, any reports or needs assessment produced to have a clear scope and purpose.
- A predictive approach be taken focusing on what Oldham's population would look like in the future and the services needed to meet the needs of a changing population;
- Reflect both community assets/strengths as well as their needs/'deficits', drawing on qualitative as well as quantitative data and linked to existing asset-based community development and community engagement work in the borough.
- Maximise opportunities to work in partnership with Greater Manchester colleagues; and
- Make full use of intelligence resources produced by Public Health England as well as Oldham's new Thriving Communities index.

The JSNA could operate as a formal sub-group or be a working group of Council and CCG officers. The vision for Oldham's refreshed JSNA was a web portal which provided easy access to key national and local health data. Work was ongoing to review the resources required

Best practice needed to be captured. The JSNA was in the context of Oldham Cares and it was recognised that there was work to be done to put children at the centre of the JSNA linked to having a business-like approach by connecting the work of the board to the JSNA priorities.

RESOLVED that:

1. The key principles for the production and maintenance of the JSNA be endorsed.
2. The form and membership of the JSNA Steering Group be agreed.
3. The request that the steering group provide a further report to the Health and Wellbeing Board by January 2019 with recommendations for the development of Oldham's JSNA, including the process for designing and updating a new JSNA website, developing new intelligence products and an outline work plan for 2019/20 be agreed.
4. The interim work being undertaken to update and refresh the content of the existing JSNA website and review of the resources needed to support the JSNA process be noted.

NOTE: Superintendent Inlgis entered the meeting during this item.

The Board gave consideration to a report outlined the consultation process on the potential reduction of NHS funded In-vitro fertilization (IVF) services.



Oldham CCG was aware of and committed to the fulfilment of their public involvement responsibilities under Section 14Z2 of the Health and Social Care Act 2012 and was bound by the NHS Constitution and the rights of all patients to be involved in decision processes which affect them. NHS Oldham CCG commissioned assist conception care in line with guidance from the National Institute for Health and Care Excellence (NICE). For women under the age of 40, Oldham currently funded up to 3 cycles of IVF as recommended by the NICE Clinical Guideline 156. Only 12% of CCGs now funded 3 cycles with the majority (61%) now only funding 1 cycle. NHS Oldham was under financial strain and was actively seeking to find where savings could be made. Balancing the small number of people potentially affected, but notwithstanding the large impact of childlessness on individuals, the CCG's preferred option was to fund 1 cycle only going forward which would save the local NHS an estimated £147,500 per year. The CCG would undertake public consultation on the options from 12 October to 7 December 2018. The consultation would offer all viable options (3, 2, 1 and 0 cycles funded) and set out the pros and cons of each.

The Board noted that the process of consultation with the public would be carried out through a mixture of face to face and online work. This included targeting groups known to have an interest in conception and online questionnaires would be hosted on Oldham CCG's website and also promoted via social media channels and the Health Huddle database. Consultation would be overseen by a Consultation Oversight Group.

The Board were referred to the timescale and the opportunity for debate. Services needed to be commissioned in line with the resources given. Benchmarking was carried out regularly against other CCGs. The number of IVF cycles was challenged. Oldham had a proud tradition and the CCG was aware of health tourism. All options would be outlined in the consultation. It was also planned to have three events, all interested groups to be invited as well as an online consultation with a survey and presence on social media. A consultation oversight group would also ensure due process was followed.

Members felt that due process would be followed, when living within means sometimes difficult choices had to be made. Members asked if there was a duty to carry out an Equality Impact Assessment. The Board were informed that in commissioning services, an equality impact assessment would always be carried out to look at the potential impact which generated a score. Assessments were carried out as soon as they could.

RESOLVED that a public consultation be undertaken by Oldham CCG on the potential reduction of NHS funded IVF cycles following due process.

13

HEALTHWATCH AND CITIZEN VOICE

The Board gave consideration to a report which provided an overview of the main roles and responsibilities of Healthwatch. The role of Healthwatch Oldham was to provide an independent consumer voice for Oldham residents who used the NHS and social care services. Healthwatch Oldham needed to review the impact of its service and the way it worked in light of service redesign at both a local and GM level. The report set out the key challenges Healthwatch Oldham needed to address in the coming and how these would impact on partners. The report also sought feedback on a proposed programme of Healthwatch Service reviews.

The planned reviews between September 2018 to July 2019 were:

- Child and Adolescent Mental Health Services (CAMHS)
- Experience of Carers during hospital discharge
- 'End of Life' care and choice
- Oldham Neighbourhood and GP Clusters
- Youth People's Health Services
- Review of Care Home Provision
- Discharge to Assess and Intermediate Care
- Accessible services for the Deaf Community and People with Sight Loss
- Experiences of refugees and asylum seekers accessing primary and acute healthcare

The Board was requested to recommend five review areas.

The vision for Healthwatch Oldham was to provide an independent voice and source of information and influence for the residents of Oldham. It did this by listening, engaging and involving people in matters of health and social care to bring about service improvement and reduce health inequalities in an open, honest, transparent, confidential and approachable manner.

Healthwatch Oldham was established in 2012 with a number of statutory and discretionary functions which provided insight, information, influence and the NHS Complaints Advocacy Service. The service was delivered through a combination of forums or themed engagement events; information outreach services; one to one casework interviews; membership on decision making bodies; statutory enter and view functions; detailed service user reviews; engagement network and e-bulletins and working in partnership with voluntary, community and statutory sector services.

Healthwatch currently faced the following challenges:



- Ability to influence health and social care services; and
- Public and patient voice.

The Board were informed that many organisations had not heard of Healthwatch or had a mixed understanding of what its role was. Service reviews identified two things, where things had gone well and where improvements were needed. In other areas in Greater Manchester, Healthwatch outcomes were challenged but could not force the provider to enact recommendations. It was hoped to create a more systematic approach to the way reviews were undertaken, identify issues that would be in the public interest and JSNA would assist in this area.

Members raised the role of Healthwatch in educating the public and any meaningful data which would provide meaningful data and a good source of intelligence for inform discussions. Discussions with the Alliance Board would also be a useful tool.

Healthwatch were keen to work closely with GPs to raise their profile. In terms of safeguarding, the role of Healthwatch could not be underestimated in holding partners to account. The link to Northern Alliance issues was discussed.

RESOLVED that:

1. The report on the Healthwatch Oldham Work Programme be noted.
2. The following five areas were recommended for the Healthwatch to focus on:
 - 'End of Life' Care and Choice
 - Child and Adolescent Mental Health Services (CAMHS)
 - Review of Care Home Provision
 - Discharge to Assess and Intermediate Care
 - Experiences of Refugees and Asylum Seekers accessing primary and acute healthcare services
3. The findings and recommendations from the 5 review areas be brought back to a future meeting.

14

OLDHAM CARERS STRATEGY

The Board gave consideration to a new Oldham Carer's Strategy which had been developed for 2018-2021. The strategy was presented by the Managing Director, Community Health and Social Care Services with the Chair of a Voluntary Group and the Strategic Partnership Manager.

The Oldham Carers Partnership had directed that the strategy be co-produced with carers at all stages of its production which included the priority areas and delivery of outcomes. The Greater Manchester Carers Charter was produced (with input from Oldham Carers) and six key principles were set out to

improve the offer for carers as a whole. The six principles which formed the basis of the Oldham Strategy were:

- Early identification of carers
- Getting the right help at the right time
- Improving health and wellbeing
- Carers as real and expert partners
- Young Carers
- Carers in Employment

An extensive consultation process had taken place. The carers strongly agreed that the six principles were appropriate and their input was used to inform the content of the strategy.

The strategy demonstrated an integrated approach, local commitment, outlined the objectives and actions required to deliver outcomes and recognised that improvements in carer support would not only contribute to improved health and wellbeing for those with caring responsibilities but also help with local health and social care economy.

The Board were informed of the number of unpaid carers in Oldham. The Board were informed that voluntary groups had to be formed previously to understand entitlements and used each other for support. The plan had been developed to assist in getting the right help at the right time. The strategy needed to be acted upon with all health, council and community services to support carers. The issues faced by the young carers groups was highlighted. The six principles did not cover everything but an action plan needed to be clear.

The Chair expressed her thanks for the presentation of the strategy. The Clinical Commissioning Group also expressed their thanks and expressed how valuable carers were. Employers would need to address how the strategy would be supported through the commissioning and provision of services.

RESOLVED that the Oldham Carer's Strategy 2018 – 2021 be approved and the promotion and achievement on delivery of the strategy over the next three years be supported.

15

SAFEGUARDING

The Board gave consideration to the updated Oldham Children's and Adult's Safeguarding Boards strategies for the period 2018 – 2021 and the annual business plans.

The strategic aims of both boards were highlighted. The aims included excellent practice being the normal, partners holding one another to account; early identification of new safeguarding issues; promotion and embedding of learning; sharing information effectively; and the public feeling confident that the vulnerable were protected. Within the three year plans there were annual action plans with structures in place for each board. Sub-groups would progress the business plans.

Children's Safeguarding Year One Priorities were outlined. Issues outside the family included: modern slavery, domestic violence strategies being in place, safeguarding needs for children in transition, understanding of trauma on children and better understanding of 'lived' experience. Priorities for adult safeguarding included needs of adults in transition; effective domestic violence strategy, making safeguarding personal, safeguarding within the context of community integration initiatives and a clear set of process of procedures.

The Board commented on the huge amount of work and received information on the benchmarking on the determination of what good looked like. The Board also received clarification on the detail behind the business plans and identification of adequate resources. The role of the two boards was to deliver on safeguarding needs. Wellbeing was another consideration. Safeguarding elements also vied with community safety, cohesion and employers. The Boards could draw attention to potential impact of activities and argue for appropriate prioritisation and resource allocations. Members drew attention to statutes and the provision of early help and partners needing to look at what could be done before the problem started and emphasised sharing. The Board asked about the audit and risk approach and links to Healthwatch and were informed that Healthwatch would take a strong position.

The Board sought clarification on the reporting and the prevention of abuse and the dates in the implementation plan. The Board were informed that the core component was to get intelligence from partners and that this was shared. Dialogues were in place. With regard to the updating of business plans, this was reported to the Council's Overview and Scrutiny Board. The two boards produced an annual plans which reflected the delivery of milestones. The Board also sought and received clarification on work with GPs and benchmarking. The Board were informed that when issues were found the system was working, that the Board received in depth data at every meeting.

RESOLVED that:

1. The strategic aims of both the Children and Adult Safeguarding Boards be noted.
2. The Children and Adult Safeguarding Strategies for 2018 – 2021 and the Business Plans for 2018/19 be endorsed.
3. A review on the business plans come back to a future meeting.

16

DATE AND TIME OF NEXT MEETING

RESOLVED that the date and time of the next Health and Wellbeing Board to be held on Tuesday, 13th November 2018 at 2.00 p.m. be noted.

The meeting started at 2.00 pm and ended at 4.09 pm

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MINUTES OF THE GMCA WASTE AND RECYCLING COMMITTEE

HELD ON 13 SEPTEMBER 2018 AT THE NATIONAL CYCLING CENTRE, STUART STREET,
MANCHESTER

PRESENT:

Councillor Stuart Haslam	Bolton
Councillor Mohammed Iqbal	Bolton
Councillor Tony Cummings	Bury
Councillor Alan Quinn	Bury
Councillor Rabnawaz Akbar	Manchester
Councillor Shaukat Ali	Manchester
Councillor Stephen Hewitt	Oldham
Councillor David Lancaster	Salford
Councillor Roy Driver	Stockport
Councillor Helen Foster-Grime	Stockport
Councillor Allison Gwynne	Tameside (in the Chair)
Councillor Judith Lloyd	Trafford

Officers In attendance:

GMCA – Executive Director, Waste & Resources	David Taylor
GMCA – Deputy Monitoring Officer	Gwynne Williams
GMCA – Waste & Resources Head of Contract Services	Justin Lomax
GMCA – Waste & Resources Head of Communication and Behavioural Change	Michelle Whitfield
GMCA –Waste & Resources, Head of Corporate Services	Sarah Mellor
GMCA – Waste & Resources, HR and Administration	Pat Rogers
GMCA – Governance & Scrutiny	Paul Harris

WRC 18/17 APOLOGIES

Apologies for absence were received and noted from Councillors Neil Emmott (Rochdale) and Robin Garrido (Salford).

Introductions took place.

WRC 18/18 URGENT BUSINESS

There were no items of urgent business reported.

WRC 18/19 APPOINTMENT OF NEW MEMBER

RESOLVED/-

To note the appointment of Councillor Robin Garrido (Salford, Conservative) as a Member on the GM Waste and Recycling Committee, as confirmed by GM Combined Authority on 27 July 2018.

WRC 18/20 DECLARATIONS OF INTEREST

There were no declarations of interest made by any member in respect of any item on the agenda.

The Deputy Monitoring Officer reminded members to complete and return their Register of Interests documents for their appointment to the Waste and Recycling Committee. In addition, Members were also reminded of the confidentiality of the reports contained in Part B, particularly in relation to the ongoing procurement process.

WRC 18/21 MINUTES

The minutes of the meeting of the Waste and Recycling Committee, held on 12 July 2018, were submitted.

RESOLVED/-

That the Minutes of the Waste and Recycling Committee, held on 12 July 2018, be approved as a correct record.

WRC 18/22 COMMITTEE WORK PROGRAMME

The Executive Director of Waste and Resources introduced a report which set out a forward look of items which will focus the work of the Committee during the 2018/2019 municipal year.

RESOLVED/-

That the contents of the Waste and Recycling Committee work programme be noted.

WRC 18/23 REGISTER OF GMCA KEY DECISIONS

The Executive Director of Waste and Resources introduced a report which set out those waste and recycling key decisions that were to be considered by GMCA in the upcoming months.

RESOLVED/-

That the contents of the Register of Key Decisions, as set out in the report, be noted.

WRC 18/24 PLASTIC FREE GM

A report was presented which provided Members with an overview of the progress made to date on developing a #Plastic Free GM campaign to eradicate the use of avoidable single use plastics in GM.

Members noted that the PlasticsFreeGM campaign had attracted a significant level of interest and that its focus had now been extended to cover seven work streams of Tourism & Hospitality; Higher Education Institutes; Local Authorities; Residents of GM; Businesses within GM; Volunteers and Communications. The inclusion of a further workstream of lobbying Government regarding national policy for eliminating avoidable single use plastic waste was sought.

A Member suggested that the GMCA write to the Secretary of State for the Environment, Food and Rural Affairs seeking support for the introduction of a deposit return scheme for plastic bottles in Greater Manchester. He also highlighted an example of a deposit return scheme in Rugby. In response, officers noted discussions continue with Government in

relation to the scheme and Cambridge University had been commissioned to undertake a feasibility study.

Following an enquiry from a Member in relation to the role businesses can play in the reduction of single use plastics, officers noted that work was taking place with the Growth Company to develop a strong database of companies. A website has been commissioned to register plastic free pledges from GM companies.

A Member enquired if it was the role of each GM local authority to reduce plastics or if it was a GMCA requirement. In response, officers noted that the Sustainability and Environment Group was exploring this matter.

RESOLVED/-

- 1) That the work undertaken to date, be noted;
- 2) That approval of the inclusion of an additional work stream of lobbying Government regarding national policy for eliminating avoidable single use plastic waste, be granted;
- 3) That approval of the 'residents' element of the campaign be incorporated into the Waste and Resources Communication Delivery Plan for 2019/20, be granted; and
- 4) That the governance arrangements set out in section 13 of the report, be endorsed.

WRC 18/25 WASTE AND RESOURCES COMMUNICATIONS AND BEHAVIOURAL CHANGE ACTION PLAN PROGRESS UPDATE

Members considered a report of the Head of Communications and Behavioural Change, Waste & Resources which provided them with an update on the Recycle for Greater Manchester Communications & Behavioural Change delivery plan and the Resource Greater Manchester Partnership. A presentation was also provided which set out details and examples of recent and upcoming communications and behavioural change activity, which included the provision of stickers in prominent locations, such as supermarkets and package collection points, to advise people how to recycle packaging.

Members noted that the Communications Delivery Plan will focus on 5 main priorities of contamination, increasing food waste recycling, the promotion of multi-purpose compost, waste prevention and an education service.

A Member welcomed the recent training day. It was noted that briefing notes were to be shared with Members on a regular basis to keep them updated on ongoing matters.

In response to an enquiry from a Member, it was noted that an education programme was continuing to be rolled out with local schools.

It was noted that recycling advice stickers were not being placed on individual council bins. A Member highlighted that some terraced properties in Manchester used communal bins and officers undertook to liaise with the City Council in relation to this matter.

RESOLVED/-

- 1) That the progress against the Communications & Behavioural Change delivery plan, be noted; and
- 2) That approval of the focused aims for the 2019/20 plan, as set out in the report be approved.

WRC 18/26 ASSET MANAGEMENT UPDATE

A report was presented which provided Members with an update on the management of land and buildings associated with the GMCA Waste and Resources team, formerly the responsibility of GM Waste Disposal Authority (GMWDA).

In response to an enquiry from a Member officers confirmed that feasibility works at Bredbury were to take place during this financial year and that the site works would take place during 2019/20 financial year. Members noted that a further report on asset management would be provided at the next meeting of the Committee.

RESOLVED/-

Note the update report, asset list (Appendix A) and associated actions intended for remainder of 2018.

WRC 18/27 UPDATE ON PROCUREMENT OF GMCA WASTE SERVICES

Members considered a report of the Executive Director of Waste and Resources which provided Members with an update on the procurement of waste and resource management services for Greater Manchester

RESOLVED/-

That the progress made against the procurement programme, as set out in the report, be noted.

WRC 18/28 INTERIM SERVICES CONTRACT UPDATE

A report was presented which provided Members with an update on the performance of the interim waste management contract and included information on key performance indicators, health and safety matters and complaints.

In response to an enquiry from a Member regarding technical issues at the Bolton Thermal Recovery Facility, officers noted that the issues explained in the report had not been rectified. Members noted that as a contingency, waste was to be diverted to the facility in Runcorn for the short term period of the shut down.

Following an enquiry from a Member regarding health and safety matters, officers provided an example of a near miss report. Members noted that such near miss reporting by staff indicated that such staff were more aware of health and safety matters and processes.

RESOLVED/-

That the update on the interim services contract, be noted.

WRC 18/29 EXCLUSION OF PRESS AND PUBLIC

RESOLVED/-

That, under section 100 (A)(4) of the Local Government Act 1972 the press and public should be excluded from the meeting for the following items of business on the grounds that this involves the likely disclosure of exempt information, as set out in paragraphs 3 & 5, Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

WRC 18/30 UPDATE ON PROCUREMENT OF GMCA WASTE SERVICES

The Executive Director of Waste and Resources presented a report, setting out the key features of the tender submissions in each Lot of the GMCA waste management procurement which included details of the quantitative evaluation of the interim tender submissions and a review of the initial financial outputs from the procurement process.

A presentation was also provided.

RESOLVED/-

- 1) That it be agreed to delegate to the Executive Director (Waste and Resources) in consultation with the Chief Executive and Chair of the Waste & Recycling Committee the finalisation of the final tender documents;
- 2) That it be agreed to delegate to the Executive Director (Waste and Resources) in consultation with the Chief Executive and Chair of the Committee the finalisation of the approach to Lot 3, as set out in section 5.0, of the report;
- 3) That it be noted that a draft policy on trade waste controls at Household Waste Recycling Centres is to be presented at the November meeting of the Committee;
- 4) That approval of the level 3 evaluation criteria set out at section 6.0 to the report, be granted;
- 5) That approval of the programme, as set out paragraph 7.0 of the report, be granted.

WRC 18/31 INTERIM SERVICES CONTRACT UPDATE

A report was presented which provided Members with an update on the performance of the interim waste management contract

RESOLVED/-

That the report be noted.

**MINUTES OF THE POLICE AND CRIME PANEL MEETING HELD ON
TUESDAY 30 OCTOBER, 2018 AT CHURCHGATE HOUSE, MANCHESTER**

Members Present-

<u>BURY COUNCIL</u>	Councillor Tamoor Tariq
<u>GMCA</u>	Greater Manchester Deputy Mayor (Policing and Crime) Beverley Hughes
<u>BOLTON COUNCIL</u>	Councillor Mohammed Ayub
<u>OLDHAM COUNCIL</u>	Councillor Stephen Williams
<u>SALFORD CC</u>	Councillor David Lancaster
<u>TAMESIDE COUNCIL</u>	Councillor Allison Gwynne
<u>TRAFFORD COUNCIL</u>	Councillor Mike Freeman
<u>WIGAN COUNCIL</u>	Councillor Kevin Anderson

Also in attendance-

Clare Monaghan	GMCA
Gwynne Williams	GMCA
Jayne Owen	GMCA
Claire Millett	GMCA
Karen Macrae	GMCA
Jeanette Staley	Salford City Council & GM Police & Crime Policy Lead
Steve Annette	GMCA

PCP/00/18 APOLOGIES

Apologies were received from Councillor Nigel Murphy, Manchester City Council, Janet Emsley, Rochdale Council, Eamonn Boylan, Chief Executive, GMCA, Maqsood Ahmad, Independent Member and Ian Hopkins, Chief Constable, GMP.

PCP/00/18 DECLARATIONS OF INTEREST

None were received.

PCP/00/18 MINUTES OF THE POLICE AND CRIME PANEL MEETING – 2 JULY, 2018

The minutes of the Police and Crime Panel held on 2 July 2018 were submitted for approval. Councillor Gwynne (Tameside) requested that her name was corrected in the minutes.

RESOLVED/-

1. To approve the minutes of the Police and Crime Panel held on 2 July 2018 as an accurate record, subject to them being amended to reflect that apologies were received from Councillor Gwynne not Glyn.

PCP/00/18 INDEPENDENT MEMBERS REFLECTION

Diane Curry, Independent member introduced a presentation that provided the panel with a reflection of her and Maqsood Ahmad's period of office as independent members of the Panel. She indicated that their entry into the unchartered territory of scrutiny in a new role was very much one in which they both had doubts about how effective they could be in that role and whether they could make a difference in local decision making. They saw the opportunity of bringing an independent perspective to the work of the panel, if only in simple ways like asking a question based on their experience from outside the box. Initial experiences had been overwhelming, two small voices in a fifty strong meeting with the police and crime element sandwiched between AGMA wide issues. There was an expectation that they would hit the ground running whereas the truth was that they were less than clear what the parameters of their role were. However, any initial frustrations faded and they first found their feet, and then their voice. Positive relationships were forged with roles in relation to the community engagement plan, taking their role beyond that of pure scrutiny and into key appointments, the audit process, and other key strands of work. They both considered that there could be a useful role in relation to the complaints process at the gatekeeping stage which they considered would add to the transparency of the process. All in all it had been a positive and rewarding experience that the panel can build upon with the newly appointed independent members who will follow them, and go on to make their own contributions in this important area of work.

Councillor Lancaster was interested to know if they considered that there were any specific training needs needed for independent members, and indeed from their experience any training needs they may have identified as being necessary for other members of the Panel. Jeanette Staley indicated that arising from a request at the previous meeting Community Safety managers were currently having conversations with each member following which it was proposed that a report be brought forward to the next meeting of the panel

The Chair reiterated the Panel's gratitude not just for the work that had had both done, but also for the enthusiasm that they had each brought to the role. The Deputy Mayor also remarked that the role of the independent members within the panel had been a

positive and productive one, and she recognised that they had surpassed the limitations of the challenge role in many different and productive ways.

RESOLVED/-

1. That the presentation be received and noted.
2. That the Panel extend grateful thanks to both Diane Curry and Maqsood Ahmad for the valuable contributions that they have made to taking forward the work of the Police and Crime Panel in the capacity as independent co-opted members over the past six years.

PCP/00/18 INDEPENDENT MEMBERS APPOINTMENT PROCESS

Jeanette Staley, GM Police and Crime Policy Lead officer presented a report and described the process that was undertaken for recruiting two new co-opted independent members to the panel. Appended to the report were details of the recruitment pack and the roles and responsibilities of co-opted members. She added that a short application form was developed in order for interested parties to formally apply for the role. The marketing campaign and recruitment pack went live on 13 August and the closing date for applications was set as 5pm on the 12 of September. In response to this a total of 71 people requested the application form, a total of 21 applications were received and 10 candidates were subsequently invited for interview. Candidates were interviewed by the GM Police and Crime Lead Policy Officer (on behalf of the Chief Executive for GM Police and Crime), the Chair of the GMPCP and Councillor Emsley on Thursday 4 October.

Majid Hussain and Angela Lawrence were selected and informally offered the role subject to GMPCP confirmation. Majid Hussain is currently the chair of the Oldham Clinical Commissioning Group (CCG) and the Oldham (GMP) Independent Advisory Group (IAG). He has also held roles as a Tutor / Director for the Manchester Alliance Business School and as a National Equality and Inclusion Manager. The recruitment panel were impressed by Majid's knowledge of the role of the independent member, GMPCP and the police and crime agenda. The recruitment panel were also impressed by Majid's experience of carrying out similar roles to the independent member role and sitting on similar committees to that of the GMPCP.

Angela Lawrence MBE is currently the Director of MAVYEP and currently sits on the City of Manchester (GMP) IAG. Angela has previously been Vice Chair of Mothers Against Violence and Manchester Multi Agency Gang Strategy. The recruitment panel were impressed with Angela's knowledge and previous working experience of the police and crime agenda, including Vice Chairing / sitting on many multi agency boards. In addition the recruitment panel were impressed with the advocate role Angela has and still continues to play in relation to representing the communities' views and wishes.

Each candidate gave two referees and the references for Majid and Angela have been taken up satisfactorily. These appointments will receive an annual allowance of £930 per year and travel expenses, in support of their contributions to the work on the GMPCP, subject to their continued reasonable attendance and engagement. Once the GMPCP has confirmed the appointment and both Majid and Angela have accepted both will

receive an induction from the GM Police and Crime Lead Policy Officer and will also receive ongoing support during their time as independent members in completing the role as outlined in appendix 2 of this report.

RESOLVED/-

1. To appoint Majid Hussain and Angela Lawrence MBE as independent members of the GMPCP for a three year term of office commencing from the date of this meeting.
2. That it be noted that the three year term can also be subject to an extension of a further three years subject to the candidates, Lead Chief Executive for GM Police and Crime and GMPCP members approval upon approaching the expiry of the initial three year term.

PCP/00/18 POLICE PRECEPT SETTING PROCESS

Jayne Owen, Finance Director, GMCA introduced a report which described the statutory duties of the Police and Crime Panel in relation to the setting of the police precept. The report was about process at this stage. A report would be brought to the November meeting which would set out the key challenges facing policing in Greater Manchester backed up by crime statistics, and then in January the panel would fulfil its scrutiny and challenge function in considering the Mayor's precept proposals.

The Deputy Mayor indicated that no clear message was discernible from the Budget Statement in terms of financial support for policing beyond a reiteration of the commitment to review the funding process. More worrying was the actuarial assessment of the police pension commitment which suggested that an extra £470m was needed annually, £165m of which would need to be found by the employers, which for Greater Manchester would be £8m in 2019/20, and £20m beyond that.

Councillor Lancaster asked who was responsible for monitoring the pension fund and when the shortfall had first been identified. Officers offered to report back. Members indicated that it was important to have a full and detailed communication plan moving forward.

The Deputy Mayor was also asked if the Panel would have a role to play in respect of the Fire precept. She indicated that the existing governance regulations for the Fire Service had yet to be amended by Parliament, so for 2019/20 the Fire budget would be determined as part of the Combined Authority's overall budget process.

RESOLVED/-

1. To note the statutory duties of the Police and Crime Panel in relation to the setting of the police precept.
2. To note the timetable for the setting of the 2019/20 police precept.

PCP/18/18 GREATER MANCHESTER POLICE AND CRIME PLAN – FORWARD PLAN 2018/19

The Panel received a report which set out the Forward Plan to inform the business of the Greater Manchester Police and Crime Panel (GMPCP).

The Deputy Mayor suggested that an update report could be presented to the next meeting on the Standing Together – Outcomes Framework, as work will have been completed more or less for members to comment upon, adding that members ought to also receive a report on the implementation of those additional elements enabled through the precept last year. It was noted that an update would also be received on the 101 service.

RESOLVED/-

1. To approve the Forward Plan.

**MINUTES OF THE MEETING OF THE GREATER MANCHESTER COMBINED AUTHORITY
HELD 26 OCTOBER 2018 AT AJ BELL STADIUM, SALFORD**

PRESENT:

GM Mayor	Andy Burnham (In the Chair)
GM Deputy Mayor	Baroness Bev Hughes
Bolton	Councillor Linda Thomas
Bury	Councillor Rishi Shori
Manchester – GM Deputy Mayor	Councillor Richard Leese
Oldham	Councillor Sean Fielding
Rochdale	Councillor Allen Brett
Salford	City Mayor Paul Dennett
Stockport	Councillor Alex Ganotis
Tameside	Councillor Brenda Warrington
Trafford	Councillor Andrew Western
Wigan	Councillor David Molyneux

OTHER MEMBERS IN ATTENDANCE:

TfGMC	Councillor Mark Aldred
Bury	Councillor Andrea Simpson
Manchester	Councillor Angeliki Stogia
Rochdale	Councillor Sara Rowbotham
	Councillor Janet Emsley
Salford	Councillor Paula Boshell
Tameside	Councillor Leanne Feeley
Wigan	Councillor Jenny Bullen

OFFICERS IN ATTENDANCE:

GMCA Chief Executive	Eamonn Boylan
GMCA –Deputy Chief Executive	Andrew Lightfoot
GMCA – Monitoring Officer	Liz Treacy
GMCA – Treasurer	Richard Paver
Office of the GM Mayor	Kevin Lee
Bolton	Donna Ball
Bury	Geoff Little
Oldham	Ray Ward
Manchester	Joanne Roney
Rochdale	Steve Rumbelow

<u>BOLTON</u>	<u>MANCHESTER</u>	<u>ROCHDALE</u>	<u>STOCKPORT</u>	<u>TRAFFORD</u>
<u>BURY</u>	<u>OLDHAM</u>	<u>SALFORD</u>	<u>TAMESIDE</u>	<u>WIGAN</u>

Salford	Ben Dolan
Stockport	Caroline Simpson
Tameside	Steven Pleasant
Trafford	Nikki Bishop
Wigan	Alison McKenzie-Folan
TfGM	Steve Warrener
	Simon Warburton
	Kate Brown
GMFRS	Jim Wallace
GMCA	Julie Connor
GMCA	Sylvia Welsh
GMCA	Nicola Ward
GM Health	Nicky O'Connor

GMCA 208/18 APOLOGIES

Apologies were received from Councillor Sharon Briggs (Bury). Further apologies were received from Donna Hall – Alison McKenzie-Folan attending (Wigan), Tony Oakman – Donna Ball attending (Bolton), Carolyn Wilkins – Ray Ward attending (Oldham), Jim Taylor (Salford and Trafford) – Ben Dolan attending for Salford and Nikki Bishop attending for Trafford, Pam Smith – Caroline Simpson attending (Stockport) and Ian Hopkins (GM Police).

