

**Minutes of:** THE COUNCIL OF THE METROPOLITAN BOROUGH OF BURY

**Date of Meeting:** 12 May 2004

**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, M A Gibb, E K Grime, J Grimshaw, D L Gunther, D M Higgin, T Holt, A Isherwood, W Johnson, 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, S J Treadgold, B Vincent, R E Walker, J F Walton, M J Wiseman and Y S Wright

**Apologies for absence:** Councillors A S Garner and A P Hughes

**Public attendance:** 14 members of the public attended the meeting.

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**C.1622 MINUTES**

**RESOLVED:**

That the Minutes of the meeting of the Council held on 25 February 2004 be confirmed as a correct record and signed by the Mayor.

**C.1623 DECLARATIONS OF INTEREST**

There were no interests declared by Members in relation to any matter considered at the meeting.

**C.1624 MAYORAL COMMUNICATIONS**

**(a) Deaths of Councillor C M Fitzgerald and Mr J Denning, Senior Educational Psychologist**

The Worshipful the Mayor was saddened to refer to the recent death of Councillor Connie Fitzgerald.

Councillor Fitzgerald represented the Redvales Ward of the Metropolitan Borough for twelve years.

She had been elected as Mayor for the Municipal Year 1998 – 1999, a Mayoral Year which she had shared with her husband, Derek, who undertook the office of Mayor's Consort.

Councillor Fitzgerald's service as a local councillor and also as Mayor had been exemplary. She had given selflessly of her time and effort and was held in the highest possible esteem and regard.

She would be remembered with fond affection by all who knew her and she would be most sadly missed.

The Mayor was also saddened to refer to the death of Mr Jason Denning, the Council's Senior Educational Psychologist.

Mr Denning had worked for the Council for only a short period of time, but he had displayed great loyalty to the Council's undertakings and all that the Borough upholds.

The sympathy and condolences of the Council and Metropolitan Borough had been conveyed to the families of Councillor Fitzgerald and Mr Denning.

All present stood in silence as a mark of respect and in memory of Councillor Fitzgerald and Mr Denning.

**(b) Thanks to Council Members and Staff**

As this was the final Meeting of the Council prior to the Municipal Election, the Worshipful the Mayor expressed thanks to Members of the Council for the excellent manner in which they had served the Metropolitan Borough.

The Mayor also offered thanks to all the Council's staff for their endeavours and contribution to the affairs of the Borough during the past year.

The Mayor expressed particular appreciation to those Members of the Council who had served as Executive Members, Lead Members, Chairs of various Committees, Panels, Boards and other bodies for the considerable amount of work which they had undertaken. They had rendered a valuable service and devoted much time to the duties of their offices.

The Mayor mentioned Councillors William Johnson MBE and Andrea Hughes who were not seeking re-election in June, both of whom had served the Community and Authority well for many years and had fine records of Public Service. They had a wealth of experience and their contribution to Local Government had been most significant and would be of lasting benefit.

Councillor Hughes had served the Council for six years and had been a Member of the former Cabinet and Executive Committee holding the Lifelong Learning, Culture, Recreation and Sport Portfolio. She had also been Chair of the Healthier and Safer Communities Scrutiny Commission and also chaired various bodies and represented the Council on several organisations. She had been actively involved in many aspects of the functions of the Authority.

Councillor Johnson had continuous service as a local councillor of more than forty four years and deserved to be paid the highest tribute for the work that he had undertaken. He had served as Mayor of the Borough on two occasions as well as a Member of most Committees and many outside bodies, including several in the voluntary sector.

Councillor Johnson had also been a Senior Member of the former Tottington Urban District Council and had undertaken two terms of office as Chairman of the Council.

Councillor Johnson had set an excellent example of dedicated and conscientious public service that all Members should strive to follow.

The Mayor paid tribute to Mrs Johnson who had been forever at Councillor Johnson's side and had given the greatest possible support and encouragement.

Both Councillor and Mrs Johnson were very well known, highly regarded and held with fond affection.

The Leader of the Council, Councillor J Byrne and Councillor R E Walker also paid tribute to the public service of Councillor Johnson.

#### **C.1625 PUBLIC QUESTION TIME**

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

- Mr K Rothwell concerning the allegations of elected members and officers accepting hospitality from a town centre developer. The Leader of the Council responded by denying such allegations.
- Mr R Launders of Osborne Walk, Radcliffe concerning the use of a public footpath near Radcliffe Cricket Club by motor cyclists. The Leader advised that a written response would be made.
- Mrs V McClung concerning certain allegations made against a candidate for the Conservative Party in the forthcoming European Election. The Leader declined to comment.

#### **C.1626 RECOMMENDATIONS OF THE EXECUTIVE AND COUNCIL COMMITTEES**

**(a) Minute EX.1096 of the Executive on 21 January 2004 – Calculation of Council Tax Base.**

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

**RESOLVED:**

That the recommendations contained in Minute EX.1096 of the meeting of the Executive held on 21 January 2004 concerning the Calculation of Council Tax Base be approved and adopted.

**(b) Minute EX.1328 of the Executive on 10 March 2004 – Bury Youth Justice Plan 2004/2005**

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

**RESOLVED:**

That the recommendations contained in Minute EX.1328 of the meeting of the Executive held on 10 March 2004 concerning the Bury Youth Justice Plan 2004/2005 be approved and adopted.

