

Minutes of: COUNCIL

Date of Meeting: 28 July 2021

Present: The Worshipful the Mayor (Councillor , in the Chair)
Councillors R Bernstein, C Birchmore, C Boles, N Boroda,
R Brown, S Butler, R Caserta, P Cropper, C Cummins,
L Dean, U Farooq, I Gartside, R Gold, J Grimshaw, S Haroon,
J Harris, M Hayes, T Holt, S Hurst, K Hussain, N Jones,
J Lancaster, K Leach, J Lewis, J Mason, L McBriar, G McGill,
C Morris, B Mortenson, E O'Brien, K Peel, T Pickstone,
T Pilkington, M Powell, A Quinn, D Quinn, T Rafiq,
J Rydeheard, A Simpson, L Smith, M Smith, G Staples-Jones,
T Tariq, K Thomas, D.Vernon, S Walmsley, C Walsh,
M Whitby, S Wright and Y Wright

**Apologies for
Absence** L Ridsdale and C Tegolo

Public Attendance: ## members of the public attended Part 1 of the meeting.
members of the public attended Part 2 of the meeting.

C.1 DECLARATIONS OF INTEREST

The following declarations of interest were made at the meeting in relation to items on the agenda:

1. Councillor A Quinn declared a personal interest in all matters under consideration as both his son and daughter-in law, work for the NHS, he is a member of the Trade Union, Unite and the Downs Syndrome Association.
2. Councillor D Quinn declared a personal interest in all matters under consideration as an employee of the Citizens Advice Bureau and a member of the GMB Trade Union
3. Councillor T Pilkington declared a personal interest in all matters under consideration as an employee of the Manchester Foundation Trust.
4. Councillor S Walmsley declared a personal interest in all matters under consideration as a member of the Communications Works Union
5. Councillor A Simpson declared a personal interest in all matters under consideration as both her and her son are employed by the NHS.
6. Councillor S. Wright declared a personal interest in all matters under consideration as his wife works for a school in the Borough.
7. Councillor S Butler declared a personal interest in all matters under consideration as his partner is employed by Homes England.
8. Councillor T Holt declared a personal interest in all matters under consideration as a member of the Communications Works Union.
9. Councillor Leach declared a personal interest in all matters under consideration as an NHS employee.
10. Councillors Lancaster, Y Wright, Birchmore and Gartside declared personal interest in all matters under consideration as Members of the Bury Folk Keep it Green Group

11.Councillor T Tariq declared a personal interest in all matters under consideration as an employee of Healthwatch.

C. 2 MINUTES

RESOLVED:

That the minutes of the meeting of the Council held on 19th May 2021 be approved as a correct record and signed by the Mayor.

C. 3 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS

The Mayor thanked everybody for their attendance at this in person Council Meeting. The Mayor paid tribute to Bury Resident Tina Harrison for her recently awarded MBE for services to the community and also congratulated James Guy following his Olympic swimming Gold medal.

A minutes silence was observed following the passing of former Councillor, Jim Taylor.

C. 4 PUBLIC QUESTION TIME

Notice had been received of 8 questions, due to the number of items scheduled for consideration, questions were only answered from those members of the public present at the meeting. The Leader gave an undertaking that copies of those questions and responses not taken at the meeting will be circulated to all Councillors. The Leader also gave an undertaking to make these available on the Council Web Site.

No	Issue	Questioner	Answered by:
1	Holcombe Conversation Area	Dr Binns	Cllr O'Brien
2	Missed refuse collection	Andrew Luxton	Cllr O'Brien

C. 5 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

Meeting of the Democratic Arrangements Forum 17th March 2021 – Council Streaming Arrangements

It was moved by Councillor O'Brien and seconded by Councillor Tariq and it was:

RESOLVED:

Following adoption of the Council Motion in October 2012 in which Members agreed to stream meetings of Full Council, the Group Leaders recommend to Council that streaming of meetings going forward would include in addition to Full Council; meetings of the Council's Cabinet, the Planning Control Committee as well as meetings of the Overview and Scrutiny Committee, Health Scrutiny Committee and the Children and Young People's Scrutiny Committee.

Standards Committee Interviews - Appointment of Independent Persons – June 2021

It was moved by Councillor O'Brien and seconded by Councillor Tariq and it was:

RESOLVED:

Council agrees to the appointment of the following Independent Persons to the Council's Standards Committee: Craig Ainsworth and Stuart Birtwell.

