

Minutes of: THE COUNCIL OF THE METROPOLITAN BOROUGH OF BURY

Date of Meeting: 12 December 2007

Present: The Worshipful the Mayor (Councillor F A Chaudhry) in the Chair;
Councillors D M Ashworth, P Ashworth, K Audin, L E Baucutt, R L Baum, C A Berry, R A Bibby, D B Bigg, D Boden, K S Briggs, R C A Brown, J Byrne, W A Campbell, D M Cassidy, T P Chamberlain, 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, J Grimshaw, D L Gunther, M Hankey, D M Higgin, T Holt, A Isherwood, D O'Hanlon, S P Penketh, T D Pickstone, P H Redstone, K Rothwell, J Smith, S J Southworth, B J Sullivan, J W H Taylor, B Theckston, B Vincent, R E Walker, J F Walton, M J Wiseman, S D Wright and Y S Wright

Apologies for absence: Councillors S P Magnall A K Matthews

Public attendance: 30 members of the public attended the meeting.

C.508 DECLARATIONS OF INTEREST

- (a) Councillor Pickstone declared a personal interest in Minute C.513(a)(9) below (question raised by Councillor Chamberlain) as an Executive Director of Pennine Acute NHS Trust.
- (b) Councillors Baucutt and Campbell both declared personal interests in the Notices of Motion relating to Radcliffe Riverside School (Minute C.515 below) as Members of the Governing Body of Radcliffe Hall CE/Methodist Primary School.
- (c) Councillor Cummings declared a personal interest in the Notices of Motion relating to Radcliffe Riverside School (Minute C.515 below) as a Member of the Governing Body of that school.
- (d) Councillor Penketh declared a prejudicial interest in the verbal question raised by Councillor Byrne in relation to the sale of Council-owned land at Bradley Fold (Minute C.515(b)(12) below) and left the Chamber whilst the question was answered.
- (e) Councillors P Ashworth, Audin, Berry, Chamberlain, Cohen, Connolly, Cummings, Davison, O'Hanlon, Redstone, Taylor and Y S Wright all declared personal interests as Members of the Planning Control Committee in relation to the question raised by Mr T Lee in Public Question Time regarding the Children's Centre at Butterstile Community Primary School.

C.509 MINUTES

That the Minutes of the Council held on 31 October 2007 be confirmed as a correct record and signed by the Mayor.

C.510 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS

The Worshipful the Mayor informed the Council of the recent death of Mr Derek Fitzgerald who was Mayor's Consort to his late wife, former Councillor Connie Fitzgerald, during the Municipal Year 1998/1999.

The sympathy and condolences of the Council had been conveyed to Mr Fitzgerald's family. All Councillors stood in silence as a mark of respect and in remembrance of Mr Fitzgerald.

The Mayor offered his congratulations to Councillors Briggs and Grimshaw both of whom had been appointed recently as Members of Bury Magistrates' Bench.

The Mayor also offered his best wishes for Christmas and the New Year to all those present at the meeting.

Councillors Creswell and Gunther were celebrating their birthdays today and all Councillors offered their best wishes. The best wishes of the Council were also offered to Pat Jones-Greenhalgh, Executive Director of Adult Care Services, for her birthday today.

C.511 PUBLIC QUESTION TIME

1. Mr G Berg, on behalf of Manchester Against Road Tolls (MART), had given written notice of this question:-

"In view of the fact that Bury Council led the Bury Times on 6 December to believe that a referendum in Bury on congestion charging would be illegal, yet the Manchester Evening news disclosed on 10 December that if there was not a two thirds majority in AGMA for congestion charging a referendum on congestion charging is being contemplated by them, would the Leader of the Council please explain why opinion polls by AGMA and Stockport Council in July were legal but a referendum polls by Bury is supposedly illegal and why referendums on Council Tax levels in Wirral and more recently a referendum on congestion charging in Edinburgh are legal but a referendum on congestion charging in Bury would supposedly be illegal?"

The question and the supplementary question relating to recent press statements, were answered by the Leader.

A further question from another representative of MART was disallowed by the Mayor.

2. Mr T Lee regarding the proposed Children's Centre at Butterstile Community Primary School.

The Leader answered the question.

3. Mrs A Audin regarding the funding to provide children's play facilities on Hunters Hill housing estate, Hollins.

Councillor D Ashworth undertook to respond to Mrs Audin.

4. Ms F Alexander supported by another local resident, asked whether the Council was in a position to proceed with a voluntary transfer of housing management to the Springs Co-operative.

Councillor Gartside undertook to respond to the questions with a description of the financial issues involved.

C.512 RECOMMENDATIONS OF THE EXECUTIVE

(a) Minute EX.417 of the meeting of the Executive held on 7 November 2007 – Neighbourhood Renewal Strategy 2008-2018

It was moved by Councillor Bibby and seconded by Councillor Creswell that the Strategy, incorporating the subsequent comments of the Team Bury Executive, be approved.

