

# Oldham Borough Council



**Council Meeting**  
**Wednesday 1 November 2023**



## OLDHAM BOROUGH COUNCIL

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

Tuesday, 24 October 2023

**You are hereby summoned to attend a meeting of the Council which will be held on Wednesday 1 November 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 6th September 2023 be signed as a correct record (Pages 1 - 26)
- 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 Leader's Annual Statement  
Leader to address Council
- 8 Youth Council  
*(time limit 20 minutes)*  
There is no Youth Council business
- 9 Public Questions  
*(time limit 15 Minutes)*  
To receive questions submitted by members of the public.
- 10 Reports of the Leader and Cabinet Members (Pages 27 - 102)  
*(time limit 90 minutes)*  
Leader and Cabinet Members to present their reports.  
Non-executive members may ask questions.
  - a. Leader and Reform and Regeneration Portfolio – including minutes of Cabinet held on 21 August 2023, 18 September 2023, 2 October 2023, the Greater Manchester Combined Authority held on 28 July 2023 and the minutes of the AGMA Executive Board 30 June 2023.

- b. Deputy Leader and Housing and Licensing Portfolio
- c. Deputy Leader and Children and Young People's Portfolio
- d. Education and Skills Portfolio
- e. Business, Employment and Enterprise Portfolio
- f. Neighbourhoods Portfolio
- g. Health and Social Care Portfolio
- h. Communities and Culture Portfolio
- i. Finance and Corporate Resources Portfolio

11 Notice of Administration Business

*(time limit 30 minutes)*

Motion 1

**Battling Oldham's Housing Crisis**

Councillor Taylor to MOVE

Councillor Goodwin to SECOND

Too many Oldhamers are struggling to afford to keep a roof over their head. Too many Oldhamers live in substandard or overcrowded housing.

There are currently over seven-and-a-half-thousand families on Oldham's Social Housing Register, with almost eleven thousand applications still being processed. Many of these families have been fruitlessly bidding on properties to no avail through no fault of their own.

The failure of the housing market is driving some Oldham families to crisis. There are currently 470 households in Temporary Accommodation (TA), the longest being in TA for over 3 years, as they require a 5-bedroom property, and the supply simply does not meet the demand. This number has doubled since the same month in 2021 when it stood at 233 Households.

In addition, the Local Housing Allowance rates have not been properly reviewed since 2011, despite recent Labour analysis showing that private sector rents have risen by £168 a month in the last two years alone. Therefore, the very safety net that is intended to ensure people can afford decent housing is failing them.

This Council notes:

- That Oldham is in a Housing Crisis.
- Oldham Council has an ambitious Housing Strategy, but we are struggling to cope with the sheer volume of demand.
- That poor quality, insecure and expensive housing can often lead to families in Oldham falling into avoidable crises.
- The Conservative Government's failure on housing over the last 13 years, with homelessness continuing to rise and home-ownership falling.
- Comparatively, under the last Labour Government, 2 million homes were built, 1 million more households became homeowners and there was the largest social housing investment in a generation.

This Council further notes

- The cost-of-living crisis has exacerbated this situation, meaning that more Oldhamers are now struggling to afford housing costs (both rental and buying).
- Under this Government, the number of new social rented homes has fallen by over 80%. Consequently, there are now more than 30,000 fewer social rented homes built each year.
- The Council has a moral obligation to ensure Oldhamers do not live in substandard housing. We are committed to working with our partners in the social housing sector and, where possible, private landlords to ensure Oldhamers have decent homes to live in.

This Council resolves:

- To instruct the Deputy Chief Executive (Place) & the Assistant Chief Executive to bring together key partners in Oldham's housing sector – social housing, private rented and owner-occupiers, stakeholders from the Voluntary, Community, Faith & Social Enterprise sector, and relevant Council Officers and Cabinet Members at Oldham's Housing Summit at the earliest opportunity.
- To recommit to our Housing Strategy and affirm our ambition that every Oldhamer should live in decent and affordable homes.
- To write to the Secretary of State for Levelling Up, Housing and Communities seeking far-reaching action to tackle the housing crisis.

This Council further resolves to call on the Government to:

- End rough sleeping within a Parliament and tackle the root causes of homelessness, including insufficient Local Housing Allowance Rates.
- Finally implement the promised ban on Section 21 'No Fault' Evictions to give private rented tenants the security they need.
- Back first-time buyers on ordinary incomes with discounted homes and give priority to local people on new homes built in their area.

