

Minutes of: THE COUNCIL OF THE METROPOLITAN BOROUGH OF BURY

Date of Meeting: 20 February 2008

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, 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, S P Magnall, A K Matthews, 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: Councillor K S Briggs

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

C.688 MINUTES OF THE COUNCIL

RESOLVED:

That the Minutes of the meeting of the Council held on 6 February 2008 be confirmed as a correct record and signed by the Mayor.

C.689 DECLARATION OF INTEREST

- (a) Councillor Smith declared a personal interest in any matter discussed at the meeting relating to Six Town Housing Limited as the Chairman of the Board of that Company.
- (b) Councillor Rothwell declared a personal interest in the consideration of the Housing Revenue Account as the tenant of a Council property.
- (c) Councillor Connolly declared a personal interest in the consideration of the Housing Revenue Account as lessee of a Council property.

C.690 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS

The Worshipful the Mayor reminded Members that the Official Photograph of the full Council will be taken in the Elizabethan Suite of the Town Hall at 6.45 pm on Wednesday, 26 March 2008 immediately prior to the next Council meeting which will start at 7.15 pm.

The Mayor thanked Rabbi Guttentag for offering Prayers at the opening of this meeting and he also thanked Reverend Dr Findon for his continuing support of the Mayoralty.

C.691 PUBLIC QUESTION TIME

1. Mrs M Meredith asked about a planning application in respect of the possible erection of a telecommunications mast on part of the site of the former Wellington Barracks, Bolton Road, Bury.

Mrs Meredith also asked about the upgrading of the entrance to this site.

Councillor Bibby responded by way of a reference to Government Guidance on such planning applications and also mentioned the responsibility of the Ministry of Defence as owners of the site.

2. Joyce Finney asked whether the Council intended to restore the memorial garden at the former Wellington Barracks, Bolton Road, Bury.

Councillor Bibby advised that this matter would be considered by the Planning Control Committee in due course. The Director of Legal and Democratic Services advised that Members of the Planning Control Committee should remain impartial in the consideration of a planning application in this respect.

3. Mr L Phillips referred to the traffic-calming measures in Park Lane, Prestwich and asked the Council to reconsider the suitability of speed bumps.

The Leader undertook to ask the Director of Environmental and Development Services to re-examine this highway safety scheme.

4. Mr S Treadgold, Vice-Chair of Friends of Ramsbottom Civic Hall, asked whether the 'Friends' would be consulted on the proposed renovation of the Civic Hall.

The Leader gave an undertaking that the 'Friends' would be consulted fully on the renovation scheme.

C.692 RECOMMENDATIONS OF THE EXECUTIVE AND COUNCIL COMMITTEES

- (a) **Minute EX.643 of the meeting of the Executive held on 13 February 2008 – Housing Revenue Account 2008/2009.**

At the invitation of the Mayor, Councillor Gartside, Executive Member for Learning, Skills, Employment and User Focus, made a Statement on the Housing Revenue Account for 2008/2009.

It was moved by Councillor Bibby and seconded by Councillor Creswell and:-

RESOLVED:

That the recommendations contained in Minute EX.643 of the meeting of the Executive held on 13 February 2008 concerning the Housing Revenue Account 2008/2009 be approved and adopted.

(Councillor Smith left the Chamber during the consideration of this item.)

(b) Minute EX.644 of the meeting of the Executive held on 13 February 2008 - Budget 2008/2009 to 2010/2011

At the invitation of the Mayor, Councillor Redstone, Executive Member for Resource and Performance, made a Statement on the Budget 2008/2009 to 2010/2011.

(A) It was moved by Councillor Bibby and seconded by Councillor Creswell, that the recommendation contained in Minute EX.644 of the Executive held on 13 February 2008 be approved and adopted subject to the following amendment:-

(i) the deletion of the following words:-

“1. That the report be noted and the Council be requested to consider and determine all matters relating to the Budget, the Capital Programme and the level of the Council Tax for 2008/2009 at its meeting on 20 February 2008.”