GMCA 209/18 CHAIR’S ANNOUNCEMENTS AND URGENT BUSINESS

The GM Mayor reminded the meeting of the recent deaths of two people in Manchester City Centre over the weekend, now confirmed as rough sleepers. This emphasised the need to address homelessness as a priority, with the ‘Bed Every Night’ project providing enhanced provision over the winter months. He expressed his thanks to each Local Authority Housing and Homelessness teams from across GM and Mike Wright and officers at the GMCA for their ongoing support and commitment in identifying an additional 130 beds which was the first step in getting people off the streets to an improved quality of living, together with a wrap-around of supporting services.

Councillor Richard Leese, Deputy Mayor of the GM added that the deaths in question were tragic and emphasised the need to ensure that such instances are avoided going forward. Based on the limited amount of information available, the individuals concerned did have permanent accommodation available to them, evidencing that there were other factors to be considered in relation to why they were rough sleeping, including mental health issues and substance abuse. Further work was required to tackle the wider determinants of homelessness and there should be a continued focus on preventative and support services for mental health, substance abuse etc.

GM Mayor confirmed that tackling homelessness would be a continual challenge as often people’s problems were very complex. The work underway within GM was

providing more evidence to the contributing factors to rough sleeping, with GM's response being adjusted to help address those wider determinants.

GMCA 210/18 DECLARATIONS OF INTEREST

There were no declarations of interest made in relation to any item on the agenda.

GMCA 211/18 MINUTES OF GMCA MEETING HELD ON 28 SEPTEMBER 2018

The minutes of the GMCA meeting held on the 28 September 2018 were submitted for consideration.

RESOLVED /-

That the minutes of the GMCA Meeting held on the 28 September 2018 be approved.

GMCA 212/18 GMCA AUDIT COMMITTEE – 25 SEPTEMBER 2018

RESOLVED/-

1. That the minutes of the meeting held on 25 September 2018 be noted.
2. That the Corporate Risk Register and Risk Management Strategy as recommended by the Audit Committee on 25 September (Minute AC/18/67) be approved.

**GMCA 213/18 GMCA OVERVIEW & SCRUTINY COMMITTEES – MINUTES:
OCTOBER 2018**

RESOLVED/-

a) Housing, Planning and Environment – 11 October 2018

That the minutes of the Housing, Planning and Environment Overview and Scrutiny Committee held 11 October 2018 be noted.

b) Economy, Business Growth & Skills – 12 October 2018

That the minutes of the Economy, Business Growth & Skills Overview and Scrutiny Committee held 12 October 2018 be noted.

GMCA 214/18 MEMBERSHIP OF THE GMCA RESOURCES COMMITTEE

RESOLVED /-

1. That the membership of the GMCA Resources Committee be increased to 7 members of the GMCA.
2. That Councillors Linda Thomas (Bolton) and Brenda Warrington (Tameside) be appointed to the GMCA Resources Committee for the remainder of the municipal year 2018/19.

GMCA 215/18 HEALTH AND CARE UPDATE

In welcoming Lord Peter Smith and Nicky O'Connor to the meeting, the GM Mayor advised members that there would be a standing item on the GMCA agenda every 2 months to ensure there is close integration between the work of the GMCA and the Health and Social Care Partnership. There was also a proposal to hold meetings of the Health and Care Partnership Board on the same day as the GMCA on a quarterly basis with effect from January 2019.

Lord Peter Smith, Portfolio Lead for Health and Social Care took members through a report which provided an update on some of the key developments within the health and social care sector over the past two months including:

- Significant progress was being made on Theme 3 (the reorganisation of acute care) and the Future Operating Model, with a request for Leaders direct engagement in the developing work. With a suggestion that meeting of the Health & Care Board be co-ordinated to meet on the same day as the GMCA on a quarterly basis with effect from January 2019
- Progress was being made to improve mental health services for students in GM
- Work was also underway to begin to address the workforce challenges across the health and social care sector with a reminder that there would a guaranteed position within the NHS for those who study in GM
- Planning for the winter provision had already commenced, and had highlighted the critical points in the system where demand had been significant in previous years.
- The increase in acute care provision had also proved helpful in addressing gaps in services, and would further support the envisaged increased winter demands

GM Mayor commented on this comprehensive report, and specifically drew reference to the ground breaking work of the place based integrated teams which were recognised across the UK for their innovative approach. He advised that the place-based model would be detailed in a document, in support of the Spending Review package of proposals, to illustrate how devolution has provided the opportunity to do things differently and would be circulated once available.

Members urged that the learning from this approach was shared across all GM Local Authorities to ensure that the most effective delivery of integrated neighbourhood working was available in all communities across GM.

Members were invited to share the learning of Tameside's neighbourhood working model which was particularly innovative due to its use of assistive technology.

His thanks were expressed to the work of the Health & Care Partnership in ensuring enhanced health provision was available to those who were homeless, including ensuring access to GPs and flu vaccinations for those with no fixed address. Members of the GMCA recognised the progress which had been made in relation to mental health and hospital discharge provision for those with no fixed address. However, it was recognised that homelessness was often a symptom of a failing system caused by unaffordable housing, a turbulent labour market, a flawed benefit system, cuts in Local Authority budgets and the loss of supported housing facilities.

Members recognised that many of the wider determinants of health were supported by the Local Authority services under increasing pressures, reduced budgets and without the support of a public health grant.

However, schemes such as mental health professionals in emergency services control rooms were already showing benefits to the outcome for callers, rapid entry to the system and avoidance of impact on A&E and other services.

Members were informed that the Health & Care Partnership were producing a prospectus to highlight the work undertaken to date, but also focusing on aspirations for the future. Learning was being shared across Local Authorities demonstrating the benefits of place-based model approach in reducing demand and costs to public services.

The GM Mayor added that there was a lot of work being undertaken across all of GM Local Authorities which should be recognised for its potential to effectively deliver public service reform through ground breaking models of care. The work of Health Innovation Manchester and the potential of the Local Industrial Strategy provided further opportunities for the use of technology in supporting these models for health and social care.

He further recognised the links between good health begins and good housing, and that GM has the ability to pioneer this through ensuring better quality of housing in all sectors. He gave assurance that whatever the outcome of the forthcoming Government's Budget announcement, GM would continue to ensure the best outcomes for people with the resources available.

RESOLVED /-

1. That the report be noted.

2. That the proposal for meetings of the GMCA and GM Health and Care Board to meet on the same day on a quarterly basis, with effect from January 2019 be welcomed.
3. That Tameside Council be invited to share a presentation on their integrated neighbourhood working model at the Health & Care Board in January 2019.
4. That Councillor Linda Thomas be appointed as GMCA Deputy Chair to the Health & Care Board.
5. That the GMCA records it's thanks to Donna Hall, Chief Executive at Wigan Council for her work in developing our reform and place based working models.

GMCA 216/18 BREXIT MONITOR MONTHLY UPDATE

Councillor Richard Leese, Portfolio Lead for Business and Economy, updated members on the key economic and policy developments of relevance to GM in relation to the UK's decision to leave the European Union. He specifically drew reference to the work that had begun at both a GMCA and Local Authority level to make preparations for a potential no-deal scenario.

GM Mayor agreed that a no-deal outcome would be very difficult for GM, and therefore early planning was essential.

RESOLVED /-

That the Brexit Monitor for October be noted.

GMCA 217/18 CLEAN AIR PLAN: TARGET DETERMINATION

Councillor Alex Ganotis, Portfolio Lead for the Green City Region, introduced a report which set out the requirement by Government for the GMCA to develop a Clean Air Plan by January 2019. He reported that the survey research undertaken to date had begun to convey the scale of the challenge, especially in regards to the impact on public health.

Air Quality had been a long term issue for GM, which had seen notable improvements in recent years but that interventions had not been significant enough to reduce levels to legal exceedances in Nitrogen Dioxide and particular matter and further work was needed to have the required impact.

The Government's national plan had identified eleven areas of road across GM with high levels of exceedances, however GM's new modelling had highlighted 152

stretches of road exceeding the legal limits, and further identification of roads within 10% of reaching these limits and could be a potential issue in future years. Our own research had further linked poor air quality as a major contributing factor to over 1200 deaths per year in GM, most often affecting the most vulnerable in society including the elderly, children and people with long term health issues.

The recent campaign to highlight the scale of the issue was launched this week (cleanairgm.com) and built upon the current GM strategies and evidence base. A business case was due to be shared with Government in January 2019, and would potentially follow with a public consultation period.

The report suggested that there were some short term measures which could begin to make a difference to air quality in GM, including the introduction of electric vehicles, work around the 'beeline' walking and cycling provision and improved traffic management. This work could also be targeted to particular hot spot areas such as around schools etc. However, many of the interventions require support from Government to ensure they were embraced by significant numbers of the population, for example, a private vehicle scrappage scheme to ensure all engines on the road are compliant with emission standards.

Members urged for a review of the Clean Air Fund in light of the increased scale of the issue to ensure that there is sufficient funding to retrofit buses etc. It was important to see the approach to air quality as a partnership with Government rather than just a local issue.

In relation to the exceedance on motorways, the GMCA were informed that the M60 and wider motorway network had been included. However, it was widely recognised that many of the hotspot areas were on motorway junctions, and that it was also impacting on the air quality of link roads etc. The role of Highways England in addressing and supporting the Clean Air Plan was imperative.

Members supported the ambitions to move to electric vehicles, where possible, and highlighted the difficulties of purchasing large vehicles, such as refuse trucks for Local Authority fleets. The challenges of finding the right vehicles was a significant barrier to this ambition and would not incentivise the private fleet companies to help contribute to improved air quality.

It was noted that GM were in a strong position to continue working towards carbon neutrality and should look to increase the pace specifically given that those who would suffer the most impact would be the most deprived communities in GM. Members attention was drawn to solutions which could have a detrimental effect, such as planting more trees along the carriageway, which could create a tunnelling effect which traps emissions and results in higher levels of chemicals.

It was felt that an integrated public transport network was key to allowing ambitions to be achieved, but that these were not deliverable within the Government's timescale for the plan. However, members were reminded that long term ambitions

for GM's public transport network needed to be progressed in parallel to this work, and the GMCA would be requested to approve the 2040 Transport Strategy at their meeting in November.

Members also commented that poorer air quality in the most deprived neighbourhoods was resulting in a significant social justice issue that Government needed to address. Any response or planned approach should not be of further detriment to those communities who are already negatively affected, i.e. scrappage schemes resulting in high costs or the necessity to purchase new cars without any support.

Retrofitting of ageing buses was also crucial to improved air quality, as the engine efficiency of older vehicles was a contributing factor to higher levels of particulates in GM. Those vehicles more often than not also served the most deprived members of the community and bus operators should be challenged on their operational practices. Other areas of the UK had introduced a maximum age limited for bus fleets, and it was felt that there should be some challenge to bus operators in GM to ensure their buses have low emissions.

GM Mayor summarised that ensuring improved air quality required significant behaviour change, supported by a strong integrated public transport system that was managed by GM to ensure it meets the needs of our communities. He added that it was also vital that Government work in partnership with the GMCA on this agenda as it demanded a joint approach to ensure its success.

RESOLVED /-

1. That the outcomes of the local NO₂ modelling, in particular the prediction of exceedances in all ten GM Local Authority areas beyond 2020, be noted.
2. That TfGM be requested to continue to undertake further analysis of measures for reducing NO₂ across GM to legal Limit Values in the "shortest possible time", as part of preparing the Outline Business Case for submission to Government.
3. That the GM Mayor be requested to take forward GM's 'asks' with Government, particularly noting the need for Government to issue clear instruction to Highways England to implement measures which deliver compliance on the Strategic Road Network.
4. That the proposed submission of the Transport for GM 2040 Strategy to the November meeting of the GMCA be noted.
5. That monthly updates on the progress of work be submitted to the GMCA leading up to the submission of the final GM Air Quality Plan for approval at the January 2019 GMCA meeting.

6. That the GMCA records it's thanks to Councillor Alex Ganotis for the work undertaken to date and going forward.

GMCA 218/18 GREATER MANCHESTER CONGESTION DEAL – CORRIDOR MANAGEMENT

The GM Mayor, Andy Burnham introduced a report which sought approval from the GMCA for the Corridor Management proposals contained within the GM Congestion Deal and associated expenditure of £1.35m. He added that the current necessary roadworks and rail issues had created unprecedented pressure on GM's road network that needed addressing.

Members of the GMCA welcomed the report, and commented that regular evaluation of the expenditure was essential to measure the effectiveness of this work, ensuring that investment was fairly shared across all GM districts.

GM Mayor added that through strengthening the central function, the GMCA would be able to have greater control of transport management and that benefits would be seen across each Local Authority.

RESOLVED/-

1. That, subject to the successful trial of the service disruption tool, the revised Corridor Management proposals contained within the GM Congestion Deal be approved.
2. That the proposed TfGM expenditure of £0.85 million for highways and network monitoring enabling infrastructure and £0.35 million for staff costs in relation to the GM Congestion Deal be approved.
3. That the proposed funding arrangements of Congestion Deal expenditure which were to fund grants to GM Local Authorities for implementation of Traffic Measures, from Mayoral Priority funding, and to fund all other costs from Earnback Revenues, be approved.
4. That the addition of £0.44 million into the GMCA Capital programme for the element of expenditure on highways monitoring enabling infrastructure which related to capital expenditure be approved.
5. That authority be delegated to the GMCA Treasurer, in consultation with the TfGM Director of Finance and Corporate Services, for the allocation of the remaining £0.15 million, as grants to GM Local Authorities for expenditure on traffic management measures that would deliver the optimal benefits for the GM highway network as issues and measures are identified and that the funding for these works be approved.

6. That TfGM be requested to prepare a more detailed breakdown of the proposed expenditure on traffic managements measures for individual GM Local Authorities.
7. That a process of evaluation of expenditure linked to the congestion deal to ensure delivery of real results be submitted to the GMCA on a quarterly basis, together with an annual evaluation.
8. That the need for provision to be included as part of budget setting for 2019/20 in relation to the GM Congestion Deal of at least £0.5 million to facilitate the ongoing delivery of Congestion Deal commitments in 2019/20, be noted.
9. That future meetings of the GMCA should, wherever possible, be held in venues with access to good public transport links.

**GMCA 219/18 NORTHERN AND TRANSPENNINE EXPRESS RAIL
PERFORMANCE UPDATE**

The GM Mayor, Andy Burnham took members through a report which provided an update on the performance and delivery of franchise commitments for Arriva Rail North (Northern) and TransPennine Express rail services.

He reported that recent figures had shown a decline in the punctuality of TransPennine services over the last period, indicating a continued unacceptable level of service for passengers in GM. He urged that the Transport Secretary issue a franchise warning to operators in the North, akin to the action he has taken in the South, to ensure they were aware of their accountability to Government.

It was hoped the re-opening of the Bolton line in December, would impact wider improvements across the network, however he vowed to continue lobbying Government for an increased focus on the rail network in the North.

Brenda Warrington, Leader of Tameside Council, commented specifically about the reduced rail service to Mosley, with many trains now not stopping at this station, which previously was well used.

In relation to issues with the Bolton line closure, Councillor Linda Thomas, Leader of Bolton Council, added that the current provision of train services in Bolton had resulted in residents of Bolton being forced to use their cars, given there were few alternative public transport options. She further urged for more involvement from the Transport Secretary to ensure equal and fair rail provision.

RESOLVED /-

1. That the report be noted.

2. That it be noted that the GM Mayor would seek the support from Transport for the North to reinstate stopping services at Mossley Rail Station at the earliest opportunity.
3. That the intention of the GM Mayor to agree a forward plan of investment for rail with the Secretary of State be noted.

GMCA 220/18 GMCA CAPITAL UPDATE 2018/19

Councillor David Molyneux, Portfolio Lead for Resources, presented a report which provided an update in relation to the GMCA 2018/19 capital expenditure programme.

RESOLVED /-

That the current 2018/19 forecast compared to the previous 2018/19 capital forecast approved at the July 2018 GMCA meeting be noted.

GMCA/221/18 GMCA REVENUE UPDATE 2018/19

Councillor David Molyneux, Portfolio Lead for Resources, introduced a report which informed members of the 2018/19 forecast revenue outturn position as at the end of September 2018.

RESOLVED /-

1. That the GM Mayoral General revenue outturn position for 2018/19, which was in line with budget, be noted.
2. That GM Mayoral General – Fire revenue outturn position for 2018/19, which showed a budget pressure of £0.3 million, be noted.
3. That the Economic Development and Regeneration revenue outturn position for 2018/19, which showed an underspend against budget of £0.7 million, be noted and that the proposal to set aside the underspend to meet furniture and fit out costs of the new accommodation be agreed.
4. That the transport revenue outturn position for 2018/19, which showed an underspend against budget of £8.2 million be noted.
5. That the TfGM revenue outturn position for 2018/19 be noted.
6. That the GM Waste revenue outturn position for 2018/19, which was in line with budget be noted.
7. That the increase to GM Mayoral General budget of £1 million, following formal confirmation of GM Mayoral Capacity Grant be approved.

8. That the increase and utilisation to the Economic Development and Regeneration budget of £0.519 million, following confirmation of additional grant funding be approved.
9. That authority be delegated to the GMCA Monitoring Officer to enter into a lease for additional space for Churchgate House to run con-currently to the existing lease as described in paragraphs 3.10 – 3.13 of the report.
10. That grants to Stockport and Oldham Councils, totalling £0.097 million, from the Elena Grants be agreed as detailed on paragraph 3.14 of the report.

GMCA 222/18 DEVOLUTION OF THE ADULT EDUCATION BUDGET

Councillor Sean Fielding, Portfolio Lead for Education, Skills, Employment and Apprenticeships, introduced a report which provided an update on progress relating to the devolution of the Adult Education Budget (AEB) from 1 August 2019 for the 2019/20 academic year onwards and set out the proposed approach to commissioning AEB funded provision for GM residents including procurement activity.

Members were reminded that £65m will remain with providers, and £20m will be available to procure from other organisations to help deliver the ambitions of the GM Strategy especially in relation to the core skills, access to digital courses, and ensuring life skills are available to all residents of GM. The associated administration budget had not been devolved with this funding, therefore up to 3% of the budget would be retained by the GMCA to support the programme.

GM Mayor further emphasised how the planned tiered approach to this allocation of funding would ensure that those organisations not eligible to apply directly, could have access to other funding streams. He added that this was an example of how devolution was giving GM the ability to look at using the available budget from a grass roots level to meet the identified need and funding gaps.

RESOLVED /-

1. That the report be noted.
2. That the proposed commissioning approach for GM's Adult Education Budget be approved, which encompassed:
 - establishing plan-led grant funding agreements for the providers identified as being in-scope for block grants, namely further education institutions based within GM and those GM local authorities which currently deliver AEB funded provision

- procurement of contracts for services for all other providers, including independent training providers, FE institutions based outside of GM, and other organisations (which may include the voluntary and community sector)
 - establishing appropriate and proportionate arrangements with other Mayoral Combined Authorities and ESFA to manage cross-border arrangements to take account of residents' travel to learn patterns
3. That the retention of an element of funding to support GMCA's local strategic planning, operational management and assurance of the AEB in line with the Memorandum of Understanding which would be in place between DfE and GMCA be approved.
 4. That it be noted that the value attached to local strategic planning, operational management and assurance would be based on actual costs, envisaged to be no more than 3% of the total AEB (to be reviewed on an annual basis and any unspent funding to go back into the learner allocation).
 5. That authority be delegated to the GMCA Chief Executive and GMCA Treasurer, in consultation with the Lead Member and Lead Chief Executive for Education, Skills, Work and Apprenticeships (and subject to considerations around any conflicts of interest which might arise), to take forward AEB commissioning, including the procured element, to contract award.
 6. That thanks be recorded to all those involved in the work surrounding the devolution of the Adult Education budget, specifically Councillor Sean Fielding, Joanne Roney and Gemma Marsh.

**GMCA 223/18 GREATER MANCHESTER WORK & SKILLS AVAILABLE FUNDING
– DETAILED PROPOSALS**

Councillor Sean Fielding, Portfolio Lead for Education, Skills, Employment and Apprenticeships, presented a report which outlined detailed proposals for the delivery of activity in the key areas of GM AGE, Youth Contract Expansion and City Deal Legacy Funds and the strategic use of funds to support these.

GM Mayor commented on the positive news that these monies were to be re-directed for the benefit of young people in GM.

RESOLVED /-

That the activity and use of the funding that had been identified, as contained with the financial summary of propositions at paragraph 3, to support the stimulating demand & improving quality in apprenticeships, and life readiness agendas, be approved.

Councillor Richard Leese, Portfolio Lead for Business and Economy, presented a report which detailed draft Heads of Term should Channel 4 make a decision to relocate its headquarters to GM, and also requested members to agree to consider investment in the digital and creative sector as part of a wider approach to supporting sectoral development in GM.

He reported that GM had submitted a bid to become the location of the Channel 4 headquarters and that the outcome should be known on 30 October. There would be further considerations in relation to how to grow the industry and skill requirements going forward irrespective of the Channel 4 outcome.

GM Mayor supported the ambitions to become the location of Channel 4 and felt that there was a strong case to move to GM based on our skills offer to the sector, and thanked those involved for their work on the bid to date.

RESOLVED /-

1. That it be noted that a bid had been submitted in respect of the Channel 4 relocation bidding process, for Channel 4 to relocate its Headquarters or Creative Hub to GM, the terms of which are set out in a Part B report on this agenda.
2. That it be agreed that, should the bid be successful, the investment and support package, as set out in the Part B report be approved.
3. That authority be delegated to the GMCA Chief Executive, in consultation with the GM Mayor, to finalise the detailed commercial and any ancillary arrangements required.
4. That authority be delegated to the GMCA Monitoring Officer to complete all documentation to give effect to the recommendations in this report and the Part B report.
5. That it be noted that, should the Channel 4 bid not be successful, a further report would be submitted to GMCA to still consider such investments as part of a potential new sectoral approach to investment, as part of the Local Industrial Strategy, to support GM's key strengths in the Digital & Creative sector, particularly TV, Film and Drama Content production.
6. That it be noted that the decisions were exempted from call in as the making of the decisions was urgent and could not reasonably be deferred in accordance with Clause 16 of the CA Scrutiny Procedure Rules.

7. That thanks be recorded to Councillor Richard Leese for his work to progress the bid and that an update on the outcome of the Channel 4 bid be submitted to the November meeting of the GMCA.

GMCA 225/18 EXCLUSION OF PRESS AND PUBLIC

RESOLVED /-

That, under section 100 (A)(4) of the Local Government Act 1972 the press and public should be excluded from the meeting for the following items on business on the grounds that this involves the likely disclosure of exempt information, as set out in paragraph 3, Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**GMCA 226/18 DIGITAL & CREATIVE INVESTMENT – TV AND FILM CONTENT
PRODUCTION SECTOR**

CLERK’S NOTE: This item was considered in support of the Part A report Digital & Creative Investment – TV and film content production sector (Minute 223/18 refers)

RESOLVED /-

That the report be noted.

MINUTES

Meeting: **National Park Authority**

Date: Friday 5 October 2018 at 10.00 am

Venue: The Board Room, Aldern House, Baslow Road, Bakewell

Chair: Cllr A McCloy

Present: Cllr D Chapman, Mr P Ancell, Mrs P Anderson, Cllr J Atkin, Mr J W Berresford, Cllr C Carr, Cllr M Chaplin, Cllr C Furness, Mr Z Hamid, Cllr A Hart, Cllr Mrs G Heath, Cllr H Laws, Cllr J Macrae, Cllr C McLaren, Cllr J Perkins, Cllr Mrs K Potter, Cllr Mrs L C Roberts, Mr K Smith and Cllr B Woods

Apologies for absence: Cllr D Birkinshaw, Cllr P Brady, Cllr A R Favell, Mr R Helliwell, Cllr B Lewis, Cllr Mrs C Howe, Cllr R Walker and Cllr F J Walton.

33/18 CHAIR'S ANNOUNCEMENTS

Following his recent appointment by the Secretary of State, the Chair welcomed Mr Ken Smith to his first meeting of the Authority.

For information the Chair circulated a report following a recent meeting of National Parks England and emphasised the importance of the wider family of national parks working together.

34/18 MINUTES OF PREVIOUS MEETING HELD ON 6 JULY 2018

The minutes of the last meeting of the National Park Authority held on 6 July 2018 were approved as a correct record.

35/18 MEMBERS DECLARATIONS OF INTEREST

There were no declarations of interest.

36/18 MEMBER APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES

Following the recent announcement by the Secretary of State appointing Mr K Smith as a Member of the Authority, Members were asked to appoint Mr Smith to one of the Authority's Standing Committees. Because of his professional background and personal interests he had expressed an interest in being appointed to Planning Committee. However, as there were no vacancies on Planning Committee, it was proposed that the size of the Committee should be increased to 16 Members to accommodate his preference. A proposal to increase the size of Planning Committee and appoint Mr K

Smith to the arising vacancy was moved, seconded, put to the vote and carried. It was noted that the Committee would return to 15 Members at the 2019 Annual Meeting.

It was noted that, as it was unlikely that appointments would be made to the remaining two Secretary of State Vacancies before July 2019, there would be two vacancies on the Audit, Resources and Performance Committee. To help improve the balance between Local Authority and Secretary of State Members a proposal to appoint Cllr Mrs L Roberts to the Committee was moved, seconded, put to the vote and carried. It was noted that this would leave one Secretary of State vacancy on the Committee.

The Authority had previously approved the establishment of a Charity to be called the Peak District National Park Trust. As the Trust would be made up of at least seven Trustees the Authority was in the process of seeking expressions of interest from members of the public to become one of the four independent Trustees. In anticipation of registration with the Charity Commission the Authority were asked to appoint three Members to become Trustees of this new outside body and nominate a reserve so that, if needed, a replacement Trustee could be appointed under delegation should a vacancy occur between Authority meetings or the number of independent Trustees increased.

RESOLVED:

- 1. To increase the size of Planning Committee to 16 until the Annual Meeting in July 2019 and appoint Mr K Smith to the vacant Secretary of State place arising from the increase.**
- 2. To appoint Cllr Mrs L Roberts to one of the vacant Secretary of State positions on the Audit, Resources and Performance Committee until the Annual Meeting in July 2019.**
- 3. To appoint Mr Z Hamid, Cllr C McLaren and Cllr Mrs L Roberts as trustees on the Peak District National Park Trust and nominate Cllr A McCloy as a reserve Trustee should it be required.**

37/18 MEMBER LEARNING AND DEVELOPMENT ANNUAL REPORT

Members considered a report setting out the Member Learning and Development Framework and the proposals for the next annual programme of Member learning and development events (January to December 2019).

RESOLVED:

- 1. To agree the Member learning and development framework (Appendix 1 of the report) and the events programme for January to December 2019 (Appendix 2 of the report).**
- 2. To continue to record Member learning and development activities in terms of hours and include personal learning and development by Members outside of events organised by the Authority, with the target of 20 hours per Member in every 12 months.**

The meeting ended at 10.35 am

Item No. 3.

MINUTES OF THE MEETING OF THE TRANSPORT FOR GREATER MANCHESTER COMMITTEE HELD ON 14 SEPTEMBER 2018

PRESENT:

Bolton	David Chadwick (LAB)
Bolton	Stuart Haslam (CON)
Bury	Noel Bayley (LAB)
Bury	Rishi Shori (LAB)
Manchester	Naeem Hassan (LAB)
Manchester	Eddy Newman (LAB)
Manchester	Dzidra Noor (LAB)
Manchester	Angeliki Stogia (LAB)
Manchester	John Leech (LIB DEM)
Oldham	Adrian Alexander (LAB)
Rochdale	Phil Burke (LAB)
Rochdale	Patricia Sullivan (CON)
Salford	Roger Jones (LAB)
Salford	Barry Warner (LAB)
Stockport	John Taylor (LAB)
Stockport	Steve Gribbon (LIB DEM)
Stockport	Annette Finnie (CON)
Tameside	Peter Robinson (LAB)
Tameside	Warren Bray (LAB)
Trafford	Mike Cordingley (LAB)
Trafford	Steve Adshead (LAB)
Trafford	David Hopps (CON)
Wigan	Mark Aldred (LAB) (In the Chair)
Wigan	Lynne Holland (LAB)
Wigan	Eunice Smethurst (LAB)

OFFICERS IN ATTENDANCE

Jon Lamonte	Chief Executive, TfGM
Bob Morris	Chief Operating Officer, TfGM
Simon Warburton	Transport Strategy Director, TfGM
James Baldwin	TfGM
Nicola Kane	TfGM
Martin Lax	TfGM
Gwynne Williams	Deputy GMCA Monitoring Officer
Sylvia Welsh	GMCA Governance & Scrutiny
Paul McGarry	GMCA

APOLOGIES:

Apologies were received and noted from Councillor Kate Butler (Stockport), Doreen Dickinson (Tameside), Neil Emmott (Rochdale), Robin Garrido (Salford), James Grundy (Wigan), Guy Harkin (Bolton), Valerie Leach (Oldham) and Howard Sykes (Oldham)

TfGMC/104/18 Chair's Announcements and Urgent Business (if any) at the discretion of the Chair

No Chair's announcements or Urgent Business raised at the meeting.

TfGMC/105/18 Declarations of Interest in any contract or matter to be discussed at the meeting

No declarations of Interests were received.

TfGMC/106/18 Minutes of the Transport for Greater Manchester Committee meeting held on 13 July 2018

The minutes of the Transport for Greater Manchester Committee meeting held on 13 July 2018 were submitted for consideration.

RESOLVED/-

That the Minutes of the meeting of the Transport for Greater Manchester Committee held on 13 July 2018 be approved as a correct record.

TfGMC/107/18 Minutes of the Capital Projects & Policy Sub-Committee – 27 July 2018

The proceedings of the Capital Projects and Policy Sub-Committee meeting held on 27 July 2018 were submitted for information.

RESOLVED/-

That the proceedings of the Capital Projects Sub-Committee held on 27 July 2018 be noted.

TfGM/108/18 Bus Network & TfGM Services Sub-Committee – 24 August 2018

The proceedings of the Bus Network and TfGM Services Sub-Committee held on 24 August 2018 were submitted.

The Chair advised members that an extraordinary meeting of the Bus Network Committee had met earlier in the day and had agreed the proposed amendments to Services 380/381.

RESOLVED/-

That the proceedings of the Bus Network & TfGM Services Sub-Committee held on 24 August 2018 be noted.

TfGM/109/18 Metrolink & Rail Networks Sub-Committee – 7 September 2018

RESOLVED/-

That the proceedings of the Metrolink & Rail Sub-Committee proceeding be circulated to members for information.

TfGM/110/18 Age Friendly Transport Study

James Baldwin, TfGM introduced a report on the findings of the Age Friendly Transport Study commissioned by TfGM and the GMCA's Ageing Hub.