## Motion 2

### **Permitted Development**

Councillor Steve Bashforth to MOVE

Councillor McLaren to SECOND

In 2015, the Coalition Government introduced a Statutory Instrument, **The Town and Country Planning (General Permitted Development) (England) Order 2015**, which removed the need for planning permission for certain developments, including but not limited to the erection of communications infrastructure, including masts and telegraph poles.

In doing this, the government removed the ability of Local Authorities to have any say over significant developments within their boundaries, restricting residents from having their concerns and voices heard.

We have seen the impact of this here in Oldham, with many residents angry that large wooden poles have been erected outside their homes with little warning, streets cluttered with large grey cabinets and masts appearing without residents' input.

This Council notes:

That elected members across the council support ambitions to make Gigabit

broadband internet available nationwide.

That elected members are concerned about the removal of local voices from the planning process across the country, due to changes introduced by the Coalition Government in 2015.

These changes have led, in many cases, to residents feeling they have no control over their local neighbourhoods and town centres.

The changes in planning controls have been used to cut costs for companies providing broadband infrastructure, utilising wooden telegraph poles and large masts to carry cables above ground rather than below ground.

That these poles and masts are an undesirable addition to street clutter and in many cases cause inconvenience to householders and to visually impaired pedestrians, with some positioned in wholly inappropriate locations or erected in clusters near the same property.

This Council resolves to:

Instruct the Chief Executive to write to the Secretary of State for Levelling Up, Housing and Communities and request that the 2015 Statutory Instrument (SI) be amended to ensure that operators who choose to erect telegraph poles and masts to deliver gigabit broadband would require planning permission and full consultation with local stakeholders.

Ask that the Chief Executive also write to our borough's 3 Members of Parliament to support local residents in overturning the 2015 Statutory Instrument

## 12 Notice of Opposition Business

*(Time limit 30 minutes)*

### Motion 1

Holding Housing Associations Accountable for Damp and Mould Issues

Councillor Wahid to MOVE

Councillor Byrne to SECOND

Oldham Metropolitan Borough Council (Oldham Council) must lead from the front to ensure that our residents benefit from safe and secure housing. As such, OMBC must ensure that housing stock is maintained to the highest quality.

It is especially the case for socially rented properties. There are housing association properties in the borough that are sadly affected by damp and mould. This is a silent killer as so tragically seen in the case of Awab Ishak in our neighbouring Rochdale Council. However, the prevalence of such houses suffering with damp and mould is feared to be in the thousands in Oldham. One can only draw their attention to the increasing interest from litigators from the legal industry to appreciate this is potentially a very big problem that requires immediate action. Housing associations must do more given that they have a duty of care to the most vulnerable. It is time Oldham Council holds these corporate landlords to account.

Too often a culture of secrecy and fear surrounds housing associations and they are seemingly unaccountable to many elected members and residents. We must change that and remind them of the important duty of care that they have to local people. Amongst the damp and mould issues, all too often many

residents who have lived in an area for several years and may have started a family are uprooted from that area due to them having a lower priority over others who may have no links to that ward. We believe that having links to a local area is important and that Oldham Council needs to strengthen the local connection test by ensuring that a set number of new build properties are reserved for local people, i.e people who live in Hollinwood get a home in Hollinwood etc.

Temporary accommodation and management of displaced families is in drastic need of restructure to ensure the most vulnerable in our society are managed in accordance with Human Rights Act 1998.

It is also important that Oldham Council reiterate its commitment to HM Armed Forces personnel and ensure that they are always given priority and services that they need and deserve.

This Council acknowledges:

- The letter written to all Councils by Michael Gove (Secretary of State for Levelling Up, Housing and Communities) to council leaders and social housing providers stating that damp and mould complaints must be handled “with sufficient seriousness” and the deaths, such that of two year old Awaab Ishak must ‘never be allowed to happen again’.
- That under the Housing Act 2004, Oldham Metropolitan Borough Council has a legal duty to review housing conditions in their district, identify actions required to remedy ‘Category 1 Hazards’ and then - “they must take the appropriate enforcement action in relation to the hazard”.
- That under the Environmental Protection Act 1990, mould is designated as a ‘Category 1 Hazard’, meaning that local authorities can serve hazard awareness and improvement notices and can also take other emergency action, where housing associations are falling short.