Meeting of Cabinet 21st July 2021 – Clean Air Plan

It was moved by Councillor Quinn and seconded by Councillor O'Brien following a request from 8 members present at the meeting in accordance with the Council Procedure rules – recorded vote;

On being put, with Councillors C Boles, C Birchmore, N Boroda, S Butler, C Cummins, U Farooq, R Gold, J Grimshaw, S Haroon, M Hayes, T Holt, K Leach, J Mason, G McGill, C Morris, B Mortenson, E O'Brien, K Peel, T Pilkington, A Quinn, D Quinn, M Powell, T Rafiq, A Simpson, L Smith, M Smith, G Staple-Jones, T Tariq, K Thomas, S Walmsley, C Walsh, M Whitby, S Wright **FOR;**

AND

Councillors R Brown, R Bernstein, R A Caserta, P Cropper, LJ Dean, I B Gartside, J Harris, S Hurst, K Hussain, N Jones, J Lancaster, J Lewis, L McBriar, T Rydeheard, D Vernon and Y Wright, against

And the Mayor abstaining;

Council agreed to:

1. Note the progress of the Greater Manchester Clean Air Plan;
2. Note the progress in the distribution of Bus Retrofit funding;
3. Note Ministers' agreement to include the sections of the A628/A57 in Tameside which form part of the Strategic Road Network within the Greater Manchester's Clean Air Zone (CAZ) and their request for Tameside MBC, TfGM and Highways England to establish the most appropriate solution for the charging mechanism to be applied on this section of the Strategic Road Network (SRN);
4. Approve the GM Clean Air Plan Policy, at Appendix 1 noting that the policy outlines the boundary, discounts, exemptions, daily charges of the Clean Air Zone as well as the financial support packages offered towards upgrading to a compliant vehicle, including the eligibility criteria to be applied.
5. Agree the Equalities Impact Assessment, as set out at Appendix 2;
6. Agree the AECOM Consultation Report, as set out at Appendix 3;
7. Agree the proposed Response to the Consultation at Appendix 4 which has been prepared by TfGM on behalf of the ten GM local authorities;

8. Agree the Impacts of COVID-19 Report, as set out at Appendix 5;
9. Agree the Modelling report of the final CAP package, as set out at Appendix 6, and in particular that the modelling outputs of the final plan scheme show the achievement of compliance with the legal limits for Nitrogen Dioxide in the shortest possible time and by 2024 at the latest as required by the Ministerial Direction;
10. Agree the economic implications of the CAP Report, as set out at Appendix 7;
11. Note the update on the GM Minimum Licensing Standards, set out in section 3.1, and in particular that licensing conditions will not be used to support delivery of the GM Clean Air Plan;
12. Approve a 6-week public consultation on the inclusion of motorhomes classified as MSP1 in the GM Clean Air Zone and on the inclusion of the A575 and A580 at Worsley commencing on 1 September 2021 and delegate authority to the Executive Director of Operations in consultation with the Cabinet Member for Environment, Climate Change and Operations to approve the consultation materials;
13. Note that the GM Clean Air Charging Authorities Committee has the authority to make the Charging Scheme Order which establishes the GM Charging Scheme in line with the agreed GM Clean Air Plan Policy;
14. Note that the GM Charging Authorities Committee has the authority to vary the Charging Scheme Order if this is established as the most appropriate charging mechanism to be applied on sections of the A628/A57 part of the Strategic Road Network (SRN) in Tameside;
15. Note that the Air Quality Administration Committee has the authority to agree the final form of the Operational Agreement for the Central Clean Air Service, and to authorise the making of the Agreement, on behalf of the ten GM local authorities;
16. Note that the Air Quality Administration Committee has the authority to:
 - a) establish and distribute the funds set out in the agreed GM Clean Air Plan policy;
 - b) approve the assessment mechanism agreed with JAQU to ensure that Clean Air Funds can be adapted if necessary;
 - c) keep the use of the funds under review and to determine any changes in the amounts allocated to each and their use and
 - d) Monitor and evaluate the joint local charging scheme.
17. Approve the reallocation of funding from the Try Before You Buy scheme to provide additional electric vehicle charging points dedicated for use by taxis;
18. Delegate to the GM Charging Authorities Committee the authority to determine the outcome of the consultation on both the inclusion of motorhomes

classified as MSP1 within the scope of Clean Air Zone charges and on the inclusion in the GM Clean Air Zone of the A575 and A580 at Worsley following the conclusion of that consultation;

a. Agree the Clean Air Zone ANPR and signage locations, as set out at Appendix 10;

b. Agree a delegation to Executive Director of Operations in consultation with the Cabinet Member for Environment, Climate Change and Operations to approve the submission of the Interim Full Business Case if required and the Full Business Case (FBC) to the Government's Joint Air Quality Unit to support the GM Clean Air Plan and any supplementary information to that Unit.

