

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

**Date of Meeting:** 28 October 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, Y Creswell, A J Cummings, 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, A K Matthews, D O'Hanlon, S P Penketh, T D Pickstone, P H Redstone, K Rothwell, R Shori, J Smith, B J Sullivan, J W H Taylor, B Theckston, R E Walker, J F Walton, M J Wiseman, S D Wright and Y S Wright

**Apologies for absence:** Councillors S Costello and B Vincent

**Public attendance:** 14 members of the public attended the meeting

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**C.385 DECLARATIONS OF INTEREST**

There were no declarations of interest made at the meeting.

**C.386 MINUTES OF THE COUNCIL**

**RESOLVED:**

That the Minutes of the meeting of the Council held on 9 September 2009 be confirmed as a correct record and signed by the Mayor subject to the inclusion of the details of the following question raised in Minute C.245(b)

<b>Joint Authority and Questioner</b>	<b>Issue</b>	<b>Answered by</b>
Greater Manchester Fire and Rescue Authority Councillor Connolly	Level of cover at the three Fire Stations in the Borough	Councillor Walton

**C.387 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS**

The Worshipful the Mayor informed the Council that Councillor Vincent had undergone medical treatment in hospital and had returned home where he was making a steady recovery. Councillor Vincent had thanked all those who had offered their best wishes whilst he was ill.

The Mayor offered her congratulations and those of the Council to the Department of Environment and Transport and its partners for the success in the North West in Bloom Competition in which Bury had been voted 'The Best Large Town' for the sixth successive year. Bury had also won the 'Heritage Award' for the Gallipoli Garden and the Fusilier Tribute and the 'Local Roots Award' for high quality Town Centre features.

**C.388 PUBLIC QUESTION TIME**

Written notice had been given of two questions from the following members of the public:-

<b>Name</b>	<b>Subject</b>	<b>Answered By</b>
Mrs A Audin	The poor condition of the toilets in the Interchange, Bury	Councillor Gunther
Mr J McDonagh	A private contractual matter	Councillor Gunther

**C.389 RECOMMENDATIONS OF THE EXECUTIVE AND COUNCIL COMMITTEES**

**Minute CYP.100 of the meeting of the Children and Young People Scrutiny Commission held on 23 June 2009 – Youth Participation**

It was moved by Councillor Davison and seconded by Councillor S Wright that recommendations (i) (Appointment of a Youth Champion) and (v) (Co-option of a member of the Youth Cabinet onto the Scrutiny Commission), be approved.

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

**RESOLVED:**

That recommendations (i) and (v) of Minute CYP.100, be approved and adopted.

**C.390 LEADER'S STATEMENT AND EXECUTIVE QUESTION TIME**

**(a) Written questions (four clear days' notice given)**

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:-

<b>No</b>	<b>Issue</b>	<b>Questioner</b>	<b>Answered by (and action)</b>
1.	1. The future of Prestwich Longfield Suite 2. The status and powers of Task and Finish Groups	Councillor O'Hanlon	Councillor Sullivan
2.	Level of emergency cover across the Borough	Councillor Connolly	Councillors Cohen and Walton
3.	The Questioner's suggestion to allow free parking in Bury Town Centre after 3.00 pm	Councillor Baum	Councillors Gunther and Bibby
4.	An update on Equal Pay Claims by employees against the Council	Councillor Holt	Councillor Walton
5.	1. Planning Application for a Soccer Centre in Heaton Park 2. Concerns expressed regarding the car parking provision within the proposed scheme	Councillor Pickstone	Councillor Gunther
6.	1. Central costs apportioned to each Civic Suite 2008/2009 2. Suggestion that each Civic Suite operate on a 'stand/alone basis' to increase usage	Councillor Cummings	Councillor Sullivan
7.	1. Closure of the recycling facilities at Tesco, Prestwich 2. The capacity of the Longfield Recycling Centre to cope with increased activity	Councillor Andrew Garner	Councillor Gunther
8.	The role of the Local Area Partnership Managers	Councillor Boden	Councillor Creswell
9.	The Council's budget for Disability Grants for building adaptations	Councillor V D'Albert	Councillor Sullivan

<b>No</b>	<b>Issue</b>	<b>Questioner</b>	<b>Answered by (and action)</b>
10.	Identity of the current owner of the former Radcliffe Times Building, Church Street West, Radcliffe and its intended future use	Councillor Isherwood	Councillor Gunther
11.	Opening times of Bury Market	Councillor Baum	Councillor Gartside
12.	Arrangements to allow staff to show support for the Royal Regiment of Fusiliers	Councillor Smith	Councillor Walton
13.	Council spending on taxi fares	Councillor S Wright	Councillor Gartside
14.	Location of toilets and bathrooms which open onto kitchens within Council-owned properties	Councillor Byrne	Councillor Sullivan
15.	Proposal to reduce flytipping by allowing sole traders permission to use household waste recycling centres	Councillor S Wright	Councillor Gunther
16.	Level of recycling 2004/2005-2008/2009 and to the current date	Councillor Cummings	Councillor Gunther
17.	The relocation and number of public waste bins, collection rotas and future plans for waste bins	Councillor A S Garner	Councillor Gunther
18.	Provision of support for children born during the Summer to avoid education and social disadvantages	Councillor Rothwell	Councillor D Ashworth
19.	Car parking enforcement	Councillor Davison	Councillor Gunther
20.	Professional development in the fields of Child Protection/Safeguarding	Councillor Rothwell	Councillor D Ashworth
21.	Council assistance for setting up Credit Unions over the previous year	Councillor M D'Albert	Councillor Creswell
22.	Possible re-location of Radcliffe Library to Radcliffe Civic Suite	Councillor Connolly	Councillor Sullivan

