

Oldham Borough Council



**Council Meeting
Wednesday 12 July 2023**

OLDHAM BOROUGH COUNCIL

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

Tuesday, 4 July 2023

You are hereby summoned to attend a meeting of the Council which will be held on Wednesday 12 July 2023 at 6.00 pm in the Council Chamber, Civic Centre, for the following purposes:

- 1 To receive apologies for absence
- 2 To order that the Minutes of the meeting of the Council held on 24th May 2023 be signed as a correct record (Pages 1 - 8)
- 3 To receive declarations of interest in any matter to be determined at the meeting
- 4 To deal with matters which the Mayor considers to be urgent business
- 5 To receive communications relating to the business of the Council
- 6 To receive and note petitions received relating to the business of the Council
(time limit 20 minutes)
- 7 Youth Council

(Time limit 20 minutes)

Disposable Vapes

This Council notes that the UK governments are planning steps to reduce vaping among under-18s.

These are likely to include tighter rules on how vaping products are marketed and promoted as well as higher taxes on disposable e-cigarettes. This is in recognition that while the use of cigarettes has reduced with young people, vaping use has doubled in over a year and young people are starting with e-cigarettes rather than using them to stop smoking. In May, the Prime Minister has also announced that the loophole allowing shops to give free vape samples to under 18's is set to be closed.

Council recognises that over the past few years the Oldham Youth Council have made health a priority issue and have undertaken much work in this area to improve the health experiences of Oldham's young people. This includes:

- Working with Council officers and Mental Health services including CAMHS, TOG Mind and Kooth.com to raise awareness of the issues facing children and young people especially after the pandemic.
- 2018 motion to Council asking that the Chief Executive writes to the minister of Health requesting that advertising around vaping be banned, e-cigarettes be in plain packaging and point of sale restrictions, like that for tobacco products, be

applied.

- 2022 motion to Council asking that the Chief Executive writes to Government to extend the offer of the Holiday Activities and Food programme to all young people not just those on free school meals.

Council notes:

- That according to a YouGov survey for Action on Smoking and Health (Ash) there has been a rise in 11 to 17-year-olds experimenting with vaping - from 7.7% in 2022 up to 11.6% in 2023.
- A 2023 trading standards survey of 14 to 17-year-olds in Oldham, 15% had vaped and 12% used them regularly, twice as high as the previous survey in 2020.
- The same 2023 survey showed that, of those that had regularly vaping, 52% of respondents had used vapes but not cigarettes and Almost 1 in 3 young people in Oldham claim to have first tried vaping aged 12 or less.
- When asked 66% of young people said they used disposable (non-rechargeable and non-refillable) e-cigarettes.
- Scottish Government is considering a complete ban on disposable vapes.
- That hospitalisation of young people, due to vaping, has quadrupled in 2 years.
- That young people are using disposable vapes incorrectly, dropping oil into the top of the device causing 'overdose' or nicotine that cause hospitalisation.
- The Royal College of Paediatrics and Child Health have called for a complete ban on disposable e-cigarettes. They warn that e-cigarettes are not risk free as may damage young people's lungs and can be as addictive as cigarettes.
- That use of unregulated vapes and oils are being used by Oldham's young people. As unregulated these products can have higher than advised levels of nicotine and/or illicit substances such as THC.

Council recognises:

The Children's Act 1989, section 17, states that it shall be the general duty of every local authority to safeguard and promote the welfare of children within their area who are in need

- Oldham Council takes its role seriously and that health and improving the health and wellbeing of Oldham citizens is a high priority for Oldham.
- The use of e-cigarettes and oils, especially unregulated, pose a significant risk to young people's health and wellbeing.

We propose that Council therefore resolves to ask the Chief Executive to write to the Secretary of Health asking that, in the review of regulations related to vaping, that the sale of all disposable e-cigarettes be banned.

8 Questions Time

a Public Questions

(time limit 30 Minutes)

b Questions to Leader and Cabinet

(time limit 30 minutes)

c Questions on Cabinet Minutes (Pages 9 - 42)

(time limit 15 minutes)

Cabinet meetings held:

a. 27th February 2023

b. 20th March 2023

9 Notice of Administration Business

(Time limit 30 minutes)

Motion 1

Oldham Assurance Review Final Stage

MOVED by Councillor Shah and SECONDED by Councillor Mushtaq

This Council notes a year on from the publication of the Oldham Assurance review into historic safeguarding practices in Oldham, and the subsequent publication of the recommendations of the Independent Inquiry into Child Sex Abuse (CSE) led by Professor Alexis Jay, both finding institutional failings and that much more is needed to instil confidence in victims and survivors that adequate support and justice will be secured when complaints are made to officials.

