

Minutes of:	THE ANNUAL COUNCIL MEETING OF THE METROPOLITAN BOROUGH OF BURY
Date of Meeting:	18 May 2010
Present:	The Worshipful the Mayor (Councillor S Magnall) in the Chair; Councillors I Ahmed, A Audin, K Audin, R L Baum, I Bevan, R A Bibby, D B Bigg, D Boden, R C A Brown, J Byrne, R Caserta, D M Cassidy, S Cohen, M Connolly, S Costello, Y Creswell, A J Cummings, M D'Albert, V D D'Albert, W J Davison, A S Garner, I B Gartside, J Grimshaw, D L Gunther, M Hankey, J Harris, T Holt, S Hurst, A Isherwood, J Lewis, A K Matthews, D O'Hanlon, N Parnell, S P Penketh, T D Pickstone, A Quinn, K Rothwell, R Shori, J Smith, J W H Taylor, B Theckston, B Vincent, R E Walker, S Walmsley, T Tariq, J F Walton, M J Wiseman, S D Wright and Y S Wright
Apologies for absence:	Councillor D M Higgin
Public attendance:	16 members of the public attended Part 1 of the meeting. 150 members of the public attended Part 2 of the meeting

PART 1 OF THE MEETING

Prior to commencing the meeting, the Mayor informed members of her intention to deal with Item 8 on the Council Summons, "Council Constitution" after Item 5, "Election of Leader". This would enable the Council to comply properly with Council Procedure Rule 1.1 which, following the election of the Leader, required various appointments. In some cases, these could only be properly considered following consideration of the Constitutional changes set out in the report on the Council Constitution.

C.01 DECLARATIONS OF INTEREST

There were no interests declared at the meeting.

C.02 MINUTES

RESOLVED:

That the Minutes of the meeting of the Council held on 17 March 2010 be approved as a correct record and signed by the Mayor.

C.03 MAYORAL COMMUNICATIONS

The Worshipful the Mayor informed the Council of the recent accident suffered by Councillor David Higgin and his subsequent admission to hospital. He was now making satisfactory progress and members joined with the Mayor in offering good wishes for a speedy recovery.

The Mayor further reported that she had been pleased to accompany the Bury Youth Sports Team whilst they participated, in the International Youth Games held in Tulle, France. The Team had much success and the Council's congratulations were offered to all concerned.

C.04 ELECTION OF COUNCILLORS 2010

The Chief Executive reported the election of Councillors on May 6 2010 as follows:-

Ward	Councillor Elected
Ramsbottom	Ian Bevan
North Manor	James Taylor
Tottington	Iain Gartside
Elton	Michael Hankey
Moorside	Sandra Walmsley
East	Trevor Holt
Church	Bob Bibby
Redvales	Tamoor Tariq
Unsworth	Ann Audin
Radcliffe East	Nick Parnell
Radcliffe North	Jane Lewis
Radcliffe West	Rishi Shori
Pilkington Park	Bernie Vincent, Robert Caserta
Besses	Ken Audin
Holyrood	Tim Pickstone
St Mary's	Donal O'Hanlon
Sedgley	Alan Quinn

C.05 ELECTION OF THE LEADER

Councillor Creswell moved that Councillor Bibby be elected Leader of the Council for a four year term of office.

Councillor Walton seconded the nomination.

The motion on being put, 21 members voted for, none against and with 29 abstaining, was declared carried.

C.06 COUNCIL CONSTITUTION

A report from the Monitoring Officer was submitted which set out recommendations to amend the Council's Constitution to accommodate the "Strong Leader" model of executive decision making and the changes to Overview and Scrutiny.

The Leader moved adoption of the report.

Councillor Creswell seconded the report.

Councillor Connolly moved an amendment to adopt the report subject to further amendments to remove the requirement to give notice for public questions at Council and to remove restrictions on Members asking questions at Council. The Mayor informed Councillor Connolly that the issues raised would first have to be considered by the Democratic Arrangements Forum.