**(c) Minute EX.1329 of the Executive on 10 March 2004 – Bury’s Local Agenda 21 Strategy**

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

**RESOLVED:**

That the recommendations contained in Minute EX.1329 of the meeting of the Executive held on 10 March 2004 concerning Bury’s Local Agenda 21 Strategy be approved and adopted.

**(d) Minute EX.1334 of the Executive on 10 March 2004 – Nominations to the ALMO Shadow Board**

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

**RESOLVED:**

That the recommendations contained in Minute EX.1334 of the meeting of the Executive held on 10 March 2004 concerning nominations to the ALMO Shadow Board, be approved and adopted.

**(e) Minute EX.1458 of the Executive on 31 March 2004 – Corporate Plan 2004/2007**

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

**RESOLVED:**

That the recommendations contained in Minute EX.1458 of the meeting of the Executive held on 31 March 2004 concerning the Corporate Plan 2004/2007 be approved and adopted.

**(f) Minute EX.1472 of the Executive on 31 March 2004 – Appointments to the General Assembly of the University of Manchester**

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

**RESOLVED:**

That the recommendations contained in Minute EX.1472 of the meeting of the Executive held on 31 March 2004 concerning appointments to the General Assembly of the University of Manchester be approved and adopted.

**(g) Minute EX.1473 of the Executive on 31 March 2004 – Changes to Timetable of Meetings 2004/2005**

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

**RESOLVED:**

That the recommendations contained in Minute EX.1473 of the meeting of the Executive held on 31 March 2004 concerning changes to the Timetable of Meetings 2004/2005 be approved and adopted.

**(h) Minute EX.1474 of the Executive on 31 March 2004 – Changes to Area Board Boundaries**

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

**RESOLVED:**

That the recommendations contained in Minute EX.1474 of the meeting of the Executive held on 31 March 2004 concerning changes to Area Board Boundaries be approved and adopted.

**(i) Minute P.1492 of the Planning Control Committee on 13 April 2004 – Officer Delegation**

It was moved by Councillor Cummings and seconded by Councillor Connolly -

“That the recommendations contained in Minute P.1492 of the Planning Control Committee at a meeting held on 13 April 2004, relating to Delegation to Officers be approved, subject to an amendment to Recommendation 1 of the Minute so that it reads:-

‘That having completed the consultations with Members of the Committee referred to in Recommendations 2 and 3 of the Minute, approval be given to the amendments to the existing scheme of officer delegations as set out in the preamble to this Minute, as amended below in relation to Delegations (b) and (c):-

That Delegation (b) be changed to read:

Approve or refuse applications (including “Major” applications) where there are no material planning objections and the proposals are not of “significant” scale or importance.

That Delegation (c) be changed to read:

Approve or refuse householder planning applications on the basis of the approved supplementary guidance. Recommendations to approve extensions not in accordance with the guidance where there are material planning objections would continue to be reported to Committee.’

And that the Council Constitution be amended accordingly.”

**RESOLVED:**

That the recommendation contained in Minute P.1492 of the meeting of the Planning Control Committee held on 13 April 2004 concerning Officer Delegation, as amended as set out above, be approved and adopted.

**C.1627 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)**

	<b>Issue</b>	<b>Questioner</b>
1.	The conclusions of the Economy, Environment and Transport Scrutiny Commission supporting the alternate weekly waste bin collection scheme	Councillor Boden
2.	The fortnightly waste bin collection scheme, the recycling of waste, fly tipping and red bin dog waste.	Councillor Bigg
3.	Housing benefit cases outstanding.	Councillor Bigg

**(b) Oral Questions**

	<b>Issue</b>	<b>Questioner</b>
4.	Affordable housing in new developments	Councillor Gunther
5.	Car parking enforcement – an individual case	Councillor Bigg
6.	Access to proposed car park in Heaton Park to be constructed by Manchester City Council	Councillor Pickstone
7.	Funding position of Bury REC	Councillor Walker
8.	Nominations for Mayor for 2004/2005 to which the Leader of the Council replied that the Labour Group nomination would be Councillor E B Briggs if re-elected on 10 June 2004	Councillor Campbell
9.	Number of staff working for Bury MBC	Councillor Gunther
10.	Representations by the Council to the consultations on post office closures	Councillor D'Albert
11.	Length of the waste bin collection pilot scheme	Councillor Walker
12.	Attendance record at Whitefield and Unsworth Area Board meeting on 20 April 2004 and the wording of the preamble to Minute HRA.1375 of the Human Resource and Appeals Panel meeting on 16 March 2004	Councillor Walton

**C.1628 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.1629 NOTICES OF MOTION**

There were no notices of motion received in accordance with Council Procedure Rule 12.

**C.1630 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.1631 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.1632 DELEGATED DECISIONS OF THE EXECUTIVE AND COUNCIL COMMITTEES**

A question was asked on the delegated decisions of the Executive and Council Committees contained in the Digests of Decisions 11 to 16 (2003/2004) published since the last ordinary meeting of the Council as follows:-

	<b>Issue</b>	<b>Questioner</b>	<b>Answered by</b>
1.	Completion of assessments for community equipment services  (Minute EX.1331 of the Executive on 10 March 2004 refers)	Councillor Walker	Councillor Connolly

**THE WORSHIPFUL THE MAYOR**

**(Note: The meeting started at 7.00 pm and ended at 8.51 pm)**