

Minutes of: THE COUNCIL OF THE METROPOLITAN BOROUGH OF BURY

Date of Meeting: 5 November 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, E B Briggs, K S Briggs, J Byrne, W A Campbell, D M Cassidy, T P Chamberlain, 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 L Gunther, D M Higgin, T Holt, A Isherwood, S P Magnall, A K Matthews, P J Nesbit, S R Perkins, T D Pickstone, J Smith, B J Sullivan, J W H Taylor, P Timperley, S J Treadgold, B Vincent, R E Walker, J F Walton, M J Wiseman and Y S Wright

Apologies for absence: Councillors A P Hughes, W Johnson, G Sharkey, S M Smith and B Theckston

Public attendance: 11 members of the public attended the meeting.

C.718 MINUTES

RESOLVED:

That the Minutes of the meeting of the Council held on 23 July 2003 be confirmed as a correct record and signed by the Mayor.

C.719 DECLARATIONS OF INTEREST

Councillors T D Pickstone and S J Treadgold declared personal interests in Minute EX.533 of the Executive at its meeting on 24 September 2003 (Item 5C on the Council agenda) in relation to the Joint Scrutiny of the Pennine Acute Hospitals and Care NHS Trusts.

Councillor R E Walker declared a personal interest in the Strategic Review of Secondary School Provision referred to in Minute EX.602 of the Executive at its meeting on 15 October 2003.

C.720 MAYORAL COMMUNICATIONS

(a) Recent deaths and bereavements

The Worshipful the Mayor was saddened to inform the Council of the recent death of Mrs Eleanor Jackson.

Mrs Jackson had been Mayoress of the Borough of Radcliffe during the Municipal Year 1973/74 and the sympathy and condolences of the Council had been conveyed to Mrs Jackson's family.

The Mayor also informed the Council of the bereavements suffered by Councillor Yvonne Wright and the Council's Director of Finance and E-Government, Mr Michael Owen. Both Councillor Wright and Mr Owen had lost their fathers and the Mayor conveyed to them the most sincere sympathy and condolences of all Members and Officers of the Council.

The Mayor was also saddened to refer to the deaths of Mr Jack Farraday and Mr Stuart Kay.

Mr Farraday and Mr Kay were highly regarded Members of our Community and made significant contributions to many aspects of Civic Life and were actively involved in the work of many worthwhile organisations. The sympathy and condolences of the Council had been conveyed to their families.

All present stood in silence as a mark of respect.

(b) Illness of former Councillor, Mrs E Waite

The Worshipful the Mayor was sorry to inform the Council of the ill health of former Councillor, Mrs Evelyn Waite, who was receiving medical treatment at home and whose condition was 'comfortable'.

The good wishes of Members and Officers of the Council had been conveyed to Mrs Waite.

(c) Petition – Household Refuse Collection in Prestwich

The Worshipful the Mayor reported that he had received a petition from residents of Prestwich in opposition to the changes in the Household Refuse Collection arrangements. The Mayor indicated that the Petition would be passed to the Director of Environment and Development Services for attention.

(d) Civic Ball

The Worshipful the Mayor reminded Members that the Civic Ball was to be held on Friday, 5 December 2003 and hoped that many Members would be able to join him and the Mayoress on this occasion.

C.721 PUBLIC QUESTION TIME

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

- Mr K Rothwell concerning the possible eastern extension of Danesmoor Drive, Chesham.
- Mr A Withington concerning the ban on the consumption of alcohol in public places in Bury Town Centre, anti-social behaviour in the evening in Bury Town Centre and ways of reducing the number of licensed premises in the Town Centre.

- Mr L Cox concerning the closure of the woodworking classes at the Arts and Crafts Centre and requesting an independent inquiry into the closure.
- Mr J Eagle concerning a petition against the proposals by Westfield for the development of Bury Town Centre.

C.722 RECOMMENDATIONS OF THE EXECUTIVE AND COUNCIL COMMITTEES

(a) Minute EX.366 of the Executive on 30 July 2003 – Appointments to Outside Bodies

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

RESOLVED:

That the recommendations contained in Minute EX.366 of the meeting of the Executive held on 30 July 2003 concerning appointments to outside bodies be approved and adopted.

(b) Minute EX.392 of the Executive on 3 September 2003 – Delegation of Health Scrutiny of the Cleft Lip and Palate Service

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

RESOLVED:

That the recommendations contained in Minute EX.392 of the meeting of the Executive held on 3 September 2003 concerning the delegation of health scrutiny of the Cleft Lip and Palate Service to the North West Joint Committee be approved and adopted.

