

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

**Date of Meeting:** 13 September 2006

**Present:** The Worshipful the Mayor (Councillor J F Walton) in the Chair; Councillors D M Ashworth, P Ashworth, K Audin, R A Bibby, D B Bigg, D Boden, E B Briggs, K S Briggs, R C A Brown, J Byrne, G Campbell, L Campbell, W A Campbell, D M Cassidy, T P Chamberlain, F A Chaudhry, S Cohen, M Connolly, S Costello, Y Creswell, A J Cummings, V D D'Albert, W J Davison, A J Garner, A S Garner, I B Gartside, M A Gibb, E K Grime, D L Gunther, M Hankey, D M Higgin, T Holt, A Isherwood, S P Magnall, A K Matthews, D O'Hanlon, T D Pickstone, K Rothwell, G Sharkey, J Smith, S J Southworth, B J Sullivan, J W H Taylor, B Theckston, B Vincent, R E Walker, M J Wiseman and Y S Wright

**Apologies for absence:** Councillors C A Berry, and P H Redstone

**Public attendance:** 7 members of the public attended the meeting.

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**C.428 DECLARATIONS OF INTEREST:**

- (a) Councillors G Campbell and L E Campbell both declared personal interests as employees of the Pennine Care Mental Health NHS Trust in relation to any matter which may be raised about the Trust or its services.
- (b) Councillor D M Higgin declared a prejudicial interest in any matter raised about anti social behaviour in the area of Ramsbottom, Tottington and North Manor Area Board referred to in Minute C.432 below, as the owner of a business in the Ramsbottom area.

**C.429 MINUTES**

**RESOLVED:**

That the Minutes of the meeting of the Council held on 21 June 2006 be confirmed as a correct record and signed by the Mayor.

**C.430 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS**

The Worshipful the Mayor informed the Council of the recent deaths of Philip Allen, former Executive Director of Environment and Development Services, John Beech, former Chief Education Officer, Lesley Wynne from the Planning Division and the Lord Mayor of Manchester, Councillor James Ashley.

Mr Allen, Mr Beech and Ms Wynne were extremely popular and well respected Officers of the Council and were held in great esteem in their respective services.

All made important contributions to this Council and the wellbeing of the Borough and its townspeople in their careers and will be sadly missed.

The Worshipful the Mayor also reported the death of the Lord Mayor of Manchester, Councillor James Ashley, who died after serving as Lord Mayor for the short period of only three months.

He had been involved in public service in various ways for more than thirty two years and had undertaken much good work for the City of Manchester and the North West Region.

The sympathy and condolences of the Council and the Metropolitan Borough have been conveyed to the bereaved families.

The Council stood in silence as a mark of respect and in remembrance of Philip Allen, John Beech, Lesley Wynne and Councillor James Ashley.

Finally, the Mayor referred to the Metropolitan Borough's involvement in the North West in Bloom Competition and offered his best wishes for the third successful outcome for Bury from the judging.

#### **C.431 PUBLIC QUESTION TIME**

Questions were asked on the following issues during Public Question Time:-

- (a) Mr Miles asked how many car parking places would be lost as a consequence of the proposed redevelopment of the Rock Triangle within Bury Town Centre.
- (b) Mr L Phillips requested information on the proposed sale of the Council-owned Lowry painting.

The Leader replied to both questions.

#### **C.432 RECOMMENDATIONS OF RAMSBOTTOM, TOTTINGTON AND NORTH MANOR AREA BOARD AND THE EXECUTIVE**

- (a) **Minute AB.40 of the meeting of the Ramsbottom, Tottington and North Manor Area Board held on 30 May 2006 – Law and Order issues within the Boundary of the Area Board**

It was moved by Councillor Wright and seconded by Councillor Gunther:

An amendment was moved by Councillor Bigg and seconded by Councillor Cohen that the words "Area Board" be deleted and substituted by the words "Metropolitan Borough".