C. 6 PLACES FOR EVERYONE PLAN

The Leader moved, and Councillor Quinn seconded, that the report on the Places for Everyone Plan be approved, following a request from 8 members present at the meeting in accordance with the Council Procedure rules – recorded vote and;

On being put, with Councillors C Boles, N Boroda, S Butler, C Cummins, U Farooq, R Gold, J Grimshaw, S Haroon, M Hayes, T Holt, G McGill, C Morris, B Mortenson, E O'Brien, K Peel, T Pilkington, A Quinn, D Quinn, T Rafiq, A Simpson, L Smith, T Tariq, K Thomas, S Walmsley, C Walsh, M Whitby voting **FOR**;

AND

Councillors R Brown, R Bernstein, C Birchmore, R A Caserta, P Cropper, LJ Dean, I B Gartside, J Harris, S Hurst, K Hussain, N Jones, J Lancaster, K Leach, J Lewis, J Mason, L McBriar, M Powell, M Smith, G Staple-Jones, T Rydeheard, D Vernon, S Wright, Y Wright and the Mayor voting **against**;

Council Agrees to:

Submit the Places for Everyone Publication Plan 2021 to the Secretary of State for examination following the period for representations.

C. 7 BOUNDARY COMMISSION REVIEW

Councillor O'Brien moved, and Councillor Tariq seconded, and it was:

RESOLVED:

That the Council approves submission of the response to Stage 3 of the LGBCE review.

Members resolved to undertake a short adjournment.

C. 8 LEADER' STATEMENT AND CABINET QUESTION TIME

(a) Written question (Notice given)

The Leader of the Council, Councillor E O'Brien, 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
1	Freedom of the Borough	Cllr Boroda	Cllr O'Brien
2	Free School Meals	Cllr Whitby	Cllr Tariq
3	Garside Hey Low Traffic Neighbourhood	Cllr Rydeheard	Cllr Quinn
4	Covid Restrictions	Cllr McGill	Cllr Simpson
5	Radcliffe 3G pitches	Cllr Mortenson	Cllr Quinn
6	Road safety Tottington	Cllr McBriar	Cllr Quinn
7	Prestwich Memorial Wall	Cllr Powell	Cllr O'Brien
8	Traffic near to Hazelwood H.S	Cllr Holt	Cllr Quinn
9	Sedgley Vaccination Clinic	Cllr L Smith	Cllr Gold
10	Places for Everyone	Cllr Harris	Cllr O'Brien
11	GM Marmot Review	Cllr Whitby	Cllr Simpson
12	Springwater Park	Cllr Grimshaw	Cllr Quinn
13	Experimental Traffic Orders	Cllr N Jones	Cllr Quinn
14	Traffic Flow in Prestwich	Cllr Powell	Cllr Quinn
15	Anti-social Behaviour	Cllr Peel	Cllr Gold

b) Verbal Questions

1	Refuse Collections	Cllr N Jones	Cllr Quinn
2	Refuse Collections	Cllr M Powell	Cllr Quinn
3	Additional Bins	Cllr L Smith	Cllr Quinn
4	Refuse Collections	Cllr LJ Dean	Cllr Quinn
5	Anti social behaviour incident	Cllr Staple Jones	Cllr Gold
6	Walshaw Brook Flooding	Cllr Y Wright	Cllr Quinn
7	Town of Culture	Cllr Boles	Cllr Morris
8	Spurr House	Cllr Lewis	Cllr Simpson
9	Statement of Accounts	Cllr Gartside	Cllr O'Brien and Cllr Whitby (as Chair of Audit)

C. 9 CABINET QUESTION TIME
C. 10 COMBINED AUTHORITY REPORT AND QUESTIONS TO THE COUNCIL'S COMBINED AUTHORITY REPRESENTATIVES

- (a)The Council received a report on the work of the Combined Authorities.
(b)The following questions had been received in accordance with Council Procedure Rules:

No.	Issue	Questioner	Answered by
1.	Clean Air Zone	Councillor Bernstein	Councillor Quinn
2.	Public Health Information on Public Transport	Councillor N Jones	Councillor Peel (Representative on Transport for Greater Manchester)
3.	Bus Usage	Councillor Lewis	Councillor Peel (Representative on Transport for Greater Manchester)
4.	Traffic Reduction	Councillor Rydeheard	Councillor Peel (Representative on Transport for Greater Manchester)
5.	Bus Franchise	Councillor Harris	Councillor Peel (Representative on Transport for Greater Manchester)
6.	Concessionary Travel Cards	Councillor Brown	Councillor Peel (Representative on Transport for Greater Manchester)
7.	Performance of the Chief Constable	Councillor Bernstein	Councillor Gold (Representative on Police and Crime and Panel)

Due to the lack of time to answer questions eight and nine, the Mayor gave an undertaking that copies of the questions and responses will be circulated to all Councillors and made available on the Council Web Site.