Paul McGarry, GMCA lead officer for GM's Aging Hub highlighted a number of key issues to provide the Committee with some demographic context to the work underway to assist with the discussion:

-) GM's working age population in the next 20 – 25 years will change, predicting a growth by 5 %, with residents in GM over 65 expected to expand by 53%, and residents over 85 predicted to double to over 100K – the biggest demographic change both internationally, nationally and regionally. The Ageing Hub was working together with partners to bring together the different elements which impact on older people, including housing, healthcare and cultural life into one piece of work
-) GM was the 1st city region in the UK to join the World Health Organisation – Age Friendly City Programme
-) GM Age Friendly Strategy was launched earlier this year, supported by the GMCA
-) Series of groups and task groups have been established to look all the element which impact on older people, including transport

-) Opportunity for the aging population to contribute to the economic growth and innovation, with work, as part of the Local Industrial Strategy, identifying those opportunities specifically for GM
-) Lessons to be learnt from others, especially Japan. Japan has one of the largest ageing population, with over a third of the population aged over 65, with work underway to develop new goods and services including transport programme in response to population age
-) The GM Local Industrial Strategy included a grand challenge on aging, with work to develop a range of demonstrator sites over the forthcoming years to bring together all the different elements of public services and community activities and the private sector to work through how GM could create neighbourhoods to support active, healthy, successful later life.

James Baldwin advised members that there was currently a substantive amount of work underway by TfGM to support older people, including the accessibility of the Metrolink network and disability design reference group, Ring and Ride Service, the extension of local concessions for older people on tram and train. It was important to recognise that not all older people's needs would be the same, with a number of different priorities, with some of those issues identified providing benefits for the wider community.

The following additional comments were made:

- o Role of local highway and planning authorities in jointly delivering the strategy and the development of common standards, together with work to agree reporting mechanisms for pathway improvements in and around transport facilities
- o Working collaboratively with GM Local Authorities to deliver an integrated transport strategy, within realistic timescales
- o Consideration to be given to visually impaired residents in determining the location of street furniture, including advertising boards
- o Customer service training to help with assisting passengers with hearing difficulties and visual impairment, including clear announcements on trams and trains
- o Need to recognise the differing needs of older people in the provision of toilet facilities; in terms of cleanliness, the potential health implications for older people, regular maintenance plus opening and closing times
- o Payment to access toilet facilities at main line rail stations was a barrier, this was abolished in London at the behest of the London Mayor and should be pursued in GM
- o Work was underway with registered housing providers to introduce the 'take a seat' campaign, whereby local businesses allow people to use their toilet facilities, with over 300 business now signed up across GM

- The use of the concessionary pass before 9.30am, in recognition that older residents may require more frequent health visits to doctors/hospitals. Congestion was also raised and the potential for older people to have a seat on public transport during the rush hour congestion
- Discussions have been held with one of the major health institutions regarding pre-9.30am appointments, who advised that the policy for appointment for older patients was based on the potential for a number of appointments/tests etc. to be covered during one visit. Further discussions would be progressed with health colleagues regarding appointment times, reiterating the need to put patients first. It was also suggested that there was a need to raise awareness of the current schemes available to address travel costs etc. which was also a consideration for patients in attending appointments and providing them with travel options
- Discussions were also underway with Dementia United to develop transport plans
- Rail Station accessibility and platform heights at a number of rail stations across GM was an issue, this needed a realistic timetable for delivery
- The role of taxis in the public transport network and travel safety plans
- The challenge of encouraging behavioural change of partners in recognition of the differing needs of ageing population
- Crossing facilities and the time waiting to cross and the time permitted for residents to cross busy roads was a barrier for older people to be considered within the Walking & Cycling Strategy. More emphasis to be placed on the needs of pedestrians rather than motorists, given traffic lights were under the control of TfGM
- The roll out of new technology and the traffic crossing with timing displayed to be rolled out across GM as facilities were replaced
- Biggest increase in physical activity by older people, with increased walking and cycling
- There was now an opportunity for residents to identify locations where they would like to see improved crossings facilities on the TfGM interactive map, with funding available to deliver real improvements to crossing facilities
- Promote the GM concessionary travel pass to all residents over 60 as a means of addressing social isolation.
- Role of door to door services in providing access - other modes of accessible transport to be considered
- Motorised scooters on trains and the potential to exercise GM's influence in ensuring that this was included in the rail franchise agreements
- The maintenance of existing facilities to enable access to fully accessible services was a barrier

- The introduction of new technology to purchase travel tickets was also a barrier.

RESOLVED/-

1. That the findings and recommendations of the study be noted.
2. That it be agreed that officers submit a further report to the Committee on how TfGM and the GMCA intend to respond to the report recommendations, priorities and issues identified at the meeting.
3. That TfGM Officers be requested to provide members with the weblink to TfGM's interactive map to enable participation in identifying crossing locations for improvement.

TfGMC/111/18 Property Transactions

Bob Morris introduced a report which sought approval of the proposed property transactions as detailed in this report.

It was confirmed that TfGM generally approached the market when a disposal opportunity had been identified, albeit that there were occasions when TfGM had been approached. In terms of restrictions of use of the land, TfGM generally honours the original planning or use restrictions as a condition of disposal, in addition to considering future plans.

RESOLVED/-

That the property transactions as detailed in this report be approved

TfGMC/112/18 Greater Manchester Clean Air Plan

Simon Warburton introduced a report which detailed the timetable and the next steps required to progress the Outline Business Case of the Greater Manchester Clean Air Plan, confirming that there would be further updates to future meetings of the Committee.

Members were reminded that TfGM was managing the process on behalf of the 10 GM local authorities and that the responsibility to manage air quality lies with the local authorities.

Officers confirmed that wherever possible potential opportunities to address both NO² and particulates together would be pursued wherever possible to deliver maximum benefits for GM residents. It was also suggested that a time limit was introduced for those car parking bays with rapid charging points to benefit as many residents as possible.

Members reiterated the need to communicate the locations of electric car charging points to residents, especially for those residents who don't have off street parking available, with a reminder that it was generally more cost efficient for residents to use the public charging points.

Officers confirmed that the development of a GM Electric Vehicle Charging Network was a particular benefit for those residents who don't have driveways. The GM Highways Group has identified local authority officers from across GM to assist with specific locations for charging points and to co-ordinate United Utility issues to local disruption. A tool to plan the location of types of charging facilities has also been developed. Work was also planned to improve public communication and TfGM was also looking to work with a commercial partner going forward and a further report would be submitted to the Committee in due course.

Members also expressed concern about the solutions to reduce congestion on major routes across GM and surrounding areas.

Officers advised that work was being undertaken under the guidance of the Government, with local authorities being asked to consider whether Emission Charges might apply in parts of GM, with no suggestion of congestion charging. An Emission Charging Plan would specify charges to specific types of vehicles whilst they continued to emit pollution in specific locations. A successful Emission Charging Plan generated limited income and encouraged residents to take up alternatives modes of travel. Time would be arranged to brief members on those different measures under consideration and development of a package of measures for the travelling public, recognising the need to ensure that specific elements of the community were not disadvantaged. The work underway was being co-ordinated via a group of senior officers from the 10 local authorities, Air Quality Steering Group, who would liaise with the Executive Lead Member in each local authority.

Officers confirmed that the development of a progressive, well-funded transport strategy would be produced in advance of the GM Spatial Plan.

It was confirmed that TfGM were exploring the potential to convert current lamp posts to electric vehicle charging points, albeit there were a number of challenges to overcome, not least, the contractual model in place across GM local authorities for managing lamp posts, in addition to the physical location given lamp posts were not always on the kerb side.

TfGM, the GM Mayor and the GMCA have been clear with Ministers that a car scrappage scheme was very important to ensure that particular elements for the community were not socially or financially disadvantaged.

The plans to work with a commercial partner and the recent market sounding exercise, where over 50 organisations came forward, provided an opportunity to learn from commercial sector who were working with other cities internationally and provide some experience of providing flexibility and safeguarding investment.

Further information relating to the potential short list of measures to achieve legal compliance in the shortest time would be circulated to members.

Members suggested that the role of improved public transport was not strong enough in addressing air quality and the role of bus franchising and investment was required to deliver a public transport strategy.

The draft 2040 Transport Strategy Delivery Plan be submitted to a future meeting of the Committee.

Members reiterated the need to ensure GM local authorities were maximising the opportunity to ensure electric vehicle charging points were including in local housing delivery plans.

RESOLVED/-

1. That the progress in producing the Outline Business Case for the GM Clean Air Plan be noted.
2. That the Early Measures funding awarded to Greater Manchester to increase the charging infrastructure for electric vehicles and incentivise their uptake, as part of the Greater Manchester Clean Air Plan be noted.
3. Further information relating to the potential short list of measure to achieve legal compliance in the shortest time would be circulated to members.
4. That the draft 2040 Transport Strategy Delivery Plan be submitted to a future meeting of the Committee.

TfGMC/113/18 Greater Manchester Spatial Framework - Transport Evidence

Nicola Kane introduced a report which outlined the process undertaken by the GMCA, the districts and TfGM to understand and address the implications of housing and employment growth in GM on transport systems as part of the Greater Manchester Spatial Framework (GMSF) process. A further report would be submitted to the Committee on the detail of the evidence base as it emerged.

Members also reiterated the need to change driver behaviour with local planning authorities to consider the impact of retail development on local town centres. The majority of retail park development did not consider public transport and were car focussed.

Officers confirmed that the work underway over recent months has included working with colleagues on the Town Centre Challenge process to reinvigorate town centres, including transport access and was a key component of the GM Spatial Framework.

Members highlighted the need to ensure local neighbourhood connections for walking and cycling were considered in new developments and should be a consideration in the planning application process. Officers suggested it was now the right time to refresh the Transport for Sustainable Communities Strategy to review the key design principles for sustainable development, including the provision for walking and cycling in all new developments.

RESOLVED/-

1. That the process for developing, and subsequently publishing, a transport evidence base for the Greater Manchester Spatial Framework be noted and supported.

2. That it be agreed that that the Transport for Sustainable Communities Strategy be refreshed, to review the key design principles for sustainable development, including the provision for walking and cycling in all new developments.

TfGMC/114/18 Update on the Current Position with respect to Northern Powerhouse Rail & High Speed 2

Martin Lax introduced a report which provided members with an update on the current position with respect to Northern Powerhouse Rail and High Speed 2.

The following additional comments were made:

-) Suggested that a press release from the Chair of TfGMC in response to the Parliamentary delay announcement confirming that TfGMC and the GM Mayor would push the timetable process
-) Piccadilly Rail Station proposed additional Platforms 15 and 16 and capacity enhancements on the Castelfield Corridor were imperative to address current and future capacity issues on the network, as confirmed by the GMCA and GM Mayor
-) Piccadilly Rail Station - Services pattern proposals for NorthernPowerhouse Rail were based on the station being a through station with services from Liverpool – Manchester – Leeds and then the whole of Yorkshire and the North East. Providing economic benefits for the whole of the North and Manchester Airport.

RESOLVED/-

That the current position be noted.

TfGMC/115/18 Register of Key Decisions – Transport Items to be considered by the GMCA and TfGM

RESOLVED/-

That the transport items published on the GMCA Register of Key Decisions be noted.

TfGMC/116/18 Exclusion of Press & Public

RESOLVED/-

That, under section 100 (A) (4) of the Local Government Act 1972 the press and public should be excluded from the meeting for the following item of business on the grounds that this involves the likely disclosure of exempt information, as set out in paragraph 3, Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

TfGMC/117/18 Property Transactions

CLERK'S NOTE: This item was considered in support of the Part A Property Transactions (minute 112/18 refers).

RESOLVED /-

That the report be noted.

GM HEALTH AND CARE BOARD

**MINUTES OF THE MEETING HELD ON 14 SEPTEMBER 2018 AT NUMBER ONE
RIVERSIDE - ROCHDALE COUNCIL OFFICES**

Bolton Council	Rachel Tanner
Bury Council	Councillor Andrea Simpson
Bury CCG	Stuart North
Bridgewater Community Healthcare	Karen Bliss Dorothy Whitaker
GM Mayor	Andy Burnham
GMCA	Lindsay Dunn Nicola Ward
GM Commissioning Hub	Rob Bellingham
GMCVO	Alex Whinnom
GM H&SC Partnership Team	Liz Benbow Warren Heppolette Claire Norman Nicky O'Connor Sarah Price Jon Rouse Vicky Sharrock Janet Wilkinson
GM Mental Health NHS FT	Steph Neville
Healthwatch	Jack Firth
Health Innovation Manchester	Arjun Sikand
Manchester City Council	Councillor Bev Craig
Manchester Foundation Trust	Caroline Davidson
Manchester Health and Care Commissioning	Ed Dyson
Oldham Council	Councillor Sean Fielding Carolyn Wilkins

Primary Care Advisory Group (GP)	Tracey Vell
Primary Care Advisory Group (Pharmacy)	Adam Irvine
Rochdale BC	Councillor Allan Brett Councillor Sara Rowbotham Steve Rumbelow
Rochdale Commissioning	Karen Kenton
Bolton CCG	Wirin Bhatiani
Salford CCG	Anthony Hassall Tom Tasker
Stockport CCG	Mark Chidgey
Stockport MBC	Councillor Wendy Wild Pam Smith
Tameside MBC	Steven Pleasant
Tameside NHS Foundation Trust	Karen James
TfGM	Stephen Rhodes
The Christie NHS FT	Tom Thornber
Trafford CCG	Sally Johnson
Wigan Council	Councillor Peter Smith (in the Chair) Stuart Cowley Donna Hall
Wigan Wroughtington and Leigh NHS FT	Andrew Foster

Also present at the meeting was Leigh Webber, History Maker

HCB 32/18 WELCOME AND APOLOGIES

Apologies were received from;

Darren Banks, Eamonn Boylan, Chris Brookes, Kathy Cowell, Mayor Paul Dennett Alan Dow, Chris Duffy, Councillor Alex Ganotis, Tony Oakman, Councillor Brenda Warrington Christine Outram, Councillor Rishi Shori, Roger Spencer, Councillor Linda Thomas, Councillor Andrew Western and Steve Wilson.

HCB 33/18 CHAIR'S ANNOUNCEMENTS AND URGENT BUSINESS

The Chair made reference to the fact that a recently published report from Public Health England (PHE) highlighted healthy life expectancy figures which demonstrate the average age which a person becomes dependent on medical treatment is under the age of sixty in six of the ten boroughs for men and five of the ten boroughs for women in GM. Of these, two were the worst in the country.

On behalf of the Board, the Chair offered gratitude to Stuart North, Chief Officer, Bury CCG. Stuart was thanked for his valued role at Bury and the wider system of health and social care in GM. Members wished him well in his retirement.

HCB 34/18 MINUTES OF THE MEETING HELD 13 JULY 2018

The minutes of the meeting held 13 July 2018 were submitted for approval.

RESOLVED/-

To approve the minutes of the meeting held on 13 July 2018.

HCB 35/18 CHIEF OFFICER'S UPDATE

Jon Rouse, Chief Officer, Greater Manchester Health and Social Care Partnership (GMHSCP), provided an update on activity relating to health and care across the Partnership which included key highlights relating to performance, transformation, quality, finance and risk. The report also provided a summary of the key discussions and decisions of the Partnership Executive Board.

The following items were highlighted;

- The GM Health and Care Partnership continue to deliver against the ambition in Taking Charge and have begun to think about the future model of the Partnership and how to take this forward after the current five year period. It was reported that this will be influenced not only by what is happening in Greater Manchester but also key national events, not least the forthcoming publication of the 10 year NHS Plan and the Social Care Green Paper, the conduct of the Spending Review and the proposed changes to the relationship between NHS England and NHS Improvement. It was reported that an engagement event to develop the approach to the Target Operating Model had been arranged for 2 October 2018 and members were encouraged to attend the session which will provide an opportunity to influence GM devolution.
- It was advised that the Chief Officer had met with the regional office of the British Association of Social Workers earlier in the week. An overview of the Focused Care programme and the benefits of social workers delivering personalised care in a primary care, general practice setting were highlighted to the Board.
- The Board received an update and overview of key performance measures with regards to reducing non-elective demand variation across GM, elective care waiting list growth and cancer performance. It was reported that GM would be the first place to publish waiting list data for access to psychological therapies for children and young people. A financial performance update for quarter one was provided and in doing so, appreciation for the collective effort in financial management across GM was noted.
- The programme of development for general practice nursing 'General Practice – Developing confidence, capability and capacity' was highlighted as a worthy programme to improve quality.

- The Board were advised that Bury North MP James Frith has launched a bold new report into the future of hospice care in Greater Manchester, *Living Well & Dying Well*. The recommendations of the report would be explored and agreement on the next steps would be taken in collaboration.

It was brought to the attention of the Board that barriers exist in the recognition of social work placements within the VCSE sector and do not count towards training. It was recognised that supervision should be provided by the Local Authority but it was suggested that this should not prevent the opportunities provided by the VCSE sector being undertaken. The Chief Officer agreed to consider further and pursue a possible solution to the issue.

RESOLVED/-

1. To note the update report;
2. To provide further consideration to the issues with regard to social work training placements within the VCSE sector.

HCB 36/18 PROFILE OF SERVICE DELIVERY FOOTPRINTS IN WIGAN

Donna Hall, Chief Executive, Wigan Council and Chief Accountable Officer Wigan Health and Care Commissioning provided the board with a presentation on the profile of service delivery footprints in Wigan Borough and the opportunities to identify and respond to shared understanding of risk cohorts.

Members endorsed the approach being undertaken in Wigan and advised it was the best possible strategy to address demand management effectively. The Board were informed that further opportunities to identify and focus on the need of the individuals by integrating data and providing a case management approach to health and care had been identified. The GM Mayor provided an overview of the priorities of work of the GM Reform Board in developing the model for service delivery which has as its focus person-centred place-based integration across GM.

The Board described the model as valuable for patients, citizens and workforce. The roll out of the proposed approach across localities was considered to be a key element in the development of the Target Operating Model.

The development of a bid to secure the wider integration of the work of the Department for Work and Pensions (DWP) based on the success of the Working Well programme was proposed.

It was reported that cost benefit analysis of the model adopted in Wigan demonstrated that early intervention and prevention had resulted in a freeze (apart from the social care element), in council tax in the borough over the previous five years.

RESOLVED/-

1. To endorse the public service reform model for development across GM;

2. To provide further consideration to the proposal to develop a bid to integrate the DWP within the model.

HCB 37/18 MEMORANDUM OF UNDERSTANDING (MOU) GM, HEALTH INNOVATION MANCHESTER AND THE HEALTH TECHNOLOGY INDUSTRY

Arjun Sikand, Associate Director Commercial Partnerships, Health Innovation Manchester introduced a report which outlined the proposed Memorandum of Understanding (MoU) between Health Innovation Manchester (HInM), The Greater Manchester Health and Social Care Partnership (GMHSCP), and the Association of British HealthTech Industries (ABHI).

In support of the MoU the GM Mayor highlighted the wider ambitions of integration with the work underway to develop the Local Industrial Strategy. He spoke about the unique opportunities which demonstrate that GM can lead health innovation globally. The Health and Care Board were encouraged to engage in the development of the Local Industrial Strategy as the economic and care benefits of health innovation were considered crucial.

RESOLVED/-

1. To confirm support and approve the decision to sign the MoU;
2. To provide further consideration to engagement on the Local Industrial Strategy and integration with health.

HCB 38/18 TOBACCO 'MAKING SMOKING HISTORY' UPDATE

Dr Carolyn Wilkins, Chief Executive Oldham Council introduced an update on The Tobacco Free Greater Manchester Strategy launched in July 2017. The Tobacco Free Greater Manchester Strategy set the ambition to reduce smoking in the GM population by one third by 2021. This will result in 137,000 fewer smokers, supporting a tobacco free generation and ultimately helping to make smoking history.

The report provided an update on achievements since the strategy's launch, data on public support across all ten Greater Manchester localities and progress to strengthen engagement in the *History Makers* social movement promoting health to drive positive behaviour change and prevent future morbidity and mortality.

The report was supplemented by a presentation by Leigh Webber 'History Maker' advocate who provided an overview of her personal journey of being a smoker to stopping and taking up exercise, in particular running. The Board offered their appreciation to Leigh for her account and achievements.

In discussing E-cigarettes, the Board heard some views with regards to the safety implications of vaping. GM HSC would continue to rely on guidance and advice from Public Health England on this matter, in order to provide advice to patients.

In discussing the fact that the GM History Makers consultation had demonstrated very high levels of public support for extending more smokefree spaces and a tobacco retailer licensing scheme; it was advised that a lead Local Authority Private Bill is being explored as a potential opportunity as a vehicle for local regulation. Manchester City Council would lead this on behalf of all ten Greater Manchester local authorities.

RESOLVED/-

1. To note the progress on implementation of the Greater Manchester Making Smoking History Strategy;
2. To affirm support for ongoing Making Smoking History work programme to 2021 to close the gap in smoking prevalence with England and dramatically reduce smoking related inequalities;
3. To commit to working to secure a smokefree generation, with an aspiration to Make Smoking History in Greater Manchester within a decade;
4. To commend Leigh Webber 'History Maker' advocate for her personal account and achievements.

HCB 39/18 URGENT AND EMERGENCY (UEC) CARE IMPROVEMENT PLAN

Anthony Hassall, Chief Accountable Officer, NHS Salford Clinical Commissioning Group and Interim Chief Accountable Officer, NHS Trafford Clinical Commissioning Group, introduced a report which provided an overview of the recently approved Greater Manchester Urgent and Emergency Care (UEC) Improvement and Transformation Plan.

The Board were advised that the plan had been co-produced with over 130 stakeholders across Greater Manchester through a series of workshops. An early part of the design work was the identification of what needs to be done consistently well to achieve the programme aims. The four primary drivers identified were; Stay Well, Home First, Patient Flow and Discharge and Recovery.

The plan has been reviewed and approved via the Locality Urgent and Emergency Care Boards and the Greater Manchester Urgent and Emergency Care Improvement and Transformation Board. To complement the plan, a series of Greater Manchester ambitions have been developed and agreed with localities for the remainder of this financial year. It was advised that the plan and 2018/19 ambitions will be central to the approach to preparing for and managing the winter period. Furthermore, work is already underway with localities to ensure there is sufficient planning in place to deliver the correct levels of capacity in all parts of the UEC pathway.

RESOLVED/-

To note the content of the report.

HCB 40/18 GM ESTATES STRATEGY

Jon Rouse updated the Greater Manchester Health and Care Board on the work being undertaken on developing the estates programme within theme 5.

The update focused on the production of an updated GM Estates Strategy and the development of the GM capital pipeline and capital financing strategy. It was acknowledged that the legacy of the estate prior to *Taking Charge* was one which had been grossly under invested and moreover of significant variation.

It was advised that estate in the poorest condition was in communities that suffer from the worst health and have more of a requirement for services. This was significantly concentrated in the estate of Pennine Acute Trust.

The constraints with regards to PFI and LIFT were highlighted to the Board and the objectives of the GM approach were highlighted as a programme that provides an estate which delivers improved health outcomes and access to services.

The GM Mayor proposed that efficiency opportunities of buying out and or expiry of PFI and LIFT estate contracts should be considered on a GM wide basis for the utilisation of place based teams at the heart of communities.

It was acknowledged that the GMHSCP share the collective ambition but highlighted that technical details meant in a number of cases, this was prohibitively expensive. It was suggested that further details of the technicalities could be shared with the Board but further consideration to the proposal should they become more affordable propositions would be taken.

RESOLVED/-

1. To note the GM Estates Strategy and progress of the estates programme;
2. To provide further technical details on PFI and LIFT.

HCB 41/18 BRINGING TRANSFORMATION TO LIFE IN ROCHDALE

Karen Kenton, Associate Director of Integrated Commissioning, Integrated Services HMRCCG and Rochdale Council provided the Board with a presentation on the impact and difference transforming health and care is having in Rochdale. It was reported that cooperation and connectivity across the system is improving outcomes resulting healthier people with a better future. The Board commended the work being undertaken and that it represented best practice with potential for wider adoption.

RESOLVED/-

To note the update provided.

HCB 42/18 DATES OF FUTURE MEETINGS

Friday 9 November 2018	10:00am – 12:00 noon	Salford Civic Centre Swinton, Salford
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COUNCIL

Update on Actions from Council

Portfolio Holder: Various

Officer Contact: Director of Legal Services

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

12th December 2018

Reason for Decision

The decision is for Elected Members to note the updates to the actions from previous Council meetings.

Executive Summary

1. This report provides feedback to the Council on actions taken at the Council meeting on 7th November 2018.
2. This report also provides feedback on other issues raised at that meeting and previous meetings.

Recommendations

Council are asked to note the actions and correspondence received regarding motions agreed at previous Council meetings.

Update on Actions from Council

1 Background

1.1 The report sets out the actions officers have taken on motions of outstanding business and notice of motions approved at the Council meeting held on 7th November 2018.

2 Current Position

2.1 The current position from actions as a result of motions is set out in the table at Appendix One. Letters are attached at Appendix Two in response to the actions approved at Council.

3 Options/Alternatives

3.1 N/A

4 Preferred Option

4.1 N/A

5 Consultation

5.1 N/A

6 Financial Implications

6.1 N/A

7 Legal Services Comments

7.1 N/A

8. Co-operative Agenda

8.1 N/A

9 Human Resources Comments

9.1 N/A

10 Risk Assessments

10.1 N/A

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 None
- 16 **Equality Impact Assessment Completed?**
- 16.1 No
- 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:
- Agenda and minutes of the Council meeting held 7th November 2018 are available online at: <http://committees.oldham.gov.uk/mgCommitteeDetails>
- 20 **Appendices**
- 20.1 Appendix 1 – actions taken following the Council meeting held on 7th November 2018
- 20.2 Appendix 2 – Letters and other information received in response to actions approved at previous Council meetings.

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Actions from Council 7th November 2018

ACTION	RESPONSE	WHO RESPONSIBLE	DATE COMPLETED
Ward Member Question from Cllr H. Gloster re Maintenance of Pathways, Roadways and Weeds on social housing estates	Walkabout to be arranged to ensure understanding of work undertaken	Councillor Shah	In Progress.
Outstanding Business: Creating a Healthy and Thriving Oldham	A Health Impact Assessment Process be created.	Councillor Chauhan and Director of Public Health	In Progress.
Youth Council: National Exemption on Prescription Charges	Write to the Secretary of State for Health	Chief Executive	16 November 2018
	Explore locally funding options	Councillor Chadderton	In progress.
Administration Business 1: Tackling Child Hunger	<p>Additional sources of funding to be investigated and applied for.</p> <p>Different models of tackling holiday funding be researched</p> <p>An Oldham Programme to alleviate child holiday hunger be introduced</p>	Policy	See attached update.
Administration Business 2: Oldham Crown Post Office Closure	Leader of the Council to meet with Post Office to urge a stop to the planned franchise	Leader of the Council	Meeting scheduled on 20 November 2018
	Write to the Secretary of State for Business, Energy and Industrial Strategy	Chief Executive	16 November 2018
	Awareness be raised of the values		Day of action planned on 1 December 2018

Administration Business 3: Air Quality	Motion to be rolled to the next Council meeting.	Constitutional Services	12 December 2018
Opposition Business 1: Conductors on Trams	Write to the Chief Executives of Transport for Greater Manchester and Metrolink	Chief Executive	16 November 2018
Opposition Business 2: Tackling Dangerous Potholes	Write to the Secretary of State for Transport	Chief Executive	16 November 2018
Opposition Business 3: Creating Council Bus Services	Withdrawn		
Update on Actions from Council	RESOLVED that the update on actions from Council be noted.	Council	Council noted the report on 7 th November 2018
Brexit Update	RESOLVED that the update on the European Union Referendum be noted.	Council	Council noted the report on 7 th November 2018
District Plans	RESOLVED that the District Plans as agreed by each District Executive be approved.	Council	Council approved the report on 7 th November 2018
Constitutional Amendments – Procedural and Land and Property Protocols	RESOLVED that: <ol style="list-style-type: none"> 1. The time limit of public question time for all Committees and District Executives be 30 minutes be approved. 2. Each public question asked be no longer than 2 minutes be approved. 3. Submission of motions without a signature be approved. 	Constitutional Services	Council approved the report on 7 th November 2018; amendments made November 2018

	<p>4. Submission of public questions by noon two working days before the day of the meeting be approved.</p> <p>5. The proposed amendments to the Land and Property Protocol in Part of the Council's Constitution (Codes and Protocols) be approved.</p>		
Municipal Calendar 2019/20	<p>RESOLVED that:</p> <p>1. The Council's Calendar of Meetings for the Municipal Year 2019/2020 as set out in Appendix 1 of the report be approved.</p> <p>2. Approval of any outstanding dates be delegated to the Chief Executive in consultation with Group Leaders.</p>	Constitutional Services	Council approved the report on 7 th November 2018

Previous to 7 th November 2018 Council:			
ACTION	RESPONSE	WHO RESPONSIBLE	DATE COMPLETED
Leader and Cabinet Member Question Time - Child Poverty (28 March 2018)	Joint meeting with Liberal Democrat to discuss Poverty Strategy	Leader of the Council	In progress.

Opposition Business 1 – Making Oldham a ‘Single Use Plastic-Free’ Local Authority (28 March 2018)	Under Council Procedure Rule 8.4(d) the motion was referred to Overview and Scrutiny Board.	Overview and Scrutiny Board	In progress. An update was provided to Overview and Scrutiny Board on work undertaken to date. A draft Strategy and Action Plan was presented to Overview and Scrutiny Board in November. A Cabinet report is also scheduled for December 2018.
Opposition Business 2 – Land Value Taxation (28 March 2018)	Under Council Procedure Rule 8.4(d) the motion was referred to Overview and Scrutiny Board.	Overview and Scrutiny Board	A report was provided to Overview and Scrutiny on 4 th September 2018. A joint workshop was convened with PVFM Select Committee on 21 November 2018 to discuss the implications of the motion. It was agreed at that workshop that the motion could not be supported as a change to tax administration was not within the Council’s remit. Tax administration was set at a national level and governed by primary legislation.
Opposition Business 3 – Restricting new Hot Food Takeaways near Schools (28 March 2018)	Under Council Procedure Rule 8.4(d) the motion was referred to Overview and Scrutiny Board.	Overview and Scrutiny Board	In progress.

Opposition Business 2: Tackling 'Problem' and Underage Gambling (11 July 2018)	<p>Ensure that information displayed on the Council's website to signpost residents with a gambling problem to providers of services</p> <p>O&S Board and Licensing ensure that Council and partners are following best practice and ensure the Gambling Policy reflects recommendations by time of renewal in January 2019</p>	<p>Licensing</p> <p>O&S Board and Licensing</p>	<p>12th October 2018 – the link is https://www.oldham.gov.uk/gamblinghelp</p> <p>The policy was present to Licensing Committee on 6th November 2018 and agreed. The policy was also presented to O&S Board on 27 November 2018 and agreed.</p>
Appointment of Independent Persons on the Standards Committee / Independent Remuneration Panel (11 July 2018)	The current vacancy on the Independent Remuneration Panel be re-advertised.	Council	In progress.
Ward Member Question from Councillor Sheldon to Councillor Shah re Stonewalls in need of repair (12 Sept 2018)	To review if funding available	Cabinet Member for Neighbourhood Services	In progress.
Ward Member Question from Councillor Williamson to Councillor Chadderton re Fraser Street Children's Home (12 Sept 2018)	Meeting to be arranged to discuss way forward	Cabinet Member for Children's Services	Councillor Chadderton met with Councillor Williamson week commencing 12 Nov 18. Follow up discussion will take place in the new year.
Opposition Business 1: Keeping Our Villages and Rural Areas HGV Free (12 Sept 2018)	Overview and Scrutiny to examine the merits of establishing a lorry watch scheme	O&S Board	A workshop is scheduled for 8 January 2019 to which relevant groups will be invited.

