

Minutes of: THE COUNCIL OF THE METROPOLITAN BOROUGH OF BURY

Date of Meeting: 23 July 2003

Present: The Worshipful the Mayor (Councillor W J Davison) in the Chair;
Councillors P Ashworth, K Audin, R A Bibby, D B Bigg, D Boden, J Byrne, W A Campbell, D M Cassidy, F A Chaudhry, M Connolly, J P Costello, S Costello, Y Creswell, A J Cummings, V D D'Albert, C M Fitzgerald, A S Garner, M A Gibb, E K Grime, J Grimshaw, D M Higgin, T Holt, A Isherwood, S P Magnall, A K Matthews, P J Nesbit, S R Perkins, T D Pickstone, G Sharkey, J Smith, S M Smith, B J Sullivan, J W H Taylor, B Theckston, P Timperley, B Vincent, R E Walker, J F Walton, M J Wiseman and Y S Wright

Apologies for absence: Councillors E B Briggs, K S Briggs, T P Chamberlain, D L Gunther, A P Hughes, W Johnson and S J Treadgold

Public attendance: 4 members of the public attended the meeting.

C.339 MINUTES

RESOLVED:

That the Minutes of the Annual Meeting of the Council held on 14 May 2003 be confirmed as a correct record and signed by the Mayor.

C.340 DECLARATIONS OF INTEREST

Councillor W J Davison, the Worshipful the Mayor, declared a personal interest in a question asked during the Executive Question Time relating to the Creative Learning Centre, Prestwich.

Councillor S P Magnall declared a personal interest in a question asked during the Executive Question Time relating to the suspension of a teacher.

C.341 MAYORAL COMMUNICATIONS

(a) Illness of Councillor W Johnson MBE

The Worshipful the Mayor referred to the recent ill health of Councillor William Johnson, which had necessitated his admission to hospital.

The Mayor was pleased to inform the Council that Councillor Johnson was now making satisfactory progress and that he had conveyed a message to him offering the good wishes of all Members and Officers of the Council for his continued good and speedy recovery.

(b) Illness of Councillor K S Briggs

The Worshipful the Mayor announced that Councillor Sharon Briggs was currently recovering well after recent surgery and was likely to remain in Bolton Royal Infirmary until later this week.

The best wishes of all Members and Officers of the Council will be sent to her as soon as possible.

(c) Death of Mrs C Dunkley

The Worshipful the Mayor reported with regret the recent death of former Councillor Mrs Cherrill Dunkley.

The sympathy and condolences of the Council will be sent to members of her family.

All stood in silence as a mark of respect and in memory of Mrs Dunkley.

C.342 PUBLIC QUESTION TIME

Questions were asked on the following issues during public question time:-

- Mr K Rothwell concerning the new Bury Town Centre URBED development proposals and the provision of a new play area for joint use by Holy Trinity and St Marie's Primary Schools.
- Mr Wardle concerning any proposals to resurface Marsden Walk, Bury.
- Mr L Philips requesting the provision of a water cooler outside the public gallery.
- Mr A Withington concerning the involvement of the Headteachers of Holy Trinity and St Marie's Primary Schools in the discussions on the proposed new play areas for the schools.

C.343 RECOMMENDATIONS OF THE EXECUTIVE

(a) Minute EX.170 of the Executive on 11 June 2003 – Best Value Performance Plan 2003/2004

- (i) It was moved by Councillor Byrne and seconded by Councillor Campbell that the recommendations contained in Minute EX.170 of the meeting of the Executive held on 11 June 2003 be approved and adopted.
- (ii) An amendment was moved by Councillor Walker and seconded by Councillor Higgin by way of the insertion of an additional recommendation as follows:-

'5. To express the hope that in future the Best Value Performance Plan will not be submitted to the Office of the Deputy Prime Minister without prior approval at a meeting of the Council.'

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On being put and with none dissenting, the amendment was declared carried.

- (iii) The substantive motion on being put with none dissenting, was declared carried and it was then:-

RESOLVED:

That the recommendations contained in Minute EX.170 of the meeting of the Executive held on 11 June 2003, as amended at (ii) above, regarding the Best Value Performance Plan 2003/2004, be approved and adopted.