(ii) the addition of the following words:-

“Section A - Capital Programme 2008/09 to 2010/11

1. That the Capital Programme for 2008/09 and future years, shown in Appendix B be approved subject to the additions shown in the table in paragraph 4.12 and subject to the inclusion of **£0.306m** for capitalised maintenance and provision of **£0.100m** per annum between 2009/10 and 2013/14 as match funding towards a Heritage Lottery Fund bid for the restoration of Philips Park;
2. That the shortfall in resources identified in paragraph 4.12 of the report be met by making a provision for slippage of **£0. 880m**;
3. That the proposed financing of the Capital Programme set out in paragraph 3.7 of the report be approved subject to the amendments in 2. above;
4. That the use of **£2.532m** of capital receipts and Capital Reserve contributions to support the Programme be noted;
5. That the risk assessment set out in section 6 of section A of the report be noted and the risk mitigation actions be approved.

Section B - Revenue Budget 2008/09 to 2010/11

6. That the details of the final Formula Grant Settlement for 2008/09 be noted;
7. That proposals around the use of the Area Based Grant set out in paragraph 2.8 be approved;
8. That the forecast Collection Fund position as at 31 March 2008 be noted;
9. That the level of repayment of principal on General Fund debt at the minimum of **4%** be approved;

10. That it be noted that under delegated powers the Director of Finance and E-Government calculated the amount of **59,527.62** as the Council Tax base for the year 2008/09 in accordance with the Local Government Act 2003 and with regulations made under section 33(5) of the Local Government Finance Act 1992;
11. That the forecast outturn position for 2007/08 be noted;
12. That the Golden Rules set in section 4.3 be reaffirmed subject to the amendment set out in paragraph 4.3.4 increasing within the formula the amount below which the balances cannot fall to **£3.2m**;
13. That the actual minimum level of balances for 2008/09 be increased to **£3,600,000**;
14. That the recommendations of the Schools' Forum around education funding issues set out in section 4.10 be noted;
15. That effective from 1 April 2008 the level of summons costs levied in respect of non-payers of Council Tax and Business Rates be increased to £71.00 and £100.00 respectively as set out in paragraph 6.10 (subject to ratification by the Magistrates' Court);
16. That the statements by the Director of Finance and E-Government on the robustness of budget assumptions and on the minimum level of balances be noted and endorsed;
17. That the Revenue Budget for 2008/09 of £138.617m as set out in paragraph 4.6.2 of the report be approved subject to the following amendments

	£m	£m
Net Budget		138.617
Less: Savings options		
Savings options (paragraph 7.4)	-5.513	
Add back Children's Services savings above target (nos. 30, 31)	0.103	-5.410
Add: On-going Priority developments		
Council Tax reduction for over 65s (3.4% on Bury element)	0.125	
Contribution to cost of Job Evaluation	0.500	
Increase in base budget for services to people with physical disabilities	0.100	
Increase in base budget for services for people with learning disabilities	0.700	
Environment and Development Services service developments	0.100	
Bury Employment Plan to reduce worklessness	0.070	
Option to pay Council Tax in 12 monthly instalments	0.015	1.610
Less: Contribution from Priority Investment Reserve (see attached; £40k to fund reduced Council Tax rise)		-1.650
Add : One-off priority developments		
Adults Services – post of Business Development and Engagement Manager (2 years fixed term only)	0.120	
Reduce savings option in respect of the Book Fund (one-off)	0.050	
Reduce savings option in respect of minor highways maintenance gangs (one-off)	0.050	0.220
Less : Contribution from Transformation Reserve to fund one-off priority developments		-0.220

Less : One-off savings options		
No contribution to provisions (Planning enquiry fees etc.)	-0.400	
Capitalise maintenance	-0.306	-0.706
NET BUDGET 2008/09		132.461
Funded by:		
Income from Council Tax @ 3.4% increase	-69.216	
Income from Formula Grant	-63.103	
Income from Collection Fund	-0.142	132.461

18. That the following recommendations in relation to the Revenue Budget and Council Tax for 2008/09 be approved:

1. That the following amounts be now calculated by the Council for the year 2008/09 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992: -
 - (a) £405,469,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act;
 - (b) £273,008,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act;
 - (c) £132,461,000 being the amount by which the aggregate at 2(a) above exceeds the aggregate at 2(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year;
 - (d) £63,245,000 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non-domestic Rates and Revenue Support Grant, increased by the amount of the sums which the Council estimates will be transferred in the year from its Collection Fund to its General Fund;
 - (e) £1162.75 being the amount at 2(c) above less the amount at 2(d) above, all divided by the Council Tax Base of **59,527.62**, calculated by the Council in accordance with Section 33(1) of the Act as the basic amount of its Council Tax for the year; and
 - (f) Valuation Bands

