

Minutes of: THE COUNCIL OF THE METROPOLITAN BOROUGH OF BURY

Date of Meeting: 13 December 2006

Present: The Worshipful the Mayor (Councillor J F Walton) in the Chair; Councillors D M Ashworth, P Ashworth, K Audin, L E Baucutt, C A Berry, R A Bibby, D B Bigg, D Boden, E B Briggs, K S Briggs, R C A Brown, J Byrne, G 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, D O'Hanlon, T D Pickstone, P H Redstone, 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: Councillor A K Matthews

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

C.759 DECLARATIONS OF INTEREST:

- (a) Councillor Pickstone declared a prejudicial interest in the Notice of Motion (Minute C.764(b) below) as an Executive Director of Pennine Care NHS Trust and left the Chamber for the duration of the debate on that item.
- (b) Councillor Cohen declared a personal interest in any matter relating to the payment of grants by the Council to voluntary organisations.
- (c) Councillor Boden declared a personal interest in the minutes in respect of a grant approved by Whitefield and Unsworth Area Board to Hollins Grundy Community Primary School as Chair of the Governing Body (Minute AB.656 – 14 November 2006)

C.760 MINUTES

RESOLVED:

That the Minutes of the meeting of the Council held on 1 November 2006 be confirmed as a correct record and signed by the Mayor.

C.761 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS

The Worshipful the Mayor informed the Council of the recent death of Mr J Skellern who served as a Councillor of the former Bury County Borough Council and was Mayor of the Town during the Municipal Year 1971/72. Mr Skellern had also been a Member of this Council for several years.

The Mayor paid tribute to Mr Skellern's long service as a Councillor and his valuable contributions to the civic affairs of the Borough. The sympathy and condolences of the Council and the Metropolitan Borough had been conveyed to Mr Skellern's family. The Council stood in silence as a mark of respect and in remembrance of Mr Skellern.

The Mayor offered Seasonal Greetings and good wishes for the New Year to all Members, Officers and all those present at the meeting.

C.762 PUBLIC QUESTION TIME

No questions were asked by Members of the public present at the meeting.

C.763 VARIATION IN THE ORDER OF BUSINESS

It was moved by Councillor W A Campbell and seconded by Councillor Connolly that the Order of Business be varied to enable the Notices of Motion (Items 9A and 9B) to be considered at this point in the meeting.

On being put, with none dissenting, it was:-

RESOLVED:

That, in accordance with Council Procedure Rule 13(c), the Order of Business be varied accordingly.

C.764 NOTICES OF MOTION

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

- (i) It was moved by Councillor D'Albert and seconded by Councillor Pickstone that the following motion be approved.

(a) Nuclear Power

"This Council:

Notes that the Prime Minister has declared his belief that "nuclear power is back on the agenda with a vengeance"

This Council recognises that nuclear energy programmes:

- A. Divert resources from decentralised and renewable energy generation and efficient programmes that can create jobs, improve living standards, and tackle the threat of climate change far more effectively than nuclear power.
- B. Produce radioactive waste that remains a danger for thousands of years and the present Nuclear Power stations will cost around £90 billion to clean up.
- C. Create the risk of a catastrophic nuclear accident.
- D. Increase the capacity for nuclear weapons proliferation and the risk of an attack on a nuclear installation.

The Council further recognises:

- A. That the cost of building new nuclear power stations could be used on an alternative energy strategy based on renewables, micro-generation, energy efficiency, and clean coal technology that is more affordable.
- B. That nuclear power will impose a tax on the country, costing consumers billions of pounds, distorting the market and squeezing out competition.

Council therefore resolves to:

- A. Reconfirm our affiliation to the Nuclear Free Local Authorities in order to contribute to local government's campaign for a safe, sustainable and nuclear free future.
- B. Send copies of this motion to the Prime Minister and our local MPs to demonstrate our opposition to nuclear policies.
- C. Encourage neighbouring local authorities to similarly consider Nuclear Free Local Authority membership where this is not already the case."

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

- (ii) An amendment was moved by Councillor Boden and seconded by Councillor G Campbell by way of the deletion of Paragraph A under the sub-heading 'Council therefore resolves to'; and the substitution of the following words "Reconfirm our affiliation to the Nuclear Free Local Authorities in order to contribute to local government's campaign for a safe and sustainable future."