<b>No</b>	<b>Issue</b>	<b>Questioner</b>	<b>Answered by (and action)</b>
23.	Consultations with neighbouring Local Authorities on shared Social Housing Schemes	Councillor A S Garner	Councillor Sullivan

Due to the lack of time to answer questions 8 to 23 inclusive, the Leader gave an undertaking that copies of the answers to those questions will be circulated to all Councillors. The Mayor agreed to allow an additional five minutes to answer the written questions to compensate for the time taken to resolve a constitutional matter during the answering of the questions.

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

<b>No</b>	<b>Issue</b>	<b>Questioner</b>	<b>Answered by (and action)</b>
24	Retention of the current dance floor at the Prestwich Longfield Suite	Councillor V D'Albert	Councillor Bibby
25.	Means to resolve income shortfalls of the Leisure Centres	Councillor O'Hanlon	Councillor Bibby
26.	The consultation process on the future of Civic Halls and the location of petitions against possible closure	Councillor Holt	Councillor Bibby
27.	Reward for reaching Stretch Targets within the Local Area Agreement	Councillor Pickstone	Councillor Bibby
28.	Proposed amendments to the governance of the Association of Greater Manchester Authorities and remit of the new Commissions	Councillor Boden	Councillor Bibby (To circulate the AGMA Constitution and Commission remits to all Councillors and place them on the Council's website)
29.	Confidential issues in relation to a complaint to the Standards Committee	Councillors Smith and Connolly	-

The Mayor ruled out of order Question 29 above which was not answered.

### **C.391 NOTICES OF MOTION**

Two Notices of Motion both relating to Climate Change had been received in accordance with Council Procedure Rule 12:-

It was moved by Councillor V D'Albert and seconded by Councillor Baum that the following motion be approved:-

**(A)** "This Council notes that:

1. Climate change predictions show that without severe cuts in greenhouse gas emissions, the world will be hit by drought, flooding and famine affecting all of us and poorest countries in particular.

Some of these countries are already suffering from the effects of climate change. This is an issue of social justice as well as a call to take environmental action.

2. Under the UK Climate Change Act 2008 the UK is due to cut its emissions by 34% by 2020, but that, according to climate change scientists, a cut of 10% in 2010 is in line with what is now needed to avert runaway climate change.
3. The United Nations Framework Convention on Climate Change, which meets in Copenhagen in December of this year, may be the world's last chance to negotiate a deal that will avert the worst consequences of climate change.
4. To ensure a breakthrough at the critical Copenhagen conference government ministers need to know that their public supports more dramatic cuts in emissions than have hitherto been proposed.
5. Various councils are among those who have signed up to the "10:10 Campaign" which seeks to persuade individuals, businesses, organisations and the UK government to reduce their CO2 emissions by 10% in 2010.

This Council supports the aims and ambitions of the 10:10 Campaign. This Council therefore resolves to sign Bury Council up for the 10:10 Campaign."

**In the names of Councillors Baum, V D'Albert, M D'Albert, Davison, AS Garner, AJ Garner, O'Hanlon, Pickstone and S Wright.**

- (i) An amendment was moved by Councillor Boden and seconded by Councillor Cummings by way of the addition of the following paragraph at the end of the above Motion:-

"Accordingly, we instruct our officers to undertake, as a matter of urgency, a feasibility study demonstrating how CO2 emissions which result from the Council's own activities can be reduced by 10% by the end of 2010."

Prior to the vote on the amendment, Councillor Connolly and at least seven other Councillors, requested that voting be recorded to show how each Member cast their vote.

The result of the vote was as follows:-

**For the amendment:-**

Councillors Audin, Baum, Boden, Briggs, Byrne, Cassidy, Chaudhry, Connolly, Cummings, M D'Albert, V D'Albert, Davison, A J Garner, A S Garner, Grimshaw, Holt, Isherwood, Mathews, O'Hanlon, Pickstone, Rothwell, Shori, Smith, S D Wright (24)

**Against the amendment:-**

Councillors Ahmed, D Ashworth, P Ashworth, Berry, Bibby, Bigg, Brown, Cohen, Creswell, Gartside, Gunther, Hankey Harris, Higgin, Hurst, Penketh, Redstone, Sullivan, Taylor, Theckston, Walker, Walton, Wiseman and Y S Wright (24)

**Abstaining from the vote:**

The Worshipful the Mayor

In the absence of a majority, the Mayor declared the amendment lost.

