

**Minutes of: BURY COUNCIL
AN ORDINARY MEETING OF THE COUNCIL**

Date of Meeting: 24 June 2009

Present: The Worshipful the Mayor (Councillor S P Magnall) in the Chair;
Councillors I Ahmed, D M Ashworth, P Ashworth, K Audin, R L Baum, C A Berry, R A Bibby, D B Bigg, D Boden, K S Briggs, R C A Brown, J Byrne, D M Cassidy, F A Chaudhry, S Cohen, M Connolly, S Costello, Y Creswell, M D'Albert, V D D'Albert, W J Davison, A J Garner, A S Garner, I B Gartside, J Grimshaw, D L Gunther, M Hankey, J Harris, D M Higgin, T Holt, S Hurst, A Isherwood, D O'Hanlon, S P Penketh, T D Pickstone, K Rothwell, R Shori, 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 A J Cummings, A K Matthews, P H Redstone and J Smith

Public attendance: 21 members of the public attended the meeting

C.105 DECLARATIONS OF INTEREST

- (a) Councillor Rothwell declared a personal interest in Minute C.112 below (Decision Taken by Virtue of Special Urgency – Review of Council House Rents), as a tenant of a Council property.
- (b) Councillor Gunther declared a personal and prejudicial interest as a Governor of the Derby School in the event any matter relating to the school was raised.
- (c) Councillors Ahmed (The Derby High), Harris (Radcliffe Riverside) and Gunther (Te Derby High) declared personal and prejudicial interests as Governors of those schools below, in respect of the questions raised by Councillors Connolly and V D'Albert relating to disabled access for pupils at schools in the Borough, particularly for the pupils at Radcliffe Riverside School. All of these Councillors left the Chamber for the duration of the debate.
- (d) Councillor Hurst declared a personal and prejudicial interest as a Governor of Radcliffe Riverside School in respect of the questions raised by Councillors Connolly and V D'Albert relating to disabled access for pupils at schools in the Borough, particularly for the pupils at Radcliffe Riverside School. He left the Chamber during the debate, once his interest became apparent.

- (e) Councillor Brown declared a personal interest in Minute C.112 below (Decision Taken by Virtue of Special Urgency – Review of Council House Rents), as the owner of a property occupied by a tenant in receipt of Housing Benefit.

C.106 MINUTES OF THE COUNCIL

RESOLVED:

That the Minutes of the meeting of the Council held on 13 May 2009 be confirmed as a correct record and signed by the Mayor subject to the inclusion of Councillor Redstone's name amongst those present at the meeting. `

C.107 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS

The Worshipful the Mayor reported the recent death of Mr Les Ratcliffe who had been actively involved in supporting the work of Bury Hospice Association and the East Lancashire Railway, including acting as President of both organisations.

The Council's sympathy and condolences had been sent to Mr Ratcliffe's family.

The Council stood in silence in remembrance as a mark of respect for Mr Ratcliffe.

The Mayor reported that Mrs Hilda Harvey, Chair of Bury Primary Care NHS Trust, had been awarded the MBE and that Ms Susan Hodgkiss, Chair of the William Hare Group, had been awarded the CBE in Her Majesty the Queen's Birthday Honours List. The Council's congratulations have been conveyed to Mrs Harvey and Mrs Hodgkiss.

The Town Twinning Festival, arranged by the Community Twinning Association to celebrate the Fiftieth Anniversary of the initial establishment of Twinning and Friendship links, will be held from 8 to 14 July 2009. Representatives of the Council's Twin Towns will be visiting the Borough during the Festival and several special events had been arranged.

The Mayor reported the sudden illness of Councillor Matthews and that he was in hospital currently. The Mayor and Members of Council wished him a speedy return to good health.

C.108 PUBLIC QUESTION TIME

No written questions from members of the public had been received by the deadline of four clear working days prior to the meeting.