On being put with no Councillor voting against, and the Mayor abstaining, it was:

RESOLVED:

That the Neighbourhood Renewal Strategy 2008-2018, incorporating the comments of the Team Bury Executive, be approved and adopted.

(b) Minute EX.418 of the meeting of the Executive held on 7 November 2007 – Community Cohesion – Bury Values Prospectus

It was moved by Councillor Bibby and seconded by Councillor Creswell that the Prospectus, incorporating the subsequent comments of the Team Bury Executive, be approved.

On being put with no Councillor voting against and the Mayor abstaining, it was:

RESOLVED:

That the Bury Values Prospectus, incorporating the subsequent comments of the Team Bury Executive, be approved and adopted as a preface to the Council Constitution.

(c) Minute EX.419 of the meeting of the Executive held on 7 November 2007 – Sustainable Community Strategy 2008-2018

It was moved by Councillor Bibby and seconded by Councillor Creswell that the Sustainable Community Strategy, incorporating the subsequent comments of the Team Bury Executive, be approved.

An amendment was moved by Councillor Davison and seconded by Councillor Boden that the comments of the Economy, Environment and Transport Scrutiny Commission from its meeting held on 29 November 2007, as set out in the Summons, be incorporating into the Strategy.

On being put, with no Councillor voting against and the Mayor abstaining, the amendment was declared carried.

The Substantive Motion on being put was carried with the Mayor abstaining.

RESOLVED:

That the Sustainable Community Strategy 2008-2018 incorporating the comments of the Team Bury Executive and the Economy, Environment and Transport Scrutiny Commission, be approved and adopted.

(d) Minute EX.468 of the meeting of the Executive held on 28 November 2007 – Children and Young People’s Plan

It was moved by Councillor Bibby and seconded by Councillor Creswell that the Children and Young People’s Plan be approved.

On being put, with no Councillor voting against and the Mayor abstaining, it was:

RESOLVED:

That the Children and Young People’s Plan be approved and adopted.

(e) Minutes EX.473 of the meeting of the Executive held on 28 November 2007 – Licensing Act 2003 : Triennial Review

It was moved by Councillor Bibby and seconded by Councillor Creswell that the Triennial Review be approved.

On being put, with no Councillor voting against and the Mayor abstaining, it was:

RESOLVED:

That the recommendations contained in Minute EX.473 relating to the Triennial Review be approved and adopted.

C.513 LEADER’S STATEMENT AND EXECUTIVE QUESTION TIME

The Leader of the Council, Councillor R A Bibby, made a statement on the work of the Executive since the date of the last Council meeting. The Leader and the relevant Executive Members answered questions raised by Councillors on the following issues:-

(a) Written Questions (Notice Given)

No	Issue	Questioner	Answered by (and action)
1.	1. Council Tax income from empty residential properties 2. Action being taken to reduce number of empty properties	Councillor Davison	Councillor Redstone and Councillor Bibby (written response to be circulated to all Councillors)
2	1. Children's Outreach Services from Chapel Road, Prestwich 2. Site visit by the Planning Control Committee/joint working with Salford City Council	Councillor Baum	Councillor D M Ashworth
3.	Possible funding for a dining room at Prestwich Arts College	Councillor A J Garner	Councillor Wiseman
5.	Road safety precautions at the junction at Hilton Lane and Scholes Lane, Prestwich	Councillor A S Garner	Councillor Gunther
6.	1. Alterations to Traffic Regulation Orders 2. Parking adjacent to local Mosques	Councillor Byrne	Councillor Gunther Councillor Bibby
7.	1. Submission of the Springs Feasibility Report to the Executive on possible housing stock transfers 2. Deadline of this possible stock transfer	Councillor Southworth	Councillor Gartside
8.	1. Cost of building Radcliffe Riverside School 2. Preparation of estimates of cost	Councillor Cummings	Councillor D M Ashworth Councillor Bibby
9.	Co-operation between Pennine Acute NHS Trust and the Council on hospital discharges of elderly people	Councillor Chamberlain	Councillor Sullivan (written response to Councillor Chamberlain)

No	Issue	Questioner	Answered by (and action)
10.	1. Single Occupancy Discount on Council Tax 2. Content of recent letter from the Council to discount recipients	Councillor Boden	Councillor Redstone

(b) Oral Questions (without Notice)

No	Issue	Questioner	Answered by (and action)
11.	Budget for publicity of Bury Market	Councillor Briggs	Councillor Redstone (written response to Councillor Briggs)
12.	Sale of Council-owned land at Bradley Fold	Councillor Byrne	Councillor Bibby
13.	Withdrawal of funding by the Government for a high school in Bury as part of the Comprehensive Spending Review	Councillor Wiseman	Councillor Bibby
14.	1. Refurbishment of Ramsbottom Civic Hall 2. Use of income from sale of Council-owned property in Bolton Street, Ramsbottom	Councillor Connolly	Councillor Bibby
15.	Empty properties in the Borough – Enforcement Action	Councillor D’Albert	Councillor Redstone (written response to Councillor D’Albert)

C.514 SCRUTINY REVIEW REPORTS AND 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.515 NOTICES OF MOTION

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

(A) Transport Innovation Fund (TIF) Bid

It was moved by Councillor Creswell and seconded by Councillor Bibby that the following Motion be approved:-

“This Council is against the TIF Bid if Congestion Charges are included in the final offer from Government.”