(c) Minute EX.533 of the Executive on 24 September 2003 – Joint Scrutiny of the Pennine Acute Hospitals NHS Trust and the Pennine Care NHS Trust.

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

RESOLVED:

That the recommendations contained in Minute EX.533 of the meeting of the Executive held on 24 September 2003 concerning the Joint Scrutiny of the Pennine Acute Hospitals NHS Trust and the Pennine Care NHS Trust be approved and adopted, subject to nominations for places on the two Joint Committees in accordance with recommendation 2, being agreed by the Leader of the Council and Leader of the Opposition.

(d) Minute S.544 of the Standards Committee on 25 September 2003 – Report of the Independent Remuneration Panel on Pensions for Elected Members

It was moved by Councillor J Smith, seconded by Councillor K S Briggs and –

RESOLVED:

That the recommendations contained in Minute S.544 of the meeting of the Standards Committee held on 25 September 2003 concerning a report of the Independent Remuneration Panel on Pensions for Elected Members be approved and adopted.

(e) Minute EX.605 of the Executive on 15 October 2003 – Supplementary Planning Guidance for Affordable Housing

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

RESOLVED:

That the recommendations contained in Minute EX.605 of the meeting of the Executive held on 15 October 2003 concerning the Supplementary Planning Guidance for Affordable Housing Provision in new residential developments be approved and adopted.

(f) Minute EX.609 of the Executive on 15 October 2003 – Policy Led Approach to Capital Resource Allocation

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

RESOLVED:

That the recommendations contained in Minute EX.609 of the meeting of the Executive held on 15 October 2003 concerning a Policy Led Approach to Capital Resource Allocation be approved and adopted.

(g) Minute S.687 of the Standards Committee on 22 October 2003 - Report of the Independent Remuneration Panel.

It was moved by Councillor J Smith, seconded by Councillor Fitzgerald and -

RESOLVED:

That the recommendations contained in Minute S.687 of the meeting of the Standards Committee held on 22 October 2003 concerning the report of the Independent Remuneration Panel be approved and adopted.

C.723 PERIODIC ELECTORAL REVIEW – FINAL RECOMMENDATIONS OF THE BOUNDARY COMMITTEE FOR ENGLAND

The Leader of the Council submitted a report indicating that the final recommendations of the Boundary Committee for England for the future electoral arrangements for Bury, which were based on the Council's submitted proposals with minor changes, had been submitted to the Electoral Commission.

The Electoral Commission would decide whether to endorse the final recommendations, with or without modification, and to implement them by means of an Order to be made not before 11 November 2003.

The Commission would consider any written representations made to them by that date on the recommendations and also on the draft Order implementing the new arrangements.

The report also contained proposals for the boundaries of Polling Districts within these Wards.

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

1. That the Final Recommendations of the Boundary Committee for England and the draft Order to implement the new arrangements be supported.
2. That the proposed Polling District boundaries within the new Wards, as detailed in the report submitted, be approved and the Chief Executive, after consultation with the Leaders of the 3 political groups on the Council, be authorised to determine any necessary amendments to those boundaries if any modifications are made to Ward boundaries by the Electoral Commission.

Upon being put, 28 voted for, 14 against and with one abstention, the motion was declared carried and it was -

RESOLVED:

That the recommendations set out above be approved and adopted.

C.724 HOUSING INVESTMENT STRATEGIES

The Leader of the Council submitted a report on the Housing Investment Strategies, which incorporated the draft Housing Revenue Account Business Plan, the draft Housing Strategy 2003/2008 Update and the draft Black and Minority Ethnic Housing Strategy 2003/2006.

This suite of documents was required for submission to the Government Office for the North West to identify Housing Investment priorities.

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

RESOLVED:

1. That the Housing Investment Strategies, incorporating the draft Housing Revenue Account Business Plan, the draft Housing Strategy 2003/2008 Update and the draft Black and Ethnic Housing Strategy 2003/2006 be approved for submission to the Government Office for the North West, subject to any detailed amendments by the Executive at its meeting to be held on 12 November 2003 or amendments resulting from advice from informal feedback from the Government Office for the North West.
2. That the Director of Social Services, Health and Housing be given delegated authority to make the final amendments prior to submission.