C. 11
C. 12

QUESTIONS TO REPRESENTATIVES ON THE COMBINED AUTHORITY NOTICES OF MOTION

A motion had been received and set out in the Summons in the names of:
Councillors R Brown, R Bernstein, R A Caserta, P Cropper, LJ Dean, I B Gartside, J Harris, S Hurst, K Hussain, N Jones, J Lancaster, J Lewis, L McBriar, T Rydeheard, D Vernon and Y Wright.

(i) Public Consultation

Public Consultations are a vital way of getting residents involved and influencing important local decisions. Consulting ensures better decisions, builds understanding and helps progress towards consensus and should be at a stage when there is still scope to influence policy outcome. Considering stakeholders' views early into the process, stimulates debate and helps ensure all policy options are taken into account.

This Council Believes:

- 1) The Labour Council is not fully engaging with residents.
- 2) Recent consultations such as on the Greater Manchester Spatial Framework and Housing Strategy were not fully inclusive and the Brandlesholme Low Traffic Neighbourhood scheme non-existent. Any consultation must engage before a decision has been made and consultees must be able to influence the decision outcome of the consultation.
- 3) Conducting important consultations such as the Housing Strategy during the height of pandemic is not acceptable as these consultations relied solely on digital communications and Social Media shutting out the digitally inactive residents in our 6 Towns.
- 4) Current consultation relies predominantly on people looking for information and visiting Council and social media platforms. A more proactive approach, i.e. direct mail shot would encourage greater involvement.

This Council believes it is important to consult people, not just on general priorities but on specific proposals and resolves to:

- 1) Listen to and engage with all residents and not the selected few.
- 2) Ensure groups that need to be included in consultations are included with the option to either send a consultation response back digitally or via a paper-based copy free of charge.
- 3) Having engaged with them, be clear about why we have taken a decision and communicate it.
- 4) Update and implement Bury's Consultation strategy

On being put, with 22 voting for, 27 voting against, and with the Mayor abstaining, the Mayor declared the motion lost.

(ii) Delivering Increased Solar Power

A motion had been received and set out in the Summons in the names of:
Councillors Powell, Tegolo and S Wright

Bury Council commits to implementing a programme of initiatives aimed at increasing its number of solar (photo-voltaic) installations and making it easier for residents and business owners to install them.

Council notes and recognises:

The significant environmental and economic benefits of solar panel installation
That solar power can be utilised to help the borough achieve its stated
commitment to be a Carbon Neutral authority

- That the North West as a region is lagging behind on solar panel numbers and is below the national average for installations
- That a number of local authorities have been successful in driving up the number of solar powered homes through initiatives aimed at providing bespoke installation services at no immediate cost to residents.

Council is therefore committed to:

- Increasing the amount of solar generated power in the Borough, as part of a broader shift to being a carbon neutral borough
- Investigate schemes, including those delivered by other local authorities, to help residents and local businesses assess the suitability of their homes for solar panels
- Investigate schemes to make investment in solar more affordable, including facilitating low-cost borrowing schemes
- Use its various media platforms to promote any subsequent initiatives to Bury residents
- Conduct an assessment of Council buildings to see if solar panel installations would be viable on these properties

Council resolves to bring a report to Cabinet on the above before the end of 2021, so that any recommendations can be reflected in the 2022-23 Council Budget.

On being put, with 49 voting for, 0 members voting against, and with the Mayor abstaining, the Mayor declared the motion carried.

(i) Local involvement in planning decision

A motion had been received and set out in the Summons in the names of **C Boles, N Boroda, S Butler, C Cummins, U Farooq, R Gold, J Grimshaw, S Haroon, M Hayes, T Holt, G McGill, C Morris, B Mortenson, E O'Brien, K Peel, T Pilkington, A Quinn, D Quinn, T Rafiq, A Simpson, L Smith, T Tariq, K Thomas, S Walmsley, C Walsh, M Whitby**

This council notes that:

The Government has published highly controversial proposals to reform the planning system. One aspect that has raised particular concern is the proposal to remove local residents' right to object to individual planning applications in their own neighbourhood if the area is zoned for growth or renewal.

Although there is no legal right for members of the public to speak at meetings of Bury council's Planning Control Committee, Bury council does allow members of the public to do so and voice their concerns around particular, individual proposed developments within our authority.