The substantive motion, on being put, was declared carried and it was:-

RESOLVED:

1. That revisions to the Council's Constitution and the Scheme of Delegation as set out in the report and its appendices be approved, as follows:-

Strong Leader Model – Changes to the Constitution

Summary and Explanation (Pages 9 – 15)

Minor changes to describe the 'Leader/Cabinet' (as opposed to Executive)

Article 2

Minor changes to describe 'Leader/Cabinet'

Article 3 and 5

Minor changes to describe 'Leader/Cabinet'

Article 4

Amendments to numbering of sub paragraphs to Paragraph 4.2

Minor changes to describe 'Leader/Cabinet'

Article 7

Appointment/Role of the Leader

Role of the Deputy Leader

Form and composition of the Cabinet

Cabinet members

Role Specifications for Cabinet Member (to follow)

Article 11

Minor changes to describe 'Leader/Cabinet'

Article 13

Minor changes to describe 'Leader/Cabinet'

Part 3 – Responsibilities for functions

Minor changes to describe 'Leader/Cabinet'

Part 4 – Rules of Procedure

Minor changes to describe 'Leader/Cabinet'

Amendments to apply the Access to Information Rules to the Cabinet and individual cabinet members.

Deletion of Paragraph 1.2 – Arrangements for the discharge of Executive functions

Deletion of Sub Paragraph ii, Paragraph 2.5

Consequential amendments to the remaining Constitution to describe 'Leader/Cabinet' where relevant.

Overview and Scrutiny Provisions – Changes to the Constitution

Summary and Explanation

Article 6

Amendment to reflect the new Overview and Scrutiny Model

Part 4 Rules of Procedure

Overview and Scrutiny Procedure Rules

New Terms of Reference for Overview Committee

Scrutiny Committee

Overview Project Groups

Insertion of a "Call in" Protocol

2. That any further necessary consequential amendments be delegated to the Director of Legal and Democratic Services, in consultation with the Group Leaders.

C.07 ANNUAL APPOINTMENTS 2010/11

The Leader moved, and Councillor Creswell seconded, that the report on the annual appointments for 2010/11 Municipal Year be approved and adopted.

An amendment was moved by Councillor Connolly and seconded by Councillor Isherwood that the report be approved subject to the appointment of Councillor Shori as Chair of the Overview Management Committee in place of Councillor Brown.

The amendment on being put, 20 members voted for, 21 against and with 9 abstaining, was declared lost.

On the substantive motion being put, with 41 members voting for, none against and with 9 abstaining, it was

RESOLVED:

1. That the appointments of the Political Groups' Leaders and Deputy Leaders as set out in appendix A to this report be received.
2. That the appointment of the Deputy Leader and Cabinet Members for the 2010/2011 Municipal Year, as set out in Appendix B to this report be noted.
3. That the appointment of the Regulatory Committees, Overview and Scrutiny Committees and other bodies covered by the Political Balance Rules, including the appointment of Chairs, where stated, for the 2010/2011 Municipal Year, as set out in Appendix C to this report, be approved.
4. That the appointment of the Standards Committee and other bodies not covered by or exempted from the Political Balance Rules, including the appointment of Chairs, where stated, for the 2010/2011 Municipal Year, as set out in Appendix D to the report, be approved.
5. That the Chair of the Standards Committee be appointed from amongst the Independent Members for 2010/2011 Municipal Year.
6. That the appointments to the Greater Manchester Joint Authorities for the 2010/2011 Municipal Year including the appointment to the Greater Manchester Waste Plan Joint Committee, as set out in Appendix E to the report, be approved.
7. That the appointments to the various other internal bodies, including the appointment of Chairs, where stated, for the 2010/2011 Municipal Year, set out in Appendix F to the report, be approved.
8. That the appointments to outside bodies for the 2010/2011 Municipal Year as set out in Appendix G to the report, be approved.
9. That the list of Outside Organisations to be subject to audit by the Director of Legal and Democratic Services as set out in Appendix H be noted
10. That the Chief Executive, in consultation with the Leaders of the three political groups on the Council, be authorised to determine any appointments to bodies which remain to be filled and any changes in appointments or any new appointments to be made during the 2010/2011 Municipal Year.