Opposition Business 2: Period Poverty (12 Sept 2018)	Write to the District Co-ordinators	Cabinet Member for Neighbourhoods	Information was provided in the action report to Council on 7 November 2018. Further information has been received and this is provided below.
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Period Poverty – update from District Teams

Red Box Project (school-based provision)

Most of the Borough’s secondary schools are already engaged in this work. Districts are working with the Red Box Project, and with schools not currently involved, to support in them developing this as part of their offer. As this go forward, District Co-ordinators will also look to connect this offer to the development of the strategy around school holiday provision, to ensure that girls are not left unable to access this support when schools are closed.

Community based provision

District Co-ordinators are in the process of mapping what provision is currently available in the community, and where people are not currently delivering anything, but have an ambition to. They have started to develop a network of locations, where products can be donated or accessed, including places such as Chadderton Wellbeing Centre, Failsworth Town Hall, Positive Steps and the network of community fridges and the town centre share shed. For people in crisis, products are being distributed via UKEFF and the Foodbank. More work is needed to extend and embed all of this, and ensure that the logistics are in place for this provision to become self-sustaining, for example by “buddying up” locations collecting donations with those distributing them, to ensure a balance of supply and demand.

Update for Full Council

At Council on 7 December the following motion was discussed and agreed:

“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
 - The Council, working in partnership, will look at opportunities for internal and external funding, including
 - Working with the Oldham Education Partnership and Growing Oldham: Feeding Ambition Partnership who have both jointly funded a Holiday Hunger pilot in the Summer 2018 and are committed to a provision during the Christmas Holiday 2018
 - Exploring the potential, eligibility and benefits of the Department for Education funding for Holiday Activities and Food that is expected to be launched in Spring 2019, following an initial pilot in Summer 2018
 - To connect directly as a council, and to connect eligible partners, with additional funding streams where possible an appropriate
2. To research different models of tackling holiday hunger including ‘Feed and Read’ and ‘Feeding Britain’ and to put together a strategy that best meets Oldham’s needs using Council and community resources such as libraries, community and leisure centres and faith buildings.
 - The Council, working in partnership, will:
 - Research different approaches to tackling holiday hunger: including those listed. This is in addition to existing research carried out around best practice approaches across Greater Manchester – informed through Oldham’s role as the Chair of the Children and Young People sub-group for the Greater Manchester Food Poverty

Alliance, as well as best practice activity from approaches in Stoke and Greenwich.

- Develop an Action Plan for a longer term approach to Holiday Hunger that maximises the potential use of existing assets in Oldham, including the many buildings and sites in communities where provision could be increased and securing sustainable funding in the future.

3. To introduce an Oldham programme to alleviate child holiday hunger as soon as practically possible.”

- The Council, working in partnership, has developed a local Oldham programme to tackle child holiday hunger as part of a pilot during the Summer 2018 and is committed to developing a provision for Christmas Holiday 2018 that helps to feed children and families. There is a commitment, subject to securing continued funding from partnership programmes, to increase and expand on the initial pilot for the Summer 2019, and to explore how we can commit to a long term plan that alleviates child food poverty, both inside and outside of the school day.

Jim McMahon OBE MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Dr Carolyn Wilkins
Chief Executive
Oldham Council
Civic Centre
West Street
Oldham
OL1 1UG

6 November 2018

Ref: JM22774

Dear Carolyn

Further to our correspondence on the motion passed by the Council in relation to Part 6 of the Traffic Management Act 2006, I have received a reply from Jesse Norman MP.

Mr Norman sets out that there is no actual legal requirement for drivers of any vehicles to have or use satellite navigation equipment.

However, I think the Council were right to pass this motion, as I think all drivers would benefit from satellite navigation equipment in large vehicles. I will look to represent this in Parliament as I think the equipment would be a huge help to both drivers and pedestrians in terms of safety, first and foremost.

I will enclose a copy of the reply for your perusal.

Yours sincerely

A handwritten signature in cursive script that reads "Jim McMahon".

Jim McMahon OBE MP
Member of Parliament
Oldham West & Royton

Serving the Communities of Chadderton, Royton and Oldham

Constituency Office Address: Textile House, 108 Union Street, Oldham OL1 1DU

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Department
for Transport

Jim McMahon OBE MP
House of Commons
London
SW1A 0AA

From the Parliamentary
Under Secretary of State
Jesse Norman MP

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: jesse.norman@dft.gov.uk

Web site: www.gov.uk/dft

Our Ref: MC/238726
Your ref: JM22774
31 OCT 2018

Thank you for your letter of 24 September 2018, about a motion passed by Oldham Borough Council regarding the compulsory installation of satellite navigation equipment designed for lorries into large vehicles.

There is no legal requirement for drivers of any vehicle to have or use satellite navigation equipment. If such equipment is provided, it is important that drivers are given equipment that is suitable for the vehicle that they are driving. In doing so, they can undertake their employment and ensure their own safety as well as that of other road users.

It is important that HGV drivers do not use satellite navigation equipment designed for cars as they may be directed on routes that are unsuitable for the size and weight of their vehicle. While these systems can be useful if they are in the correct vehicle, they cannot replace a driver's knowledge or skill, especially in the case of diversions due to road traffic collisions or roadworks.

Local traffic authorities have powers under Sections 1 & 2 of the Road Traffic Regulation Act 1984 to restrict or prohibit the use of HGVs on any road, for a wide range of safety and environmental reasons. They can implement the above measures by making Traffic Regulation Orders (TROs) without reference to the Department for Transport.

The Traffic Signs Regulations and General Directions 2016 (TSRGD) provide various signs for authorities to consider if they choose to do this, including signs informing motorists that certain roads are unsuitable for HGVs or if a weight limit is in place. The restrictions are then enforceable by the police.

As ever,

JESSE NORMAN



Department
for Transport



From the Minister of State
Jesse Norman MP

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: jesse.norman@dft.gov.uk

Web site: www.gov.uk/dft

Our Ref: MC/238572
Your Ref: Council-"Tyred"-20180912

Councillor Sean Fielding
Leader of Oldham Council
Room 347, Level 3
Civic Centre, West Street
Oldham
OL1 1UL

16 NOV 2018

Sean Cllr Fielding

Thank you for your letter of 17 September to Theresa May, about your Council's support for Frances Molloy's 'Tyred' campaign to legislate against the use of tyres older than ten years on public service vehicles (PSVs). Your letter has been transferred to this Department and I am replying as the Minister responsible for this issue.

Mrs Molloy, together with Maria Eagle MP, met with Patrick McLoughlin (when Secretary of State for Transport) in 2014 seeking the changes in legislation that the "Tyred" campaign seeks. In response to this meeting, Patrick McLoughlin instructed officials to take a number of actions to manage older tyres in the PSV fleet. These included providing clear guidance to all PSV operators describing how to establish the age of a tyre and, if a tyre of 10-years old (or more) was identified, to use it only as part of a twin wheel arrangement on a rear axle. Vehicle examiners of the Driver and Vehicle Service Agency (DVSA) were also tasked with monitoring tyres in the PSV fleet to reinforce the message.

Official figures show that in the period between January and September 2018, the DVSA conducted 61,570 roadworthiness inspections (including retests). Of those, approximately 0.27 per cent failed to meet the legal tyre requirements and approximately 0.04 per cent had tyres older than 12 years. The DVSA vehicle examiners have been instructed to remain vigilant and to issue official advice notes to operators who do not follow best practice.

In parallel to these actions, the Department for Transport investigated whether the tyre manufacturing industry had evidence concerning the effect of age on their products. The European Tyre and Rim Manufacturers Association (ETRTO), who represent the tyre manufacturing sector, were clear that tyre ageing is a very complex issue and that it is related to the duty cycle of the tyre and on effective maintenance, rather than simply its chronological age.

In recognition of the industry advice, more comprehensive guidance covering all aspects of tyre use and management has been created by the British Tyre Manufacturers' Association (BTMA) working with the Traffic Commissioner and the Department for Transport. A hard copy of this guidance has been provided to every registered operator of public service vehicles by the Department for Transport. The guidance can also be found online at: <http://btmauk.com/wp-content/uploads/2014/12/October-2016-CV-TyreManagement-LINKS-270916.pdf>.

The Government is committed to the use of robust evidence to define policy and, where appropriate, bring forward legislation. In this particular case, scientific evidence was not available but, directly in response to the concerns raised with the Secretary of State, the Department adopted the precautionary principle to guide the actions that I have described above.

I announced in the House on 1 March 2018 that the Department has commissioned independent scientific research on this subject which should be completed in early 2019. The research is examining the effect of age on the materials that are used in tyre construction. A sample of tyres with a range of accumulated ages is currently being investigated. These tyres are being deconstructed in a specialist laboratory so that a forensic analysis of the materials can be undertaken. This specialist scientific appraisal should provide more clarity on how the materials in tyres change with use, and help to quantify the effect of this ageing process on a tyre's integrity.

I met with Mrs Molloy and Maria Eagle MP to discuss this matter. I was able to provide them with detail about the activities of the DVSA in monitoring tyre age in the PSV fleet and to confirm the Department's commitment to conducting research to inform policy decisions. Department officials have since met twice with Mrs Molloy and with Maria Eagle MP to discuss these issues and brief them as to progress with the research.

The Department is not complacent and until we have the evidence from the research, we wish to ensure that the precautionary principle approach that the Department has taken continues to be effective. I instructed officials to consider further measures that could be taken to reinforce the guidance.

New procedures have been established that will see an owner of any bus or coach identified as not complying with the tyre age guidance receiving a letter from the DVSA reminding them of the best practice. This initiative ensures that, in addition to maintenance staff, the vehicle owner is made aware of any non-compliance. In the event that a vehicle is found with tyres fitted to its steering axle that are significantly older than recommended, a DVSA vehicle examiner will visit the operator's premises to reinforce the guidance and look more generally at maintenance procedures.

In addition, the DVSA is revising the safety inspection requirements of the Operator Licensing scheme. This revision will include a requirement to check tyre age as part of the regular safety inspection task. This will raise the awareness of tyre age in a fleet and act further as a prompt to comply with the guidance.

In the meantime, I have not ruled out further measures that may encourage compliance with best practice. Needless to say, if you have, or know of, any evidence about tyres more than 10 years old and their effects on accidents or mortality, we would be very interested to see it.

I note that the Council has also written to the Chief Executive of the DVSA, and I hope you have received a response on this matter.

Yours ever,



JESSE NORMAN

I would be grateful if you could circulate this response to members of the Council, & Officials.



Report to COUNCIL

Civic Appreciation Nomination 2019

Portfolio Holder:

Cllr Sean Fielding, Leader of the Council

Officer Contact: Paul Entwistle, Director of Legal Services

Report Author: Nicola Windle, Mayoralty Manager

Ext. 4012

12 December 2018

Reason for Decision

The purpose of the report is to seek approval to a nomination for Alan Noble and Trevor Warren to receive the Council's Civic Appreciation Award 2019.

The nomination has been put forward by Group Leaders.

Executive Summary

Alan Noble and Trevor Warren are being proposed for this award in recognition of their significant voluntary contribution and dedication to the borough and community of Oldham.

Each year, the Oldham branch of the Royal British Legion raise on average £70K of vital funds to aid the armed forces community. The branch have been successful in winning the Norman Webster Memorial Shield for 7 consecutive years. The Memorial Shield is awarded to the branch which has raised the most money in the North West.

Chairman of Oldham's Royal British Legion and Poppy Appeal Organiser, Trevor Warren and President, Alan Noble start the fundraising campaign every October during the period of remembrance until the following September, and organise Oldham's Annual Festival of Remembrance.

Alan and Trevor met through the Royal British Legion and have dedicated over 20 years to serving members of the armed forces past and present. Trevor is currently also Vice Chair and Alan is Chair of Oldham's Liaison of Ex-Servicemen Association. They provide

welfare and support to former members of the armed forces with financial assistance and work closely with armed forces charity SAFFA.

Both with military backgrounds, Alan joined the Army at 15 and was posted to Gibraltar as an under 18 in 1968. He was then posted to Northern Ireland as infantier, and was selected for promotion for management and leadership. Working through the infantry rank structure, Alan became a Warrant Officer Class 2 in 1983 and retired after 25 years' service in 1993. Alan is also the Chairman of the Royal Regiment of Fusiliers.

Trevor joined the 4th Battalion of Parachute Regiment in 1967 and worked his way through the ranks to Sergeant before leaving in 1979 due to an injury from a parachute jump. Trevor was the longest serving Secretary of Oldham's Parachute Regiment Association for 35 years, and is now the President of the Association.

Passionate about Oldham, Alan and Trevor have undertaken the role of Parade Marshalls for Oldham's Remembrance Sunday and Mayor's Civic Sunday Procession for over 20 years and they continue to lead with other commemorative and civic parades in the town centre.

For the recent refurbishment of Oldham's War Memorial, the Oldham Liaison applied for a grant of £30K from the War Graves Commission towards the project.

The Oldham Liaison also organise the M62 Bombing Memorial event held at Hartshead Moor Service Station each year to commemorate those that lost their lives in the bombing, and in remembrance of those that died from Oldham.

They also both support the homeless community in central Manchester.

Recommendations

It is recommended that Alan Noble and Trevor Warren are to be considered for the nomination for the Civic Appreciation Award 2019. If the Award is approved, the ceremony will take place prior to the meeting of Full Council on Wednesday 20 March 2019.



Report to COUNCIL

Youth Justice Strategic Plan 2018/19

Portfolio Holders: Councillor Amanda Chadderton, Cabinet Member for Children's Services and Councillor Ateeque Ur-Rehman, Cabinet Member for Policing & Community Safety

Officer Contact: Merlin Joseph, Director Children's Services

12th December 2018

Reason for Decision

It is a statutory duty of the Local Authority to produce an annual plan. The Youth Justice Strategic plan (Appendix A) sets out the strategy for Oldham Youth Justice Service (YJS) in 2018/19 with an outline action plan setting out how it will achieve its primary functions and key objectives.

Recommendations

Approval of the Youth Justice Strategic Plan 2018/19

Youth Justice Strategic Plan 2018/19**1 Background**

- 1.1 Oldham is one of nine YOTs in Greater Manchester within the North West region and is the only statutory Youth Justice Service (YJS) in England & Wales which is sub-contracted by the Local Authority and directly delivered by an independent charitable trust - Positive Steps (PS). PS also provides an integrated range of targeted services, including: Information, Advice & Guidance services; an 'Early Help' offer aimed at preventing young people from entering the youth justice system; the Borough's teenage pregnancy strategy; a young people's substance misuse service; sexual health services, missing from home return interviews and the young carers' support service. The Centre, through which all these services are delivered, also hosts a range of partner services including: Healthy Young Minds; a generalist nurse and assistant practitioner team; counselling services; housing advocacy and mediation services and the after-care duty team from the Council's Children's Social Care. Oldham is a medium-sized YJS, employing 29 staff and currently has 15 volunteers. The YJS is managed in an integrated way alongside other services to support children, young people and families within a Targeted Services Directorate at PS.
- 1.2 In addition the YJS benefits from a seconded police officer and a team of three health staff who assess all YJS clients and provides direct medical support or referral where needed. The Probation service seconds one full time officer. A Volunteer Coordinator is employed within Positive Steps with a strong volunteer workforce in the YJS which contributes, in the main, to the work the service undertakes with young people subject to Reparation and Referral Orders.
- 1.3 The Service is overseen by the Youth Justice Management Board which includes representatives from the Local Authority and other statutory partners. The Board holds the service to account for achieving the performance targets, provides challenge where required and endorses the strategic direction and operational delivery of the service.

2 Current Position

- 2.1 This purpose of this plan seeks to inform the strategic direction of Oldham Youth Justice Service (YJS) in 2018/19 and outline how it will achieve its primary functions and the identified key objectives and developments. The primary functions of the services are:
- The reduction in First Time Entrants (FTE) to the criminal justice system
 - The reduction in Re-Offending following both pre and post court disposals
 - The reduction in the use of Custody for offenders
 - To effectively protect the public
 - To effectively safeguard children and young people
- 2.2 2018/19 has seen continued developments in wider policy and governance. Greater Manchester has seen emerging change through the GM Children's Service Review. This work is a reflection of the devolution of power to Greater Manchester in key policy areas, including criminal justice. Oldham continues to work with all key GM decision makers and stakeholders to ensure the quality of local provision is maintained and improved. In response Oldham has taken a key role in the development and continuation of Greater Manchester priorities. Oldham holds a lead role in the development of the following areas:
- Resettlement
 - Evidence based practice

- Out of court Disposal (pilot area)
- Problem Solving courts (pilot area)

2.3 The action plan is separated into two sections, one focussing on 2018/19 priorities and service delivery to achieve the outcomes and the second focussing on development which is costed. The costed plan is a requirement of the Youth Justice Board (YJB) to reflect the decision made by the Ministry of Justice (MoJ) that core funding for Youth Offending Teams must be provided by the local authority partnership. The grant provided by the MoJ via the YJB must only be used for development work. Costed Plans have to show detail of how the grant will be used to develop the provision for clients, staff and the service as a whole and has to be agreed by the YJB. All aspects have to be accounted for and an audit trail produced if requested.

3 **Option**

3.1 To approve the Youth Justice Strategic Plan 2018/19

4 **Preferred Option**

4.1 As outlined at 3.1

5 **Consultation**

5.1 Consultation has taken place with key partners, the Youth Justice Management Board and the Youth Justice Board. The Youth Justice Board has endorsed the priorities and spend outlined within the plan.

6 **Financial Implications**

6.1 The Youth Service Budget for 2018/19 which sits within the Youth Justice Strategic Plan 2018/19 (section 16) is summarised in the table below;

Agency	Total (£k)
Local authority	636
National Probation Service	5
Police and crime commissioner	90
YJB Youth Justice Grant	467
Other	29
Total	1,227

The line items Youth Justice Grant and 'Other' total £496k and are funded directly by the Youth Justice Grant.

The Local Authority budget within the plan is £636k and from an Authority perspective forms part of a larger contract with Positive Steps for a range of services, with a total anticipated value of £2,123k in 2018/19 compared to a budget of £1,997k; a potential shortfall of £126k. Funding of £60k has been identified from the Tackling Troubled Families reserve to partially fund the gap, the remaining gap of £66k that will be delivered by way of an in year reduction to the contract sum negotiated across the full range of provision.

-
- 7 **Legal Services Comments**
- 7.1 It is necessary for the Youth Justice Strategic Plan 2018/19 to be considered and approved by the Authority in order to comply with its statutory obligations in this regard. (Colin Brittain)
8. **Co-operative Agenda**
- 8.1 The plan aims to reduce the number of young people with offending behaviours and has put in place restorative justice approaches within the community to manage young people using an asset based model.
- 9 **Human Resources Comments**
- 9.1 Not applicable
- 10 **Risk Assessments**
- 10.1 Not applicable
- 11 **IT Implications**
- 11.1 Not applicable
- 12 **Property Implications**
- 12.1 None
- 13 **Procurement Implications**
- 13.1 None
- 14 **Environmental and Health & Safety Implications**
- 14.1 None
- 15 **Equality, community cohesion and crime implications**
- 15.1 The whole focus of the Youth Justice plan is to reduce reoffending and put appropriate support measures and services in place to prevent young people coming into the criminal justice system.
- This is being carried out by working with all key partners including the business and voluntary sectors to put into place restorative measures that will reduce the need for custody.
- 16 **Equality Impact Assessment Completed?**
- 16.1 No
- 17 **Key Decision**
- 17.1 Yes
- 18 **Key Decision Reference**
- 18.1
-

19 **Background Papers**

19.1 None

20 **Appendices**

20.1 Appendix A - Youth Justice Strategic Plan 2018/19

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YOUTH JUSTICE STRATEGIC PLAN 2018/19

July 2018



POSITIVE STEPS
Support | Challenge | Change

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2. PURPOSE OF THE PLAN

This plan seeks to inform the strategic direction of Oldham Youth Justice Service (YJS) in 2018/19 and outline how it will achieve its primary functions and the identified key objectives and developments.

The primary functions of the services are:

- The reduction in First Time Entrants (FTE) to the criminal justice system
- The reduction in Re-Offending following both pre and post court disposals
- The reduction in the use of Custody for offenders
- To effectively protect the public
- To effectively safeguard children and young people

3. INTRODUCTION (INCLUDING PARTNERSHIP ARRANGEMENTS)

Oldham is one of nine YOTs in Greater Manchester within the North West region. To the best of our knowledge, Oldham YJS is the only statutory YJS in England & Wales which is sub-contracted by the Local Authority and directly delivered by an independent charitable trust - Positive Steps (PS). PS also provides an integrated range of targeted services, including: Information, Advice & Guidance services; an 'Early Help' offer aimed at preventing young people from entering the youth justice system; the Borough's teenage pregnancy strategy; a young people's substance misuse service; sexual health services, missing from home return interviews and the young carers' support service. We also deliver a range of family-based services. The Centre, through which all these services are delivered, also hosts a range of partner services including: Healthy Young Minds; a generalist nurse and assistant practitioner team; counselling services; housing advocacy and mediation services and the after-care duty team from the Council's Children's Social Care. Oldham YJS, employs 29 staff and currently has 15 volunteers. The YJS is managed in an integrated way alongside other services to support children, young people and families within a Targeted Services Directorate at PS, the other services include:

- Integrated substance misuse and sexual health services delivered through the OASIS and Brook partnership
- Early Help
- CGSS for young people and adults
- Oldham Young carers
- Missing from Home Return Interview Service
- NLP Consultant providing therapeutic support to clients across the services
- Healthy Schools
- Teenage Pregnancy and Sexual Health Strategy

In addition to our directly-employed staff the YJS benefits from a seconded police officer. Bridgewater provide a team of three staff who assess all YJS clients and provides direct medical support or referral where needed. The Probation service seconds one full time officer. We employ a

Volunteer Coordinator within Positive Steps and within the YJS have a strong volunteer workforce which contributes, in the main, to the work the service undertakes with young people subject to Reparation and Referral Orders.

The Service is overseen by the Youth Justice Management Board which includes representatives from the Local Authority and other statutory partners. The Board holds the service to account for achieving the performance targets, provides challenge where required and endorses the strategic direction and operational delivery of the service.

The YJS has a strong tradition of working effectively with partners at a range of forums including:

- Oldham's Best Start in Life Board (Sub group of Health and Wellbeing)
- Greater Manchester Senior Leadership Group (GMSL)
- Community Safety and Cohesion Partnership (CSCP)
 - Reducing reoffending board
 - Operation Challenger
- Local Safeguarding Children Board including the following sub groups:
 - Child Sexual Exploitation and Missing
 - Safeguarding and Wellbeing in Education
 - Serious Case Review
 - Audit and Scrutiny
 - Policy and procedure
 - Training
- Drug and alcohol strategic forum
- Teenage Pregnancy and Sexual Health Board
- Greater Manchester Youth Justice University Partnership (GMYJUP)
- Children's Social Care Resource Panel
- Corporate parenting panel
- Integrated Offender Management Steering Group
- Greater Manchester Youth Justice Strategic Managers
- North West Resettlement Consortium

2018/19 has seen continued developments in wider policy and governance. Greater Manchester has seen emerging change through the GM Children's Service Review. This work is a reflection of the devolution of power to Greater Manchester in key policy areas, including criminal justice. Oldham continues to work with all key GM decision makers and stakeholders to ensure the quality of local provision is

maintained and improved. In response Oldham has taken a key role in the development and continuation of Greater Manchester priorities. These are outlined in **appendix 1** of this document. Oldham holds a lead role in the development of the following areas:

- Resettlement
- Evidence based practice
- Out of court Disposal (pilot area)
- Problem Solving courts (pilot area)

4. POSITIVE STEPS (PS)

As an independent charitable trust, Positive Steps Oldham (PS) is unique in England in the way it provides an integrated range of targeted support services for young people. Its charitable objectives are:

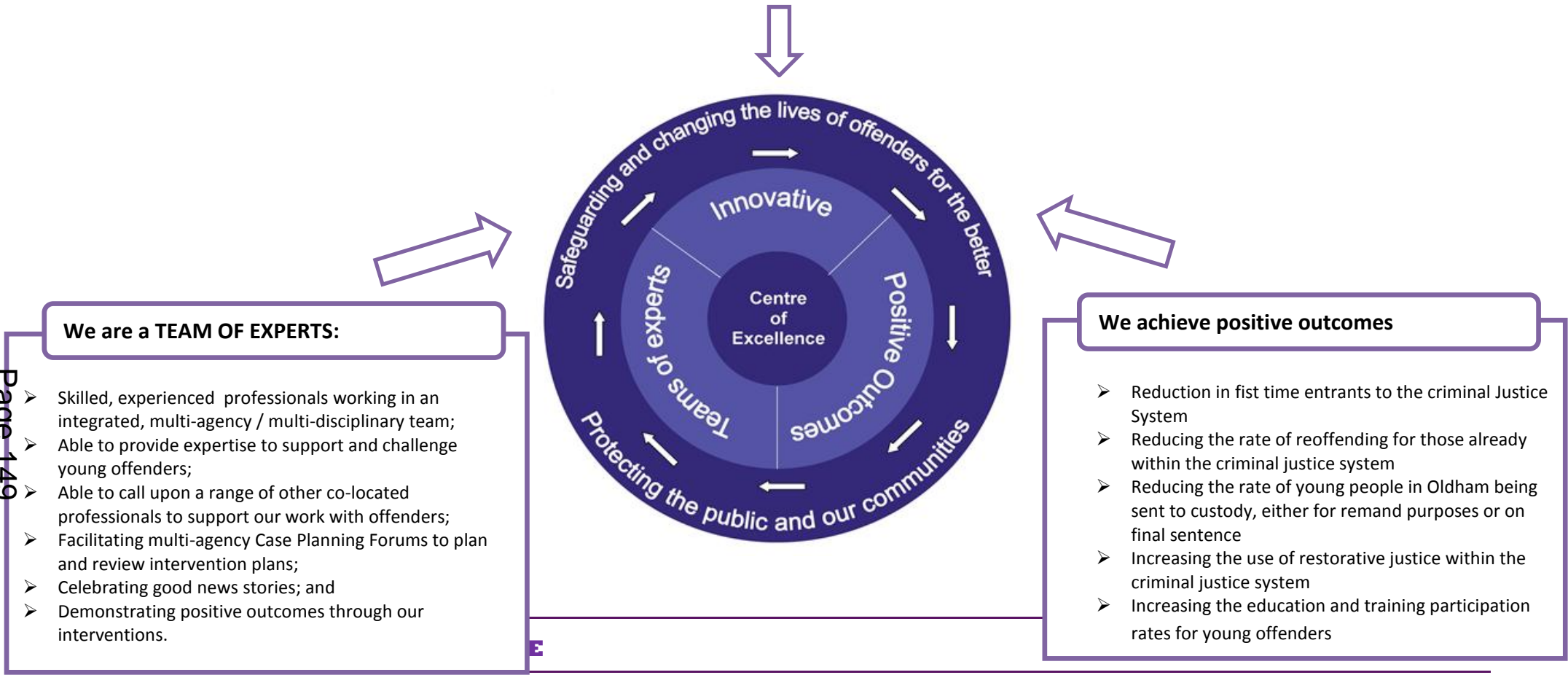
The objects for which the Company is established (“**Objects**”) are:

1. to advance the education and training of young people in order to prepare them for working and adult life;
2. the relief of unemployment for the public benefit in such ways as may be thought fits, including providing assistance to find employment;
3. the provision of recreational facilities for young people in the interests of social welfare;
4. the promotion of public safety;
5. the prevention of crime and the rehabilitation of young offenders;
6. advancing in life and helping young people by developing their skills, capacities and capabilities to enable them to participate in society as independent, mature and responsible individuals;
7. the relief of sickness and the preservation of health among people residing permanently or temporarily in such locations as the Company is commissioned to deliver services;
8. the provision of support and activities which develop their skills, capacities and capabilities to enable them to participate in society as mature and responsible individuals;
9. to assist in the treatment and care of persons suffering mental or physical illness arising from substance abuse or in need of rehabilitation as a result of such illness.

Oldham YJS Vision

We use evidence-based practice but also INNOVATE in our approach:

- Identifying what can be done more efficiently or effectively;
- Creating opportunities for learning from new ways of working both internally and externally;
- Believing that we can find the solutions; but if what we need doesn't exist, we will create it;
- Not being afraid to do something differently – if what we normally do doesn't work it has to change; and
- Extending our boundaries and embracing new thinking.



The YJS is overseen by a Youth Justice Management Board which reports to both the Children’s Trust and the Community Safety and Cohesion Partnership. Quarterly meetings are held to hold the service to account and performance monitoring is well embedded within these meetings. Performance monitoring includes ensuring that terms and conditions set out in the YJB grant are maintained. The board is active and represents statutory partners but also the wider partnership essential to overcome barriers to multi agency working.

