

Minutes of: AN ORDINARY MEETING OF THE COUNCIL

Date of Meeting: 15 December 2010

Present: The Worshipful the Mayor (Councillor J Byrne) 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, R Caserta, D M Cassidy, S Cohen, M J Connolly, S Costello, Y Creswell, A J Cummings, M D'Albert, V D'Albert, W J Davison, I B Gartside, J Grimshaw, D L Gunther, M Hankey, J Harris, D M Higgin, T Holt, S Hurst, A Isherwood, J Lewis, S P Magnall, D O'Hanlon, N Parnell, S P Penketh, T D Pickstone, A Quinn, K Rothwell, R Shori, J Smith, T Tariq, J W H Taylor, B Theckston, B Vincent, R E Walker, S Walmsley, J F Walton, M J Wiseman, S D Wright and Y S Wright

Apologies for Absence: Councillors A S Garner and A K Matthews

Public attendance: 35 members of the public attended the meeting

C.01 AGMA SUMMIT – CITY REGION OPPORTUNITIES

Lord Peter Smith, Chair of AGMA, gave a presentation to Members on new governance arrangements for AGMA which had culminated in a Combined Authority Bid.

C.02 DECLARATIONS OF INTEREST

1. Councillor D Bigg declared a personal in Minute No. C.06, Home to School Transport Policy, as she is an active member of St Mary's and St Philip Neri Union of Catholic Mothers.
2. Councillor D O'Hanlon declared a personal interest in Minute No.C.06, Home to School Transport, as he is a Governor of St Monica's School.
3. Councillor Mary D'Albert declared a personal interest in Minute No.C.06, Home to School Transport, as she is a Governor of OLOG School, Prestwich.
4. Councillor Yvonne Wright declared a personal and prejudicial interest in the Public Questions which related to the Civic Halls as she is hiring the Longfield Suite and Radcliffe Civic Suite for an event. Councillor Wright left the meeting during consideration of this item.

C.03 MINUTES OF THE COUNCIL

RESOLVED:

That the Minutes of the meetings of the Council held on 15 September and 22 November 2010 be confirmed as correct records and signed by the Mayor.

C.04 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS

The Mayor informed Members that the Metropolitan Borough had, once again, achieved great success in the North West In Bloom Competition.

Bury received another Gold Award, remaining 'Best Large Town' for the seventh consecutive year and was nominated to represent the Region in the National Finals next years.

A Discretionary Award was achieved by Mr and Mrs Reid of Garstang Drive, Bury for their outstanding private front garden, and the debut Radcliffe entry also impressed the judges and received a Silver Award. The Mayor congratulated the Volunteers and the Council Gardeners for their outstanding efforts.

The Mayor reported that Alan Freer, Assistant Director of Environmental Services, would be retiring from the Council after 45 years local government service, 24 of which had been served with Bury MBC. The Mayor and Members wished Alan a long and happy retirement and thanked him for his excellent contribution on behalf of the people of Bury.

Finally, the Mayor offered all Members and Officers of the Council, residents and all associated with the Bury Metropolitan Borough the compliments of the season.

C.05 PUBLIC QUESTION TIME

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

Name	Subject	Answered By
Mr S Hill	Land at Gin Hall – Green Belt	Councillor Gunther
Mrs E Greenhalgh	Land at Gin Hall – Green Belt	Councillor Gunther
Mr J Burgess	South View Homelessness Hostel	Councillor Hankey
Mr A Wentworth	Longfield Suite, Prestwich – Entrance Fee charges and Hire Policy	Councillor Hankey
Mr I Pringle	Longfield Suite, Prestwich – Hire Charges and earnings of DJ's.	Councillor Hankey
Mrs C Hodges	Business Plan for the Longfield Suite, Prestwich	Councillor Hankey
Mr K Hodges	Central Administration –	Councillor Hankey

	Civic Suites	
Mr G Ramsay	Petition relating to Radcliffe Civic Suite and petition procedure	Councillor Hankey

At this stage in the proceedings, it was moved and seconded that the following items be considered next:

Item 9(A) – Home to School Transport Policy

Item 13 – Bury Local Development Framework – Core Strategy Focus Change

The motion on being put, 48 members voted for, none against and with one abstention, was declared carried.