- (ii) A further amendment was moved by Councillor Bibby and seconded by Councillor Creswell as follows:-

"This Council notes that:

1. Climate change predictions show that without severe cuts in greenhouse gas emissions, the world will be hit by drought, flooding and famine affecting all of us and poorest countries in particular. Some of these countries are already suffering from the effects of climate change. This is an issue of social justice as well as a call to take environmental action.
2. Under the UK Climate Change Act 2008 the UK is due to cut its emissions by 34% by 2020, but that, according to climate change scientists, a cut of 10% in 2010 is in line with what is now needed to avert runaway climate change.

**Add the following sentence:**

"However, any cuts to emissions have to be planned for and delivered within an agreed strategy and available resources going forward."

3. The United Nations Framework Convention on Climate Change, which meets in Copenhagen in December of this year, may be the world's last chance to negotiate a deal that will avert the worst consequences of climate change.

**DELETE:**

- "4. To ensure a breakthrough at the critical Copenhagen conference government ministers need to know that their public supports more dramatic cuts in emissions than have hitherto been proposed.

**ADD:**

- "4. To ensure a breakthrough at the critical Copenhagen conference government ministers should properly reflect the concerns of the public and business community to ensure a proper balance is struck when setting climate change targets".

**DELETE:**

- "5. Various councils are among those who have signed up to the "10:10 Campaign" which seeks to persuade individuals, businesses, organisations and the UK government to reduce their CO2 emissions by 10% in 2010."

**ADD:**

- "5. The increasing threat of Climate Change to this and future generations' health and well-being requires the global community to collectively act in concert to combat the damaging effects of climate change to achieve localised changes here in Bury, there is a need to challenge and rethink the way consumers and business move to a low carbon economy in order to not only make a positive contribution to reducing the impact of climate change, but also reduce dependency on external sources of energy."

**DELETE:**

"This Council supports the aims and ambitions of the 10:10 Campaign. The Council therefore resolves to sign Bury Council up for the 10:10 Campaign."

**ADD:**

"The Council with its ambitious targets to reduce carbon emissions by 10% by March 2011 along with an overall reduction of 35% in partnership with the Carbon Trust remains the best and most achievable approach in the current climate change debate".

Following the debate, Councillor Connolly moved and Councillor Smith seconded that the question be now put which was accepted by the Council.

The amendment, on being put, with 25 Members voting for and 24 Members against, was declared carried by the Mayor.

The substantive Motion on being put with 25 members voting for and 24 members against, the Mayor declared the Motion carried.

- (B)** It was moved by Councillor Boden and seconded by Councillor Cummings, that the following Motion be approved:-



"This Council, being mindful of the 10:10 campaign to reduce CO2 emissions by 10% by the end of 2010, notes that 28 local authorities, including the City of Manchester, have signed up to the campaign:

We remind ourselves that the Council is a signatory to the Nottingham Declaration and the North West Climate Change Charter.

Accordingly, we instruct our officers to undertake, as a matter of urgency, a feasibility study demonstrating how CO2 emissions which result from the Council's own activities, can be reduced by 10% by the end of 2010."

**In the names of: Councillors Audin, Boden, Briggs, Byrne, Cassidy, Chaudhry, Connolly, Costello, Cummings, Grimshaw, Holt, Isherwood, Matthews, Rothwell, Shori and Smith.**

The Mayor ruled that, whilst the Council was again considering the final paragraph of this Motion which had been included in the amendment considered in (A)(i) above, she was prepared, on this occasion, to allow that paragraph to remain in the Motion notwithstanding the provisions of the Council Procedure Rules.

The Motion on being put with 24 Members voting for and 24 against with no abstentions was declared lost in the absence of a majority vote.

**C.392 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.393 JOINT AUTHORITIES – REPORTS BY THE COUNCIL'S REPRESENTATIVE AND QUESTIONS**

- (a) Councillor Walker, the Council's representative on the Greater Manchester Police Authority, gave a verbal report on the work of the Joint Authority to all Members of the Council.
- (b) The following question had been received in accordance with the Council Procedure Rule 11.2:-

<b>Joint Authority and Questioner</b>	<b>Issue</b>	<b>Answered by (and action)</b>
Greater Manchester Police Authority Councillor Baum	The number of DNA records held by the Authority of people not convicted of crimes	Councillor Walker

**C.394 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.

Council, 28 October 2009

**C.395 DELEGATED DECISIONS OF COUNCIL COMMITTEES**

There were no written questions asked on the delegated decisions of the Committees or Scrutiny Commissions contained in the Digests of Decisions 3, 4 and 5 (2009/2010).

**THE WORSHIPFUL THE MAYOR**

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