This Council notes that the findings in the Oldham Assurance review into historic safeguarding practices in Oldham found a clear political commitment and a sustained attempt to develop best practice in addressing the threat of child sexual exploitation.

This Council believes that this commitment was shared by many dedicated frontline workers working hard to protect vulnerable young people. It was clear however that there were unacceptable systemic failures to provide support and justice to victims and survivors, and to hold offenders to account for the abuse they carried out.

This Council notes the response from the Mayor of Greater Manchester and Chief Constable of Greater Manchester Police and the promise to review cases as part of Operation Sherwood.

This Council believes that the findings of the national Independent Inquiry into Child Sex Abuse further demonstrated a failure to provide support and justice to victims and survivors across the country, and to hold offenders to account for the abuse they carried out. Moreover, the inquiry identified that significant reform was needed and made 20 recommendations for change.

This Council notes the response from government to the findings of the report, and to the recommendations for reform proposed by the investigation panel.

This Council believes that public confidence is essential in combating child sexual abuse and exploitation, and that public awareness and transparency on the characteristics of abuse and how it presents in various forms, are important to the public identifying indicators and patterns of potential abuse when it takes place, and in

reporting it for investigation.

This Council resolves that the Chief Executive writes to the Home Office to request:

1. that they accept each of the 20 recommendations made by the national Independent Inquiry into Child Sex Abuse, and that a plan for implementing each of the recommendations in the current parliament is secured.
2. that following the national Independent Inquiry into Child Sex Abuse (CSE) led by Professor Alexis Jay, and Oldham Assurance review into historic safeguarding practices in Oldham, the government will support the final stage assurance review announced by the Mayor of Greater Manchester, the terms of reference of which will include current operational practice across key agencies.

This Council further resolves that the Chief Executive writes to the borough Members of Parliament to request:

1. That they make representations to the Home Office supporting the Council's request for the government to accept each of the 20 recommendations made by the national Independent Inquiry into Child Sexual Abuse, and that a plan for implementing each of the recommendations in the current parliament is secured.

This Council further resolves to:

1. Develop and adopt a Victims and Survivors Charter in consultation with victim and survivor groups outlining the rights and support which will be provided to those affected by child sexual abuse and exploitation, and the requirements placed on officials in administering and investigating reports of abuse, and to secure its adoption by all relevant statutory authorities.
2. Support further work to raise public awareness among young people in all relevant settings, and with the general public to support prevention, early identification of child sexual abuse and exploitation, and to promote the greater reporting of safeguarding concerns.
3. To develop and adopt a mandatory duty to report safeguarding concerns, including child sexual abuse and exploitation, enshrined in the Code of Conduct for elected members, and consult on the duty for officials employed by Oldham Council.

This Council resolves that the Chief Executive writes to the Mayor of Greater Manchester in his capacity as Police and Crime Commissioner overseeing Greater Manchester Police to request;

1. Support in the development of a Victims and Survivors Charter, outlining the rights and support which will be provided to those affected by child sexual abuse and exploitation, and the requirements of officials in administering and investigating reports of abuse, and its adoption by all relevant statutory authorities.
2. That an update on Operation Sherwood is provided to the Children and Young People's Scrutiny Board.

Motion 2

Block Lane GP Surgery

MOVED by Councillor Brownridge and SECONDED by Councillor Fida Hussain

In late May 2023 Councillors in Chadderton and Werneth became aware that the GP partners at Block Lane Surgery had informed the Integrated Care Partnership that they intended to terminate their contract to run General Practice out of the Block Lane surgery.

For patients in Chadderton and Werneth this has led to an understandable amount of concern and confusion, as local Councillors we are equally frustrated by this process and feel powerless to help our residents when they turn to us at this time.

Despite a close and very productive working relationship between Oldham Council and partners at the old CCG and new Integrated Care Partnership, as local Councillors we have no formal decision-making powers over GPs and NHS functions more broadly.