C.06 SCRUTINY REVIEW REPORTS AND SPECIFIC ITEMS CALLED-IN BY SCRUTINY COMMITTEES

Home to School Transport Policy

The Mayor informed members that the Internal Scrutiny Committee on 4 November 2010 had referred to Council a "Call-In" relating to the Home to School Transport Policy.

It was moved by Councillor Connolly and seconded by Councillor Isherwood that the recommendation contained in the report be not supported and that no further action be taken on the matter.

The motion on being put, 23 members voted for, 25 against and with one abstention was declared lost.

C.07 BURY LOCAL DEVELOPMENT FRAMEWORK – CORE STRATEGY FOCUSED CHANGE

The Cabinet Member for Environment and Transport submitted a report which sought approval for a proposed "focussed change" to Bury's Core Strategy and a subsequent four-week period of consultation on the focussed change.

It was moved by Councillor Gunther and seconded by Councillor Davison that the report be approved,.

On being put, 48 members voted for, none against and with the Mayor abstaining, it was:

RESOLVED:

That the proposed focussed change and associated consultation measures be approved and the Bury Core Strategy be submitted to the Secretary of State with all supporting documentation.

C.08 RECOMMENDATIONS OF CABINET MEMBERS AND COUNCIL COMMITTEES

- (a) **Minute L316 of the meeting of the Licensing and Safety Panel held on 9 December 2010 – Licensing Act 2003 - Triennial Review of Statement of Licensing Policy.**

It was moved by Councillor Hurst and seconded by Councillor Holt that the Licensing Policy 2011 – 2014 be adopted.

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

RESOLVED – That the Licensing Policy 2011 – 2014 be adopted.

- (b) **Minute HRA.332 of the Human Resources and Appeals Panel held on 15 December 2010 – Appointment of Chief Executive.**

It was moved by Councillor Walton and seconded by Councillor Bibby that Mr M Kelly be appointed to the post of Chief Executive for a fixed term contract of two years with effect from 1 March 2011.

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

RESOLVED – That the recommendation be approved and Mr M Kelly be appointed to the post of Chief Executive for a fixed term contract of two years with effect from 1 March 2011.

[**Note** – The press and public were excluded from the meeting during consideration of this item as it contained exempt information, namely, information relating to particular employees]

C.09 LEADER'S STATEMENT AND LEADER'S QUESTION TIME

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

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

No	Issue	Questioner	Answered by (and action)
1.	Involvement of local people in decision-making	Councillor Pickstone	Councillor Creswell
2.	Bus lane restrictions and	Councillor Walker	Councillor Gunther

No	Issue	Questioner	Answered by (and action)
	information on enforcement and administration		
3.	Equal Pay Case	Councillor Lewis	Councillor Gartside
4.	Fairfax Road – Prestwich Car Parking Charges	Councillor Baum	Councillor Gunther
5.	Fly-tipping in the Borough	Councillor Hurst	Councillor Gunther
6.	Local Housing Allowance Rates	Councillor Holt	Councillor Gartside
7.	Car Parking Charges – Fairfax Road, Prestwich	Councillor S Wright	Councillor Gunther
8.	School’s Sport Partnership	Councillor Smith	Councillor Caserta
9.	Provision of grit bins	Councillor Davison	Councillor Gunther
10.	Playbuilder Scheme	Councillor Parnell	Councillor Caserta
11.	Child Protection Criteria	Councillor M D’Albert	Councillor Caserta
12.	Every Child Matters	Councillor Costello	Councillor Caserta
13.	2012 Olympics – Hosting	Councillor O’Hanlon	Councillor Hankey
14.	Building Schools for the future	Councillor Cummings	Councillor Caserta
15.	Public involvement in the budget process	Councillor Baum	Councillor Gartside
16.	Local Police commissioners	Councillor Quinn	Councillor Bibby
17.	Provision for litter removal in Prestwich	Councillor S Wright	Councillor Gunther
18.	Establishment of Greater Manchester combined Authority	Councillor Boden	Councillor Bibby
19.	Parking and development in the vicinity of Heaton Park	Councillor Pickstone	Councillor Gunther

Due to the lack of time to answer questions 12 to 18 inclusive, the Leader gave an undertaking that copies of the answers to those questions will be circulated to all Councillors.