C.725 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 Questions (Notice Given)

	Issue	Questioner
1.	Car parking on Remembrance Sunday	Councillor Walton
2.	Provision of services for the elderly in Prestwich	Councillor Grime

(b) Oral Questions

	Issue	Questioner
3.	Completion date for schemes in the Cleaner/Safer/Greener Public Spaces report in the current financial year or carried forward to next year	Councillor Boden
4.	Progress on provision of secretarial support for Elected Members	Councillor Walker
5.	Seeking assurance that there were no proposals to close or merge secondary schools in Prestwich	Councillor Pickstone
6.	Contingency plans for back-payments to private sector care home owners if dispute resolved	Councillor Bigg
7.	Fall-back position in the event that the Round 4 bid for ALMO Status was not successful	Councillor Gunther
8.	Frequency of 'grey' bin collection when recycling collections start	Councillor Garner
9.	Ban on consumption of alcohol in public places	Councillor Walker
10.	Congratulations on improvements to Rochdale Old Road Park, Burrs Country Park and Whitehead Park and the need for lighting for ball game areas during winter months subject to neighbourhood lighting levels	Councillor Bibby
11.	Scale of proposed wind farm development	Councillor D'Albert
12.	Requesting update on car park on Sheepfoot Lane for Heaton Park	Councillor Garner

C.726 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.727 NOTICES OF MOTION

(a) Proposed Changes to EU Constitution

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

‘Given the decision to impose a Referendum on the issue of establishing a North West Assembly, this Council would support the calls being made for a national referendum on the proposed changes to the EU constitution which will give the EU ‘shared competence’ overseeing home affairs, transport, energy, economic and social inclusion, consumer protection and environmental affairs so that more legislation binding on local government will be decided at a European level rather than nationally at the same time as Qualified Majority Voting becomes the norm.’

In the names of:-

Councillor R Walker	Councillor D Bigg
Councillor J Walton	Councillor S Magnall
Councillor B Bibby	Councillor D Higgin
Councillor Y Creswell	Councillor Y Wright
Councillor J Taylor	Councillor B Sullivan
Councillor B Theckston	Councillor D Gunther
Councillor B Vincent	Councillor P Ashworth
	Councillor M Wiseman

- (ii) An amendment was moved by Councillor D’Albert and seconded by Councillor Garner by way of the deletion of all the words after the words “EU Constitution” in line four of the Motion.

On being put, 3 voted for, 38 against and with one abstention, the amendment was declared lost.

- (iii) Prior to the counting of the votes on the Motion, 8 Members requested that the voting on the Motion be recorded so as to show how each Member cast their vote. The result of the voting on the Motion was as follows:-

For the motion:

Councillors Ashworth, Bibby, Bigg, Creswell, D’Albert, Garner, Gunther, Higgin, Magnall, Pickstone, Sullivan, Taylor, Vincent, Walker, Walton, Wiseman and Wright (17)

Against the motion:

Councillors Audin, Boden, E B Briggs, K S Briggs, Byrne, Campbell, Cassidy, Chamberlain, Chaudhry, Connolly, J Costello, S Costello, Cummings, Fitzgerald, Gibb, Grime, Grimshaw, Holt, Matthews, Nesbit, Perkins, J Smith, Timperley and Treadgold (24)

Abstained from Voting:

The Worshipful the Mayor (1)

The Motion was declared lost.

(b) Fair Taxes for Local Government

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

'This Council believes –

1. that local government should be funded through fair taxation – based on the ability of people to pay
2. that Council Tax is an unfair tax, which particularly hurts many poorer households and pensioners
3. that Council Tax should be replaced by a locally determined Local Income Tax based on the ability of people to pay.

This Council therefore resolves:-

To communicate these views to the Office of the Deputy Prime Minister.

In the names of:-

Councillor T Pickstone
Councillor V D D'Albert
Councillor A Garner

- (ii) An amendment was moved by Councillor Campbell and seconded by Councillor Byrne by way of the deletion of 1, 2 and 3 above and their replacement with the following:-

"The Council welcomes the Balance of Funding Review that has been established by the Government. We call on the Review's Steering Group to recognise the need to examine all options for resolving the current imbalance between the proportion of central and local funding of local government, including making improvements to the Council Tax, returning Business Rates to local authority control and thoroughly appraising alternative options for raising local revenue including a local income tax."

On being put, 38 voted for, 3 against and with one abstention, the amendment was declared carried.

- (iii) The substantive motion on being put, 38 voted for, 3 against and with one abstention, was agreed and it was -

RESOLVED:

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

C.728 QUESTIONS ON THE FUNCTIONS OF THE JOINT AUTHORITIES

There were no written questions on the work of the Joint Authorities submitted in accordance with Council Procedure Rule 11.2.

C.729 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.730 DELEGATED DECISIONS OF THE EXECUTIVE AND COUNCIL COMMITTEES

No questions were asked on the delegated decisions of the Executive and Council Committees contained in the Digests of Decisions 3 to 6 (2003/2004) published since the last ordinary meeting of the Council.

THE WORSHIPFUL THE MAYOR

(Note: The meeting started at 7.00 pm and ended at 10.09 pm)