Therefore:

- The Council regrets the decision taken by partners at Block Lane practice to relinquish their contract by mid-July.
- This Council notes that this is the second surgery the partners at Block Lane have closed in Oldham within the last twelve months and regrets that this decision has had a detrimental impact on our residents.
- This Council thanks the local NHS for its hard work to try and keep Block Lane practice open, operating and serving residents in Werneth and Chadderton.
- This Council pledges to support the local NHS in anyway it can, to ensure patients smoothly transition to nearby practices.

10 Notice of Opposition Business

(Time limit 30 minutes)

Motion 1

Request for Land to build a Muslim Cemetery

Councillor Ghafoor to MOVE and Councillor Byrne to SECOND:

This council notes that:

Oldham is a multi-faith, diverse borough and that is something we can all be proud of. The Muslim population in this borough has grown significantly in the last decade, both in terms of the raw number of people and as a percentage of the total population of Oldham, from 17.7% in 2011 to 24.4% in 2021.

There are 7 cemeteries across Oldham, but regarding cemeteries with existing separate burial sections for Muslims, there is only one, Chadderton. Other faiths have their own cemeteries with the borough, for example the Jewish Cemetery in Failsworth, whereas Muslims only have a section of a cemetery.

Within Islamic teaching, cremation is forbidden. For Muslims, that only leaves burial as an available funeral ceremony option. As our Muslim population in the borough increases, there will only be more need for space for burials as time goes on. Chadderton cemetery, as it is currently, has around 5 years remaining before it reaches capacity, and so the need to start planning for the future is essential.

This is a national problem, with discussions in the national press about a capacity crisis both across all types of cemetery and also specifically within Muslim cemeteries, a problem that was in the pipeline prior to, but exacerbated by, the Covid-19 pandemic.

Any crisis in cemetery capacity will have an oversized impact on the Muslim community because, as seen above, burials are the only option for Muslims.

Given the looming capacity crisis and the rise in the Muslim population in Oldham, the

need for an expansion of graveyard provision for Muslims across Oldham is clear. What this motion proposes is the creation of a separate Muslim cemetery within the borough to help minimise the risk of a capacity crisis at Chadderton cemetery. This motion proposes that a piece of council-owned land be identified by the Chief Executive and donated to the community, who will then be responsible for the creation and maintenance of the site, funding it through donations and burial fees, meaning that there will no expense to the council, other than the initial donation of the land. The Council would also benefit as a new cemetery would ease capacity pressures on the existing cemeteries in the borough, reducing the need for imminent expansion at the sites. This motion could also act as a model for other faiths to make similar requests to the council regarding cemetery space, further easing pressure on the council's cemeteries system.

This is a system that has worked elsewhere. The Gardens of Peace, which operates in London, has a similar model across its sites, costing taxpayers nothing whilst delivering for the community. Similar, privately run cemeteries have also been successful in other parts of the country, for example Keighley and Glasgow, as well as the Woodland Cemetery in Manchester. Indeed, the Jewish cemetery in Failsworth has this model and has operated . It is independent from the council, showing that a privately run religious cemetery can work in the borough.

This Council notes:

- That there is a growing need within the borough for a Muslim Cemetery to serve the community going forward.
- Other than the donation of the land, this council will not incur any expenses for the development of this cemetery or its upkeep.
- That the development of a Muslim graveyard will relieve capacity pressures on the existing Oldham cemeteries infrastructure.

This council therefore resolves to:

- Ask the chief executive to identify a parcel of land for use as a Muslim graveyard
- That this land be consider for donation to the Oldham Muslim Cemetery Committee (OMCC) for use as a Muslim graveyard, acting in accordance with the land and property protocols and report back to council within the next three months.

Motion 2

Time for Oldham to get the basics right

Councillor Murphy to MOVE and Councillor Gloster to SECOND:

This Council believes that:

Residents across Oldham Borough expect and deserve first class public services. Residents feel that services such as schools, maintenance of roads, planning, park maintenance and drain clearance represent some of the most significant work that the council does because they affect the everyday lives of the people we represent. When residents say they cannot rely on these services to be of consistent high quality, it undermines the trust that residents place in their council and their readiness to engage with services and that the Council should listen and take action. Pride in service, strong communication, agility, resourcefulness and good

interdepartmental cooperation are all essential values in delivering first class services across the board, and that these values must be set from the top down.

This Council notes that:

There is a growing trend of complacent underperformance that affects much of the council's key service delivery and it needs addressing. This is keenly felt by our residents, who regularly tell us that they feel their council "does not get the basics right."