C.109 MUNICIPAL BY-ELECTION JUNE 2009 – RADCLIFFE WEST WARD

It was reported that Councillor Rishi Shori had been elected to fill the Casual Vacancy in Radcliffe West Ward, following the recent resignation of former Councillor Wayne Campbell. The Mayor welcomed Councillor Shori to his first meeting of the Council.

C.110 RECOMMENDATION OF THE EXECUTIVE

Minute EX.53 of the meeting of the Executive held on 10 June 2009 – Risk Management Annual Report 2008/2009

It was moved by Councillor Bibby and seconded by Councillor Creswell that the Annual Report be approved.

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

RESOLVED:

That the Annual Report be approved and adopted.

C.111 LEADER'S STATEMENT AND EXECUTIVE QUESTION TIME

The Leader of the Council, Councillor 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 (four clear days' notice given)

No	Issue	Questioner	Answered by (and action)
1.	1. Soccer Zone Development in Heaton Park and its effects on residents' quality of life – provision of free and subsidised sports facilities 2. Support for Prestwich residents affected	Councillor Pickstone	Councillor Sullivan
2.	1. Proposed improvements to public transport across Greater Manchester 2. Financial implications for Bury	Councillor Baum	Councillor Bibby
3.	1. Selection of the Council's energy supplier 2. Green Energy Sustainability	Councillor A S Garner	Councillor Gunther

4.	1. Removal of graffiti 2. Graffiti in the Prestwich area	Councillor A J Garner	Councillor Gunther
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No	Issue	Questioner	Answered by (and action)
5.	"Love Prestwich Festival" – Success of the Initiative	Councillor V D'Albert	Councillor Creswell
6 and 7	1. Cost of repairs to the Borough's roads and pavements and compensation claims against the Council 2. Single Capital loan for all repairs (M D'Albert) 3. Reason for cuts in the repair budgets (Grimshaw)	Councillors M D'Albert and Grimshaw	Councillor Gunther
8.	Powers of the Council to require private development sites are maintained	Councillor M D'Albert	Councillor Cohen
9.	1. Publicity of the re-cycling collection dates across the Borough 2. Possible re-organisation of collection routes	Councillor A S Garner	Councillor Gunther
10.	Council action to combat nuisance caused by noisy neighbours	Councillor S Wright	Councillor Cohen
11.	Environmental issues from the Oasis Concerns in Heaton Park	Councillor S Wright	Councillor Gunther
12.	Reduction of absences of Council employees	Councillor A J Garner	Councillor Walton
13.	Council expenditure on compulsory purchase of empty properties	Councillor V D'Albert	Councillor Cohen
14.	Council strategies to improve the health of its workforce	Councillor O'Hanlon	Councillor Walton

15.	Work experience offered to schoolchildren by the Council and its partners	Councillor O'Hanlon	Councillor Hankey
16.	Fixed Penalty Notices for litter and dog fouling offences in the six Townships	Councillor Baum	Councillor Gunther

No	Issue	Questioner	Answered by (and action)
17.	Council strategies to alleviate deprivation in Radcliffe	Councillor Shori	Councillor Bibby
18.	Proposal to reduce the operating hours of street lighting	Councillor Boden	Councillor Higgin
19.	Pay and Grading of Council Employees – Commitments to disadvantaged employees	Councillor Holt	Councillor Walton
20.	Re-build (re-cycling of used furniture) – Excellence of its work	Councillor Cassidy	Councillor Creswell
21.	Asset Management Plan of the Council	Councillor Connolly	Councillor Gartside
22.	Upkeep of Estate Roads – Resources Available	Councillor Boden	Councillor Gunther
23.	Ainsworth Village area of the Borough	Councillor Isherwood	Councillor Bibby
24.	Advertising 'A' Boards – Enforcement Policy relating to disabled or vulnerable people	Councillor Rothwell	Councillor Cohen

Due to lack of time to answer questions 10 to 24 inclusive, the Leader gave an undertaking that copies of the answers to those questions would be circulated to all Councillors.