C.08 STATE OF THE BOROUGH DEBATE

Councillor Bibby, Leader of the Council made a statement on the State of the Borough describing the main achievements of the Council during 2009/2010.

The Worshipful the Mayor offered members of the public present and Councillors the opportunity to comment on the issues raised in his Statement and these matters were debated:-

Member of the Public	Issue
Mr G Ramsey	Regeneration of Radcliffe Town Centre
Mr P Bury	Proposals for Future Job Fund

Member	Issue
Councillor Connolly	Pay and Grading
Councillor Penketh	Regeneration of Radcliffe

C.09 INDEPENDENT REMUNERATION PANEL

The Leader moved, and the Deputy Leader seconded, that the recommendations contained in the report of the Independent Remuneration Panel be rejected.

The motion on being put, and with no member voting against, was declared, to be carried.

C.10 SCRUTINY REVIEW REPORTS AND SPECIFIC ITEMS ‘CALLED IN’ BY SCRUTINY

The Mayor informed members that the Resource and Performance Scrutiny Commission on 15 April 2010 had referred to Council a “Call-In” relating to the Service Improvement Review of Civic Venues.

It was moved by Councillor V D’Albert and seconded by Councillor Bibby that:

“This Council notes the outcome of the Resource and Performance Scrutiny Commission of 15 April 2010 and resolves that the appropriate Cabinet member secure, through the most appropriate means, the increased use and financial viability of the Borough’s four civic suites, including increasing community use of all venues.”

An amendment was moved by Councillor Cummings and seconded by Councillor Parnell that the Call-In of the Civic Suites be referred back by Council to the Executive with the recommendation that Radcliffe Civic Hall should be given the same safeguards and guarantees as the other civic halls.

The amendment on being put, 20 voted for, 29 voted against and with 1 abstention, was declared lost.

The original motion on being put, 29 voted for, 20 against and with one abstention, was declared carried.

RESOLVED:

That this Council notes the outcome of the Resource and Performance Scrutiny Commission of 15 April 2010 and resolves that the appropriate Executive/Cabinet member secure, through the most appropriate means, the increased use and financial viability of the Borough's four civic suites, including increasing community use of all venues.

PART 2 OF THE MEETING

C.11 ELECTION OF THE MAYOR 2010/11

Councillor Gunther moved that Councillor John Byrne be elected to the office of Mayor of the Metropolitan Borough of Bury for the Municipal Year 2010/11.

Councillor Trevor Holt seconded the nomination.

The Worshipful the Mayor, after calling for and not receiving any other nominations, declared the nomination carried and it was:-

RESOLVED:

That Councillor John Byrne be duly elected Mayor of the Metropolitan Borough of Bury for the Municipal Year 2010/2011.

The newly-elected Mayor then occupied the Chair, made and signed the Declaration required by the Local Government Act 1972 and thanked the Council for the honour conferred on him in electing him Mayor of the Metropolitan Borough of Bury.

C.12 VOTE OF THANKS TO THE RETIRING MAYOR AND MAYORESS

It was moved by Councillor Connolly, seconded by Councillor Garner and it was:

RESOLVED:

That this Council hereby expresses its thanks to Councillor Sheila Magnall and Mrs Elizabeth Pepper, for the diligent manner in which they have undertaken the duties of Mayor and Mayoress of the Metropolitan Borough of Bury during the Municipal Year now ending and places on record its appreciation of their devotion and performance of the important duties attaching to their offices and that medallions be presented to them as tokens of appreciation of their services as Mayor and Mayoress.

C.13 APPOINTMENT OF DEPUTY MAYOR

It was moved by Councillor Connolly, seconded by Councillor Garner and it was:-

RESOLVED:

That Councillor Sheila Magnall be appointed Deputy Mayor of the Metropolitan Borough of Bury for the Municipal Year 2010/2011.

The newly-elected Deputy Mayor then made and signed the Declaration required by the Local Government Act 1972.

THE WORSHIPFUL THE MAYOR

(NOTES: Part 1 of the meeting started at 2.00 pm and ended at 3.50 pm
Part 2 of the meeting started at 4.05 and ended at 5.00 pm)