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| Minutes of: | AN ORDINARY MEETING OF THE COUNCIL |
| Date of Meeting: | 12 September 2012 |
| Present: | The Worshipful the Mayor (Councillor J Grimshaw), in the Chair; Councillors A Audin, K Audin, D Bailey, M Bailey, N Bayley, I Bevan, P Bury, G Campbell, S Carter, R A Caserta, D M Cassidy, J Columbine, M Connolly, A J Cummings, E FitzGerald, L Fitzwalter, J Frith, I B Gartside, D L Gunther, M Hankey, S Haroon, P Heneghan, T Holt, K Hussain, A Isherwood, M A James, D Jones, J S Lewis, A Matthews, D O'Hanlon, N A Parnell, T D Pickstone, A Quinn, K Rothwell, R Shori, A Simpson, S Smith, J Smith, S Southworth, T Tariq, B Vincent, R E Walker, S Walmsley, J F Walton, M J Wiseman and Y Wright |
| Apologies for Absence: | Councillors R Bibby, J Black, S Briggs and J Taylor |
| Public attendance: | 52 members of the public attended the meeting |

C.0313 DECLARATIONS OF INTEREST

1. Councillor Connolly declared an interest in any item which related to staffing as his partner is an employee of Bury Council and a Personal Interest in the item Greater Manchester Police and Crime Panel, as he is a Member of the Panel.
2. Councillor John Smith declared a Personal Interest in the item Greater Manchester Police and Crime Panel, as he is a Member of the Panel.
3. Councillor Jones declared an interest in any item which related to staffing as his wife is an employee of Bury Council.
4. Councillors Ken Audin and Noel Bayley declared Personal Interests in Minute C.07(1), Notice of Motion – First Bus Fares, as they represent the Council on the Committee for Greater Manchester Transport.
5. Councillor Isherwood declared a Personal Interest in Minute C.07(1), Notice of Motion – First Bus Fares, as he could be indirectly employed by First Group later this year.
6. Councillor Fitzwalter declared a Personal Interest in Minute C.06, Leader's Statement and Cabinet Question Time, in so far as it related to a question about Traffic Calming, as she is a resident of Holcombe Village and has signed a petition for 20 mph limits.
7. Councillors Jones and Quinn declared Personal Interests in Minute C.06, Leader's Statement and Cabinet Question Time, in so far as it related to a question about Prestwich Carnival, as they are Members of the Carnival Committee.

C.314 MINUTES

RESOLVED:

That the minutes of the Special Meeting of the Council held on 4 July 2012, the Ordinary Meeting of the Council held on 4 July 2012 and the Extraordinary Meeting of the Council held on 25 July 2012, be signed by the Mayor

C.315 MAYORAL COMMUNICATIONS

The Mayor paid tribute to the following for their part in the success of the Olympic and Paralympic Games:-

Danny Boyle for the Opening Ceremony.

Elbow who played during the Closing Ceremony.

Zoe Robinson who won a bronze medal in the Boccia.

The Mayor also paid tribute to local volunteers for their tremendous contribution on behalf of others.

C.316 PUBLIC QUESTION TIME

| Issue | Questioner | Answered by |
|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------|---------------------|
| Bus Services operated by First Bus, including the 137 and 138 services, and changes to service provision | 1. Mrs P Durrant 2. Mr L Lott 3. Mr B Shatliffe | Councillor Connolly |

The Mayor asked members of the public present if they wished to ask questions. These are set out below:-

| No. | Issue | Questioner | Answered By |
|------------|----------------------------------------------------------------------|-------------------|---------------------|
| 1. | Maintenance of War Memorials | Mrs A Marshall | Councillor Connolly |
| 2. | Impact of Localism Act on planning decision-making | Mrs J Condron | Councillor Connolly |
| 3. | Spen Moor site planning approval and impact of access and congestion | Mr A Wilson | Councillor Connolly |
| 4. | Housing shortages in Bury | Ms S Moore | Councillor Connolly |

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|----|--------------------------------------------------------------|-------------|---------------------|
| 5. | Campaign for Save Our Libraries and current status of review | Mr J Mallon | Councillor Connolly |
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| 6. | Volume of traffic on Bury and Bolton Road and suggestion of independent traffics survey | Mr J Hope | Councillor Connolly |
| 7. | Spen Moor development and contribution to impact on schools by Developer | Ms S Condon | Councillor Connolly |
| 8. | Status of land at Spen Moor site | Mr P Condon | Councillor Connolly |
| 9. | Statutory Powers relating to housing provision and Spatial Strategy | Mr Davenport | Councillor Connolly |

At this stage in the Proceedings, it was moved and seconded and unanimously.

RESOLVED:

That the Order of Business be changed in accordance with Council Procedure Rule 13(c) to enable consideration of the item "Amendment of the Constitution : Probity in Planning Code of Conduct – Protocol for Site Visits as next business.