Positive Steps Oldham – Board of Trustees

**DIRECTORS/TRUSTEES
Partner Representatives**

Mrs Julie Edmondson
Chair
(Community Representative)
Ms Vicki Devonport
(Community Representative)
Hannah Roberts
(Community Representative)
Joanne Taylor
(Community Representative)
Muzahid Khan
(Community Representative)

**DIRECTORS/TRUSTEES
Oldham MBC**

Cllr Amanda Chadderton
Cllr Paul Jacques
Cllr Garth Harkness
Cllr Mohan Ali

6. OLDHAM YOUTH JUSTICE SERVICE - MEMBERSHIP OF YOUTH JUSTICE MANAGEMENT BOARD

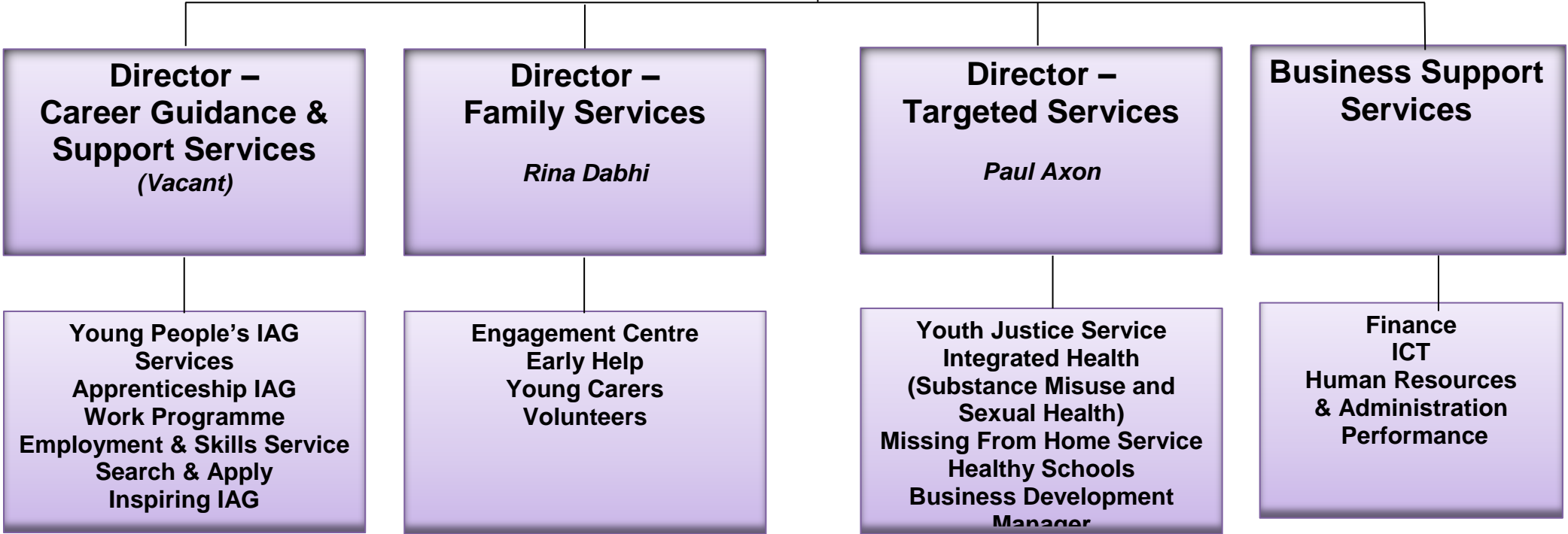
Name	Job title	Organisation
Jill Beaumont (Chair)	Director, Early Help and Social Care	Council
Steph Bolshaw	Chief Executive	Positive Steps

Paul Axon	Director (Head of YJS)	Positive Steps
Ann Marie McGinn	Supported Housing Project Manager, Housing Strategy	Council
Nisha Bakshi	Assistant Chief Officer	National Probation Service
James Faulkner	Detective Chief Inspector, Oldham Division	Greater Manchester Police
John Cotton	Head Legal Advisor	South Cluster Magistrates Court
Siobhan Ebdon	Head of Children's Services	Community Health Services
Angela Welsh	Senior Commissioning Business Partner	NHS Clinical Commissioning Group
Kay Thomas	District Manager	Bridgewater Community Healthcare
Patsy Burrows	Head of Service for Looked After Children and Children with Additional Needs	Children's Social Care
Laura Windsor-Welsh	Partnerships Service Manager	Action Together

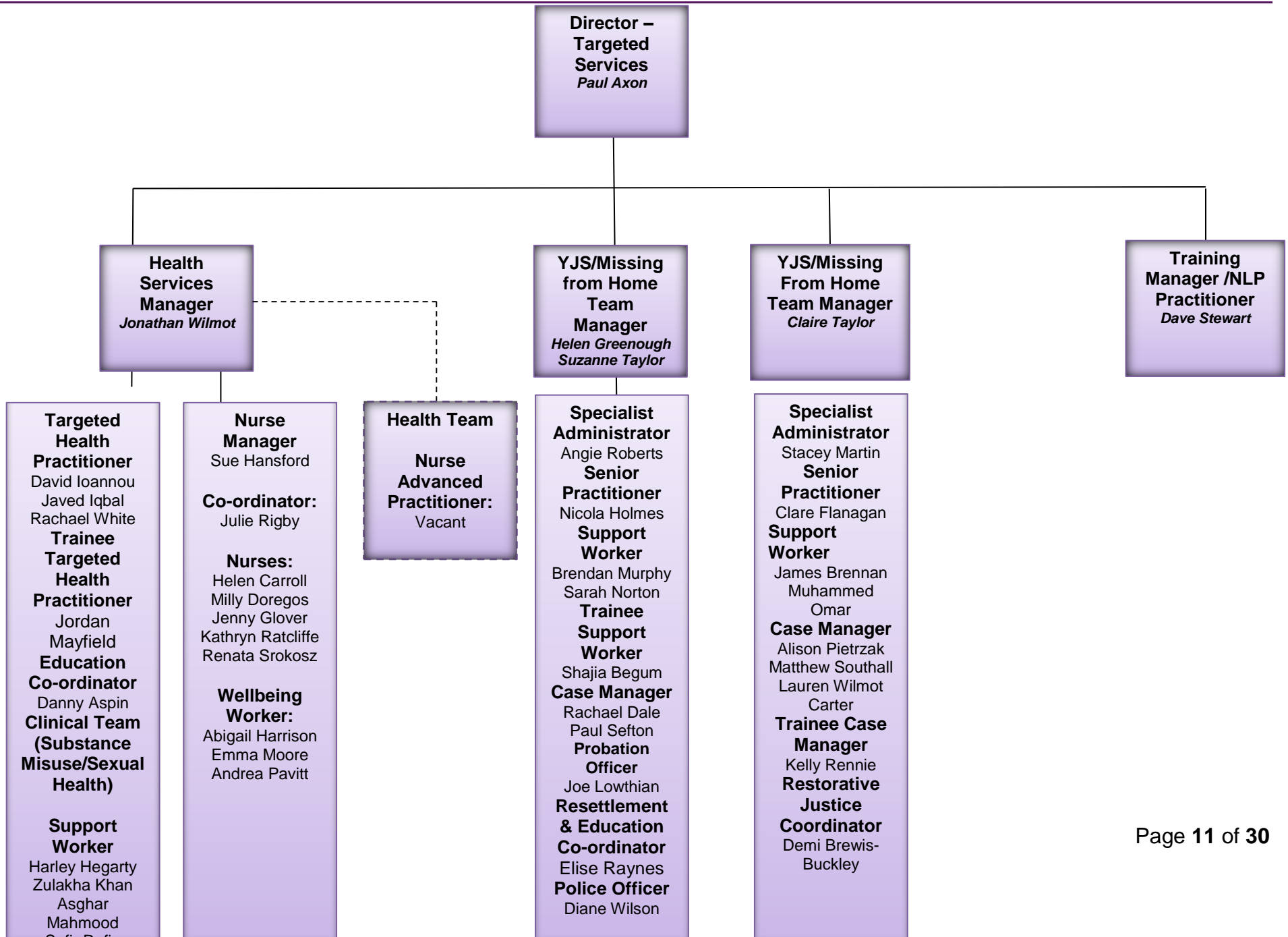
7. OVERALL STRUCTURE

Board of Trustees

Chief Executive
Steph Bolshaw



8. TARGETED SERVICES (INCLUDING YOUTH JUSTICE SERVICE)



9. PERFORMANCE REPORT

Performance reports based on the key objectives are provided quarterly to the YJMB and Community Safety and Cohesion Partnership. Reports are also made to the Local Safeguarding Children Board (LSCB). These reports are used within the YJS Management Team and are shared across staff teams.

The three main indicators are:

- Number of First Time Entrants
- Re-offending rates
- Custody rates

In addition to the National data set a number of measures are also collected locally for monitoring purposes, included in this plan are the ETE and LAC data which are only monitored locally.

We also produce local 'caseload management' and 'data checking' reports to help Managers and staff to ensure that data accuracy and client contact standards are maintained.

10. FIRST TIME ENTRANTS

First Time Entrants (FTEs) are classified as young people, resident in England and Wales, who received their first youth caution, youth conditional caution or court conviction, based on data recorded by the Police National Computer (PNC). Nationally the Youth Justice Board utilises Police National Computer (PNC) data linked to the offenders' postcodes to report retrospectively on each YOTs performance on a rolling 12-month basis. The indicator measures the rate of first-time entrants to the criminal justice system per 100,000 of 10 to 17 year olds.

FTE PNC rate - September 2014 to 2017					
FTE PNC rate per 100,000 of 10-17 population (Good performance is typified by a negative percentage)	Oldham	North West	Greater Manchester	*Family comparison group	England
Oct 16 - Sep 17	301	262	272	327	304
Oct 15 - Sep 16	354	301	345	351	340
percent change from selected baseline	-15.0%	-12.8%	-21.1%	-6.8%	-10.7%
Oct 15 - Sep 16	341	298	339	279	334
Oct 14 - Sep 15	417	352	404	400	380
percent change from selected baseline	-18.1%	-15.4%	-16.2%	-30.2%	-12.0%
Oct 14 - Sep 15	418	349	397	360	376
Oct 13 - Sep 14	459	414	471	380	426
percent change from selected baseline	-8.9%	-15.8%	-15.7%	-5.3%	-11.8%

* New Family Group used for Sep 16/17 comparison

We have seen a reduction in first time entrants in Oldham, which is welcome for those young people who are at no risk of further offending or in need of wider support services. Oldham is currently piloting new ways of working with young people at prevention level, with the 'Out of Court Disposals Framework'. The framework has been designed in partnership with young people involved in the criminal justice system, through the partnership with Manchester Metropolitan University. This is at a very early stage however we have seen high levels of engagement with the new approach and a low level of reoffending to date.

There should also be a note of caution attached to the success of reducing first time entrants- although it is very welcome that young people are avoiding unnecessary criminalisation there are signs locally and nationally that some young people are in contact with the police on a repeat basis, sometimes for offences and issues that need addressing, without any consequence or support. The new framework should allow us to see more of these young people and prevent them entering the system at high tariff offence levels, as we have seen in recent incidents of serious youth violence. This response may potentially result in an increase in FTE overall but a reduction in offences and serious crimes overall.

11. RATE OF RE-OFFENDING

Nationally the rate of reoffending amongst young people is measured using data from the Police National Computer (PNC).

The rate of reoffending is presented in three ways:

A **frequency** measure of offending - the average number of re-offences per offender

A **re-offence** measure of offending - the average number of offences per young person who went on to re-offender

A **binary** measure of reoffending – the percentage of young people who re-offended

Previously young people during a 12-month period cautioned, convicted (other than custody) or released from custody were tracked for reoffending levels. However, national changes made earlier this year mean that young people in a 3-month period (rather than 12-month) are now tracked for further offences over the next 12 months.

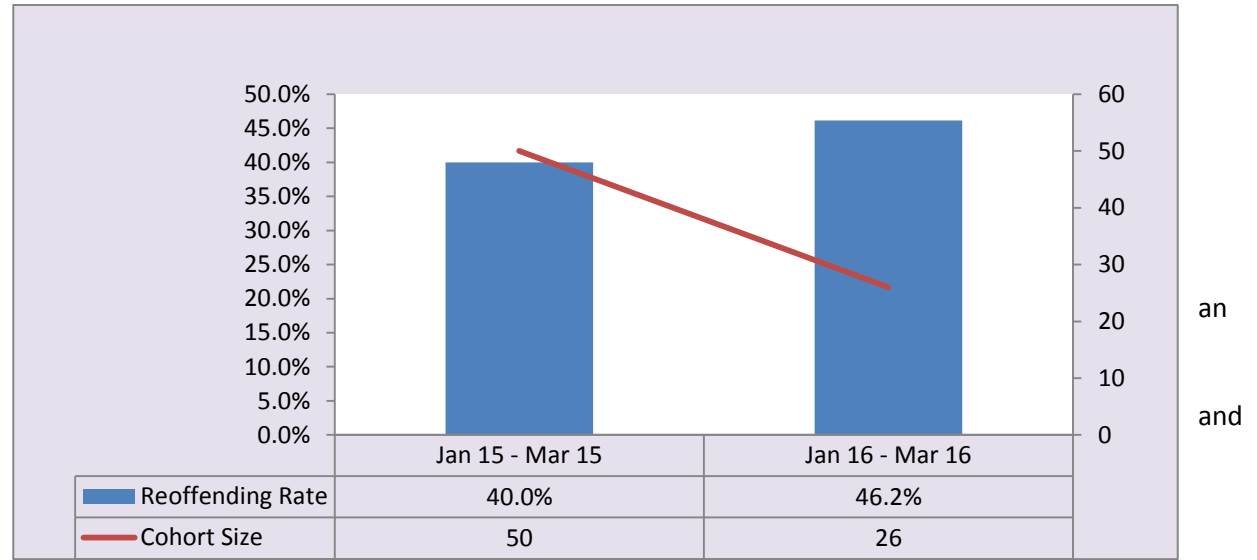
The table below compares the last 2 years reoffending rates and the newly introduced 3-month measure. Under the revised reoffending measures, Oldham's re-offending rates have been negatively impacted upon and are at the highest for some time. Historically Oldham has had low numbers of reoffenders with a small cohort of prolific offenders. As the new rates measure 3 months only, the offender cohort is now much smaller and therefore the proportion of prolific offenders magnified. The change to 3-month cohorts also means that most prolific offenders now have index offences in all four 3 month cohorts, whereas under the old measure, prolific offenders would have one index offence identified over a 12month period.

Reoffending Rates	Oldham	North West	Greater Manchester	*YOT family comparison group	England
Reoffences per reoffender Jan 16 - Mar 16 cohort (New 3 mth cohort)	8.75	4.33	4.90	3.93	3.85
Reoffences per reoffender Apr 14 - Mar 15 cohort	4.22	3.51	3.56	3.77	3.27
Reoffences per reoffender Apr 13 - Mar 14 cohort	3.86	3.47	3.69	3.51	3.13
Frequency rate per offender Jan 16 - Mar 16 cohort (New 3 mth cohort)	4.04	1.93	1.96	1.76	1.62
Frequency rate - Apr 14 - Mar 15 cohort	1.30	1.42	1.37	1.51	1.23
Frequency rate - Apr 13 - Mar 14 cohort	1.36	1.39	1.42	1.45	1.19
Binary rate - Jan 16- Mar 16 cohort (New 3 mth cohort)	46.2%	44.6%	40.1%	44.7%	42.1%
Binary rate - Apr 14 - Mar 15 cohort	30.9%	40.3%	38.4%	40.1%	37.7%
Binary rate - Apr 13 - Mar 14 cohort	35.4%	40.2%	38.5%	41.2%	37.9%
* New Family Group used for Jan - Mar 16 cohort					

Clearly it is concerning to see what appears to be increases across all reoffending rates under the revised measures. It is however worth remembering that this does not indicate an increase in actual numbers of offenders, or total offences committed.

As can be seen on the chart although Oldham’s binary rate of reoffending has increased by 6% in the last quarter, the actual number of young people committing initial offence has almost halved from 50 to 26 cases.

Oldham has less young people offending, reoffending less offences committed than neighbouring Tameside (with a comparative population).



Further analysis of the numbers behind the latest rates are shown in the family comparator table on the next page. Looking at Oldham’s YOT family group, it can be seen that during Jan 16 to Mar 16, Oldham not only had the lowest number of offenders and also one of the lowest number of reoffenders in our grouping. Put another way only a third of our offenders went on to reoffend, demonstrating the impact of work with the cohort as a whole and highlighting us as the second most successful service within the comparators.

As reoffending numbers are provided via records held on the Police National Computer, we are not able to verify our offender numbers against national data. However, analysis of reoffenders during Jan to March 16 broadly tallies with the national numbers and shows that a small number of prolific offenders (5 yps) committed two-thirds of all reoffences during the following 12 months. Of these 5 reoffenders, 4 have recently turned 18 years old and are no longer working with the YJS.

There does however clearly remain an issue with a small number of young people having a damaging impact on the community by committing numerous offences. Broadly speaking the offences tended to be of a low level however continued focus on prolific offenders needs to be a priority going forward, particularly engaging partnership solutions to often complex issues.

Reoffending Numbers Jan 16 - Mar 16						
Table 2 Reoffender numbers and rates for YOT family comparative group.	Number of YP offending during the 3 month period	Number of YP in cohort reoffending	Number of offences committed by reoffenders	Reoffences per reoffender	Reoffences per offender	% Reoffending (Binary Rate)
Oldham	26	12	105	8.75	4.04	46.2%
Bradford	127	62	241	3.89	1.90	48.8%
Bury and Rochdale	74	32	148	4.63	2.00	43.2%
Kirklees	65	35	129	3.69	1.98	53.8%
Family Average	57	25	100	3.93	1.76	44.7%
Bolton	55	20	68	3.40	1.24	36.4%
Tameside	46	21	122	5.81	2.65	45.7%
Derby	45	17	57	3.35	1.27	37.8%
Newport	44	26	99	3.81	2.25	59.1%
Dudley	43	18	47	2.61	1.09	41.9%
Walsall	38	12	37	3.08	0.97	31.6%
Blackburn with Darwen	29	10	47	4.70	1.62	34.5%

12. YOUNG PEOPLE RECEIVING A CONVICTION IN COURT WHO ARE SENTENCED TO CUSTODY

The custody indicator measures the number of young people given a custodial sentence in a rolling 12-month period and is presented as a rate per 1,000 of the general 10–17 year-old population. Nationally the data is collated through the Youth Justice Management Information System (YJMIS) with comparative data available from across all English YOTS.

Oldham's custody level is roughly in line with comparators, although GM and our family comparison group is significantly above the England average. Serious youth violence is a significant contributory factor to the levels of custody within Oldham. There is a significant amount of focussed work on a partnership basis, through the youth violence strategy, to improve our response to these issues.

Immediate steps have been taken in Oldham to identify potential serious youth violence at an earlier stage and develop a more robust approach. This includes the allocation of all cases (whether pre or post court) to qualified case managers for assessment, the use of the Out of Court Disposal Framework to improve engagement at an earlier level, an increased focus on 15-year-old and younger cohorts to ensure that partnership support is available and the recent employment of an educational specialist to support young people into education, training and employment throughout the cohort. There are currently 8 young people serving custodial sentences, of which half will be supervised by the YJS on release over the course of this year. 50% of the cohort have had no previous YOT involvement prior to custody. One young person was previously LAC, the majority having had lower level social services involvement.

Use of custody rate per 1,000 of 10 -17 population -Good performance is typified by a low rate	Oldham	Greater Manchester	*YOT family comparison group	England
Jan 17 - Dec 17	0.60	0.57	0.57	0.38
Jan 16 - Dec 16	0.65	0.63	0.63	0.39
change from selected baseline	-0.05	-0.06	-0.06	-0.01
Jan 16 - Dec 16	0.61	0.59	0.45	0.37
Jan 15 - Dec 15	0.77	0.70	0.63	0.43
change from selected baseline	-0.16	-0.11	-0.18	-0.07
Jan 15 - Dec 15	0.74	0.54	0.36	0.40
Jan 14 - Dec 14	0.41	0.76	0.46	0.44
change from selected baseline	0.33	-0.21	-0.10	-0.04

* New Family Group used for Jan 16 - Dec 17 comparison

13. ENGAGEMENT OF YOUNG OFFENDERS IN SUITABLE EMPLOYMENT, EDUCATION AND TRAINING (ETE)

The YJS has a statutory obligation to record whether young people completing community and custodial orders are actively engaged in suitable employment, education or training when their order comes to an end. Oldham YJS use this information to inform a local measure of young offender's engagement in ETE. Results are extracted using the local case management system (IYSS). Although ETE case data is also submitted centrally to the Youth Justice Management Information System (YJMIS), the Youth Justice Board does not yet offer comparative ETE data at a national level.

This is an important indicator in measuring the impact of the YJS and partner interventions when young people reach the end of their court order. The ETE outcomes for young people involved in the criminal justice system are a positive reflection of the integrated offer across Positive Steps. This has recently been reinforced by the addition of a resettlement and education co-ordinator to the team to maintain and improve outcomes.

Percentage of YP engaged with the Young Justice Service who are in suitable education, employment or training 2017/18	Outcome (cummulative total each qtr)	Year end 2009/10 (Baseline)	Change from baseline
Qtr 1	88%	77%	11%
Qtr 2	89%	77%	12%
Qtr 3	86%	77%	9%
Qtr 4	85%	77%	8%

14. LOOKED AFTER CHILDREN CONVICTED OF AN OFFENCE.

Local authorities measure the number of young people who have been continuously looked after for a 12-month period and during this time have committed an offence resulting in a court outcome or caution. The results are measured using a rolling 12-month total and presented quarterly.

During 2016/17 Oldham YJS had the target for this measure reduced from 7% to a challenging 5%. This was an ambitious target and wasn't reached. However, we felt it was right to maintain the ambition due to the nature of the cohort and impact this reduction could have across the partnership. Encouragingly during the last 2 quarters of 2017/18 the target has now been met.

Rolling 12 month period	Number of 10 - 17 yr olds continuously looked after in 12 month period	Number of 10-17 yr olds convicted or subject to a Youth Caution	*Percentage of looked after children aged 10+ convicted or subject to a caution during a 12 month period
July 16 to June 17	192	12	6.25%
Oct 16 to Sept 17	204	11	5.40%
Jan 17 to Dec 17	175	8	4.57%
April 17 to March 18	232	9	3.88%
* Target measure 5%			

Looking at the broader context of young people in care and involved with the YJS either pre or post court analysis of numbers show that statistically **1.5 in every 100 young people in the general population worked with the YJS as opposed to 14 in every 100 LAC cases**. This equates to young people in care being almost 9.5 times more likely to work with the YJS compared to the general population. This reflects national trends but remains a significant concern for the partnership.

Positive Steps sits in a unique position relating to care homes and the integrated offer available. The staff work across disciplines and several are allocated single points of contact for children who go missing from care homes. They also carry out interventions for the youth justice service and so we are aiming to build on these links to develop a 'trusted adult' model for those young people who cut across these service areas. There is a wider piece of work, looking for funding from external sources and led by the local authority, however there are immediate actions that can be taken to build this approach.

The number of LAC/FTE is reducing, with the largest reduction from baseline in the most recent quarter's performance. We are working hard to continue to reduce this figure. We are working closely with care homes and Children's Social Care to ensure that RJ is used appropriately for offences committed within care homes. In relation to LAC who commit offences outside of the care home/foster care we continue to put in place robust multi agency support packages.

15. KEY DEVELOPMENTS, RISKS AND OPPORTUNITIES

- **Youth Violence**

Unfortunately, this year has seen a spike in serious youth violence, as outlined previously. Oldham YJS is working with the partnership as a lead agency in the development of a youth violence strategy. This will include reviewing the resources available to us to tackle this issue and ensuring that we are directing our interventions at those most in need. Proposed plans include the development of a post linked to Accident and Emergency to support young people admitted more quickly and further developing a mentoring activity for young people at risk of gang activity. As part of this workstream we are working with partners to develop an intelligence led youth panel which will more accurately identify those in need of support and refer them into a variety of interventions and activities.

- There will be a continued commitment in 18/19 to the effective delivery and engagement of young people and families onto the Which Way programme of intervention which focusses on diversionary activities for those at risk of criminal exploitation and those believed to be linked to known organised crime. Since the start of 2018, a total of 21 young people have been referred to The Project. The current uptake for engagement stands at 86%, with only 3 young people having not wished to take up the offer of support.

- **Peer on peer violence and pathway/Contextual Safeguarding**

Oldham have led on the development of a peer on peer pathway, working within the framework of contextual safeguarding. The pathway aims to support practitioners in improving their knowledge of safeguarding outside of the family home and is particularly important when considered in the context of increasing youth violence. We also delivered partnership training on the issue.

- **Quality Assurance**

Oldham have had three QA exercises completed with 2017/1018. These have involved:

- Peer review from a team of managers within greater Manchester services
- A small sample of cases subject to oversight as part of inspection training from HMIP
- A Local Children's Safeguarding Board inspection focussing on cases involved within the youth justice system

The results have been positive overall from each of the QA's and action plans are in place to support improvements and build on practice.

- **Restorative Justice**

A distinct post has been developed relating to restorative justice and we are seeing an increase in victim engagement and conferences as a result. In addition the work done at out of court disposal level means that problematic use of restorative justice is being challenged regularly to ensure quality, meaningful interventions are being carried out at the earliest point.

- **Resettlement/Education**

The development of the Education and Resettlement Co-ordinator post works to ensure that there is a continued commitment to the delivery of high quality resettlement practice for young people and their families from point of sentence through to release from custody, to include support with family relationships, sustaining suitable accommodation and engagement in Education Training and employment.

Work will also be carried out to increase young people's participation in appropriate Education, Training and Employment within the offending cohort both pre and post-Court by developing effective links with partner agencies. Support will be provided for young people who are Not in Education, Employment or Training (NEET), to co-ordinate a support package leading to a positive destination. This involves partnership working with schools, IAG, perspective employers and other relevant agencies and families.

- **Neglect Toolkit:**

It has become clear that a core issue relating to offending is neglect of children and young people. Staff have been trained in a relatively simple assessment tool to highlight signs of neglect and help facilitate pathways into relevant social care support, or at lower levels to work with families around the issue

- **Trauma Checklist:**

Similarly, Trauma is also a key characteristic of many young people's offending behaviour. There is a growing recognition that the complexity of the caseload has been rising, with heightened need relating to trauma. The trauma checklist is an evidence based tool use to identify young people's issues and highlight needs. We have worked in partnership with children's social care and healthy young minds to train staff in its use and highlight key issues. The tool as acts as leverage when referring to further specialist agency support. The pilot phase of the tool is now drawing to a close so there is some risk that this won't be available on an ongoing basis.

- **Communicate:**

The communicate project works to ensure that young people are assessed and receive interventions relating to literacy and communication skills. The programme has now been in progress for 2 years and is a key element of our offer to tackle the contributory factors of reoffending. Young people who may have missed key elements of education are trained in an accessible, targeted format to rapidly improve the core elements of communication.

- **Evidence based practice**

Oldham has led developments relating to evidence in practice. This year has seen the continuation of the ground-breaking Knowledge Transfer Partnership. The KTP is hosted by Positive Steps, working across Greater Manchester to embed evidence based practice and create innovation in youth justice.

- **Out of court disposals and Early Help**

17/18 has seen a focus on the impact of out of court disposals as a pilot area for development of the new out of court framework , aligned with the partnership work Positive Steps led within Manchester Metropolitan University. The pilot has been successful and the approach is now due to be rolled out across Greater Manchester.

- **Problem Solving Courts**

Oldham is now beginning a new pilot relating to problem solving courts. It's hoped, that in conjunction with the OOCB pilot, this will support a 'whole system' problem solving approach to improving outcomes in youth justice. This is in early stages of development and will be reported through the board during 18/19

- Oldham have continued to be fully involved in the devolution agenda and subsequent review of youth justice, both nationally and within Greater Manchester. Oldham is leading in three areas of the review; resettlement, the development of evidence-based practice/innovation and the safeguarding of young people in Wetherby YOI. As with all devolution and governance transitions, there is a risk that local delivery (and performance) will be compromised, however we are working hard to engage with the agenda to mitigate these risks.

- We have worked collectively with the Oldham partnership to develop a set of interventions, under the umbrella of ‘Which Way’ that seek to target those within complex safeguarding cohorts and create preventative pathways away from these harmful behaviours. The approach was showcased at the Youth Justice Convention, with the chair of the board recognising Oldham’s innovative approach
- There remain funding risks relating to delivery of youth justice in Oldham. Partnership contributions has gradually reduced throughout the life of the service and the supporting services have also had reduced resource to deliver. This is particularly acute in relation to prevention activity with a clear trend of demand outstripping the resource available. We continue to work with partners in early help to support pathways into other services however this is the clearest risk for continued sustained performance.

16. YOUTH JUSTICE SERVICE BUDGET 2018/19

Agency	Staffing costs (£)	Payments in kind –	Other delegated	Total (£)
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		revenue (£)	funds (£)	
Local authority*			<i>635,657</i>	<i>635,657</i>
Police Service				
National Probation Service			<i>5,000</i>	<i>5,000</i>
Health Service				
Police and crime commissioner**			<i>90,000</i>	<i>90,000</i>
Welsh Government				
YJB Youth Justice Grant (YRO Unpaid Work Order is included in this grant)			<i>467,033</i>	<i>467,033</i>
Other***			<i>28,864</i>	<i>28,864</i>
Total			<i>1,226,554</i>	<i>1,226,554</i>

* For multi-authority YOTs, the totality of local authority contributions should be described as one figure.

** Any money from the police and crime commissioner that has been routed through a local crime reduction partnership should be included here.

*** It should be noted that the 'Other' category is for additional funding that the YOT can use for any general youth justice activities. Accordingly, funding such as the YJB Grant for Junior Attendance Centres should not be included as there is an expectation that these streams must be used for the delivery of services as intended, only when this has been achieved can any surplus be reinvested within wider YOT service delivery.

17. RESOURCING AND VALUE FOR MONEY (ALSO SEE APPENDIX 1)

The complexities of YJS funding streams, which identify resources for specific groups of clients, have both enabled us to target resources towards clients with the greatest need, but also allowed us some flexibility with individual specialisms to enable a wider group of young people to benefit from enhanced provision.

Oldham YJS, being part of an integrated targeted services delivery model, benefits from increased value for money from many of the co-located service areas.

All organisations face the continuing challenge of maximising resources and demonstrating value for money to funders and commissioners – Positive Steps is no different. The complexities of the funding streams have both enabled us to target resources towards clients with the greatest needs whilst still allowing flexibility to ensure wider groups of clients benefit from enhanced provision. Value for money is a significant benefit of the integrated service delivery model with a wide range of co-located services enabling practitioners to provide a high quality multi-faceted service to clients. We benefit from having an internal Business Support Team providing a cost effective, timely and high-quality support service across the organisation.

We've provided added value to the local authority in supporting service integration and collaboration and maintained charges to schools and colleges for traded services rather than increasing them. Additionally, we have been able to be creative in how we use resources when we've been required to provide cover.

The successful Positive Steps Volunteer Strategy demonstrates value for money and offers opportunities for increased integration and mutual benefits across services. For example, the Volunteers Team provided development volunteering opportunities for clients on Family Support programme and have had 17 clients referred to the volunteering team from Positive Steps. We have had a number of clients who have gained employment who have said the volunteering experience has helped them to achieve this.

Targeted Services provides a unique service delivery model, based on the integration of statutory and voluntary support services for young people. The delivery model allows young people to seamlessly access a range of services through a one stop shop approach and creates considerable efficiencies as a result. The most recent area for development is the newly commissioned integrated substance misuse/sexual health services. Significant efficiencies have been found by integrating these inter dependant services and the model of developing integration should have potential further cost benefits.

We have faced a challenge relating to probation funding this year with a proposed 50% cut in resource. This was challenged through the board and has been successfully appealed.

Within the workforce, 18 are female, 9 male and of those five are from the BAME community. All would identify themselves as British Asian. Within the delivery staff 8 have received Restorative training. Restorative refresher and delivery training is a priority for the upcoming year, the gap is due to staff turnover. Of panel volunteers all eight have received training.

Oldham is compliant with the requirements of the crime and disorder act with a seconded police officer, probation officer, social worker (previously seconded but now employed by positive steps) access to a full team of education expertise through the integrated offer within positive steps and a health offer from Bridgewater Care providers.