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

The substantive Motion on being put, 28 Members voted for, 21 against with the Mayor abstaining, was declared carried and it was:-

RESOLVED:

That the motion as amended in (ii) above be approved and adopted.

(b) Retention of Children's and Maternity Services at Fairfield General Hospital

- (i) It was moved by Councillor W A Campbell and seconded by Councillor Chamberlain that the following Motion be approved:-

"In the light of persistent rumours concerning the proposals arising from the "Making It Better" consultation process, this Council re-affirms its strong commitment to retaining Children's and Maternity Services at Fairfield General Hospital."

In the names of Councillors:

W A Campbell, J Smith, M Connolly, A J Cummings, D Cassidy,

K Rothwell, G Sharkey, F A Chaudhry, S J Southworth, E K Grime, M A Gibb, G Campbell, S Costello, A Isherwood, K S Briggs, T P Chamberlain, A K Matthews, K Audin, D Boden and T Holt

Councillor W A Campbell as the mover of the Motion, sought the permission of the Council under Procedure Rule 14.7, to alter the Motion by the deletion of the words "In the light of persistent rumours" and the substitution of the words "In the light of the decisions taken". The purpose of the alteration was to acknowledge that the decision by the Joint Committee of Primary Care Trusts not to retain Children's and Maternity Services at Fairfield General Hospital, had been taken on 8 December 2006.

The Council agreed to the alteration without debate.

- (ii) An amendment was moved by Councillor Bibby and seconded by Councillor Creswell that the wording of the Motion be replaced by the following:-

"This Council condemns the decision announced on the 'Making It Better' proposals. The new structure for Children's and Maternity Services does not properly serve residents in the north of the Borough and is a perverse decision on health and demographic grounds. We call upon the Council to continue to campaign to ensure the whole community is properly served in relation to these services."

Councillor W A Campbell, in supporting the amendment, proposed an alteration by way of the deletion of the word 'Borough' and the substitution of the word 'conurbation'. Councillor Bibby, as mover of the amendment, agreed to this proposal.

On being put, 48 voted for, none against with the Mayor abstaining, the amendment incorporating the above alteration, was declared carried and it was :-

RESOLVED:

1. That the Motion as amended and altered at (ii) above, be approved and adopted.
2. That all interested parties including neighbouring local authorities be informed of the decision in (i) above.

**C.765 RECOMMENDATIONS OF THE EXECUTIVE AND COUNCIL COMMITTEES
MINUTE EX.718 OF THE MEETING OF THE EXECUTIVE HELD ON 29
NOVEMBER 2006 – POLICY STATEMENT: GAMBLING ACT 2005**

It was moved by Councillor W A Campbell and seconded by Councillor Connolly and it was:-

RESOLVED:

That the recommendations contained in Minute EX.718 concerning the Gambling Act 2005, be approved and adopted.

C.766 LEADER'S STATEMENT AND EXECUTIVE QUESTION TIME

The Leader of the Council 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	Fees payable to the Council by television film crews	Councillor Wiseman	Councillor Connolly (To examine the possibility of retrospective charging)
2	Use of the upstairs rooms at Ramsbottom Civic Hall	Councillor Magnall	Councillor Chamberlain
3	Education of children with special educational needs	Councillor D'Albert	Councillor Gibb
4	Council Services affected by the proposed closure of the Metrolink	Councillor Pickstone	Councillor Byrne. (Report to Executive on strategy to cope with increased road traffic resulting from the closure)
5	Potential use of wind turbines on Council buildings	Councillor O'Hanlon	Councillor Bryne.

(b) Oral Questions submitted at the meeting without notice

No	Issue	Questioner	Answered by (and Action)
6	Identity of the purchaser of the Lowry painting sold recently by the Council Note: The Mayor ruled that this question be answered after the press and public had been excluded from the meeting (see Minute C.774 below)	Councillor Cohen	Councillor W A Campbell

7	Timetable for applications for grants to voluntary organisations 2007/2008	Councillor Cohen	Councillor G Campbell
8	A series of written questions without notice relating to the scheme to refurbish Ramsbottom Library	Councillor Brown	Councillor Connolly to respond in writing.