Therefore, this Council resolves to:

1. Ensure that repairs are actioned through proper inspections, especially to repairs that need to be made to tenants’ homes that can prevent damp and mould. Such as clearing guttering, sealing windows, replacing faulty extraction fans in bathrooms and kitchens as well as providing cavity wall insulation.
2. Conduct and publish a full damp and mould survey of properties in the OMBC area. Ensuring that they prioritise damp and mould complaints and resolve them without delay.
3. Empower, educate, and enable independent advice and representation for all tenants, on the process for raising and tracking a damp or mould complaint and what their rights are in challenging any delays.
4. Where progress is too slow, to use powers including but not limited to hazard awareness notices and hazard improvement notices to ensure that damp and mould complaints are treated with the urgency they are due.
5. To ask the Chief Executive and or Deputy Chief Executive/s to write to all housing associations outlining the above resolutions and stating this council’s strongly held view that nobody should have to live in a damp, cold or unsafe home.
6. That this Council will take the necessary legal action against any housing association that fails in its duty of care and that puts tenants at risk.
7. Compel Housing Associations to provide alternative accommodation whilst

- works are being undertaken in cases that homes are deemed un-inhabitable.
8. Strengthen the local connection test and allocate a set number of homes for local people within each district for people who live in that district to strengthen our communities and to priorities local homes for local people.
  9. Ensure that all residents approaching housing services are asked a question that will identify them at an early stage if they fall into the category of being vulnerable.
  10. Regularly review staff training processes to ensure that all relevant staff are aware of the housing policies specific to the vulnerable community.
  11. Ensure that all residents approaching housing services are asked a question that will identify their membership of the Armed Forces community. So that those that served this Country are given top priority for housing.
  12. Use discretion in waiving the five-year limit and allow veterans to access housing support with an exemption from the local connection requirement regardless of the time elapsed since they left Service

### Motion 2

A fair deal for private renters

Councillor Harkness to MOVE

Councillor Sykes to SECOND

This Council notes:

- The number of private renters in Oldham has grown significantly over the last decade
- There are more than 4.4 million UK residents who live in a private rented home
- In England, 1 in 8 private rented homes have at least one severe hazard, and 4% of private rented homes have an energy efficiency rating of F or G, meaning they are also illegal to rent out.
- The end of a private sector tenancy is one of the leading causes of homelessness.
- Black and minority ethnic households are more likely to experience poor housing outcomes including homelessness.
- Oldham Council has a statutory obligation to ensure that no private rented tenant is living in substandard accommodation

This Council believes:

- Private renters should not have to live in homes that are damp, in a poor state of repair, overcrowded or unaffordable
- That data and communication resources at the Council's disposal can be better used to engage with private renters
- More frequent events, such as the Landlord Forum held in November 2019, would offer an opportunity for all landlords operating in Oldham to meet and discuss the issues that affect them and their tenants
- That too little is known about people who face homelessness, whether they are evicted or are forced to leave their family or friends' home, and this impedes efforts to prevent homelessness
- The Government should bring forward the legislation it pledged in December 2019 immediately so that tenants can no longer be evicted without a reason



This Council resolves to protect private renters by:

1. Serving improvement notices on homes with severe hazards to invalidate Section 21 notices and enable Rent Repayment Orders if the landlord fails to comply
2. Serving improvement notices for excess cold in homes that fail Minimum Energy Efficiency Standards
3. Helping private renters claim back rent through rent repayment orders when they are eligible to do so
4. Enforcing the ban on letting agent fees by issuing fines to criminal letting agents
5. Taking action on overcrowded homes through licensing, increased inspections and a strategy for increasing the supply of homes for families and single adults
6. Committing not to use landlord licensing to enforce immigration law
7. Working more closely with the local police force to protect private renters from illegal evictions and appoint one person accountable for enforcing the Protection from Eviction Act
8. Publishing the breakdown of homelessness cases arising from the private rented sector by ethnicity
9. Recording and publish the tenure breakdown of homelessness cases, in particular those arising from family/friends being unable to house someone
10. Joining with Generation Rent, the national voice of private renters, in campaigning for the legislative change private renters need to live in safe, secure and affordable homes.
11. Supporting Generation Rent's campaign for a National Register of Landlords
12. Making sure the Council website has useful advice and information for private renters that is easy to find; makes it easier for private renters to understand how the council can help enforce their rights, sets reasonable expectations; and allows for checking if a privately rented home has a landlord licence
13. Using Landlord Licensing, Council Tax, Energy Performance Certificate & Tenancy Deposit data to identify private rented homes to communicate directly with private renters.

### Motion 3

Article 4 (1) direction on small HMOs

Councillor Hince to MOVE

Councillor Sykes to SECOND

Residents from across Shaw and Crompton have contacted both the Shaw & Crompton Independents and Liberal Democrats concerned with the expansion of HMOs.