18. SERVICE PRIORITIES FOR 2018/19

- a) Further reduction in first time entrants;
- b) Focussing resource on 'early help' young people who are entering the CJS at high sentencing tariffs;
- c) Reduction in re-offending;
- d) Expanding the Communicate project to improve literacy and communication
- e) Continuing development of the missing from home provision and ensuring YJS cohorts benefit from this offer linking to early help offer
- f) Increasing RJ, reparation and victim work;
- g) Girls and young women;
- h) Resettlement and Positive Progression;
- i) Volunteers;
- j) Focus on LAC cohort – ensuring RJ is making a difference

Name of Chair	Role	Date	Signature
Jill Beaumont	Director: Early Help and Social Care	31/07/2018	

**Oldham Youth Justice Service –
Developing Good Practice Grant Costed Plan - 2018/19**

Activity	Outcome Supported	Developing Good Practice	Costs
Strategic Development	<ul style="list-style-type: none"> • Reduction in FTE • Reduction in Re-Offending • Reduction in Custody • Effective Public Protection • Effective Safeguarding 	<ul style="list-style-type: none"> • Greater Manchester Combined Authority/Justice devolution • Greater Manchester Youth Justice Service Managers • Manchester Metropolitan University Strategic Partnership • Unpaid Work • Development of Youth Violence Strategy • Quality Assurance outcomes from: <ul style="list-style-type: none"> ○ LSCB Peer on peer violence audit ○ HMIP ‘training’ audit ○ GM peer review • Local Safeguarding Children Board and sub-groups • Community Safety and Cohesion Partnership • Development of out of court disposal framework and pilot • GM Resettlement Lead • Volunteer Coordination Strategy • Development of Restorative Justice approach • YJB Service Managers Conference • Attendance at other relevant conferences 	£76,315
Management time	<ul style="list-style-type: none"> • As above 	<ul style="list-style-type: none"> • Supervision and support • Annual Appraisal • Representation at relevant GM forums: resettlement, court, operational managers, AIM, Asset plus development • Panel development, training and support • Oversight of GMYJUP • Volunteer coordination and supervision • Development and delivery of internal training programme 	£68,129

Activity	Outcome Supported	Developing Good Practice	Costs
		<ul style="list-style-type: none"> • Service response to GM developments • Recruitment and training staff and volunteers • Induction development and delivery • Development of therapeutic interventions • Management support to students 	
Practitioner time	<ul style="list-style-type: none"> • As above 	<ul style="list-style-type: none"> • Audit and peer review implementation • Restorative justice development and delivery • Neglect toolkit delivery • Trauma checklist delivery • Continued development of wrap-around court services • Implementing court changes • Continuous development of resettlement support 	£305,176
Information Officer	<ul style="list-style-type: none"> • As above 	<ul style="list-style-type: none"> • Monitoring system performance and providing reports • Working with YJS Managers to understand the MI to improve practice • Submission of statutory returns • Guidance on data protection issues • FOI requests 	£14,543
Training	<ul style="list-style-type: none"> • As above 	<ul style="list-style-type: none"> • All staff 3 days training per year • Restorative Justice Training • Training for communicate • Training around Complex Dependency • Trauma training • Neglect toolkit training • Engagement Training • Continued attendance at relevant LSCB training • QA Training for Managers • On-going Safeguarding training 	£2,500

Activity	Outcome Supported	Developing Good Practice	Costs
Resources	<ul style="list-style-type: none"> • As above 	<ul style="list-style-type: none"> • HR Support • Subscriptions and publications 	£370
Total			£467,033

COUNCIL



Gambling Policy Review

Portfolio Holder:

Councillor A.Shah - Cabinet Member for Neighbourhoods

Officer Contact: Deputy Chief Executive – People & Place

Report Author: John Garforth – Trading Standards & Licensing Manager

Ext. 5026

12 December 2018

Reason for the Report

The reason for this report is to seek Council approval for the revised Gambling Policy.

Recommendations

That Members approve the policy.

Gambling Policy Review

1 Background

1.1 The Gambling Act 2005 created a new system of licensing and regulation for commercial gambling in this Country. Amongst other changes it gave local authorities new and extended responsibilities for licensing premises for gambling and associated permissions.

1.2 In setting its local policy the Council must show how we will seek to promote the licensing objectives under the Act which are:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime;
- Ensuring gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable people from being harmed or exploited by gambling.

1.3 The role of the licensing authority covers:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for the consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued
- Maintain registers of the permits and licences

2 **Current Position**

- 2.1 The current policy was adopted in January 2016 and has to be reviewed every 3 years. Therefore, the attached proposed policy at Appendix 2 proposes amendments since it was last approved. Most gambling policies issued by Councils will use the same template issued by the Local Government Association based on best practice and to ensure a consistent approach nationally.
- 2.2 The majority of alterations to the policy since the one adopted in December 2015 are tidying up changes to references from national guidance and making certain points clearer.
- 2.3 A section has been included in the proposed Policy in relation to gambling related harm following a motion debated at Council on 12th July 2018. The motion was:

Council believes that local authorities should be regarded as 'responsible authorities' in supporting 'problem' gamblers and young people gambling, ensuring they are provided with additional safeguards. Due to an increased trend in online gambling which is carried out away from licensed premises where trained staff could intervene, it is anticipated that there will become more 'problem' gamblers and more young people gambling. It is the hope that this sets a recognition that gambling related harm is a public health issue and ensuring that those who are vulnerable and require support are able to get such help.

The main resolution from the Council motion was to ensure that information is displayed on the Council website to 'signpost' residents with a gambling 'problem' to the providers of relevant services, such as GambleAware, to support them with their addiction. In addition, Council have requested that all schools, colleges and youth centres in the Borough are made aware of the Gambling Toolkit produced by GambleAware, which is available online.

Furthermore, it was resolved that the Council's Gambling Policy reflects any recommendations that result from the work done to achieve these outcomes by the time of its renewal in January 2019.

- 2.4 The work undertaken by Officers in licensing and public health has shown the Council's commitment to support those who are suffering or likely to suffer from the effects of gambling and details areas of help and support whilst recognising that there is a problem.
- 2.5 The attached proposed policy was supported by Licensing Committee on 6 November 2018 and the Overview & Scrutiny Board on 27 November 2018.

3 **Recommendations**

- 3.1 Members are asked to approve the report and the revised Gambling Policy due to come into effect in January 2019.

4 **Preferred Option**

- 4.1 That Members approve the report.

5 **Consultation**

- 5.1 The proposed Gambling Policy Statement was drafted for the purposes of consulting in August 2018 with some amendments suggested from the current policy.

The Consultation lasted for an eight week period and copies of the consultation were circulated widely amongst licence holders and interested parties within the trade. A total of 3 responses were received.

The responses were fairly generic suggesting minor amendments in relation to the wording of paragraphs to ensure consistency.

One respondent questioned the need to have Gambling Related harm considerations within the Policy. Officers, and Members at Scrutiny, felt that this was an important part of the Policy going forward and therefore it has not been removed.

6 Financial Implications

6.1 None

7 Legal Services Comments

7.1 The Gambling Policy Statement sets out the principles the Council proposes to apply in exercising its functions under the Gambling Act during the three year period covered by the Statement. Under section 153 of the Gambling Act, the Council should aim to permit the use of premises for gambling in so far as the Council think it in accordance with the Gambling Policy Statement, any relevant code of practice or guidance issued by the Gambling Commission and it is reasonably consistent with the licensing objectives. (A Evans)

8. Co-operative Agenda

8.1 Not applicable

9 Human Resources Comments

9.1 Not applicable

10 Risk Assessments

10.1 Not applicable

11 IT Implications

11.1 None

12 Property Implications

12.1 None

13 Procurement Implications

13.1 None

14 Environmental and Health & Safety Implications

14.1 None

15 Equality, community cohesion and crime implications

15.1 These have been considered in the attached Equality Impact Assessment.

-
- 16 **Equality Impact Assessment Completed?**
- 16.1 Yes – attached at Appendix 1.
- 17 **Key Decision**
- 17.1 No
- 18 **Key Decision Reference**
- 18.1 N/A
- 19 **Background Papers**
- 19.1 Consultation responses.
- 20 **Appendices**
- 20.1 Appendix 1 – Equality Impact Assessment
Appendix 2 – Gambling Policy Statement (draft) 2019

Appendix 1

Equality Impact Assessment



	Reference:	
Responsible Officer	John Garforth	
Cabinet Member:	Cllr Arooj Shah	
Support Officer	Shamim Iqbal	

Equality Impact Assessment Tool

Service Area:	Licensing
Budget Reduction Title:	N/A

Stage 1: Initial Assessment

1a	Which service does this project, policy or proposal relate to?				
	Licensing				
1b	What is the project, policy or proposal?				
	Gambling Policy				
1c	What are the main aims of the project, policy or proposal?				
	To produce statutory policy framework for the regulation of gambling activity in Oldham				
1d	Who, potentially, could this project, policy or proposal either benefit or have a detrimental effect on, and how?				
	This policy is to aid applicants in making applications and address compliance issues in licensed premises.				
1e	Does the project, policy or proposal have the potential to <u>disproportionately</u> impact on any of the following groups?				
		None	Positive	Negative	Not sure
	Disabled people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Particular ethnic groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Men or women (includes impacts due to pregnancy / maternity)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	People of particular sexual orientation/s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	People in a Marriage or Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	People who are proposing to undergo, are undergoing, or have undergone a process or part of a process of gender reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	People on low incomes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	People in particular age groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Groups with particular faiths or beliefs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Are there any other groups that you think may be affected negatively or positively by this project, policy or proposal?			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1f	What do you think the overall NEGATIVE impact on groups and communities will be?	None / Minimal		Significant
		<input checked="" type="checkbox"/>		<input type="checkbox"/>

1g	Using the screening and information in questions 1e and 1f, should a full assessment be carried out on the project, policy or proposal?	Yes <input type="checkbox"/>
		No <input checked="" type="checkbox"/>
1h	How have you come to this decision?	
	Likelihood of impact	

Stage 2: What do you know?

What do you know already?
What don't you know?
Further Data Collection

Summary (to be completed following analysis of the evidence above)

1e	Does the project, policy or proposal have the potential to <u>disproportionately</u> impact on any of the following groups?				
		None	Positive	Negative	Not sure
	Disabled people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Particular ethnic groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Men or women (includes impacts due to pregnancy / maternity)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	People of particular sexual orientation/s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	People in a Marriage or Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	People who are proposing to undergo, are undergoing, or have undergone a process or part of a process of gender reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	People on low incomes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	People in particular age groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Groups with particular faiths or beliefs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Are there any other groups that you think may be affected negatively or positively by this project, policy or proposal?					
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Stage 3: What do we think the potential impact might be?

3a	Who have you consulted with?
3b	How did you consult? (include meeting dates, activity undertaken & groups consulted)
3c	What do you know?
3d	What don't you know?

3e	What might the potential impact on individuals or groups be?	
	Generic (impact across all groups)	
	Disabled people	
	Particular ethnic groups	
	Men or women (<i>include impacts due to pregnancy / maternity</i>)	
	People of particular sexual orientation/s	
	People in a Marriage or Civic Partnership	
	People who are proposing to undergo, are undergoing, or have undergone a process or part of a process of gender reassignment	
	People on low incomes	
	People in particular age groups	
	Groups with particular faiths and beliefs	
	Other excluded individuals (<i>e.g. vulnerable residents, individuals at risk of loneliness, carers or service and ex-serving members of the armed forces</i>)	

Stage 4: Reducing / Mitigating the Impact

4a	What can be done to reduce or mitigate the impact of the areas you have identified?	
	Impact 1	Proposal
	Impact 2	Proposal
	Impact 3	Proposal


4b	Have you done, or will you do anything differently, as a result of the EIA?	
4c	How will the impact of the project, policy or proposal and any changes made to reduce the impact be monitored?	

Conclusion

This section should record the overall impact, who will be impacted upon, and the steps being taken to reduce / mitigate the impact

--

Stage 5: Signature

Role	Name	Date
Lead Officer	<i>S. Iqbal</i>	11/10/2018
Approver Signatures		11/10/2018

EIA Review Date:	30/10/2018
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Gambling Policy Statement (draft)

January 2019

POLICY STATEMENT
Under Section 349 of the Gambling Act 2005

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Introduction

This statement of Policy in relation to the Gambling functions that this Authority regulates sets out the approach that will be taken when dealing with permissions it grants and enforces thereafter.

It also identifies how the Authority will seek to promote the licensing objectives under the Act, namely:-

- **Preventing gambling from being a source of crime or disorder, being associated with crime and disorder or being used to support crime.**
- **Ensuring gambling is conducted in a fair and open way.**
- **Protecting children and other vulnerable people from being harmed or exploited by gambling.**

Partnerships are important to us and with this in mind we will be working closely with the Gambling Commission, the Police and the other responsible authorities named within the Act. We will also provide guidance and support, where possible, to the trade, residents and businesses.

In this policy this Council has inserted a section in relation to Public Health and gambling harm. We hope this sets out our recognition that gambling related harm is a public health issue and contribution we wish to make to ensuring that those who are vulnerable and needing support get such help.

All decisions that are made in relation to gambling will be made having taken into account the three objectives and each application will be dealt with on its merits.

This policy will come into effect on the 7th January 2019 and will be reviewed no later than the 31st January 2022.

In carrying out its gambling functions this Authority will have regard to its Policy and the Guidance issued by the Gambling Commission.

An equalities impact assessment has been conducted in relation to this Policy and is available upon request.

Policy Statement

PART 1

1.0 The Licensing Objectives

- 1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 1.2 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:
- in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority's statement of licensing policy

2.0 Preparing a Gambling Policy

- 2.1 Licensing authorities are required by s349 Gambling Act 2005 to publish a statement of the principles which they proposed to apply when exercising their functions under the Act. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must be then re-published.
- 2.2 The Authority consulted upon this Policy before finalising at a full Council meeting held on the 12th December 2018.
- 2.3 The Gambling Act requires that the following parties are consulted by Licensing Authorities:
- The Chief Officer of Police;
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.
- 2.4 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 2.5 The authority is one of the 10 Metropolitan Districts of Greater Manchester. The Borough of Oldham occupies an area of 56 square miles to the North East of Manchester. About one third of the Borough consists of the area occupied by the majority of the towns 224,900 residents (2011 census). Another third of the Borough

consists of moorland, which is largely uninhabited. The final third consists of small rural towns and villages.

- 2.6 Oldham currently offers a range of premises that offer gambling facilities, which include 1 Bingo Hall, 31 Betting Offices and 5 Adult Gaming Centres. In addition to this there are various permits and permissions granted to alcohol licensed premises and private members clubs.

3.0 Declaration

- 3.1 In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

4.0 Responsible Authorities

Responsible authorities are public bodies that must be notified of application and are entitled to make representations to the council in relation to applications for, and in relation to, premises licences.

- 4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
 - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 4.2 In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Local Safeguarding Children Board for this purpose.
- 4.3 The details of all the Responsible Authorities under the Gambling Act 2005 are available at **Appendix A**.

5.0 Interested parties

- 5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)"

- 5.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party.

The factors that the Council will take into account when determining what “sufficiently close to the premises” means (in each case) might include:

- the size of the premises
- the nature of the premises
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and
- the circumstances of the complaint. This is not the personal characteristics of the complainant, but the interests of the complainant which may be relevant to the distance from the premises.

The factors that are likely to be relevant to “persons with business interests” and which the council will take into account include:

- the size of the premises
- the ‘catchment’ area of the premises (i.e. how far people travel to visit); and
- whether the person making the representation has business interests in that catchment area that might be affected.

- 5.3 Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission’s Guidance for local authorities at 8.11 and 8.18. It will also consider the Gambling Commission’s Guidance that “has business interests” should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices. If in the particular circumstances of the application the licensing authority departs from the guidance it will explain its reasons for doing so.
- 5.4 The Gambling Commission recommended in its guidance that the licensing authority states that interested parties include trade associations and trade unions, and residents’ and tenants’ associations although it is noted that the Commission have now stated this was a mistake which will be rectified in future guidance. However, this authority emphasises that it will not generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.
- 5.5 Interested parties can be persons who are democratically elected such as councillors and MP’s. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

- 5.6 If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Licensing Section.

6.0 Exchange of Information

- 6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 2018 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

7.0 Enforcement

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This licensing authority's principles are that:
- It will be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - Consistent: rules and standards must be joined up and implemented fairly;
 - Transparent: regulators should be open, and keep regulations simple and user friendly; and
 - Targeted: regulation should be focused on the problem, and minimise side effects.
- 7.3 This authority generally inspects all premises annually and, where necessary, revisits premises as appropriate.
- 7.4 As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

- 7.5 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.
- 7.6 This licensing authority will have regard to guidance, including the Regulator's Code, issued by relevant Government departments in its consideration of its regulatory functions.
- 7.7 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the Licensing Section. Our risk methodology will also be available upon request.
- 7.8 Reference should also be made to Oldham Metropolitan Borough's Enforcement Policy when considering enforcement action. The Council will take into account any published Enforcement Concordat issued by the Gambling Commission.
- 7.9 The Council will take account of the Gambling Commissions guidance document issued in February 2015 (or any subsequent amendments) 'Approach to Test Purchasing' when considering making test purchases at gambling premises. The Council will also follow its own policies and procedures regarding the use of underage test purchasers.
- 7.10 Where there is a Primary Authority scheme in place, the Council will seek guidance from the Primary Authority before taking any enforcement action.

Further information, including an index of all Primary Authority arrangements can be found at:

<https://primaryauthorityregister.info/par/index.php/home>

8.0 Licensing Authority functions

- 8.1 Licensing Authorities are required under the Act to:
- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
 - Issue Provisional Statements
 - Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
 - Issue Club Machine Permits to Commercial Clubs
 - Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
 - Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
 - Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
 - Register small society lotteries below prescribed thresholds
 - Issue Prize Gaming Permits
 - Receive and Endorse Temporary Use Notices
 - Receive Occasional Use Notices

- Provide information to the Gambling Commission regarding details of licences issued (see section above on ‘information exchange)
- Maintain registers of the permits and licences that are issued under these functions

PART 2 PREMISES LICENCES

9.0 General Principles

- 9.1 Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate. The conditions in addition to the mandatory and default conditions will only be imposed where there is evidence of a risk to the licensing objectives in the circumstances of a particular case.
- 9.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission ;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority’s statement of licensing policy.
- 9.3 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences” and also that unmet demand is not a criterion for a licensing authority. Further it is a under duty not to take other irrelevant matters into consideration, e.g. the likelihood of an applicant obtaining Planning permission.
- 9.4 The Licence Conditions and Code of Practice (LCCP) issued by the Gambling Commission places further onus on premises to complete a risk assessment based on code 8, the social responsibility code which will come into force on 6 April 2016. The council will have regard to this code when considering applications. This is covered in detail in Part 4 of this statement.
- 9.5 Definition of “premises” - Premises is defined in the Act as “any place”. Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separated, for example, by ropes or moveable partitions, can be properly regarded as different premises.
- 9.6 The Gambling Commission states in the fifth edition of its Guidance to Licensing Authorities that “In most cases the expectation is that a single building / plot will be

the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing authority. However, the commission does not consider that the areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises”.

9.7 This licensing authority takes particular note of the Gambling Commission’s Guidance to licensing authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity names on the premises licence.

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission’s relevant access provisions for each premises type are reproduced below:

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.23 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises

which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premise.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track
 -

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to licensing authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

9.8 Premises "ready for gambling"

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling

- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.58-7.65 of the Guidance.

- 9.9 It should also be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that reference to "the premises" are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. This authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensure that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.
- 9.10 **Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. This policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

9.11 **Planning**

The licensing authority will have regard to the guidance issued by the Gambling Commission on Planning and Building Regulations and requests that applicants have the same regard.

- 9.12 **Duplication with other regulatory regimes** - This licensing authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or building consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, building and other regulations and must not form part of the consideration for the premises licence.

The licensing authority will, however, maintain close links with all regulatory bodies to ensure clear and open communication relating to licensed premises.

- 9.13 **Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority

has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

- 9.14 **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** - This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.
- 9.15 **Ensuring that gambling is conducted in a fair and open way** - This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section.
- 9.16 **Protecting children and other vulnerable persons from being harmed or exploited by gambling** - This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.
- 9.17 This licensing authority will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises.
- 9.18 Section 7 of the Gambling Commission Guidance to Local Authorities sets out considerations that an operator must make in order to protect children and young people from accessing gambling premises.

The Licence Conditions and Codes of Practice (LCCP) issued in April 2018 prescribe how operators must prevent children from using age restricted gaming or gambling activities, particularly where gaming machines are licensed.

In particular operators must ensure;

- all staff are trained,
- that all customers are supervised when on gambling premises
- that they must have procedures for identifying customers who are at risk of gambling related harm.

9.19 The Council will expect all operators to have policies and procedures in place as required by the LCCP codes on social responsibility to cover all aspects of the code, in particular staff training records and self-exclusion records.

9.20 Further provisions with regard to self-exclusion and marketing are included in the social responsibility code. The council will take all conditions and codes into account when considering applications or performing enforcement activities.

See Part 4 of this policy statement for further details and on the council's requirements in relation to the LCCP.

9.21 As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This licensing authority will consider this licensing objective on a case by case basis. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

9.22 **Conditions** - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.
- Consistent with those attached to the Operator's Licences.

The conditions in addition to the mandatory and default conditions will only be imposed where there is evidence of a risk to the licensing objectives.

9.23 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

9.24 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

9.25 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and

- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- physical barriers to segregate areas should not impede the escape routes from that or other areas.

9.26 These considerations will apply to premises including buildings where multiple premises licences are applicable.

9.27 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

9.28 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

All premises licences shall by virtue of section 183 of the Act be subject to the condition that premises shall not be used to provide facilities for gambling on Christmas Day.

9.29 Door Supervisors - The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that the door supervisors at casinos or bingo premises need not be licensed by the Security Industry Authority (SIA) if directly employed by the premises. In all other circumstances the staff must be SIA registered.

10.0 Adult Gaming Centres

Adult gaming centres (AGCs) are premises able to make category B, C and D gaming machines available to their customers. Persons operating an AGC must hold a gaming machines general operating licence from the Commission as well as a premises licence from the Council.

10.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

10.2 Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls. The council will expect the gambling area to be clearly defined to ensure that customers

are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

10.3 This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11.0 (Licensed) Family Entertainment Centres

The Act creates two classes of family entertainment centre (FEC). Licensed FEC's provide category C and D machines and require a premises licence. Unlicensed FEC's provide category D machines only are regulated through FEC gaming machine permits.

11.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Operators should ensure that a proof of age scheme is in force.

11.2 This licensing authority may consider measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11.3 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated.

This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

12.0 Casinos

Section 7 (1) of the Act states that “a casino is an arrangement whereby people are given an opportunity to participate in one or more casino games.” Casino games are a game of chance which is not equal chance gaming. Equal chance gaming is gaming which does not involve playing or staking against a bank, where the chances are equally favourable to all participants.

- 12.1 *No Casinos resolution* - This licensing authority has not passed a ‘no casino’ resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

13.0 Bingo premises

The Gambling Act 2005 does not contain a definition of Bingo. It is to have its ordinary and natural meaning and the Act does stipulate that “bingo” means any version of that game, irrespective of how it is described. Two types of bingo may be offered:

- Cash bingo, where the stakes panel made up the cash prize that’s won; or
- Prize bingo, where various forms of prizes is won, not directly relating to the stakes panel

Under the Act, the holder of a bingo operating licence will be able to offer any type of bingo game, whether cash or prize. Therefore, a premises with a bingo premises licence, or a casino premises licence (where the operator holds bingo as well as a casino operating licence) will be able to offer bingo in all its forms. It is acknowledged that gaming machines are permitted in Bingo premises.

This licensing authority notes that the Gambling Commission’s Guidance states:

[18.5] Licensing authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. An operator may choose to vary their licence to exclude a previously licensed area of that premises, and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises.

Subject to the rules of individual operators, children and young people are allowed into bingo premises. However they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

- 13.1 This licensing authority may consider measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:
- CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas

- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

13.2 This licensing authority notes that the Gambling Commission's Guidance states:

[18.4] Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

[18.6] Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

Details of the Code of Practice for Equal Chance Gaming in Pubs and Clubs can be found on the Gambling Commission website. This details maximum stakes and prizes without the need for a commercial Bingo Operators Licence.

14.0 Betting premises

The Act contains a single class of licence for betting premises. However, without this single class of licence, there are different types of premises which require licensing, for instance – off course betting (i.e.: licensed betting offices) and betting offices on tracks. It is acknowledged that gaming machines are permitted in Betting premises.

The Council specifically have a regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.

14.1 Betting machines - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It is noted that that children are not able to go into premises with the benefit of a Betting Premises Licence.

14.2 This licensing authority may consider measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas

- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 14.3 The authority has discretion as to the number, nature and circumstances of use of betting machines, there is no evidence that such machines give rise to regulatory concerns. This authority will consider limiting the number of machines only where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. Where there is such evidence, this authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter
- 14.4 There is no evidence that the operation of betting offices has required door supervisors for the protection of the public. The authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate
- 14.5 This authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise.”

15.0 Tracks

Tracks are sites (including horse racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks, both in the form of pool betting (i.e.: “totalisator” or “tote”) and also general betting (i.e: “fixed odds” betting).

- 15.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 15.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 15.3 This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare
- This list is not mandatory, nor exhaustive, and is shown as an example.

15.4 Gaming machines - □Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

15.5 Betting machines - This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

Conditions on rules being displayed – The Council will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in a leaflet from the track office.

15.6 **Applications and plans**

The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to licensing authorities, Para 20.28).

15.7 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Guidance to licensing authorities, para 20.29).

15.8 Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (See Guidance to licensing authorities, para 20.31).

15.9 In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined. (See Guidance to licensing authorities, para 20.32).

15.10 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are

provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the "five times rule" (commonly known as betting rings) must be indicated on the plan. (See Guidance to licensing authorities, para 20.33).

16.0 Travelling Fairs

The Act defines a travelling fair as "wholly or principally" providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year.

It will fall to this licensing authority to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

- 16.1 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 16.2 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded. In any event neighbouring authorities will be consulted to ensure best practice and consistency is applied.

17.0 Provisional Statements

- 17.1 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
 - (a) which could not have been raised by objectors at the provisional licence stage; or
 - (b) which in the authority's opinion reflect a change in the operator's circumstances.
- 17.2 This authority has noted the Gambling Commission's Guidance that "A licensing authority should not take into account irrelevant matters.... One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal."

18.0 Reviews:

- 18.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the

review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority's statement of licensing policy.
- 18.2 The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.
- 18.3 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.
- 18.4 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 18.5 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-
- (a) add, remove or amend a licence condition imposed by the licensing authority;
 - (b) exclude a default condition imposed by the Secretary of state or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
 - (c) suspend the premises licence for a period not exceeding three months; and
 - (d) revoke the premises licence.
- 18.6 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
- 18.7 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 18.8 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- the licence holder
 - the applicant for review (if any)
 - the Commission
 - any person who made representations
 - the Chief Officer of police or Chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs

PART 3
Permits / Temporary & Occasional Use Notice

19.0 Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

Unlicensed family entertainment centres (FEC's) will perhaps be most commonly located at places such as seaside resorts, in airports and at motorway service centres, and will cater for families, including unaccompanied children and young persons. Unlicensed FEC's will be able to offer only category D machines in reliance on a gaming machine permit.

19.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

19.2 The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance for local authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits, licensing authorities will want to give weight to child protection issues." (24.6)

19.3 **Statement of Principles** - This licensing authority will expect the applicant to show that there are policies and procedures in place to ensure that children and vulnerable adults are not harmed or exploited by gambling. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures such as training for staff as regards knowledge of organisation such as GamCare who can help problem gamblers, training on suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

19.4 Guidance also states: "...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application....Licensing authorities might wish to consider asking applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes. (24.7)

It should be noted that a licensing authority cannot attach conditions to this type of permit.

20.0 (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))

20.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

It is important that Operators are aware of the rules concerning exempt gaming on their premises. A clear understanding of limits on stakes and prizes and record keeping together with age verification and supervision can be found via the Gambling Commissions Code of Practice for Equal Chance Gaming.

20.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*” This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be a help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare. Where premises are applying for additional machines these would normally be granted where the premises comply with the Gambling Commission’s Code of Practice. An application for a permit for up to four machines would normally be considered by Officers without the need for a hearing.

20.3 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

20.4 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

20.5 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

21.0 Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3))

A prize gaming permit is a permit issued by the Council to authorise the provision of facilities for gaming with prizes on specified premises.

21.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

21.2 This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.
- clear policies that outline the steps to be taken to protect children from harm

21.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

21.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

22.0 Club Gaming and Club Machines Permits

22.1 Members Clubs and Miners’ welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). Guidance will be referred to when considering all permit applications.

22.2 This licensing authority notes that the Gambling Commission’s Guidance states at paragraph 25.46: The licensing authority has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take into

account a number of matters as outlined in section 25.47 – 25.49 of the Gambling Commissions Guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members.

The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

22.3 The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

22.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast track procedure. As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

22.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

23.0 Temporary Use Notices

23.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

23.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

23.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the

relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

- 23.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to licensing authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.
- 23.5 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to licensing authorities.

24.0 Occasional Use Notices

The intention behind occasional use notices is to permit licensed betting operators (with appropriate permission from the Gambling Commission) to use tracks for short periods for conducting betting where the event upon which the betting is to take place is of a temporary, infrequent nature. The occasional use notice dispenses with the need for betting premises licences for the track in these circumstances.

- 24.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice. The licensing author will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

25.0 Small Society Lotteries

These are lotteries operated by non-commercial societies, as defined in Section 19, which states that a society is non-commercial if it is established and conducted:

- For charitable purposes;
- For the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity; or
- For any other non-commercial purpose other than private gain.

It must not be possible for the purchaser of a ticket in a small society lottery to win by virtue of that ticket (whether in money, money's worth, or partly the one and partly the other) more than £25,000.

The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with a licensing authority. The licensing authority with which a small society lottery is required to register must be in the area where their principal office is located. If the Authority believes that a society's principal office is situated in another area, it will inform the society and the other relevant authority as soon as possible.

- 25.1 This licensing authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:
- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held).
 - Submission of incomplete or incorrect returns
 - Breaches of the limits for small society lotteries
- 25.2 Non commercial gaming is permitted if it takes place at a non-commercial event as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds are for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:
- By or on behalf of a charity or for charitable purposes;
 - To enable participation in or support of, sporting, athletic or cultural activities

PART 4

Licence Conditions & Codes of Practice (LCCP)

- 26.0 The Gambling Commission released an updated version of LCCP in April 2018. The code strengthened the social responsibility code (SR) requirements. Details regarding the LCCP and SR code can be accessed via the Gambling Commission website at www.gamblingcommission.gov.uk

The code requires operators;

- To supervise customers effectively on gambling premises and identify customers who are at risk of gambling related harm.
- To have in place schemes to allow customers to self-exclude themselves from all operators of a similar type in the area where they live and work.
- To have a range of measures with regard to marketing to ensure social responsibility that are transparent and not misleading.
- To produce a risk assessment on individual premises, and have policies and procedures and control measures in place to mitigate local risks to the licensing objectives.

27.0 Risk Assessments

- 27.1 Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence and are to be presented to the licensing authority upon application. The code requires all operators of; Casino's, AGC's, Bingo Premises, FEC's and Betting shops to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks posed by the provision of gambling facilities at each of their premises.
- 27.2 Operators should note that via the Ordinary Code they should make the risk assessment available when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the council's inspection regime and may be requested when officers are investigating complaints.

27.3 The code requires the Council to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this council expects the following matters to be considered by operators when making their risk assessment.

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall

27.4 The Council expects the following matters to be considered by operators when making their risk assessment.

Matters relating to children and young persons, including;

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.
- Recorded incidents of attempted underage gambling

Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Arrangement for localised exchange of information regarding self exclusions and gaming trends.
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, Council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

28.0 Local Area Profile

The Council has considered the local area profile and feels the main issues will be covered by the risk assessments required under the LCCP.