On being put, 19 voted for, 10 against and with 2 abstentions, the amendment was declared carried.

A further amendment was moved by Councillor W A Campbell and seconded by Councillor Connolly that the recommendation be referred to the Safe, Strong and Confident Scrutiny Commission for consideration and formulation of recommendations for further action.

Councillor Bigg suggested that an extraordinary meeting of the Scrutiny Commission be convened for the purpose which was accepted by Councillor Campbell.

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

The substantive motion on being put, 46 voted for, 1 against and with 2 abstentions it was:

**RESOLVED:**

That the recommendation as amended above, be approved and adopted.

**C.433 LEADER'S STATEMENT AND EXECUTIVE QUESTION TIME**

The Leader of the Council, Councillor W A Campbell made a statement on the work of the Executive.

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

**(a) Written Questions (Notice Given)**

No	Issue	Questioner	Answered by (and Action)
1.	Refurbishment of Ramsbottom Library	Councillor Magnall	Councillor Chamberlain
2.	Fair Trade produce	Councillor A S Garner	Councillor K S Briggs
3.	Issuing of Penalty Charge Notices by Parking Attendants	Councillor A J Garner	Councillor Byrne
4.	Environmental impact of the Projected Growth of Manchester Airport and whether this would be carbon neutral	Councillor Pickstone	Councillor Connolly (Response required regarding carbon emissions)
5.	Grants by the Council to Voluntary Organisations	Councillor Davison	Councillor G Campbell
6.	Mental Health Services in Bury	Councillor O'Hanlon	Councillor Chamberlain
7.	Electronic chips in the recycling bins – consultations	Councillor D'Albert	Councillor Byrne

8.	1. Provision of recycling bins for all the residents in the Borough  2. Reducing the amount of household refuse which goes to landfill sites	Councillor G Campbell	Councillor Byrne
9.	Future of local Post Offices	Councillor Gunther	Councillor K S Briggs
10.	City Academies	Councillor Gunther	Councillor Gibb
11.	The fountain at Prestwich	Councillor G Campbell	Councillor Byrne
12.	Capital investment in secondary schools	Councillor Walker	Councillor Gibb
13.	1. Proposed sale of a painting held currently in the Art Gallery.  2. Implications for external funding for the Art Gallery and Museum of this proposed sale	Councillor Walker	Councillor Connolly

**(b) Oral Questions submitted at the meeting without notice**

No	Issue	Questioner	Answered by (and Action)
14.	Missing pinnacle on the Whitehead Clock Tower	Councillor P Ashworth	Councillor Byrne
15.	Electronic chips in recycling bins	Councillor Bibby	Councillor Byrne

With regard to question number 15, Councillor Bibby moved a Motion Without Notice in accordance with Council Procedure Rule 13(d), that the issue of the electronic chips in recycling bins be referred to the Economy, Environment and Transport Scrutiny Commission which be asked to determine:-

- i. The effects of the introduction of this initiative on human rights and invasion of privacy; and
- ii. Whether the Constitution needs to be amended to enable Members to participate in such controversial/highly sensitive decisions which could affect the residents of the Borough”.

Councillor Bibby, supported by at least 8 Members, requested that the voting on this Motion be recorded so as to show how each Member cast their vote.

Prior to the seconding of the Motion, Councillor Bibby withdrew the Motion having received an assurance from Councillor Davison, Chair of the Economy, Environment and Transport Scrutiny Commission, that the issues referred to in the Motion would be considered by the Commission, as part of its Review of Recycling.

#### **C.434 SCRUTINY REVIEW REPORT OF SPECIFIC ITEMS “CALLED IN” BY SCRUTINY COMMISSIONS**

There were no Scrutiny Review Reports or specific items “called in” by Scrutiny Commissions to be considered at this Council Meeting.

#### **C.435 NOTICES OF MOTION**

Two Notices of Motion had been received in accordance with Council Procedure Rule 12.

(A) “The North West Climate Change Charter commits those organisations which adopt it to a number of actions.