(b) Oral Questions on the work of the Leader and Cabinet Members since the last Council meeting (without Notice)

No	Issue	Questioner	Answered by (and action)
20.	Restructuring of Chief Executive's Department – Financial Implications	Councillor Connolly	Councillor Bibby
21.	Review of Sheltered Housing	Councillor Baum	Councillor Bibby
22.	Budget Reduction – Dialogue with Trade Unions	Councillor Holt	Councillor Bibby
23.	Impact of Government Settlement	Councillor Isherwood	Councillor Bibby
24.	Pupil Premium for Bury Schools	Councillor Pickstone	Councillor Bibby
25.	Publication of List A Savings	Councillor Smith	Councillor Bibby
26.	Retention of County Court - Bury	Councillor Bevan	Councillor Bibby
27.	Six Town Housing – Governance	Councillor O'Hanlon	Councillor Bibby

C.10 NOTICES OF MOTION

Four Notices of Motion have been received in accordance with Council Procedure Rule 12:-

(A) GREEN ENERGY

The following Motion had been received and set out in the Summons:-

It was moved by Councillor Baum and seconded by Councillor Pickstone that:-

"Council Notes:

New rules announced by Liberal Democrat MP Chris Huhne, the Secretary of State for Energy and Climate Change, allowing town halls to sell green energy could create a multi-million pound business helping protect frontline services and keep council tax low.

Council-owned wind turbines and solar panels on Town Halls, Council homes, Leisure Centres, other Council buildings and land across the country could produce millions of pounds a year according to early estimates produced by the Local Government Association.

Councils across the country are already developing plans to produce their own renewable energy to cut their power bills, reduce carbon emissions and raise much-needed revenue.

Bristol City Council is planning two wind turbines each generating 2-3 megawatts of electricity, that they expect to bring in around £1 million a year.

Cornwall Council has installed solar panels on New County Hall in Truro. Other potential projects contained in the Council's Green Cornwall Programme include the creation of a solar energy park, the development of wind farms on Council land, the development of a biomass strategy to power Council properties and the creation of a rural epicentre for electric car transport in the county. South Somerset Council has installed a wind turbine at the Yeovil Innovation Centre capable of producing £6,000 worth of electricity a year.

Council resolves to:

Look at how this Council can work towards generating green energy and in the process reduce its carbon footprint, along with generating revenue that will assist the Council in the future funding of its priorities. To report back to Council within three months with a plan of how and when this Council will start to generate green energy."

In the names of Councillors: R Baum, M D'Albert, V D'Albert, W Davison, A Garner, D O'Hanlon, T Pickstone and S Wright.

The motion on being put, 47 members voted for, none against and with one abstention, was declared carried.

(B) LOCAL AREA PARTNERSHIPS

The following Motion had been received and set out in the Summons:-

It was moved by Councillor Shori and seconded by Councillor Grimshaw that:-

"This Council acknowledges that in a time of significant cuts to Local Authority budgets across the Country it is imperative to empower local communities in order to meet this Coalition Government's stated aim of creating a 'Big Society' and act within the spirit of the soon to be enacted Localism and Decentralisation Bill.

This Council, therefore, asks the Cabinet Member responsible, to restate the Local Authority's commitment to all six of the Borough's Local Area Partnerships and take steps to improve the existing framework to encourage greater community engagement."

In the names of Councillors: M Connolly, J Smith, A Audin, K Audin, D Boden , D Cassidy, S Costello, A Cummings, J Grimshaw, T Holt, A Isherwood, J Lewis, A Matthews, N Parnell, Q Quinn, K Rothwell, R Shori, T Tariq and S Walmsley.

The motion on being put, 47 members voted for, none against and with one abstention, was declared carried.

The Mayor called upon the Leader to move The Closure Motion in accordance with Council Procedure Rule 9.

The Leader moved and it was:

RESOLVED:

That the whole of the remaining business before the Council be approved.

THE WORSHIPFUL THE MAYOR

(**NOTE:** The meeting started at 7.00 pm and ended at 10.30 pm)

NOTE: There were no questions on the work of outside bodies or partnerships; and there were no questions on delegated decisions of Council Committees.

Questions asked of Joint Authority representatives and the GMP representatives report would be circulated subsequently.

The following motions and reports were duly noted/approved following the Closure Motion:

- Notice of Motion – Bullying
- Notice of Motion - Pensions
- Matter dealt with under Special Urgency Provisions - Pimhole Development Scheme