In the names of Councillors Bibby, Creswell, Redstone, D Ashworth, Wiseman, Gunther and Gartside.

- (i) An amendment was moved by Councillor Baum and seconded by Councillor Pickstone by way of the deletion of the Motion and the substitution of the following:-

“This Council believes that major investment in public transport infrastructure is urgently needed in Greater Manchester for significant environmental and economic reasons, but rejects the attempts of the Labour Government to force congestion charging on Greater Manchester to receive the public transport investment we need.

This Council is against the TIF Bid if Congestion Charges are included in the final offer from Government.

This Council will continue to promote a scheme that includes further investment in transport corridors in Bury – in particular, transport corridors to the north of Bury town centre.

This Council requires that public support for the initiative is confirmed through a Greater Manchester wide consultative referendum on congestion charging.”

On being put, 28 members voted for, none against with 19 abstentions, the amendment was declared carried.

During the debate, it was moved by Councillor Connolly and seconded by Councillor Isherwood that, in accordance with Council Procedure 21.3, Councillor Bibby be ‘not heard further’ in the debate. On being put with 18 members voting for, 30 members voting against with the Mayor abstaining, the Motion was declared lost.

- (ii) A further amendment was moved by Councillor Byrne and seconded by Councillor Boden to delete the second paragraph of the first amendment and to insert in its place the following paragraph:-

“This Council is not against the principle of the TIF bid but would oppose the imposition of Congestion Charging by the Government.”

On being put, 18 voted for, 30 voted against with the Mayor abstaining, the amendment was declared lost.

The Substantive Motion, on being put 30 voted for, none against with 19 abstentions, it was:

RESOLVED:

That the Motion as amended at (i) above, be approved and adopted.

At 10.16 pm, the Mayor, in accordance with Council Procedure 9.1, called on the Council to vote immediately on the item under discussion. With 30 members voting for, 18 against with the Mayor abstaining, Motions (B) and (C), both relating to Radcliffe Riverside School, were voted on immediately.

(B) Radcliffe Riverside School

It was moved by Councillor Campbell and seconded by Councillor Isherwood that the following Motion be approved:-

“We, the Labour Group, deplore the Executive’s decision only to build a 600 place school at the new Radcliffe Riverside Site.

We feel this decision lacks vision for the future and goes against all professional advice. We also note that this decision ignores the results of the recent consultation and the overwhelming support for a 900 place school.

Therefore, this Council resolves that the Executive reconsiders its decision taken on 28 November 2007 and agrees to build a 900 place school phased to match the pupil numbers.”

In the names of Councillors Campbell, Connolly, Cassidy, Smith, Cummings, Chamberlain, Costello, Isherwood, Baucutt, Byrne, Holt, Boden, Matthews, Audin and Gibb.

On being put, 18 voted for, 30 voted against with the Mayor abstaining, the motion was declared lost.

(C) Radcliffe Riverside School

It was moved by Councillor Bibby and seconded by Councillor Creswell that the following Motion be approved:-

“This Council congratulates the Executive for its unanimous decision taken at the meeting held on 28 November 2007, to approve the construction of a new school for Radcliffe at the Radcliffe Riverside Site.

Therefore, this Council endorses the Executive decision.”

In the names of Councillors Bibby and Creswell.

On being put, 22 voted for, 18 against with 9 abstentions the Motion was declared carried and it was:

RESOLVED:

That the Motion be approved and adopted.

At the conclusion of the debate on Motion (C) above the Mayor in accordance with Council Procedure Rule 9.1, asked the Leader, Councillor Bibby, to move 'that the whole of the remaining business before the Council be approved'. Councillor Bibby moved and Councillor Creswell seconded the Closure Motion. On being put with 30 members voting for, 18 members against and the Mayor abstaining, the Motion was declared carried.

C.516 JOINT AUTHORITIES – REPORTS BY THE COUNCIL’S REPRESENTATIVES AND QUESTIONS

- (a) Councillor P Ashworth, the Council’s representative on the Greater Manchester Waste Disposal Authority, would circulate a copy of this report on the work of that Joint Authority to all Members of the Council.
- (b) There were no written questions submitted in accordance with Council Procedure Rule 11.2.

C.517 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 Council Procedure Rule 11.2.

C.518 DELEGATED DECISIONS OF THE EXECUTIVE AND COUNCIL COMMITTEES

There were no questions asked on the delegated decisions of the Executive, Committees or Scrutiny Commissions contained in the Digests of Decision 6 and 7 (2007/2008).

THE WORSHIPFUL THE MAYOR

(NOTE: The meeting started at 7.00 pm and ended at 10.20 pm).