Fly-tipping offences have spiralled out of control in Oldham, with the Borough seeing massive increases in offences when compared to other authorities across the North-West.

Littering and dog-fouling offences continue unabated, with the council failing to issue Fixed Penalty Notices with any meaningful consistency or to come up with stronger solutions to tackle this ongoing issue.

Oldham's schools are falling behind, with more than half now deemed as 'needing improvement and it cannot continue.

This Council resolves to:

Move away from vanity projects that do not materialise and refocus its priorities; directing as much effort and attention into supporting basic frontline services as it has done into regeneration projects.

To take this motion to Overview and Scrutiny to see what can be done to improve the situation and provide a report to council on their findings.

Motion 3

Independent Public Enquiry into Child Sexual Exploitation (CSE) (Historical & Present) within Oldham Metropolitan Borough Council (OMBC), including the actions and knowledge of Council Members and Officers.

Councillor Hobin to MOVE and Councillor Rea to SECOND:

Council notes that:

The Newsam and Ridgway review into historic Child Sexual Exploitation in Oldham was published on Monday 20th June 2022. The review found that some children had been failed by agencies that were meant to protect them and that there were serious failings in the handling of some cases.

The review was discussed at an Extraordinary Full Council Meeting on Mon 27 June 2022. The public were invited to submit questions to a panel that included the Council Leader and Greater Manchester Mayor. Councillors from all political parties were also invited to ask questions or make statements.

While questions were asked, sadly many were left unanswered, and some wholly ignored. Unfortunately, questions remain. We as a council, and as such members herein, have a duty to protect children and vulnerable people of the borough and beyond. The reality is, until we get to the root of the issue, we cannot move forward as we are unable to ensure that failings highlighted in the review are not continuing. It is very clear there is significant dissatisfaction from the public and opposition parties with the contents of the report and that this has been further evidenced in the press and on social media. There is a significant groundswell of opinion that a fully independent public inquiry is needed to address the issue of CSE in Oldham, both

historically and in the present.

The purpose of the Inquiry should be to fully investigate and establish the facts of child sexual exploitation across the Borough of Oldham, to identify if, and where, public, and other, services had failed and where possible, to establish who was accountable for any failure and to make recommendations for the future.

We acknowledge that Operation Sherwood, which has been set up by GMP, will look into the criminal activity and hopefully bring convictions on the perpetrators of these heinous crimes against children and the vulnerable in our Borough.

The Leader of the Council has previously stated that CSE has and in all probability will continue to occur in the Borough.

This issue is above any party-political leanings. Together we need to eradicate this corruption which lies within our society.

Council resolves that;

- The Chief Executive writes to the Home Secretary and the Minister for Housing, Communities and Local Government, on behalf of the council requesting that they instigate a fully independent and broad ranging public inquiry as soon as is practically possible.
- That the Terms of Reference for the inquiry are set independently of the Greater Manchester and OMBC administrations, by Government and that all relevant documentation including those relating to the recent assurance review are made available to the inquiry.
- That a cross-party steering group works alongside the inquiry which will report to the council and the public on a regular basis and will function as a conduit between the inquiry team, council officers and elected representatives.

11 Update on Actions from Council (Pages 43 - 70)

Council is asked to consider updates on actions from previous meetings.

12 The Bee Network - Improving Greater Manchester's Transport Governance (Pages 71 - 104)

To consider the appointment of a new Joint Transport Committee for Greater Manchester – the Bee Network, that will enable a more coordinated and integrated approach to transport governance.

13 Political Balance Review (Pages 105 - 112)

To appoint to committees of the Council in accordance with the Local Government and Housing Act 1989 and give consideration to committees not allocated strictly in accordance with proportionality under the Act.

14 Constitution Update (Pages 113 - 156)

Council is asked to approve the Contract Procedure Rules and the Code of Conduct, including arrangements for dealing with complaints.

15 Recruitment to the post of Chief Executive and Head of Paid Service (Pages 157 - 162)

Council is asked to consider the arrangements for the recruitment and remuneration for the authority's Chief Executive and Head of Paid Service.

NOTE: The meeting of the Council will conclude 3 hours and 30 minutes after the commencement of the meeting.

A handwritten signature in black ink that reads "Harry Catherall". The signature is written in a cursive style with a long, sweeping tail on the final letter.

**Harry Catherall
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 one question will have up to six minutes to reply to each question with an extension of 30 seconds

WITH AMENDMENT