A	B	C	D	E	F	G	H
£775.17	£904.36	£1033.56	£1162.75	£1421.14	£1679.53	£1937.92	£2325.50

being the amounts given by multiplying the amount at 2(e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

2. That it be noted that for the year 2008/09 the Greater Manchester Police Authority and the Greater Manchester Fire and Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:

	A	B	C	D	E	F	G	H
Police	£83.27	£97.14	£1111.02	£124.90	£152.66	£180.41	£208.17	£249.80
Fire	£33.12	£38.64	£44.16	£49.68	£60.72	£71.76	£82.80	£99.36

3. That, having calculated the aggregate in each case of the amounts at 2(f) and 3 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2008/09 for each of the categories of dwellings shown below:

A	B	C	D	E	F	G	H
£891.56	£1040.14	£1188.74	£1337.33	£1634.52	£1931.70	£2228.89	£2674.66

19. That, in accordance with Section 13A of the Local Government Finance Act 1992, the Council will reduce the Bury element of the Council Tax for the year 2008/09 by 3.4% for persons who are:
- (i) Liable on 1 April 2008 to pay Council Tax either jointly or in their own right by being an owner occupier or tenant of a dwelling within the Bury MBC boundary, which is their sole or main residence;
 - (ii) Aged 65 or over on 1 April 2008 and
 - (iii) Not in receipt of Council Tax benefit on 1 April 2008
20. That effective from 1 April 2008 any Council Tax payer who pays by Direct Debit be offered the opportunity to pay their tax liability in 12 equal instalments on 5, 15 or 25 of each month beginning April.
21. That, in making the necessary decisions, the Council has taken into account the results of the budget consultation process and the budget position for 2008/09 and future years, as outlined in sections 11 and 12 of the report submitted."

The Mayor called a ten minute recess for consideration to be given to the above amendment.

Prior to the debate on the above amendment, five written questions were answered on the topics set out below:-

No	Issue	Questioner	Answered by (and action)
1.	1. Increase in the level of recycling in the Borough. 2. Provision of a brown bin to all households requesting one.	Councillor A S Garner	Councillor Gunther
2.	Charges for Adult Care Services	Councillor D'Albert	Councillor Sullivan
3.	Officer support for Councillors	Councillor A J Garner	Councillor Bibby
4.	Future funding of recreational and wildlife parks in Bury	Councillor O'Hanlon	Councillor Gunther
5.	Future development of Local Area Partnerships	Councillor Davison	Councillor Creswell

The amendment on being put, 23 Members voted for, 19 against with 8 abstentions, was declared carried.

(B) A further amendment was moved by Councillor Connolly and seconded by Councillor Campbell that the recommendation of the Executive contained in Minute EX.644 of the meeting held on 13 February 2008 be approved and adopted subject to the following amendment:-

(i) the deletion of the following words:-

“1. That the report be noted and the Council be requested to consider and determine all matters relating to the Budget, the Capital Programme and the level of the Council Tax for 2008/2009 at its meeting on 20 February 2008.”

(ii) the addition of the following words

“Section A - Capital Programme 2008/09 to 2010/11

1. That the Capital Programme for 2008/09 and future years, shown in Appendix B be approved subject to the additions shown in the table in paragraph 4.12;
2. That savings from the renegotiation of land deals amounting to £1.2m be ring-fenced for developments in Prestwich;
3. That the shortfall in resources identified in paragraph 4.12 of the report be met by making a provision for slippage of **£0. 574m**;
4. That the proposed financing of the Capital Programme set out in paragraph 3.7 of the report be approved subject to the amendments in 2. above;
5. That the use of **£2.532m** of capital receipts and Capital Reserve contributions to support the Programme be noted;
6. That the risk assessment set out in section 6 of section A of the report be noted and the risk mitigation actions be approved.