Whilst there is very little we can do to prevent full planning applications from being considered, we can act to close the loophole that allows for permitted development rights for Houses in Multiple Occupation (HMOs) where between three and six unrelated people share basic amenities, such as a kitchen or bathroom.

Oldham Council currently permits, without the need for planning permission under 'permitted development rights', the change of use of a typical dwelling house occupied by a single household in use class C3, to a property used as a 'small' HMO that is shared by between three and six unrelated people in use class C4.

Such concerns were put before the Shaw & Crompton Parish Council on 29/08/23.

At this meeting the Parish Council recognised that:

There is an increasing threat to the residents of Shaw & Crompton from speculator developers purchasing, and outbidding with ease, domestic dwellings designed for housing young families, further pricing them out of the area.

There is growing concern from local residents about the increasing harm the conversion of domestic dwellings designed for family housing are having on the fabric of residential streets and the overall neighbourhood.

Clusters of HMO premises that are emerging in neighbourhoods within the parish due to the utilisation of permitted development rights.

It is time that the Parish Council took immediate steps to safeguard the fabric of our community.

On this basis the Parish Council voted unanimously to , as a matter of urgency, for OMBC to seek to approve a Shaw & Crompton Parish wide Article 4 Direction to remove permitted development rights for changes of use from dwellings (Use Class C3) to Houses in Multiple Occupation (Use Class C4).

This Council resolves to,

For the OMBC executive to consider and investigate the making of a direction pursuant to Article 4(1) of the Town and Country Planning (General Permitted Development) Order 2015 on a Shaw & Crompton Parish wide basis to withdraw the permitted development rights to convert a dwellinghouse (C3) to a House in Multiple Occupation (C4) is appropriate, and justified, to prevent harm to local amenity and the wellbeing of the parish area.

If direction (1) is approved by the council executive then following resolutions are to be applied.

To approve the making of the Article 4(1) Direction for the Parish Boundary.

To delegate authority to OMBC to carry out all necessary consultation following the making of the Direction, to notify the Secretary of State in accordance with statutory requirements and to take all other action considered necessary or expedient to give effect to the matters set out in this motion.

To confirm that, the Shaw & Crompton Parish wide Article 4(1) Direction will be effective with immediate effect once made.

Oldham Council leadership cannot hide behind government legislation on this issue.

As it has the authority to give residents both a voice and a transparent process to ensure that their views and community factors are considered.

As it is expected that the Council values resident's views and opinions and puts communities at the forefront of decision making.

The adoption of this motion is an obvious step to demonstrating to the people of this town that the council is prepared to act in their interests. And not just pay lip service to concerns relating to their communities.

#### Motion 4

The Protection and Safeguarding of Children

Councillor Rea to MOVE

Councillor Hindle to SECOND

The protection and safeguarding of our children should be a priority for all of us.

Reviews on historical CSE have been in front of us before. Regular requests for independent Inquiries continue to be refused.

Whilst we continue to seek justice for survivors of historical CSE we cannot ignore the fact that it is still happening now, that grooming is still happening and that grooming gangs are active.

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

Council notes that:

Information and knowledge are the most powerful tools that we have. We need to educate our children of the signs of grooming and showing them who or where to go with any concerns. We need to give them the feeling that they can report anything in complete confidence. Being pro-active and highlighting this issue could prevent more children from becoming victims/survivors.

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

Council resolves to;

Commit to facilitating relevant sessions across the Borough

Bring together all departments within the Council and work with other external bodies to deliver specific sessions on CSE and grooming.

Work with partners to formulate and develop a straight-forward and clear package which will be delivered to all Year 7 students in the Borough every year as a matter of course.

Work towards rolling sessions out to Year 6 students

13 Treasury Management Quarter One Report 2023-24 (Pages 103 - 122)

To consider the report of the Director of Finance.

14 Annual Report of the Audit Committee (Pages 123 - 154)

To consider the report of the Director of Finance.

15 Amendment to the Terms of Reference of the Audit Committee (Pages 155 - 162)

To consider the report of the Director of Finance.

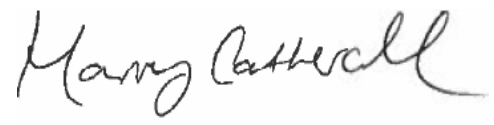
16 Update on Actions from Council (Pages 163 - 178)

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

17 Appointment of Chief Executive and Head of Paid Service (Pages 179 - 182)

To consider a report in relation to the recommendations of the Appointments Committee with regard to the appointment of Harry Catherall as 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