(b) Minute EX.306 of the Executive on 9 July 2003 – Adult and Community Learning Plan 2003/2004.

It was moved by Councillor Byrne, seconded by Councillor Campbell and -

RESOLVED:

That Minute EX.306 of the meeting of the Executive held on 9 July 2003 regarding the Adult and Community Learning Plan 2003/2004 be approved and adopted.

C.344 ROLE SPECIFICATIONS OF EXECUTIVE MEMBERS

The Council considered a report from the Leader of the Council setting out details of the Role Specifications for the Leader of the Council, Deputy Leader of the Council and the Executive Members with Portfolios.

It was moved by Councillor Byrne, seconded by Councillor Campbell and -

RESOLVED:

That the Role Specifications as areas of responsibility for the Leader, Deputy Leader and the Portfolio holding Members of the Executive, as set out in the report circulated prior to this meeting, be approved.

C.345 LOCAL GOVERNMENT REVIEW OF TWO TIER AREAS IN THE NORTH WEST

The Council considered a report from the Leader of the Council on the Local Government Review of Two Tier Areas in the North West.

The report indicated that the Secretary of State had decided that there should be a referendum on an Elected Regional Assembly in the North West and that the Boundary Committee for England had been directed by the Government to start a major review of two tier areas in the North West (ie Cheshire, Lancashire and Cumbria), with a view to the reorganisation of all existing two tier Councils into a single level of local government.

The first stage of the process involved a 12 week public consultation period and an invitation for submissions from local people, Councils and other organisations of proposals for wholly unitary patterns of local authorities by 8 September 2003.

As this Authority adjoined Rossendale Borough Council, one possible proposal for a unitary pattern of local authorities would be for part or all the Rossendale area to join with Bury MBC.

It was moved by Councillor Byrne, seconded by Councillor Campbell and -

RESOLVED:

1. That the Council submits a proposal to the Boundary Committee in response to the Local Government Review of Two Tier Areas of the north west as part of the overall consultation on elected regional assemblies.
2. That the Chief Executive, in consultation with the Leaders of the three political groups on the Council, be given delegated powers to submit the proposals, subject to completing a financial appraisal and being satisfied that the proposal is in the best interests of the residents of the Borough.

C.346 LEADER'S STATEMENT AND EXECUTIVE QUESTION TIME

The Leader of the Council made a Statement on the work of the Executive.

The Leader and Executive Members answered questions asked by Members of the Council on the following issues:-

(a) Written Question (Notice Given)

	Issue	Questioner
1.	Proposals for a Metrolink Station at Buckley Wells	Councillor J Smith

(b) Oral Questions

	Issue	Questioner
2.	Use of monies raised from the sale of former Claremont EPH and recovered following the closure of BCCI	Councillor T D Pickstone
3.	Consultations on the proposals of Westfield on the development of Bury Town Centre	Councillor D Boden
4.	Out-of-Borough residential places taken over last 6 months	Councillor D B Bigg
5.	Funding for the Creative Living Centre in Prestwich and the review of mental health services	Councillor Y Creswell
6.	Start date for the work at Whittaker House on the provision of en-suite facilities	Councillor D B Bigg
7.	Access to a Manchester City Council car park at Heaton Park	Councillor A S Garner
8.	Use of the former Children's Home at Fir Street, Ramsbottom as a community centre, for the Peel Estate	Councillor S P Magnall

	Issue	Questioner
9.	Scrutiny of health issues relating to water quality and water treatment.	Councillor V D'Albert

10.	Asked for latest position on the suspension of a teacher	Councillor R E Walker
11.	Provision for under 60s who need extra support (eg stroke victims)	Councillor D B Bigg
12.	Requested consultation with Area Boards, Scrutiny Commissions and other parties on the proposals involving the Lancashire Fusiliers Museum and the Arts and Crafts Centre.	Councillor R E Walker
13.	Inclusion of a review of Museum Redevelopment/Galleries in the 2003/2004 Work Programme of Learning Communities Scrutiny Commission.	Councillor P J Nesbit
14.	Lancashire Fusiliers Museum and Arts and Crafts Centre proposals	Councillor J F Walton
15.	Arts and Crafts Centre and the disabled access fund	Councillor R E Walker
16.	Progress on the feasibility study of the village project for the provision of services for older people.	Councillor D B Bigg

C.347 SCRUTINY REVIEW REPORTS AND SPECIFIC ITEMS ‘CALLED IN’ BY SCRUTINY PANELS AND COMMISSIONS

There were no scrutiny review reports or specific items ‘called in’ by Scrutiny Panels/Commissions to be considered at this Council meeting.