PART 5

GAMBLING-RELATED HARM

Introduction

Between 61 and 73 percent of British adults gamble to some extent each year. For the majority of these people, gambling is a harmless and sociable activity. However, between 0.4 and 1.1 percent of British adults are estimated to be ‘problem gamblers’ who experience harm as a consequence of their gambling. A further 4 percent are estimated to be ‘at-risk gamblers’ who may go on to become problem gamblers.¹

Problem gambling has been defined as “gambling to a degree that compromises, disrupts or damages family, personal or recreational pursuits”². Males are 5 times more likely than females to be problem gamblers. Problem gambling also varies by age with young people aged 16-24 the most likely to be affected. Problem gambling disproportionately affects people on low incomes and those from ethnic minorities. Individuals of Asian/Asian British heritage and Black/Black British heritage are more likely to be problem gamblers than people who identify as White/White British³.

For problem gamblers, harms can include higher levels of physical and mental illness, debt problems, relationship breakdown and criminality. Problem gambling is also associated with domestic violence and substance misuse. Harms from gambling affect far more people than just the problem gambler: it is estimated that for every harmful gambler, between 6 and 10 additional people are directly affected (such as friends, family or colleagues)⁴. Problem gambling also has a significant impact on public finances due to increased costs to the welfare, housing, health and criminal justice sectors. For these reasons, gambling-related harm is increasingly recognised as a public health issue.

¹ Institute for Public Policy and Research (2016). Cards on the table. The cost to government associated with people who are problem gamblers in Britain.

² Lesieur, H. R. & Rosenthal, M. D. (1991). Pathological gambling: A review of the literature (prepared for the American Psychiatric Association Task Force on DSM-IV Committee on disorders of impulse control not elsewhere classified). *Journal of Gambling Studies*, 7 (1), 5-40.

³ See 1 above.

⁴ Local Government Association and Public Health England (2018). Tackling gambling related harm A whole council approach.

Gambling in Oldham

There are a range of premises that offer gambling facilities in Oldham. These include 1 bingo hall, 31 betting offices and 5 adult gaming centres. In line with national trends, it is likely that many more people are now gambling online. While the Authority does not regulate online gambling, it is still recognised as a potential source of harm.

The overall prevalence of gambling and problem gambling is currently unknown in Oldham. However, there is evidence to indicate that online gambling activity is higher in Oldham than the England average and that activity is higher in more deprived areas of the borough.

Support and advice

The National Gambling Helpline provides confidential advice, information and emotional support to anyone experiencing problems with gambling. The helpline number is 0808 8020 133.

Residents who are experiencing gambling-related harm can also seek advice and support from a number of local agencies. Contact details for these organisations can be found on the Oldham Council website: <https://www.oldham.gov.uk/gamblinghelp>.

The role of the Authority

In July 2018, the Local Government Association and Public Health England published guidance which sets out a 'whole council approach' to tackling gambling-related harm⁵. The Authority will work with local partners to implement recommendations from the guidance. These include measures to raise awareness of problem gambling among the public and professionals; education activities for children and young people; and treatment and support for people experiencing gambling-related harm.

⁵ See 4 above.

APPENDIX A

RESPONSIBLE AUTHORITIES

Any application **must** be sent to :-

Trading Standards & Licensing Manager
 Oldham Council
 Sir Robert Peacock House
 Vulcan Street,
 Oldham, OL1 4LA

Notice of the application **must** also be sent to the following Responsible Authorities on the prescribed form:

The Fire Safety Team Greater Manchester Fire & Rescue Oldham Command Headquarters, Broadway Chadderton Oldham, OL9 0JX	HM Revenue & Customs Excise Processing Teams BX9 1GL United Kingdom
Safeguarding Children Board Oldham Council Rock Street Centre Rock Street Oldham, OL1 3UJ	Planning Section Oldham Council Level 3 Civic Centre West Street, Oldham, OL1 1UQ
Greater Manchester Police Police Licensing Officer Sir Robert Peacock House Vulcan Street Oldham, OL1 4LA	Environmental Health Oldham Council Chadderton Town Hall Middleton Road, Chadderton Oldham, OL9 6PP
Gambling Commission	

Victoria Square House Victoria Square Birmingham, B2 4BP	
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Report to Council

Advertising 'A' board and signage policy

Portfolio Holder:

Councillor Shah, Cabinet Member for Neighbourhood services

Officer Contact: Helen Lockwood – Deputy Chief Executive,
People and Place

Report Author: Neil Crabtree – Head of Public Protection
Ext. 4141

12th December 2018

Reason for Decision

This report identifies the issues caused by the inappropriate placing of A boards on the Highway and pavements and considers a policy response as part of the Council's adoption of the 'Who put that there' street charter.

Recommendations

Members are recommended to agree to the advertising 'A' board and signage policy as detailed in appendix 1

Advertising ‘A’ board and signage policy

1 Background

- 1.1 Council in March 2017 agreed to adopt the ‘Who Put That There’ Street Charter for Oldham, which seeks to make Oldham more accessible for blind and partially sighted people.
- 1.2 The requirements detailed within the Street Charter include working with blind or partially sighted people to undertake a range of actions to improve accessibility across the public realm. This work is ongoing and a small working group of Overview and Scrutiny was formed to progress the recommendations.
- 1.3 The Overview and Scrutiny board on the 4th September 2018 approved the final conclusions of the working group and agreed that the street charter is now embedded within the various services.
- 1.4 One of the considerations in the Street Charter is the obstruction which can result from the placement of ‘A’ boards on the highway including pavements. The work currently planned is to raise the awareness of the hazards that ‘A’ boards and café furniture can cause and encourage businesses to adopt a safe alternative.
- 1.5 In addition, there are a number of sites where the neighborhood is poorly impacted on by the extended use of advertisements and where this can be described as having a detrimental impact on the visual amenity of the building and area in question there are planning controls.
- 1.6 ‘A’ boards can also have a wider negative impact on the visual amenity of an area and therefore it is suggested a policy is adopted to state the Council’s position.

2 The Proposal

- 2.1 The Council wants the area to be both attractive and easy to use for all, to support this aim there is a need to set out what is considerable and acceptable. The proposed draft policy (Appendix 1) seeks to support a street environment which compliments premises based trading but is not unduly cluttered and is sensitive to the needs of users.
- 2.2 To ensure the safe and unimpeded public access, the policy restricts the use of advertising signs in locations where they cannot be sited in accordance with the guidelines and/or comply with legislation relevant to the siting of advertising signage on public land; and that the supporting legislation is applied fairly, reasonably and consistently in line with the Council’s Enforcement Policy.

2.3 The guidelines contained within the proposed 'A' board and Sign policy are applicable to the placing of advertising signs on the public highway and other such public lands. The conditions include stipulations that only one advertising sign per business premise will be permitted and must be positioned and sized as directed.

2.4 Businesses found to be using advertising signage, in breach of the guidelines, will be notified of the policy in writing and required to remedy the breach within 48 hours. Any advertising sign found to be in breach of the guidelines beyond the 48 hours formal notice period will be removed by the Council and the business advised that they have 28 days to reclaim the sign and pay the associated charge of £70. Where appropriate any costs incurred by the Council in pursuing the above approach will be recovered from the business

3 Options/Alternatives

3.1 Option 1 – To adopt the advertising 'A' board and signage policy for public footways, pavements and public open spaces to reduce the number of obstructions for pedestrians and other users of the space. This will ensure the Council is taking action as part of adopting the 'Who put that there' street charter.

3.2 Option 2 – Do not adopt the policy leaving both users of the spaces and businesses unsure as to correct signage to use and where to put it.

4 Preferred Option

4.1 Option 1 is the preferred option.

5 Consultation

5.1 The proposals contained in this report have been consulted on through the Overview and Scrutiny board and working sub group. Their views and how it complements the recently adopted 'Who put that there' street charter are reflected in the report.

6 Financial Implications

6.1 The Public Protection service would like to introduce a policy and guidance for the use of "A" board and signage on the pavements in Oldham.

Revenue

6.2 If a company is found to be breaching the terms of the policy, the sign will be removed and a fine of £70 will be placed on the business to retrieve their sign back. The revenue from this will be coded to Environmental Health in Public Protection (cost centre 22720).

6.3 It is anticipated that income from this will be minimal. All support and administration will be met from within existing resources.

Capital

- 6.4 There are no Capital implications.

(Sophie Eade)

7 Legal Services Comments

- 7.1 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 deal with the display of advertisements. Under the Regulations, the Council (as local planning authority) must exercise its powers in the interests of amenity and public safety, taking into account any material provisions of the Development Plan and any other relevant factors. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Factors relevant to public safety include the safety of any person using a highway, railway, waterway, dock, harbour or aerodrome, whether the display of the advert in question is likely to obscure or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air and whether the display of the advert is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

- 7.2 Under section 225 of the Town and Country Planning Act 1990 the Council may remove or obliterate any placard or poster which is displayed in contravention of the Regulations and recover the cost they reasonably incur in doing so from the person who displayed it or caused it to be displayed. Under section 225A of the Act the Council may remove and then dispose of any display structure which is used for the display of advertisements in contravention of the Regulations and recover the cost they reasonably incur in doing so. The power under section 225 can be exercised after giving not less than 2 days notice to the person who displayed the placard or poster or caused it to be displayed, but the power under section 225A can only be exercised at least 22 days after serving a removal notice on the person who appears to the Council to be responsible for the erection or maintenance of the display structure. (A Evans)

8 Co-operative Agenda

- 8.1 The street charter is closely linked to our priorities of thriving communities and cooperative services as it seeks to engage people in our relevant design processes to make Oldham more accessible for blind and partially sighted people. This 'A' board and sign policy is referred to in the adopted street charter.

The policy will clarify for the Council's approach to keeping pavements free from obstruction whilst enabling businesses to advertise their location.

9 Human Resources Comments

- 9.1 N/A

10 Risk Assessments

- 10.1 N/A

11 IT Implications

11.1 None

12 Property Implications

12.1 None

13 Procurement Implications

13.1 None

14 Environmental and Health & Safety Implications

14.1 None

15 Equality, community cohesion and crime implications

15.1 This report and policy has been developed in conjunction with the Council's overview and scrutiny board and as part of the adoption of the 'Who put that there' street charter.

16 Equality Impact Assessment Completed?

16.1 No

17 Key Decision

17.1 No

18 Key Decision Reference

18.1 N/A]

19 Background Papers

19.1 None

20 Appendices

20.1 Advertising 'A' board and signage policy

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Appendix 1: 'A' Board and Sign Policy

1.0 Purpose

- 1.1 The inappropriate siting of 'A' boards ¹ or other such advertising structures and signs on public footways, pavements and streets can cause obstructions for pedestrians who are mobility and sight impaired and those using wheelchairs, mobility scooters and pushchairs and for cyclists on cycle ways and dual purpose footways. In some locations, where the pavements/footways are narrow, A-boards can force pavement users to use the road in order to get past them, thereby increasing the risk of accidents with road traffic. Road safety can also be affected by inappropriate siting of A-Boards, such as on highway verges or junctions.
- 1.1 The council wants the Town and the Borough to be both attractive and easy to use for all, and there is a need to set out what is acceptable in order that we can safeguard people with disabilities, including those with visual impairments, and to do this we need to regulate against over-proliferation of obstructions and inappropriate positioning on the footway.
- 1.2 This policy seeks to create a street environment which compliments premises based trading but is not unduly cluttered, is sensitive to the needs of residents, provides diversity and consumer choice, and seeks to enhance the character, ambience and safety of local environments. To ensure safe and unimpeded public access along pavements/footways; prevent the use of A-Boards in locations where they cannot be appropriately sited; and ensure compliance with legislation relevant to the siting of A-boards on public land; and that legislation is applied fairly, reasonably and consistently across the city and in line with relevant council policies.
- 1.3 This policy does not absolve anyone from any statutory, or non-statutory, risk as regards personal injury or damage to property that may incur in depositing anything on the highway, nor to override the request of any Police Officer. Similarly this policy does not override the powers of Planning Authorities.

2.0 Scope

- 2.1 This policy applies to all types of free standing advertising structures, including A-boards, directional signs and information signs designed to be placed on the ground. This Policy only applies to advertising structures placed upon public roads, highways or public open spaces. These guidelines also apply to pedestrianised areas and precincts.
- 2.2 This policy does not apply to the use of advertising structures on private property, including privately owned shopping centres, or to advertising using unattended bicycles and display or other goods/trades stands.

1.2 The policy does not cover:

- The placing of tables and chairs on the highway.
- Street trading and other licensed activities.
- Banners, hoardings, skip and scaffolds etc., which are licensed by application.
- Motorcycles and bicycles parked on footways and, or chained to railings/street furniture.
- The placing of trade waste bins and waste containers on footways.

¹ The use of the term A-board in this policy denotes all types of structures for the purpose of advertising

3.0 Definitions

“Road”: A road as defined by the Road Traffic Regulations Act 1984 is any length of highway or of any other road to which the public has access.

“Highway”: A highway includes but is not limited to roads, carriageways, verges, footways, and cycleway.

“Businesses”: In the context of this policy, the term business covers sole traders, private companies, charities, social enterprises, community groups and individuals.

“A’ board or other advertising structure”: To correspond with footnote definition on p1 of policy.

4.0 General Guidelines

1. Only one ‘A’ board or other advertising structure associated with their trade will be permitted per business premises (to minimise the obstruction to pedestrians and other footway users). Where multiple occupancy premises share joint access, only one A-board / advertising structure will be allowed per shop / business frontage.
2. The A-board / advertising structures must be placed against the building line or boundary of the property and should not obstruct access to statutory undertakers’ plant and equipment.
3. The signs or displays must be robust and self – weighted. The use of sand bags to stabilise signs will not be permitted.
4. The board / advertising structure must be 2 sided, or otherwise free standing, causing an A shape or easel effect. Other designs which achieve the same purpose, such as a board suspended from a top rail within a frame, will also be acceptable. The structure must be of sufficient weight or design to prevent it being blown over in the wind. It should not be on trailer wheels or other trailer type device. Rotating cylinders and Boards leant against walls etc. will not be acceptable.

5. The A-Board / advertising structures must be removed from the street when the property is closed or street cleansing works are being undertaken.
6. An unobstructed footway must be left free for access and permanent structures (e.g. litter bins bollards, street furniture, pedestrian crossing etc.) as well as the geography of an area (e.g. slopes, steep gradients) should be taken into account. If a suitable width cannot be maintained then A-boards or other advertising structures should not be placed on the highway.
7. A-Board / advertising structures may not be chained, tied or fixed to lamp posts, bollards, trees, seats or other items of street furniture.
8. A-board / advertising structures must not be fixed into or on the highway. All A-Board / advertising structure must be temporary in nature so they can easily be removed. No excavation will be permitted to install or remove the item.
9. A-Board / advertising structures must not obstruct sight lines of vehicle drivers or pedestrians.
10. A-Board / advertising structures should be standard A1 size (841mm x 594mm) and no higher than 1100mm above ground level (including any support).
11. A-Board / advertising structures must be in good condition and appear professionally made, e.g. proper sign writing, painting / printing. Offensive content will not be tolerated.
12. Advertising signs and displays may need to be removed during severe weather, events to permit maintenance or street works or for other reasonable cause. Any additional requirement requested by the council, the police or emergency services, including immediate removal of any item, must also be complied with.
13. Where a business has its own private forecourt any A-Board / advertising structure shall be placed wholly within this forecourt.
14. A-Board / advertising structures on grass verges, roundabouts, road safety refuges and central reservations are not permitted.
15. A-Board / advertising structures and other advertising structures must be such that they can be easily detected and negotiated by the visually impaired and those with mobility difficulties.
16. If a premise has current licenced tables and chairs area, then any advertising should be contained with the agreed seating area and not outside the area.
17. Nothing in the guidelines absolves those concerned from legal responsibilities under the Highways Act 1980 and other legislation.
18. Where a specific sign is identified by the Council as creating a hazard for pedestrians and particularly the disabled or visually impaired, the owner must respond reasonably and promptly by relocating or removing the sign. This includes hazards created from a sign blown over in exceptionally strong winds.
19. The Council reserves the right to amend or vary the guidelines and to consider each site on its merit.

5.0 Enforcement Approach

The Council will adopt the following approach, as resources allow, when taking enforcement action under this policy

1. Breaches of this policy will be investigated by Council officers.
2. Businesses found to be using an A-Board / advertising structure in breach of the guidelines will be notified of this policy and asked to comply (service of formal letter);
3. A-Boards / advertising structures not complying with the general guidelines, within 48 hours of service of formal letter, will be removed by the Council and the business informed that they have 28 days to reclaim the board and pay the associated charge of £70. Any A-board not collected within the 28 day notice period will be disposed of.
4. Any business which commits a second A-Board / advertising structure policy breach, will receive a formal written notice warning that the Council will consider taking legal action against them.

Where appropriate any costs incurred by the Council in pursuing the above approach will be recovered from the business.

6.0 General

- 6.1 This policy will be the subject of periodic monitoring and review.
- 6.2 The policy will be applied in a manner which is consistent with the Council's equalities and enforcement policies.
- 6.3 The policy does not exempt any applicant/owner from obtaining any required consent. The applicant / owner of the article will be responsible for obtaining any required consents required by The Town and Country Planning Act.
- 6.4 A-boards and other advertising structures will be the owner's responsibility when placed on the highway. Any liability arising from an accident involving an A-Board / advertising structure remains firmly with the owner of the A-Board. / advertising structure. It is essential that Public Liability Insurance cover of a minimum £5million pounds is held by any business which places an A Board on the highway. This is to cover any potential third party claims.



Report to Council

Treasury Management Mid-Year Review Report 2018

Portfolio Holder: Cllr Abdul Jabbar MBE, Deputy Leader and Cabinet Member for Finance and Corporate Resources

Officer Contact: Anne Ryans, Director of Finance

Report Author: Lee Walsh, Finance Manager (Capital & Treasury)
Ext. 6608

12 December 2018

Reason for Decision

The report advises Council of the performance of the Treasury Management function of the Council for the first half of 2018/19, and provides a comparison of performance against the 2018/19 Treasury Management Strategy and Prudential Indicators.

Executive Summary

The Council is required to consider the performance of the Treasury Management function in order to comply with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2017). This report therefore sets out the key Treasury Management issues for Members' information and review and outlines:

- An economic update for the first six months of 2018/19;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators);
- A review of the Council's investment portfolio for 2018/19;
- A review of the Council's borrowing strategy for 2018/19;
- Why there has been no debt rescheduling undertaken during 2018/19;
- A review of compliance with Treasury and Prudential Limits for 2018/19.

The Treasury Management Half Year Review 2018/19 report was presented to and approved by Cabinet on 19 November 2018. Cabinet commended the report to Council. It will also be considered by Audit Committee at its meeting of 10 January 2019.

Recommendations

That Council approves and Council the:

- a) Treasury Management activity for the first half of the financial year 2018/19 and the projected outturn position
- b) Amendments to both Authorised Limit and Operational Boundary for external debt as set out in the table at Section 2.4.5 of the report.
- c) Amendments to the Capital Financing Requirement (CFR) as set out in the table at section 2.4.5
- d) Addition to the Treasury Management Strategy 2018/19 with regards to specified investments as presented at Appendix 3.

Treasury Management Strategy Mid-Year Review Report 2018/19

1 Background

- 1.1 The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations is to ensure this cash flow is adequately planned, with surplus monies being invested with low risk counterparties, providing adequate liquidity initially before considering optimising investment return.
- 1.2 The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.
- 1.3 As a consequence treasury management is defined as:
- “The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”
- 1.4 In December 2017, the Chartered Institute of Public Finance and Accountancy, (CIPFA), issued revised Prudential and Treasury Management Codes. A key requirement of the revised code is that from 2019/20, all Local Authorities will be required to prepare a Capital Strategy which is intended to provide the following:
- a) a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services
 - b) an overview of how the associated risk is managed
 - c) the implications for future financial sustainability

The Council already prepares a Capital Strategy but the 2019/20 report will be revised to ensure that any new requirements are addressed. A report setting out the Capital Strategy will be presented to the 2019/20 Budget Cabinet and Budget Council meetings.

2 Current Position

2.1 Requirements of the Treasury Management Code of Practice

- 2.1.1 Treasury Management reports must be prepared in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2017).
- 2.1.2 The primary requirements of the Code are as follows:
- a) Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
 - b) Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.

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- c) Receipt by the full Council of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a **Mid-year Review Report** and an Annual Report (stewardship report) covering activities during the previous year.
 - d) Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions. In Oldham, this responsibility is delegated to the Director of Finance.
 - e) Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. In Oldham, the delegated body is the Audit Committee.

2.1.3 This mid-year report has been prepared in compliance with CIPFA's Code of Practice, and covers the following:

- An economic update for the first six months of 2018/19;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council's capital expenditure (prudential indicators);
- A review of the Council's investment portfolio for 2018/19;
- A review of the Council's borrowing strategy for 2018/19;
- Why there has been no debt rescheduling undertaken during 2018/19;
- A review of the compliance with Treasury and Prudential Limits for 2018/19;

2.2 **Economic Performance for the First Six Months of the Year**

The United Kingdom (UK)

- 2.2.1 The first half of 2018/19 has seen UK economic growth post a modest performance, but sufficiently robust for the Monetary Policy Committee, (MPC), to unanimously (9-0) vote to increase Bank Rate on 2 August from 0.5% to 0.75%.
- 2.2.2 Although growth looks as if it will only be modest at around 1.5% in 2018, the Bank of England's August Quarterly Inflation Report forecast that growth will pick up to 1.8% in 2019, albeit there were several caveats – mainly related to whether or not the UK achieves an orderly withdrawal from the European Union in March 2019.
- 2.2.3 Some MPC members have expressed concerns about a build-up of inflationary pressures, particularly with the pound falling in value again against both the US dollar and the Euro. The Consumer Price Index (CPI) measure of inflation rose unexpectedly from 2.4% in June to 2.7% in August due to increases in volatile components, but is expected to fall back to the 2% inflation target over the next two years given a scenario of minimal increases in Bank Rate.
- 2.2.4 The MPC has indicated Bank Rate would need to be in the region of 1.5% by March 2021 for inflation to stay on track. Financial markets are currently pricing in the next increase in Bank Rate for the second half of 2019.
- 2.2.5 As for the labour market, unemployment has continued at a 43 year low of 4% on the Independent Labour Organisation measure. A combination of job vacancies hitting an all-time high in July, together with negligible growth in total employment numbers, indicates that employers are now having major difficulties filling job vacancies with suitable staff.

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- 2.2.6 It was therefore not surprising that wage inflation picked up to 2.9%, (3 month average regular pay, excluding bonuses) and to a one month figure in July of 3.1%. This meant that in real terms, (i.e. wage rates higher than CPI inflation), earnings grew by about 0.4%, near to the joint high of 0.5% since 2009. (The previous high point was in July 2015.)
- 2.2.7 Given the UK economy is very much services sector driven, an increase in household spending power is likely to feed through into providing some support to the overall rate of economic growth in the coming months. This tends to confirm that the MPC were right to start on a cautious increase in the Bank Rate in August as it views wage inflation in excess of 3% as increasing inflationary pressures within the UK economy. However, the MPC will need to tread cautiously before increasing the Bank Rate again, especially given all the uncertainties around Brexit.
- 2.2.8 In the political arena, there is a risk that the current Conservative minority government may be unable to muster a majority in the Commons over Brexit. However, it is expected that Prime Minister May's government will endure, despite various setbacks, along the route to Brexit in March 2019. If, however, the UK faces a general election in the next 12 months, this could result in a potential loosening of monetary policy and therefore medium to longer dated gilt yields could rise on the expectation of a weak pound and concerns around inflation picking up.

United States of America (USA)

- 2.2.9 President Trump's massive easing of fiscal policy is fueling a (temporary) boost in consumption which has generated an upturn in the rate of strong growth which rose from 2.2%, (annualised rate), in quarter 1 to 4.2% in quarter 2, but also an upturn in inflationary pressures.
- 2.2.10 With inflation moving towards 3%, the US Federal Reserve (Fed) increased rates another 0.25% in September to between 2.00% and 2.25%, this being four increases in 2018, and indicated that it would expect to increase rates four more times by the end of 2019. The dilemma, however, is what to do when the temporary boost to consumption wanes, particularly as the recent imposition of tariffs on a number of countries' exports to the US, (China in particular), could see a switch to US production of some of those goods, but at higher prices. Such a scenario would invariably make any easing of monetary policy harder for the Fed in the second half of 2019.

European Union (EU)

- 2.2.11 Growth was unchanged at 0.4% in quarter 2, but has undershot early forecasts for a stronger economic performance in 2018.
- 2.2.12 In particular, data from Germany has been mixed and it could be negatively impacted by US tariffs on a significant part of manufacturing exports e.g. cars. For that reason, although growth is still expected to be in the region of 2% for 2018, the horizon is less clear than it seemed just a short while ago.

China and Japan

- 2.2.13 Chinese economic growth has been weakening over successive years, despite repeated rounds of central bank stimulus; medium term risks are increasing. Major progress still needs to be made to eliminate excess industrial capacity and the stock of unsold property, and to address the level of non-performing loans in the banking and credit systems.

2.2.14 Japan has been struggling to stimulate consistent significant GDP growth and to get inflation up to its target of 2%, despite huge monetary and fiscal stimulus. It is also making little progress on fundamental reform of the economy.

2.3 Interest Rate Forecast

2.3.1 The Council's treasury advisor, Link Asset Services, has provided the following forecast of interest rates over the period from September 2018 to March 2021:

Link Asset Services Interest Rate View											
	Sep-18	Dec-18	Mar-19	Jun-19	Sep-19	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21
Bank Rate View	0.75%	0.75%	0.75%	0.75%	1.00%	1.00%	1.00%	1.25%	1.25%	1.50%	1.50%
3 Month LIBID	0.75%	0.80%	0.80%	0.90%	1.10%	1.10%	1.20%	1.40%	1.50%	1.60%	1.60%
6 Month LIBID	0.85%	0.90%	0.90%	1.00%	1.20%	1.20%	1.30%	1.50%	1.60%	1.70%	1.70%
12 Month LIBID	1.00%	1.00%	1.00%	1.10%	1.30%	1.30%	1.40%	1.60%	1.70%	1.80%	1.80%
5yr PWLB Rate	2.00%	2.00%	2.10%	2.20%	2.20%	2.30%	2.30%	2.40%	2.50%	2.50%	2.60%
10yr PWLB Rate	2.40%	2.50%	2.50%	2.60%	2.70%	2.70%	2.80%	2.90%	2.90%	3.00%	3.10%
25yr PWLB Rate	2.80%	2.90%	3.00%	3.10%	3.10%	3.20%	3.30%	3.30%	3.40%	3.50%	3.50%
50yr PWLB Rate	2.60%	2.70%	2.80%	2.90%	2.90%	3.00%	3.10%	3.10%	3.20%	3.30%	3.30%

2.3.2 The flow of generally positive economic statistics after the end of the quarter ended 30 June meant that it came as no surprise that the MPC came to a decision on 2 August to make the first increase in Bank Rate above 0.5% (to 0.75%) since the financial crash.

2.3.3 However, the MPC emphasised again, that future Bank Rate increases would be gradual and would rise to a much lower equilibrium rate, (where monetary policy is neither expansionary or contractionary), than before the crash; indeed they gave a figure for this of around 2.5% in ten years' time but they declined to give a medium term forecast.

2.3.4 Link Asset Services advised that it does not think that the MPC will increase the Bank Rate in February 2019, ahead of the deadline in March for Brexit. Link also considers that the MPC is more likely to wait until August 2019, than May 2019, before the next increase, to be followed by further increases of 0.25% in May and November 2020 to reach 1.5%. However, the cautious pace of even these limited increases is dependent on a reasonably orderly Brexit.

The balance of risks to the UK

2.3.5 The overall balance of risks to economic growth in the UK is probably neutral.

2.3.6 The balance of risks to increases in Bank Rate and shorter term PWLB rates, are probably also even and are broadly dependent on how strong GDP growth turns out, how slowly inflation pressures subside, and how quickly the Brexit negotiations move forward positively.

Downside risks to current forecasts for UK gilt yields and Public Works Loan Board (PWLB) rates

2.3.7 There are a number of downside risks to current forecasts for UK gilt yields and PWLB rates as follows:

-
- The Bank of England monetary policy takes action too quickly to raise Bank Rate over the next three years and causes UK economic growth, and increases in inflation, to be weaker than currently anticipated.
 - There could be a resurgence of the Eurozone sovereign debt crisis, possibly Italy, due to its high level of government debt, low rate of economic growth and vulnerable banking system, and due to the election in March of a government which has focused on anti-austerity. This is likely to lead to friction with the EU when setting the target for the fiscal deficit in the national budget. Unsurprisingly, investors have taken a dim view of this and so Italian bond yields have been rising.
 - In the German general election of September 2017, Angela Merkel's CDU party was left in a vulnerable minority position.
 - The challenges from a range of political developments could put considerable pressure on the cohesion of the EU and could spill over into impacting the euro, EU financial policy and financial markets.
 - The imposition of trade tariffs by President Trump could negatively impact world growth. President Trump's specific actions against Turkey pose a particular risk to its economy which could, in turn, negatively impact Spanish and French banks which have significant exposures to loans to Turkey.
 - There is weak capitalisation of some European banks.
 - Rising interest rates in the US could negatively impact emerging countries which have borrowed heavily in dollar denominated debt, so causing an investor flight to safe havens e.g. UK gilts.
 - There are geopolitical risks, especially North Korea, but also in Europe and the Middle East, which could lead to increasing safe haven flows.

Upside risks to current forecasts for UK gilt yields and PWLB rates

2.3.8 Upside risks to current forecasts of UK gilt yields and PWLB rates include:

- President Trump's fiscal plans to stimulate economic expansion causing a significant increase in inflation in the US and causing further sell offs of government bonds in major western countries.
- The Fed causing a sudden shock in financial markets through misjudging the pace and strength of increases in its Fed. Funds Rate and in the pace and strength of reversal of Quantitative Easing (QE), which then leads to a fundamental reassessment by investors of the relative risks of holding bonds, as opposed to equities. This could lead to a major flight from bonds to equities and a sharp increase in bond yields in the US, which could then spill over into impacting bond yields around the world.
- The Bank of England being too slow in its pace and strength of increases in Bank Rate and, therefore, allowing inflation pressures to build up too strongly within the UK economy, which then necessitates a later rapid series of increases in Bank Rate faster than we currently expect.

- UK inflation, whether domestically generated or imported, returning to sustained significantly higher levels causing an increase in the inflation premium inherent to gilt yields.

2.4 Treasury Management Strategy Statement and Annual Investment Strategy Update

2.4.1 The Treasury Management Strategy Statement (TMSS) for 2018/19 was approved at the Council meeting on 28 February 2018. The underlying TMSS approved previously now requires revision in the light of economic and operational movements during the year. The proposed changes and supporting detail for the changes are set out in the next sections of this report.

2.4.2 A decrease is required to both the overall Authorised Limit (the “affordable borrowing limit” required by Section 3 of the Local Government Act 2003 above which the Council does not have the power to borrow) and Operational Boundary (the expected borrowing position of the Council during the year) for external debt. This indicator is made up of external borrowing and other long term liabilities, Private Finance Initiatives (PFI) and Finance Leases. The revision to the limits aligns to the reduction in the Capital Financing Requirement as outlined at paragraph 2.4.4 and 2.4.5 below.