(b) Oral Questions on the work of the Executive since the last Council meeting (without Notice)

No	Issue	Questioner	Answered by (and action)
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25.	Whether closure of Radcliffe Riverside School was compatible with Government targets for Community Cohesion	Councillor Shori	Councillor Bibby
26.	Pupils with physical disabilities at Radcliffe Riverside School	Councillor Connolly	Councillor Bibby

No	Issue	Questioner	Answered by (and action)
27.	The closure of Radcliffe Riverside School – removal of secondary education in Radcliffe	Councillor Briggs	Councillor Bibby
28.	The source of the funding for the new build Radcliffe Riverside School	Councillor S Wright	Councillor D Ashworth
29.	Pupils with physical disabilities at Radcliffe Riverside School and at schools across the Authority	Councillor D’Albert	Councillor Bibby
30.	The source of the funding from the Authority towards the cost of the new build Radcliffe Riverside School	Councillor Isherwood	Councillor Bibby
31.	Educational provision for secondary pupils in Radcliffe up to the opening of the new build Radcliffe Riverside School	Councillor Costello	Councillor Bibby
32.	Budget Option to reduce the operating hours of street lighting	Councillor Boden	Councillor Bibby Councillor Higgin

Councillor Connolly moved a Motion without notice that the procedure for selecting the order that written questions are answered at Council meetings, be referred to the Democratic Arrangements Forum for discussion. Councillor Cummings seconded the motion.

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

RESOLVED:

That the matter be referred to the Democratic Arrangements Forum for discussion.

C.112 DECISION TAKEN BY VIRTUE OF SPECIAL URGENCY – REVIEW OF COUNCIL

In accordance with Paragraph 16 of the Access to Information Rules in the Council Constitution, the Chief Executive reported the details of the following Council decision taken in circumstances of special urgency:-

Decision

“To receive Council house rents following publication of the Department of Communities and Local Government’s Housing Revenue Account Subsidy Determination 2009/2010 Amending Determination 2009.”

The intention of the Government in the Amending Determination was to offer to distribute to authorities additional housing subsidy to facilitate a reduction in the national average increase in Council house rents.

The urgent decision resulted in the average rent increase approved by the Budget Council on 25 February 2009 of 6% being reduced to an average 3.04% for 2009/2010.

Decision-Maker

The Director of Finance and E-Government in consultation with the Executive Members for Resource and Health and Well-Being. Councillor Holt, Chair of the Resource and Performance Scrutiny Commission, had confirmed that the decision could not be reasonably deferred.

It was moved by Councillor Bibby and seconded by Councillor Creswell, that the decision be noted.

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

RESOLVED:

That the decision be noted.

C.113 SCRUTINY 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.114 JOINT AUTHORITIES – REPORTS BY THE COUNCIL’S REPRESENTATIVE AND QUESTIONS

- (a) Councillor Walton, the Council’s representative on the Greater Manchester Fire and Rescue Authority, gave a verbal report on the work of that Joint Authority to Members of the Council present at the meeting.

(b) The following question had been received in accordance with Council Procedure Rule 11.2:-

Joint Authority	Issue	Answered by (and action)
Greater Manchester Police Authority – Councillor Baum	The discretion of the Chief Constable to disclose Police warnings, investigations and allegations on enhanced CRB checks	Councillor Walker

Joint Authority	Issue	Answered by (and action)
Greater Manchester Fire and Rescue Authority – Councillor O’Hanlon	<ol style="list-style-type: none"> 1. Fire and Rescue Authority’s Performance Plan 2008/2009 2. Reference of the Best Value Performance Indicators to the Audit Commission 	Councillor Walker (will take advice)

C.115 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.116 DELEGATED DECISIONS OF COUNCIL COMMITTEES

There were no written questions asked on the delegated decisions of the Committees or Scrutiny Commissions contained in the Digest of Decisions 1 (2009/2010).

THE WORSHIPFUL THE MAYOR

(NOTE: The meeting started at 7.00 pm and ended at 8.40 pm)