The right to object to or support individual planning applications in the local decision making process, is one which residents of Bury cherish and invoke on regular occasions. As such it is a right that should be protected in any future planning reforms.

This council recognises that:

Planning works best when developers and the local community work together to shape local areas and deliver necessary new homes and developments.

This council resolves to:

- Call on the Government to protect the right of communities to object to individual planning applications.

- Call on the Government to protect residents' rights to retain a voice over planning applications, recognizing that the best way to get necessary new homes built is to support communities, councils and developers to work in partnership.
- Write to the Government to support these commitments being included in future legislation.

It was moved by Councillor N Jones and seconded by Councillor N Jones and Seconded by Councillor P Cropper as an amendment to:-

Amend to

The Government has published proposals to reform the planning system to create a simpler, faster and more modern planning system to replace the current one that dates back to 1947.

There is little meaningful public engagement in the current planning system. At present only around 3 percent of local people engage with planning applications. The main benefit of the Bill would be digitising a system to make it more visual and easier for people to engage with.

The right to object to or support individual planning applications in the local decision making process, is one which residents of Bury cherish and invoke on regular occasions. As such it is a right that should be protected in any future planning reforms.

This council recognises that:

Planning works best when developers and the local community work together to shape local areas and deliver necessary new homes and developments.

Amend to –

Planning works best when developers and the local community work together to shape local areas and deliver necessary new homes and developments.

Bury Council does not have a local plan and the council have failed to provide a suitable plan since 1997. As of February 2021, only 41 percent of Local Authorities have an up-to-date local plan in place. The green belt can be protected by prioritising the building of new homes on brownfield land.

This council resolves to:

Call on the Government to protect the right of communities to object to individual planning applications.

Call on the Government to protect residents' rights to retain a voice over planning applications, recognizing that the best way to get necessary new homes built is to support communities, councils and developers to work in partnership.

Write to the Government to support these commitments being included in future legislation.

Amended to -

The Council supports the right of communities to be able to engage easily in the planning process by:

The full use of digital technology

Participating in the making of neighbourhood and Local Plans

Maintaining the right to object to individual planning applications

On being put, with 16 voting for, 33 voting against and with the Mayor abstaining, the Mayor declared the amendment lost.

On being put, with 33 voting for, 16 voting against and with the Mayor abstaining, the Mayor declared the motion carried.

(i) Emergency motion – Attacks on Women in Public Life

An emergency motion has been received in the names of:

Councillors C Boles, N Boroda, S Butler, C Cummins, U Farooq, R Gold, J Grimshaw, S Haroon, M Hayes, T Holt, K Leach, G McGill, C Morris, B Mortenson, E O’Brien, K Peel, T Pilkington, A Quinn, D Quinn, T Rafiq, A Simpson, L Smith, T Tariq, K Thomas, S Walmsley, C Walsh and M Whitby.

The Council is asked to note that women in public life - and especially women of colour - are routinely the targets of unacceptable behaviour and abuse, which is often aimed at silencing women's voices. The violence is never acceptable, and that those who serve the public should not have to carry out their work while being intimidated by thugs.

The Council is therefore asked to resolve: -

- i) To condemn, in the strongest possible terms, the recent arson attack on the Leader of Oldham Council, Councillor Arooj Shah.
- ii) To continue to work alongside the police and criminal justice system, in our own Borough, to protect victims and prevent violence and harassment.
- iii) To instruct the Chief Executive to fully implement Bury Council's recent equality review

On being put, with 50 voting for, 0 members voting against, the Mayor declared the motion carried.

(Note: This item which did not appear on the Summons for the meeting was allowed by the Mayor to be considered as a matter of urgency).

C. 13 URGENT EMERGENCY MOTION
C. 14 MOTION TRACKER

The Motion Tracker was circulated for information.

C. 15 SCRUTINY REVIEW REPORTS AND SPECIFIC ITEMS "CALLED IN" BY
SCRUTINY COMMITTEES

There were no Scrutiny Review Reports or specific items "called in" by the Overview and Scrutiny Committee to be considered at this Council meeting.

C. 16 QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS

There were no questions received in accordance with Council Procedure Rules.

C. 17 DELEGATED DECISIONS OF THE COUNCIL COMMITTEES

There were no written questions asked on the delegated decisions of the Council Committees.

THE WORSHIPFUL THE MAYOR

(Notes: Part 1 of the meeting started at Time Not Specified and ended at
 3.00 pm
 Part 2 of the meeting started at xxxxx pm and ended at Time Not
 Specified)