C.317 AMENDMENT OF THE CONSTITUTION : PROBITY IN PLANNING CODE OF CONDUCT – PROTOCOL FOR SITE VISITS

A report of the Council Solicitor was submitted which sought amendment to the Council Constitution by amending the Protocol for Site Visits to the Probity in Planning Code of Conduct and changing the practice in respect of arranging site visits for Members.

It was moved by Councillor Connolly and seconded by Councillor Smith that the report and recommendations be approved.

On being put, with 33 voting for, 13 against and with one abstention it was

RESOLVED:

1. That the Constitution be amended by replacing the current paragraph 16 and Appendix 1 in the Probity in Planning Code of Conduct with the draft paragraph 16 and Appendix 1 to the Probity in Planning Code of Conduct; and
2. That the Council delegates to the Assistant Director of Planning, Environmental and Regulatory Services and appropriate officers the authorisation to change the current practice and arrangements made for site visits, as well as any associated communications and working practices.

C.318 LEADER'S STATEMENT AND EXECUTIVE QUESTION TIME**(a) Written questions (four clear days' notice given)**

The Leader of the Council, Councillor Connolly, 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. | Government Support to Housing Sector and impact on Bury | Councillor Pickstone | Councillor Campbell |
| 2. | Number of Planning Applications submitted since May 2010 | Councillor Walker | Councillor Campbell |
| 3. | Localisation of Social Fund | Councillor Simpson | Councillor Isherwood |
| 4. | Fly Posting offences | Councillor Bevan | Councillor Campbell |
| 5. | Closure of Recycling Centre, Prestwich | Councillor O'Hanlon | Councillor Campbell |
| 6. | Waste Management and use of landfill | Councillor Gunther | Councillor Campbell |
| 7. | NDR Collection Rates | Councillor Tariq | Councillor Isherwood |
| 8. | Publication of Council expenditure | Councillor Bevan | Councillor Isherwood |
| 9. | Safety Policies for Bonfire Night | Councillor Pickstone | Councillor Campbell |
| 10. | Public Attendance at Township Forums | Councillor Wiseman | Councillor Walmsley |
| 11. | Traffic Calming | Councillor Fitzwalter | Councillor Campbell |
| 12. | Flooding and drainage systems | Councillor O'Hanlon | Councillor Campbell |
| 13. | Home to School Transport | Councillor Caserta | Councillor Parnell |
| 14. | Schools Capital Programme | Councillor Daisy Bailey | Councillor Parnell |
| 15. | Planning Protocol | Councillor Gartside | Councillor Campbell |
| 16. | Recycling Rates | Councillor Stella Smith | Councillor Campbell |
| 17. | Looked After Children | Councillor Caserta | Councillor Parnell |

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| 18. | Recycling Bins in Radcliffe and Prestwich | Councillor James | Councillor Campbell |
| 19. | Prestwich Carnival | Councillor Quinn | Councillor Gartside |
| 20. | Youth Projects | Councillor Frith | Councillor Parnell |
| 21. | Community Leadership and Community Cohesion | Councillor Holt | Councillor Walmsley |
| 22. | Looked After Young People | Councillor Southworth | Councillor Parnell |
| 13. | Housing Associations Policy | Councillor Cassidy | Councillor Campbell |
| 24. | Dog Fouling | Councillor Carter | Councillor Campbell |
| 25. | Backing Young Bury Initiatives | Councillor Matt Bailey | Councillor Isherwood |

Due to the lack of time to answer questions 11 to 25 inclusive, the Leader gave an undertaking that copies of the answers to those questions will be circulated to all Councillors. The Leader also gave an undertaking to make these available on the Council Web Site.

At this point in the Proceedings whereby two hours had elapsed since the start of the meeting, and in accordance with Council Procedure Rule 12.3, the Mayor reported that consideration would now be given to Notices of Motion as Priority Business.

C.319 NOTICES OF MOTION

Three Notices of Motion had been received in accordance with Council Procedure Rule 12:-

1. First Bus Fares

A Motion had been received and set out in the Summons in the names of:-

Councillors A Audin, K Audin, D Bailey, M Bailey, N Bayley, J Black, S Briggs, P Bury, G Campbell, S Carter, D M Cassidy, J Columbine, M Connolly, A J Cummings, E FitzGerald L Fitzwalter, J Frith, S Haroon, P Heneghan, T Holt, M A James, D Jones, J S Lewis, A K Matthews, N A Parnell, A Quinn, K Rothwell, R Shori, A Simpson, S Smith, J Smith, S Southworth, T Tariq and S Walmsley.

It was moved by Councillor Noel Bayley and seconded by Councillor Ken Audin:-

“Buses provide a really important public service to residents. They provide access to jobs, to training and education, to shopping, and to healthcare and leisure facilities. Decent bus services are more important than ever, particularly in these difficult economic times.

However, the deregulation of bus services over 25 years ago has led to higher fares, reduced bus services and a less integrated transport network - particularly in Bury - and more generally across Greater Manchester. Deregulation has meant that bus operators set whatever fares they like and run the services the way they please.