These are:

- § To take action to mitigate and adapt to climate change
- § To acknowledge that action is needed globally, internationally, Europe-wide, national, regional and local
- § To help the region to achieve the national goal of reducing CO<sub>2</sub> by 60% by 2050 (based on 1990 levels)
- § To support better ways to co-ordinate actions on climate change across the region
- § To put climate change at the heart of our internal decision-making process
- § To take all practical steps to limit CO<sub>2</sub> emissions and to respond to the challenges posed by the impacts of climate change
- § To set up organisation-wide and effective CO<sub>2</sub> measurement and monitoring arrangements and compare our results with appropriate benchmarks
- § To work with others to communicate our progress and successes and to encourage others to take action to ensure that England’s Northwest becomes a champion for climate change activity.

The Charter has been adopted by the regional concordat partners:

North West Regional Assembly  
North West Development Agency  
Government Office North West  
United Utilities

and by 18 NW local authorities

plus numerous other public, private and voluntary sector organisations

Resolved:

That this Council adopts the North West Climate Change Charter”

**In the names of Councillors Boden and Matthews**

Councillor Boden sought the permission of the Council under Council Procedure Rule 14.7, as the mover of the above Motion, to alter the Motion by way of an amendment the purpose of which was to incorporate the terms of the following Motion with specified amendments, which had been set out on the Council Summons in the names of Councillors D’Albert, Davison, H A Garner, A S Garner, O’Hanlon and Pickstone:-

“(B)Climate Change Strategy and Ecological Footprint Motion

“This Council notes that July 2006 was the hottest month since records began in central England in 1659, and 2006 has seen the fourth warmest summer on record, with the three warmest all in the last thirty years.

This Council further notes that despite efforts to date to combat climate change, carbon dioxide emissions in the UK are still increasing, having risen by 2.9% in the last eight years.

This Council also notes that Britain’s ecological footprint (which measures the amount of resources used by each person in the UK such as food, fuel, energy, metals, wood etc. and the waste these produce: carbon dioxide, other gases, waste water, rubbish etc) is also unsustainable, requiring approximately three earths to sustain.

This Council therefore also resolves:

1. to identify best practice within Bury, from around the UK and overseas and produce –
  - (a) a climate change strategy by May 2007; and
  - (b) by the end of 2008 a broader environmental sustainability strategy, action plan and targets covering energy, planning and construction, transport, water, food, waste and biodiversity.
2. to publicise the results of Bury's Ecological Footprint report (produced by the Stockholm Environment Institute) so that local residents are aware of their impact on the global environment.
3. appoint a Sustainability Champion to lead advocacy across the community.
4. integrate environmental sustainability into all the Council’s strategy and planning processes.
5. to work with other public service providers in Bury to ensure action is taken across all public services to tackle climate change and improve environmental sustainability.

6. make support and advice available to all Councillors wanting to plan in detail how they can be effective leaders of the transition to environmental sustainability in their community.
7. to receive an annual report on progress against the targets in the climate change and environmental sustainability strategies.

This Council also encourages Councillors and staff to lead the changes needed in their communities by assessing their ecological footprint over the next three months, and from that, produce action plans on how they can reduce their ecological footprint by the end of the year.”

**In the names of Councillors: D'Albert, Davison, A J Garner, A S Garner, O'Hanlon and Pickstone.**

At the request of the Worshipful Mayor, Councillor Pickstone, on behalf of the other signatories to Motion (B), agreed the proposed course of action to which no other Member in the Chamber raised an objection.

Councillor Boden moved that Motions (A) and (B) be combined with the following amendments:-

- i) Add the word “Furthermore” before the words “Before the Council” in Motion (B)
- ii) On the last line of the third paragraph of Motion (B), add the words “if everyone on the planet were to consume at our rates”.
- iii) After the words “This Council therefore resolves i”, delete the word “produce” in the second line and substitute the word “adopt”.
- iv) After “3” delete “appoint a” and substitute the words “authorise the”.
- v) In the first line of the final paragraph after the words “Councillors and staff” insert the words “acting through their Area Boards”.
- vi) In the second line of the final paragraph, delete the words “over the next three months” and in the third and fourth lines of the final paragraph, delete the words “by the end of the year.”

