

Geoff Little
Chief Executive

Our Ref JG
Your Ref C/JG
Date 29 November 2022
Contact Julie Gallagher
Direct Line 0161 253 6640
E-mail Julie.Gallagher@bury.gov.uk
Web Site www.bury.gov.uk

TO: All Members of Council

Councillors : A Arif, S Arif, N Bayley, R Bernstein, D Berry, C Birchmore, C Boles, A Booth, N Boroda, R Brown, C Cummins, L Dean, S Donnelly, D Duncalfe, U Farooq, E FitzGerald, N Frith, I Gartside, R Gold, D Green, J Grimshaw, S Haroon, J Harris, M Hayes, K Hussain, N Jones, J Lancaster, G Marsden, J Mason, L McBriar, G McGill, C Morris, E Moss, E O'Brien, K Peel, T Pilkington, A Quinn, D Quinn, T Rafiq, I Rizvi, J Rydeheard, L Smith, M Smith, T Tariq, C Tegolo, S Thorpe, D Vernon, S Walmsley, M Walsh, M Whitby and Y Wright

Dear Member/Colleague

Council

You are invited to attend a meeting of Council which will be held as follows:-

Date:	Wednesday, 7 December 2022
Place:	Council Chamber, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	Pre council Meeting – ELR Buckley Wells presentation 6pm to 6.50pm – Peel Room 6.55pm – Council photograph to show support for the White Ribbon Campaign (Ceremonial Steps)
Notes:	

AGENDA

The Agenda for the meeting is attached.

The Agenda and Reports are available on the Council's Intranet for Councillors and Officers and also on the Council's Website at www.bury.gov.uk

Yours sincerely



Chief Executive

(Note: Members are reminded that under Section 106 of the Local Government Finance Act 1992, if a Member of a Local Authority has not paid Council Tax for at least two months and, even if an arrangement has been entered into to pay arrears, then at any meeting where consideration is given to matters relating to, or which might affect the calculation of Council Tax, that Member must declare the fact that he/she is in arrears and must not vote on the matter).

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Council are requested to declare any interests which they have in any items or issues before the Council for determination.

3 MINUTES (Pages 9 - 18)

4 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS

To receive communications from the Mayor and any announcements by the Leader of the Council or the Chief Executive on matters of interest to the Council.

5 PUBLIC QUESTION TIME

To answer questions from members of the public, notice of which has been given, on any matter relevant to the Council or its services to the community. Up to 30 minutes will be set aside for this purpose. If time permits, further questions will be invited from members of the public present.

6 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES (Pages 19 - 50)

To receive and consider the recommendations to the Council:

Committee/Date	Subject	Recommendation
Youth Cabinet – 8th September 2022	Changes to the terms of reference	Youth Cabinet approves for onward circulation to Council, the revised Terms of Reference
Democratic Arrangements Forum - 3 rd November 2022	Amendments to the Constitution	The Democratic Arrangements Forum agree for onward consideration to Council that section 4.1.34.1 of the constitution be amended to: Amendments will be considered in the order in which they are received. An amendment to a Notice of Motion must be delivered to the Monitoring Officer by midday on the day prior to the meeting. Following consideration by the Monitoring Officer the content of the amendment will be shared, other than amendments made in advance of Budget Council; unless the Group Leader or their representative provides express permission to do so.
Cabinet – 25 th November 2022	Freedom of the Borough	The Democratic Arrangements Forum recommends to Cabinet with onward consideration at Council that all five

		nominations be progressed and an expediated ceremony be arranged for former Councillor, Roy Walker in December 2022 and a further ceremony for the remaining nominees, including Kieran Trippier, in January 2023.
Audit Committee – 1 st December 2022	Contract Procedure Rules	The Audit Committee recommends to Council the Contract Procedure Rules be approved and implemented from 1 February 2023
Employment Panel – 6 th December	Appointment of Chief Executive	That the Employment Panel Recommends to Council that Lynne Ridsdale be appointed the Chief Executive and Place Based Lead for Bury Council.