Transport for Greater Manchester has a limited budget to pay for concessionary fares and for essential bus services, such as those in the early morning and evening or in areas where bus operators are unwilling to run services. Currently it has no authority to influence bus fares.

First and Stagecoach are the two biggest bus operators in Greater Manchester, both of whom make healthy profits but who choose not to compete directly with each other. A daily and weekly bus pass for an adult now costs £4.50 and £18 on First's buses, compared with £3.90 and £12 on Stagecoach's buses. And the gap between their respective fares continues to grow.

This Council resolves to:

1. Call on First Bus, as the major bus operator in the North of Greater Manchester to reform its fares policy and reduce all its bus fares permanently.
2. Work closely with other local authorities and TfGMC to highlight the continuing transport problems across Greater Manchester caused by bus deregulation."

An amendment was moved by Councillor Gartside and seconded by Councillor Walker:-

"Buses provide a really important public service to residents. They provide access to jobs, to training and education, to shopping, and to healthcare and leisure facilities. Decent bus services are more important than ever, particularly in these difficult economic times.

However, the deregulation of bus services over 25 years ago has led to higher fares, reduced bus services and a less integrated transport network - particularly in Bury - and more generally across Greater Manchester. Deregulation has meant that bus operators set whatever fares they like and run the services the way they please.

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This Council resolves to:

1. Call on First Bus, as the major bus operator in the North of Greater Manchester to **consider** reforming its fares policy and reduce all its bus fares **for as long as it is financially viable for them.**

2. Work closely with other local authorities and TfGMC to highlight the continuing transport problems across Greater Manchester caused by bus deregulation.”

(During the debate it was moved and seconded that in accordance with Council Procedure Rule 13(j) that the question be now put.
The Motion was declared carried).

The amendment on being put with 10 voting for, 34 against and with two abstentions was declared lost.

The substantive motion on being put with 34 voting for, 11 against and one abstention was declared carried.

2. Member Behaviour

A Motion had been received and set out in the Summons in the names of Councillors M Connolly, I Gartside and T Pickstone.

It was moved by Councillor Connolly and seconded by Councillor Gartside:-

“This Council seeks to improve the standard of party politics before and at local election time.

Firstly, we resolve to improve the standard of discourse in the Council Chamber by respecting each other and resisting engaging in personal attacks on political opponents.

Secondly, at election time we resolve not to engage in activities which can be perceived as intimidating or confrontational, in particular, where young people are concerned.

Thirdly, we note the regrettable behaviour that has taken place at counts over recent years which has included personal insults amongst certain candidates standing for election.

Therefore, we resolve to ensure that the Code of Conduct be maintained by all Councillors and their supporters in order to promote respect and decent standards in public life.”

The Motion in being put was carried unanimously.

3. Neighbourhood Planning

A Motion had been received and set out in the Summons in the names of:-

Councillors R A Bibby, R A Caserta, I B Gartside, D L Gunther, M Hankey, K Hussain, J Taylor, B Vincent, R E Walker, J F Walton, M J Wiseman and Y Wright

It was moved by Councillor Gunther and seconded by Councillor Gartside:-

"This Council notes the end of the moratorium on building on green spaces in our Borough and the recent planning decision to commence large scale building on Spen Moor. We recognise the strength of public outrage on this outcome and the precedent that this decision has now set for future potential housing developments. Such planning issues have a very direct impact on the lives of the people in our local communities.

This Council firstly resolves to acknowledge the need for a balance between the ever changing housing targets imposed on this Borough and the need to protect the green spaces that characterise our Borough's quality of life.

Further, this Council notes the recent provisions made in The Localism Act 2012 to allow Neighbourhood Planning. The Neighbourhood Planning Framework encourages the involvement of Township Forums so that local people can have direct involvement in determining planning policies. Neighbourhood Planning Orders could be used to allow certain applications to be decided in the local area rather than the centralised local authority planning process.

Therefore, this Council secondly resolves to establish a Neighbourhood Planning Framework in Bury which will allow communities to submit their Neighbourhood Plans."

An amendment was moved by Councillor Connolly and seconded by Councillor Smith:

"That in accordance with Council Procedure Rule 14.6(i), the Motion be referred to the Executive Director of Environment and Development Services Chief Planning Officer for full report to the next meeting of Council."

(During the debate it was moved and seconded that in accordance with Council Procedure Rule 13(j) that the question be now put.
The Motion was declared carried).

The amendment on being put with 45 voting for and two abstentions was declared carried.

The Substantive Motion below as now put and with 45 voting for and two abstentions was declared carried.

"That in accordance with Council Procedure Rule 14.6(i), the Motion be referred to the Executive Director of Environment and Development Services Chief Planning Officer for full report to the next meeting of the Council."

The Mayor called upon 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 10.20 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 GMDA representative's report would be circulated subsequently.

The following report was duly approved following the Closure Motion:

Greater Manchester Police and Crime Panel.