The amendment was seconded by Councillor Matthews.

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

Councillor Bibby moved a further amendment that the words “subject to financial considerations being taken into account and a report be submitted subsequently to a future meeting of the Executive” after the words “That this Council adopts the North West Climate Change Charter”.

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

Prior to the casting of votes on the substantive Motion, Councillor W A Campbell, supported by at least seven other Members, requested that the voting be recorded so as to show how each Member cast their vote.

The result of the voting on the substantive Motion was as follows:-

**For**

D Ashworth, P Ashworth, Audin, Bibby, Bigg, Boden, E B Briggs, K S Briggs, Brown, Byrne, G Campbell, L E Campbell, W A Campbell, Cassidy, Chamberlain, Chaudhry, Cohen, Connolly, Costello, Creswell, Cummings, D'Albert, Davison, A J Garner, A S Garner, Gartside, Gibb, Grime, Gunther, Hankey, Higgin, Holt, Isherwood, Magnall, Matthews, O'Hanlon, Pickstone, Rothwell, Sharkey, Smith, Southwell, Sullivan, Taylor, Theckston, Vincent, Walker, Wiseman and Wright.  
(48)

**Against**

None.

**Abstained**

The Worshipful the Mayor. (1)

The substantive Motion was declared carried.

**RESOLVED:**

That the Notice of Motion, as amended above, be approved and adopted.

**C.436 JOINT AUTHORITIES – REPORTS BY THE COUNCIL'S REPRESENTATIVES AND QUESTIONS**

- (a) The Council's representative on the Greater Manchester Waste Disposal Authority, gave an oral report on the work of that particular Joint Authority.
- (b) The nominated Spokespersons, as indicated below, answered questions submitted in accordance with Council Procedure Rules 11.2 relating to the following functions of Joint Authorities:-

No	Joint Authority and Questioner	Issue	Answered by
1.	Greater Manchester Fire and Rescue Authority (Councillor O'Hanlon)	Withdrawal of the aerial appliance from Bury Fire Station	Councillors Byrne and Connolly
2.	Greater Manchester Waste Disposal Authority (Councillor A S Garner)	Recycling of wood products	Councillor Cummings

**C.437 QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS**

There were no written questions on the work of outside bodies or partnerships on which the Council is represented which had been submitted in accordance with Council Procedure Rule 11.2



**C.438 DELEGATED DECISIONS OF THE EXECUTIVE AND COUNCIL COMMITTEES**

Questions on the following Minutes were submitted at the meeting:-

<b>Decision and Minute No</b>	<b>Questioner</b>	<b>Answered by (and action)</b>
<p>A58 Quality Bus Corridor: Northern Orbital, Bolton Road, Bury – Local businesses in Church Ward affected adversely by this scheme</p> <p>Min.EET.207 of the Economy, Environment and Transport Scrutiny Commission – 11 July 2006</p>	Councillor Walker	<p>Councillor Davison</p> <p>(Undertaking given to consider this issue as part of the further report requested by the Commission)</p>
<p>Car Parking – Scoping Review – asked whether a period of 3 minutes following the expiry of a parking ticket could be allowed before a Fixed Penalty Notice is attached to the vehicle</p> <p>Min EET.209 of the Economy, Environment and Transport Scrutiny Commission – 11 July 2006</p>	Councillor Walker	<p>Councillor Davison.</p> <p>(Undertaking given to consider the suggestion as part of the review of car parking being undertaken by the Economy, Environment and Transport Scrutiny Commission currently)</p>

**THE WORSHIPFUL THE MAYOR**

**(Note: The meeting started at 7.00 pm and ended at 10.00 pm)**