2.4.3 The Council has the following PFI and Public Private Partnership (PPP) Schemes each contributing to the Other Long Term Liabilities element of the Authorised Limit and the Operational Boundary:

- Gallery Oldham and Library
- Sheltered Housing (PFI2)
- Radclyffe and Failsworth Secondary Schools
- Chadderton Health & Well Being Centre
- Street Lighting
- Housing (PFI4)
- Blessed John Henry Newman RC College (Building Schools for the Future)

2.4.4 It will be necessary to decrease the Capital Financing Requirement (CFR) by £22.584m. Whilst approved capital expenditure/ funding carry forwards from 2017/18 of £1.342m caused an initial increase, this is more than offset by estimated re-phasing and re-alignment and other anticipated adjustments in the 2018/19 capital programme resulting in the reduced CFR.

2.4.5 Members are therefore requested to approve the key changes to the 2018/19 prudential indicators as set out in the table below which show the original and recommended revised figures:

Prudential Indicator 2018/19	Original £'000	Recommended Revised Prudential Indicator £'000
Authorised Limit	570,000	550,000
Operational Boundary	545,000	525,000
Capital Financing Requirement	542,041	519,457

2.5 The Council’s Capital Position (Prudential Indicators)

2.5.1 This section of the report presents the Council’s capital expenditure plans and their financing, the impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow together with compliance with the limits in place for borrowing activity.

Prudential Indicator for Capital Expenditure

- 2.5.2 The table below shows the half year position and the revised budget for capital expenditure (as per table 2 of the month 6 Capital Investment Programme monitoring report). It therefore highlights the changes that have taken place and are forecast since the capital programme was agreed at the Council meeting on 28 February 2018.

Capital Expenditure by Service	2018/19 Original Estimate £'000	2018/19 Current Position £'000	2018/19 Forecast Estimate £'000
Corporate and Commercial Services	25,445	8,035	14,174
Health and Wellbeing*	4,426	-	-
Community Health & Social Care Services*	-	667	1,880
Reform*	-	33	197
People and Place	52,152	8,851	31,864
Funds yet to be allocated	4,862	-	311
General Fund Services	86,885	17,585	48,426
Housing Revenue Account	2,773	330	1,097
Total	89,658	17,915	49,523

*- since the 2018/19 Capital Programme was approved, the Council had an organisational restructure which has resulted in the creation of 2 new Directorates - Community Health & Social Care Services and Reform. The functions of the former Health and Wellbeing Directorate have been realigned into Community Health & Social Care Services, Reform and People and Place.

- 2.5.3 The above table shows a decrease in the capital programme of £40.135m to the month 6 budgeted position with current forecast spend of £49.523m. The original estimate was initially increased by slippage of £1.342m brought forward into the 2018/19 programme from the previous year. During the summer months the Council undertook the Annual Review of the Capital Programme in line with practice of recent years. The review identified a requirement for significant re-profiling across a number of schemes with expenditure being re-profiled to 2022/23 which is outside the originally approved 4 year planning timescale. The majority of the re-phasing moved significant expenditure (£76.5m) from 2019/20 into the later years of the capital programme. The budget variations largely relate to a revision to the Oldham Coliseum and Heritage Centre, Town Centre Masterplan, and the re-phasing of the Schools Capital Programme, mainly due to planning related issues.

Changes to the Financing of the Capital Programme

- 2.5.4 The table below draws together the main strategy elements of the capital expenditure plans (above) highlighting the original supported (£48.994m) and unsupported elements i.e. requiring borrowing (£40.664m), and the expected financing (revised position) arrangements of this capital expenditure. The borrowing need element of the table increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements.

- 2.5.5 The overall net reduction in the capital programme has resulted in a change in the mix of funding sources required in 2018/19; a decrease in all financing types reducing the forecast borrowing need by £13.669m from £40.664m to £26.995m.

Capital Expenditure	2018/19 Original Estimate £'000	2018/19 Current Position £'000	2018/19 Forecast Position £'000
General Fund Services	86,885	17,585	48,426
Housing Revenue Account	2,773	330	1,097
Total spend	89,658	17,915	49,523
Financed by:			
Capital receipts	(17,347)	(4,540)	(5,793)
Capital grants	(28,718)	(3,801)	(16,647)
Revenue	(786)	(75)	(88)
HRA	(2,143)	-	-
Total financing	(48,994)	(8,416)	(22,528)
Borrowing need	40,664	9,499	26,995

Changes to the Prudential Indicators for the Capital Financing Requirement, External Debt and the Operational Boundary

- 2.5.6 The table below shows the CFR, which is the underlying external need to incur borrowing for a capital purpose. As previously mentioned in paragraph 2.4.4 the CFR needs to decrease by £22.584m. It also shows the expected debt position over the period (the Operational Boundary). This indicator has decreased to reflect the revisions to the forecast year end position of the capital programme.

	2018/19 Original Estimate £'000	2018/19 Revised Estimate £'000
Prudential Indicator – Capital Financing Requirement		
CFR – non housing	542,041	519,457
CFR – housing	-	-
Total CFR	542,041	519,457
Net movement in CFR		(22,584)
Prudential Indicator – External Debt / the Operational Boundary		
Borrowing	300,000	280,000
Other long term liabilities	245,000	245,000
Total debt 31 March	545,000	525,000

Limits to Borrowing Activity

- 2.5.7 The first key control over the treasury activity is a prudential indicator to ensure that over the medium term, net borrowing (borrowings less investments) will only be for a capital purpose.
- 2.5.8 Gross external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2018/19 and next two financial years. This allows some flexibility for limited early borrowing for future years. The Council has approved a policy for borrowing in advance of need which will be adhered to if this proves prudent.
- 2.5.9 The CFR calculation is shown in the table below and the Director of Finance reports that no difficulties are envisaged for the current or future years in complying with this prudential indicator as there is £124.520m headroom between total debt and the CFR.

	2018/19 Original Estimate £'000	2018/19 Revised Estimate £'000
Gross borrowing	180,350	148,647
Plus other long term liabilities*	245,992	246,291
Total Debt	426,342	394,938
CFR* (year end position)	542,041	519,457
Headroom	115,699	124,520

*- includes on balance sheet PFI schemes and finance leases

- 2.5.10 A further prudential indicator controls the overall level of borrowing. This is the Authorised Limit which represents the limit beyond which borrowing is prohibited, and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003. Presented in the table below is the original and the revised Authorised Limit.

Authorised limit for external debt	2018/19 Original Indicator	2018/19 Revised Indicator
Borrowing	320,000	300,000
Other long term liabilities*	250,000	250,000
Total	570,000	550,000

* - Includes on balance sheet PFI schemes and finance leases.

2.6 Investment Portfolio 2018/19

- 2.6.1 In accordance with the Code, it is the Council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the Council's risk appetite. As set out in Section 2.3, it is a very difficult investment market in terms of earning the level of interest rates commonly seen in previous decades as rates are very low and in line with the 0.75% Bank Rate which prevailed towards the end of quarter 2. The

continuing potential for a re-emergence of a Eurozone sovereign debt crisis, and its impact on banks, prompts a low risk short term strategy. Given this risk environment and the fact that increases in Bank Rate are likely to be gradual and unlikely to return to the levels seen in previous decades, investment returns are likely to remain low.

2.6.2 The Council held £93.350m of investments, including property funds as at 30 September 2018 (£73.650m at 31 March 2018). A full list of investments as at 30 September is included at Appendix 1. A summary of investments by type is included in the table below.

2.6.3 The Council ensures enough funds are kept in either instant access accounts and/ or on-call accounts to meet its short term liquidity requirements. As at 30 September the Council held £24.350m in Money Market Funds and £17.500m in Notice Accounts that range from 32 to 95 day notice period.

Investment Type	Total at 30 September 2018
Property	15,000
Fixed (Term Deposits) Bank / Building Society	26,000
Fixed (Term Deposits) LA's / Public Bodies	10,500
Notice Accounts	17,500
Money Market Funds	24,350
Total	93,350

2.6.4 The Director of Finance confirms that the approved limits within the Annual Investment Strategy were not breached during the first six months of 2018/19.

2.6.5 The Council's investment strategy looks to achieve a return on its investment of London Interbank Bid Rate (LIBID) plus a 5% mark up. The Council will maintain sufficient cash reserves to give it its necessary liquidity and may place investments up to 5 years if the cash flow forecast allows and the credit rating criteria is met. Performance against this benchmark was as follows:

Benchmark	Benchmark Return LIBID +5%	Council Performance
7 days	0.46%	0.55%
1 month	0.49%	0.65%
3 months	0.64%	0.73%
6 months	0.75%	0.76%
1 year	0.99%	1.07%
Return first 6 months		0.69%

2.6.6 The Council's performance on its cash investments exceeded its target on all benchmarks as can be seen in the table above.

2.6.7 It is important to be able to maximise investment income to support the overall financial position of the Council. During the year the Council has been continually looking at alternative investment opportunities within treasury management to provided additional

income. At this moment in time no deal has passed the due diligence process but opportunities will continue to be assessed. It is important to note that any investments are only undertaken after an appropriate due diligence exercise and having regard to the Treasury Management principles of security, liquidity, yield and ethical investments.

- 2.6.9 It is essential to have flexibility to be able to take advantage of opportunities for new investments that may become available. Therefore, a revision to the specified investment category within the Treasury Management Strategy is proposed and as set out at Appendix 3.

Property Fund

- 2.6.10 In the first six months of the year the Council's investment within the CCLA property fund has generated a return of (4.47%) and it is anticipated that this revenue return will continue throughout the year. As advised within the TMSS, due to the anticipated fluctuations in price this is an investment with a minimum time horizon of 5 years.
- 2.6.11 Following the Brexit decision, in the initial months property funds saw a small decline in the value due mainly to valuer caution rather than any significant increase in pressure to sell properties. In contrast, occupier trends continued to strengthen. This initial decline in value has started to unwind and prices are now at the same levels prior to the Brexit decision.
- 2.6.12 The current investment counterparty criteria selection approved in the TMSS and included at Appendix 3 is meeting the requirement of the treasury management function.

2.7 Borrowing

- 2.7.1 It is proposed in this report that the Council's CFR for 2018/19 is revised to £519.457m and this denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions.
- 2.7.2 The table within paragraph 2.5.9 shows the Council has expected year end borrowings of £394.938m and will have utilised £124.520m of cash flow funds in lieu of borrowing. This is a prudent and cost effective approach in the current economic climate but will require ongoing monitoring in the event that upside risk to gilt yields prevails.
- 2.7.3 The Council has not undertaken any borrowing in the first half of the year, and did not undertake any debt rescheduling during the first half of 2018/19. Due to current cash balances it is not anticipated that any borrowing will be undertaken in the rest of 2018/19, unless there is a further decline in interest rates attached to borrowing. In October 2018, the Council was notified that it had been successful in its certainty rate reduction application. This entitles the Council to receive a 20 basis point rate reduction on the prevailing rate of PWLB on any borrowing undertaken from 1 November 2018 to 31 October 2019.
- 2.7.4 Current PWLB certainty rates are set out in the following table and show for a selection of maturity periods over the first half of 2018/19, the range (high and low points) in rates and the average rates over the period. In addition, Appendix 2 tracks the movement in the PWLB certainty rate over the period April to September 2018 across the same range of loan terms as is used in the table below.

Maturity Rates	1 Year	5 Year	10 Year	25 Year	50 Year
03/04/18	1.48%	1.84%	2.22%	2.55%	2.27%
30/09/18	1.55%	1.93%	2.33%	2.74%	2.56%
Low	1.28%	1.67%	2.09%	2.50%	2.25%
Date	01/06/18	29/05/18	20/07/18	20/07/18	29/05/18
High	1.57%	1.99%	2.43%	2.83%	2.64%
Date	17/04/18	25/09/18	25/04/18	25/09/18	25/09/18
Average	1.46%	1.84%	2.25%	2.64%	2.41%

2.8 Debt Rescheduling

2.8.1 Debt rescheduling opportunities have been very limited in the current economic climate given the consequent structure of interest rates, and following the increase in the margin added to gilt yields which has impacted PWLB new borrowing rates since October 2010. No debt rescheduling has therefore been undertaken to date in the current financial year.

2.9 Overall Position at the Mid –Year 2018/19

2.9.1 The position at the mid-year 2018/19 shows that the Council is continuing to follow recommended practice and manage its treasury affairs in a prudent manner.

2.10 Other Key Issues

UK Banks - Ringfencing

2.10.1 The largest UK banks, (those with more than £25bn of retail / Small and Medium-sized Enterprise (SME) deposits), are required, by UK law, to separate core retail banking services from their investment and international banking activities by 1st January 2019. This is known as “ring-fencing”. Whilst smaller banks with less than £25bn in deposits are exempt, they can choose to opt up. Several banks are very close to the threshold already and so may come into scope in the future regardless.

2.10.2 Ring-fencing is a regulatory initiative created in response to the global financial crisis. It mandates the separation of retail and SME deposits from investment banking, in order to improve the resilience and resolvability of banks by changing their structure. In general, simpler, activities offered from within a ring-fenced bank, (RFB), will be focused on lower risk, day-to-day core transactions, whilst more complex and “riskier” activities are required to be housed in a separate entity, a non-ring-fenced bank, (NRFB). This is intended to ensure that an entity’s core activities are not adversely affected by the acts or omissions of other members of its group.

2.10.3 While the structure of the banks included within this process may have changed, the fundamentals of credit assessment have not. The Council will continue to assess the new-formed entities in the same way that it does others and those with sufficiently high ratings, (and any other metrics considered), will be considered for investment purposes.

IFRS 9 Accounting Standard

- 2.10.4 This Accounting Standard came into effect from 1 April 2018. It means that the category of investments valued under the available for sale category will be removed and any potential fluctuations in market valuations may impact onto the Surplus or Deficit on the Provision of Services as presented in the Statement of Accounts, rather than being held on the balance sheet. This change is unlikely to materially affect the commonly used types of treasury management investments but more specialist types of investments, (e.g. property funds, third party loans, commercial investments such as the Councils shareholding in the Manchester Airports Group), are likely to be impacted. The impact of this on the financial position of the Council is currently being assessed.
- 2.10.5 The Ministry of Housing, Communities and Local Government (MHCLG), is currently conducting a consultation for a temporary override to allow English local authorities time to adjust their portfolio of investments. Members will be updated when the result of this consultation is known.

Claim against Barclay Bank

- 2.11.6 The Council is currently involved in legal action against Barclays Bank with regards to certain Lender Option Borrower Option (LOBO) transactions. This is based on the Bank's involvement in manipulation of the LIBOR benchmark rate and the subsequent impact on the Council's financial position. This matter is on-going.

3 Options/Alternatives

- 3.1 In order that the Council complies with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management the Council has no option other than to consider and approve the contents of the report. Therefore no options/alternatives have been presented.

4 Preferred Option

- 4.1 As stated above the preferred option is that the contents of the report are approved.

5 Consultation

- 5.1 Consultation has taken place with Link Asset Services (the Councils Treasury Management Advisors), and senior officers. The report was presented to and approved by Cabinet on 19 November 18. Cabinet also commended the report to Council for approval. It should be noted that the report will also be presented to the Audit Committee for scrutiny at its meeting of 10 January 2019.

6 Financial Implications

- 6.1 All included within the report.

7 Legal Services Comments

- 7.1 None.

8 Co-operative Agenda

- 8.1 The Council ensures that any Treasury Management decisions comply as far as possible with the ethos of the Cooperative Council.

9 Human Resources Comments

9.1 None.

10 Risk Assessments

10.1 There are considerable risks to the security of the Authority's resources if appropriate treasury management strategies and policies are not adopted and followed. The Council has established good practice in relation to treasury management which has previously been acknowledged in both Internal and the External Auditors' reports presented to the Audit Committee.

11 IT Implications

11.1 None.

12 Property Implications

12.1 None.

13 Procurement Implications

13.1 None.

14 Environmental and Health & Safety Implications

14.1 None.

15 Equality, community cohesion and crime implications

15.1 None.

16 Equality Impact Assessment Completed?

16.1 No.

17 Key Decision

17.1 Yes

18 Key Decision Reference

18.1 FCR -18-18

19 Background Papers

19.1 The following is a list of the 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 that Act.

File Ref: Background papers are contained with Appendices 1, 2 & 3.
Officer Name: Anne Ryans
Contact No: 0161 770 4902

20 Appendices

Appendix 1	Investments as at 30 September 2018
Appendix 2	Borrowing as at 30 September 2018
Appendix 2A	PWLB Certainty Rate Variations 2018/19
Appendix 2B	Comparison of Borrowing parameters to actual external borrowing - Table
Appendix 2C	Comparison of Borrowing parameters to actual external borrowing - Graph
Appendix 3	Investment Counterparty Criteria

Appendix 1 Investments as at 30 September 2018

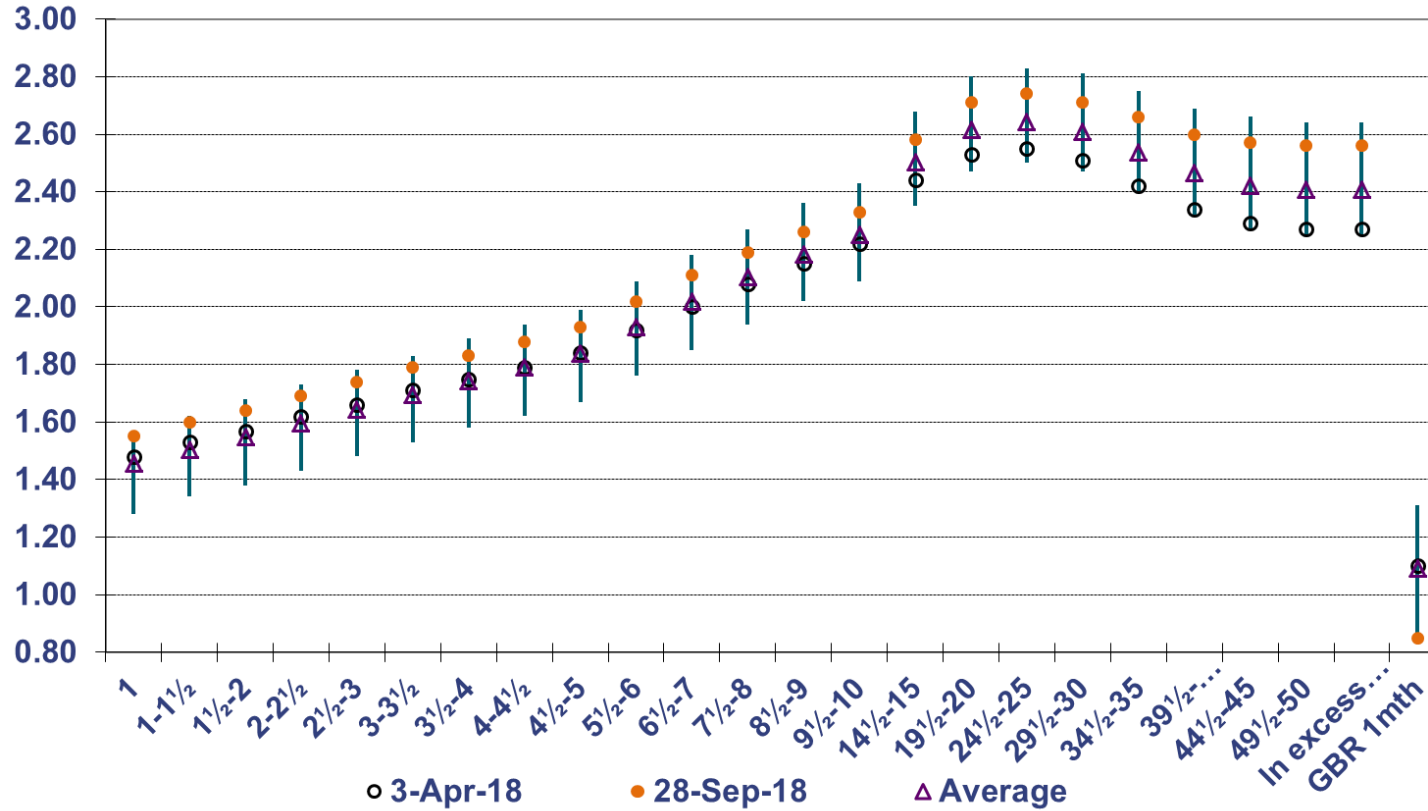
Investments	Type	At 30 Sept. 2018 £'000	Interest Rate	Date of Investment	Date of Maturity
CCLA Property Fund	Property	15,000	4.51%	Prior Years	open
Total Property Fund		15,000			
Standard Chartered	Fixed	5,000	0.90%	20/04/2018	19/10/2018
Surrey Heath Borough Council	Fixed	3,000	0.70%	24/05/2018	26/11/2018
Santander UK Plc	Fixed	5,000	0.90%	14/08/2018	14/11/2018
Natwest Bank PLC	Fixed	5,000	0.81%	15/08/2018	15/11/2018
London Borough of Barking & Dagenham	Fixed	5,000	0.82%	30/08/2018	30/11/2018
Goldman Sachs International Bank	Fixed	2,500	0.88%	10/07/2018	10/01/2019
Barclays Bank PLC	Fixed	3,000	0.75%	10/07/2018	10/01/2019
Standard Chartered	Fixed	2,500	0.80%	16/07/2018	16/01/2019
Close Brothers Ltd	Fixed	3,000	0.80%	19/07/2018	21/01/2019
Thurrock Council	Fixed	2,500	1.07%	27/09/2018	26/09/2019
Total Fixed Investments		36,500			
Bank of Scotland plc	32 day call	10,000	0.82%	08/12/2017	open
Bank of Scotland plc	95 day call	2,500	0.95%	05/01/2018	open
Santander	35 day call	5,000	0.75%	22/05/2018	open
Total Investments on call		17,500			
Federated Sterling Liquidity 3	MMF	1,450	0.69%	26/09/2018	01/10/2018
Standard Life Sterling Liquidity	MMF	12,900	0.66%	28/09/2018	01/10/2018
Federated Cash Plus Fund	MMF	10,000	0.77%	28/09/2018	01/10/2018
Total MMF		24,350			
Total		93,350			

MMF – Money Market Fund

Appendix 2 Borrowing as at 30 September 2018

2A) PWLB Certainty Rate Variations 2018/19

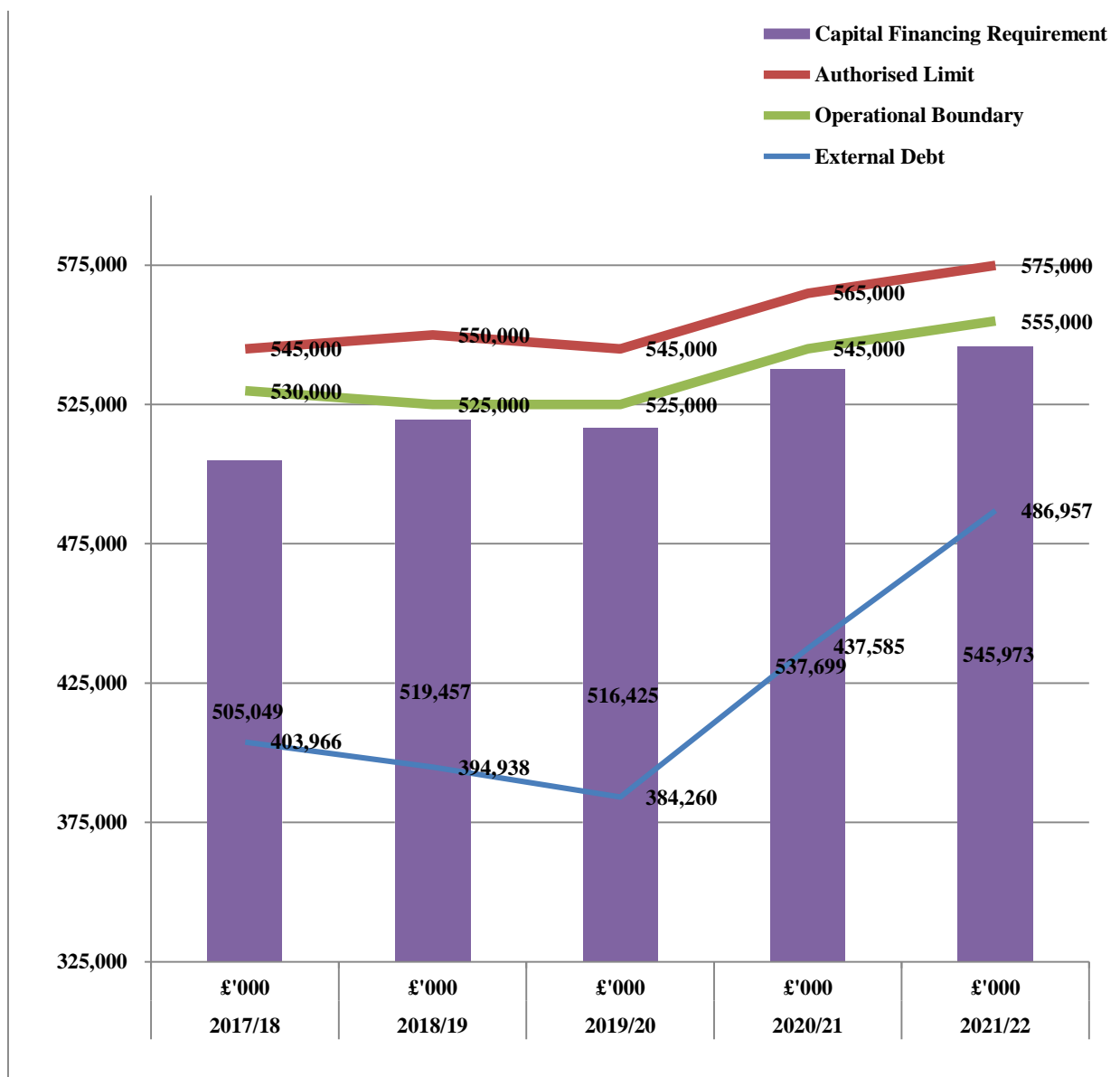
PWLB Certainty Rate Variations to 30.9.2018



2B) Comparison of borrowing parameters to actual external borrowing (Table)

Actual / Expected	2017/18 £'000	Revised 2018/19 £'000	2019/20 £'000	2020/21 £'000	2021/22 £'000
Authorised Limit	545,000	550,000	545,000	565,000	575,000
Operational Boundary	530,000	525,000	525,000	545,000	555,000
Capital Financing Requirement	505,049	519,457	516,425	537,699	545,973
External Debt	403,966	394,938	384,260	437,585	486,957

2C) Comparison of borrowing parameters to actual external borrowing (Graph)



Appendix 3 Investment Counterparty Criteria

Amendment to Specified Investments: An additional Specified Investment category (as detailed in the table below) is to be added to the strategy to allow the Council to look at investments in GM Public Bodies other than GMCA for which approval already exists. This addition allows the Council to take advantage of the availability of investment from other Public Bodies. The current strategy highlights Local Authorities and specified organisations that satisfy the Treasury Management investment criteria, in accordance with the Treasury Management Strategy approved by full Council on 28 February 2018.

	LINK Colour Band and Long Term Rating where applicable	Maximum Duration	Maximum Principal Invested per Counterparty £
GM Public Bodies	Internal Due Diligence	5 Years	£30m

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Report to COUNCIL

Organisational Framework

Portfolio Holder:

Cllr Sean Fielding, Leader of the Council

Officer Contact: Carolyn Wilkins, Chief Executive and Head of Paid Service, Oldham Council and Accountable Officer, NHS Oldham CCG

Report Author: Carolyn Wilkins, Chief Executive and Head of Paid Service

Ext. 3542

12 December 2018

Reason for Decision

Since the first Greater Manchester Devolution Agreement was signed in November 2013 there have been significant changes and developments across a wide range of services and models of delivery. In particular, Greater Manchester Health and Social Care devolution has driven changes to arrangements for health and care structures and models of delivery. Council will be aware that through this arrangement, in April this year the Local Authority and NHS Oldham CCG, together with other partners, formed an Alliance to integrate health and social care services across Oldham to deliver the best possible services to our residents.

In order to ensure the Organisation delivers against each key plan and continues to respond to its statutory services and its priorities, there is a requirement to ensure the council continues to have appropriate Executive Leadership arrangements in place.

Council is therefore asked to note the Executive Leaderships arrangements that are in place for the Organisation and in particular agree to move from interim arrangements to a permanent appointment to the positions of Managing Director Children's Services and Strategic Director of Reform. The post of Managing Director Children's Services will hold the statutory responsibility for Children's Services.

1.0 Background

- 1.1 Since the first Greater Manchester Devolution Agreement was signed in November 2013 there have been significant changes and developments across a wide range of services and models of delivery. In particular, Greater Manchester Health and Social Care devolution has driven changes to arrangements for health and care structures and models of delivery. Council will be aware that through this arrangement, in April this year the Local Authority and NHS Oldham CCG, together with other partners, formed an Alliance to integrate health and social care services across Oldham to deliver the best possible services to our residents.
- 1.2 The Pay Policy Statement 2018/19 includes the re-designation that took place of the former three Executive Director posts: Economy, Skills and Neighbourhoods; Corporate and Commercial Services and Health and Wellbeing to two Deputy Chief Executives (People and Place and Corporate and Commercial Services) and the establishment of the role of Strategic Director of Reform. Interim arrangements were put in place for the statutory role of Director of Children's Services (DCS). This report seeks approval from Full Council to move from an interim arrangement of Director of Children's Services to appoint to a permanent position of Managing Director, Children's Services. The level of remuneration for the post will be in excess of £100k but no higher than £120,000 per annum which is in line with benchmark data and will be determined by the Selection Committee.
- 1.3 It is also proposed that the role of Strategic Director of Reform move from interim arrangements to a permanent basis. The remuneration for this post is £122k.
- 1.4 Council is asked to approve the update of the Pay Policy Statement to reflect these changes.

2.0 Consultation

- 2.1 As appropriate, the Council's policy and procedures will be followed.

3.0 Financial Implications

- 3.1 The posts of Interim Director of Children's Services and Strategic Director of Reform are contained within the Senior Management Structure of the Council and therefore, the proposal to move to permanent recruitment will see no change to the service budget.

Anne Ryans, Director of Finance

4.0 Legal Implications

- 4.1 The guidance issued under the Localism Act 2011 states that Full Council should consider salary levels in excess of £100k before appointments are made.

Paul Entwistle, Director of Legal

5.0 Human Resources Implications

5.1 As appropriate, the relevant HR policy and procedures will be followed.

6.0 Risk Assessments

6.1 The Council is required to permanently appoint a Director of Children's Services (DCS). Without doing so, there is a risk that the Organisation is not following statutory guidance provided to Local Authorities.

7.0 IT Implications

7.1 Not applicable

8.0 Property Implications

8.1 Not applicable

9.0 Procurement Implications

9.1 Not applicable

10.0 Environmental and Health and Safety Implications

10.1 Not applicable

11.0 Community Cohesion and Crime Implications

11.1 Not applicable

12.0 Equality Impact Assessment Completed (EIA)

12.1 The recommended option has no impact on any particular equality group therefore an EIA is not required.

13.0 Key Decision

13.1 No

14.0 Forward Plan Reference

14.1 Not applicable

15.0 Background Papers

15.1 None

16.0 Appendices

16.1 None