C.348 NOTICES OF MOTION

(a) Gibraltar

The Mayor raised a point of order under Council Procedure Rule 14.12 in relation to an alleged breach of the Council Procedure Rule 12.3 regarding the scope of the Notice Of Motion concerning Gibraltar, submitted under Council Procedure Rule 12.1. The detailed Motion was set out on the Council Summons and Agenda.

The Mayor was of the opinion that Rule 12.3 had been broken in that the Notice did not concern matters for which the Council had responsibility or which affected the Borough and ruled that the Notice of Motion was inadmissible and could not be debated at this Council meeting.

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(b) Admission to High Schools

- (i) It was moved by Councillor D’Albert and seconded by Councillor Garner that the following Notice of Motion submitted under Council Procedure Rule 12.1 be approved:-

'This Council notes the current round of admissions and appeals to Bury's High Schools. It also recognises that Bury is made up of a number of very distinct communities and in so doing believes:

- (1) in recognition of the district communities that make up Bury MBC, it is the view of this Council that residents of those communities should be assured a place at a local high school in that area if they so wish; and
- (2) calls for a thorough review of the High Schools Admissions appeals process to provide a speedier, more efficient, more transparent and less intimidating service to parents.'

In the names of Councillors V D'Albert and A Garner.

- (ii) An amendment was moved by Councillor Perkins and seconded by Councillor Nesbit by way of the deletion of (1) and (2) above and their replacement with:

- '(1) Commends the actions taken by officers of the LEA to ensure that all previously unplaced pupils were offered places in their local catchment area school.
- (2) Notes that arrangements for high school admissions for next year have already been changed; allowing up to three preferences to be considered when allocating places. This should greatly improve the availability of places in Bury schools for Bury children.'

On being put, 37 voted for, 3 against with 1 abstention, the amendment was declared carried.

- (iii) A further amendment was moved by Councillor Walker and seconded by Councillor Vincent that the motion set out in (i) above, as amended at (ii) above, be amended by the addition of a further paragraph as follows:-

'(3) Agrees to review the admissions process and catchment areas allied to the review of secondary school places within 18 months'

On being put, with none dissenting, the further amendment was declared carried.

- (iv) The substantive motion on being put, 37 voted for, 3 against and with 1 abstention, was agreed and it was:-

RESOLVED:

That the Notice of Motion, as amended at (ii) and (iii) above, be approved and adopted.

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C.349 QUESTIONS ON THE FUNCTIONS OF THE JOINT AUTHORITIES

Greater Manchester Passenger Transport Authority

Councillor Sharkey, the nominated spokesperson on the above Joint Authority, answered a question submitted by Councillor Pickstone concerning the level of noise and vibration from Metrolink vehicles.

C.350 QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS

There were no written questions on the work of outside bodies or partnerships submitted in accordance with Council Procedure Rule 11.2.

C.351 DELEGATED DECISIONS OF THE EXECUTIVE AND COUNCIL COMMITTEES

Questions were asked on the delegated decisions of the Executive and Council Committees contained in the Digests of Decisions 18 (2002/2003), 1 and 2 (2003/2004) published since the last ordinary meeting of the Council:-

	Issue	Questioner	Answered By
1.	Attendance record at the Planning Control Committee meeting on 23 June 2003	Councillor J F Walton	Councillor A J Cummings
2.	The wording of the declaration of interest by Councillor W J Davison and his apologies for absence from the meeting of the Planning Control Committee on 23 June 2003.	Councillor R E Walker	The Mayor
3.	Responses to various consultation papers on electoral issues.	Councillor R E Walker	Councillor J Byrne

THE WORSHIPFUL THE MAYOR

(Note: The meeting started at 7.00 pm and ended at 9.45 pm)