Section B - Revenue Budget 2008/09 to 2010/11

7. That the details of the final Formula Grant Settlement for 2008/09 be noted;
8. That proposals around the use of the Area Based Grant set out in paragraph 2.8 be approved;
9. That the forecast Collection Fund position as at 31st March 2008 be noted;
10. That the level of repayment of principal on General Fund debt at the minimum of **4%** be approved;
11. That it be noted that under delegated powers the Director of Finance and E-Government calculated the amount of **59,527.62** as the Council Tax base for the year 2008/09 in accordance with the Local Government Act 2003 and with regulations made under section 33(5) of the Local Government Finance Act 1992;
12. That the forecast outturn position for 2007/08 be noted;
13. That the Golden Rules set in section 4.3 be reaffirmed subject to the amendment set out in paragraph 4.3.4 increasing within the formula the amount below which the balances cannot fall to **£3.2m**;
14. That the actual minimum level of balances for 2008/09 be increased to **£3,600,000**;
15. That the recommendations of the Schools' Forum around education funding issues set out in section 4.10 be noted;
16. That the level of summons costs levied in respect of non-payers of Council Tax and Business Rates be increased to £71.00 and £100.00 respectively as set out in paragraph 6.10 (subject to ratification by the Magistrates' Court);
17. That the statements by the Director of Finance and E-Government on the robustness of budget assumptions and on the minimum level of balances be noted and endorsed;
18. That the Revenue Budget for 2008/09 of £138.617m as set out in paragraph 4.6.2 of the report be approved subject to the following amendments

		£m	£m
Net Budget			138.617
Add: On-going Priority developments			
Delete EDS savings			
Stop flagging pavements (no 6)	0.030		
Responsive gully cleansing, not preventative (no 7)	0.054		
Stop planned replacement of street lights (no 8)	0.025		
Reduce number of minor maintenance gangs to 9 (no 9)	0.104		
Suspend travel plan (no 14)	0.030		
Delete climate change post (no 18)	0.035		
Reduce library service resources (no 29)	0.030		
Further reduction in Book Fund (no 30)	0.100		
Introduce charge for bulky waste collection (no 31)	0.075		
Consider termination of white goods collection and/or alternative options for bin delivery (no 32)	0.025		
Reduce rapid response teams from 2 to 1 (no 36)	0.030	0.538	
Council Tax reduction for over 65s (5.0% on Bury element)		0.250	
Other developments		0.054	0.842

Funded by:			
Savings options (paragraph 7.4)		-5.513	
Restructure of the Chief Executive's Department		-0.105	
Contribution from the Priority Investment Reserve		-1.900	
Contribution from balances (amount above the minimum)		-1.665	
Contribution from Transformation Reserve		-0.091	-9.274
NET BUDGET 2008/09			130.185
Funded by:			
Income from Council Tax @ 0% increase		-66.940	
Income from Formula Grant		-63.103	
Income from Collection Fund		-0.142	130.185

The Mayor called a ten minute recess for consideration to be given to the above amendment.

On being put with 18 Members voting for, 23 against with 9 abstentions, the amendment was declared lost.

(C) A further amendment was moved by Councillor Pickstone and seconded by Councillor Baum by way of the addition of the following words to the amendment at (A) above:-

“That the following allocations be made from the Priority Investment Reserve:

£250,000 to mitigate against the savings options shown in Appendix C under Children's Services (numbers 8, 19, 20, 23 and 31)

£50,000 to provide environmental improvements, with the particular aim of achieving and maintaining 12 Green Flags for our parks and for improving street cleaning in our town centres

£50,000 to provide for improved enforcement in respect of stray dogs, the Clean Neighbourhoods Act and Contaminated Land issues.”

On being put, with 31 Members voting for, none against with 19 abstentions, the amendment was declared carried.

The substantive Motion on being put with 23 Members voting for, none against with 27 abstentions, was declared carried and it was:-

RESOLVED:

That the recommendations contained in Minute EX.644 of the meeting of the Executive held on 13 February 2008, as amended at (A) and (C) above, be approved and adopted.

At the conclusion of the above debate, 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 23 Members voting for, none against and with 27 abstentions, the Motion was declared carried.

**(c) Minute EX.645 of the meeting of the Executive held on 13 February 2008 -
Draft Treasury Management Strategy and Prudential Indicators 2008/2009**

RESOLVED:

That the recommendations contained in Minute EX.645 of the Executive held on 13 February 2008 relating to the Draft Treasury Management Strategy and Prudential Indicators 2008/2009, be approved and adopted.

C.693 DELEGATED DECISIONS OF THE EXECUTIVE AND COUNCIL COMMITTEES

There were no questions asked by Members relating to the delegated decisions of the Executive and Resource and Performance Scrutiny Commission contained in Digest of Decisions number 10 (2008/2009).

THE WORSHIPFUL THE MAYOR

(NOTE: The meeting started at 7.00 pm and ended at 10.40 pm).