C.767 MAYORALTY 2007/2008

It was moved by Councillor W A Campbell and seconded by Councillor Connolly, that Councillor F A Chaudhry be nominated as the Mayor of the Metropolitan Borough of Bury for the Municipal Year 2007/2008.

On being put, with none dissenting, it was:-

RESOLVED:

That Councillor Chaudhry be nominated as Mayor for the Municipal Year 2007/2008.

C.768 SCRUTINY REVIEW REPORTS 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.769 SUSPENSION OF THE COUNCIL PROCEDURE RULES TO ALLOW A DEBATE ON THE BURY SAFE EXPERIENCE

In accordance with the proposal by the all-party Democratic Arrangements Forum, the Worshipful the Mayor proposed the suspension of the Council Procedure Rules to enable an open debate on the Bury Safe Experience.

The Mayor moved that the Council Procedure Rules with the following exceptions, be suspended for the duration of this debate:-

Rule 9.1 Interruption of the meeting – the meeting to finish within 3 hours of the start excluding the time spent on Public Question Time.

Rule 9.2 Dealing with motions or recommendations that have not been dealt with within 3 hours of the start of the meeting.

Rule 9.3 Taking of a Recorded Vote.

Rule 16 Amendment or Rescission of Previous Decisions and Motions within the past six months.

Rule 17 Voting procedures.

Rule 21 Members' conduct

Rule 22 Disturbance by members of the public.

The Leader seconded the Motion.

The Chief Executive gave a presentation entitled "The Bury Safe Experience".

These Issues were raised in the debate that followed:-

- § Garage sites (unattended spaces) can become a place for people to gather and this can in turn result in locations where, for instance, drug dealing may take place. Preventing this can lead to improvements for residents living nearby.
- § One of the objectives of Bury Safe is to bring the perception of crime and actual crime in line.
- § The Council's own security service is getting to grips with immediate crime and ensuring that crimes committed to and on Council property are reported.
- § The impact of alcohol in terms of crime was acknowledged. For instance, 70% of domestic violence calls are alcohol related.

It is generally recognised that treatment programmes, readily available, provide the best way to deal with alcohol related crime. Bury's Drug Improvement Programme is the best in Greater Manchester, although it is recognised that much remains to be done. The Home Office has been lobbied to provide similar resources to tackle alcohol abuse.

- § The Area Tasking Team in Radcliffe was now inviting members of the public to attend an open session in order to promote partnership between the Area Board and residents. The Area Tasking Team structure provides Area Boards with an opportunity to come to grips with local issues.
- § The Crown Prosecution Service had not been included as a partner. An issue was raised regarding lower charging standards because common assault carried a maximum sentence of 6 months whereas Section 47 crimes carried one of 5 years.
- § There had been success in applying Dispersal Orders.

C.770 JOINT AUTHORITIES – REPORTS BY THE COUNCIL'S REPRESENTATIVE AND QUESTIONS

- (a) The Council's representative on the Greater Manchester Passenger Transport Authority, Councillor Byrne, gave an oral report on the work of that particular Joint Authority.
- (b) There were no written questions submitted in accordance with Council Procedure Rule 11.2 relating to the function of the Joint Authorities.

C.771 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 submitted in accordance with the Council Procedure Rule 11.2

C.772 DELEGATED DECISIONS TO THE EXECUTIVE AND COUNCIL COMMITTEES

There were no questions on the delegated decisions made by the Executive, Regulatory Committees, Scrutiny Commissions or Area Boards contained in the Digests of Decisions Nos 7 and 8 (2006/2007).

C.773 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the Press and Public be excluded from the meeting during consideration of the following item of business since it involves the likely disclosure of exempt information relating to the financial or business affairs of any particular person.

**C.774 THE TERMS OF THE SALE BY THE COUNCIL OF THE LOWRY PAINTING –
(E) ‘THE RIVERBANK’**

Further to Minute C.766(b)(6) above The Leader informed the Council on the terms of the sale of the Lowry painting, ‘The Riverbank’.

THE WORSHIPFUL THE MAYOR

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