7 LEADER' STATEMENT AND CABINET QUESTION TIME (Pages 51 - 76)

To receive a report from the Leader of the Council on the work of the Cabinet and to answer written questions from Members of the Council to the Leader, Cabinet Members and Chair of a Committee on any matter in relation to which the Council has powers or duties which affect the Borough, provided the necessary written notice has been given. (30 minutes)

A member may ask a verbal question of the Leader, any Member of the Cabinet or Chair of a Committee about any matter on the Council agenda and which the Council has powers or duties or which affects the Borough. Only one verbal question per Councillor. (20 minutes)

8 COMBINED AUTHORITY REPORT AND QUESTIONS TO THE COUNCIL'S COMBINED AUTHORITY REPRESENTATIVES (Pages 77 - 92)

- (A) A combined authority update report is attached, for information
- (B) Questions (if any) on the work of the Combined Authority to be asked by Members of the Council for which the necessary notice has been given, in accordance with Council Procedure Rules.

9 **SHORT ADJOURNMENT******

10 NOTICES OF MOTION

(i) School Meals in the Borough

A motion had been received and set in the Summons in the names of:

Councillors; Birchmore, Berry, Booth, Duncalfe, Marsden, Mason, Cllr Mike Smith and Cllr Mary Walsh

This Council Notes:

All schools in the Borough have policies around school meals regarding nutritional balance, variation and dietary requirements as per the legislative requirements.

It is noticeable that what is missing from these policies is the balance between the number of students attending cafeteria facilities and the time available to them to queue, choose, purchase and consume their meals. What is not clear from these policies is the available choice readily available to the students who are at the back of that queue.

Analysis has shown that Bury MBC does not have a specific policy for the management of the school meals, such as a Mealtime Management Plan for the distribution and consumption of the meals. From the all the non-feeing paying High schools within the Borough of Bury, only one of those schools does in fact, have a policy for the management of school meals.

We believe there is a need for such an overarching policy for Bury MBC to review the management of lunches and produce a Policy, that can be recommended for adoption and implementation to each High School, as either a separate policy to suit their own students and school circumstances or as part of the Whole School Food Policy.

We call upon the Council to recognise that as part of the healthy eating aspect of school meals, that there should be time to purchase and consume such a meal. We believe this action is required to avert potential issues of hunger, ineffective learning and digestive ill-health issues that may emanate from consuming lunches in a fast-paced and hurrying manner.

The Council resolves to -

Commission an internal review of meal management at Bury Schools and that the findings of the review inform a policy which can be commended to all Schools.

(ii) Fair Tax

A motion had been received and set in the Summons in the names of:

Councillors: A. Arif, N Bayley, C Boles, N Boroda, C Cummins, U Farooq, E FitzGerald, N Frith, R Gold, D Green, J Grimshaw, S Haroon, M Hayes, G McGill, C Morris, E Moss, E O'Brien, K Peel, T Pilkington, A Quinn, D Quinn, T Rafiq, I Rizvi, L Smith, T Tariq, S Thorpe, S Walmsley, and M Whitby.

This Council notes that:

1. The pressure on organisations to pay the right amount of tax in the right place at the right time has never been stronger.
2. Polling from the Institute for Business Ethics finds that "corporate tax avoidance" has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
3. Almost two-thirds (63%) of the public agree that the Government and local councils should consider a company's ethics and how they pay their tax as well as

value for money and quality of service provided, when undertaking procurement.

4. Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.

5. It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £7bn per annum in lost corporation tax revenues.

6. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by organisations with a combined annual income of £50bn and more than 6,500 outlets and premises, including many social enterprises and co-operatives. ([Fair Tax Councils - Fair Tax Foundation \(fairtaxmark.net\)](http://FairTaxCouncils-FairTaxFoundation(fairtaxmark.net)))

This Council believes that:

1. Paying tax is often presented as a burden, but it shouldn't be.

2. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.

3. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.

4. Where substantive stakes are held in private enterprises, then influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned - e.g., no use of marketed schemes requiring disclosure under DOTAS regulations (Disclosure Of Tax Avoidance Schemes) or arrangements that might fall foul of the General Anti-Abuse Rule.

5. More action is needed, however, current law significantly restricts councils' ability to either penalise poor tax conduct or reward good tax conduct, when buying goods or services.

6. UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

This Council resolves to:

1. Approve the Councils for Fair Tax Declaration.

2. Lead by example and demonstrate good practice in our tax conduct, right across our activities.

3. Ensure contractors implement IR35 robustly and pay a fair share of employment taxes.

4. Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.

5. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately as an artificial device to reduce the payment of tax and business rates.

6. Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position.

7. Promote Fair Tax Mark certification for any business in which we have a significant stake and where corporation tax is due.

8. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses who say what they pay with pride.

9. Support calls for urgent reform of EU and UK law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their

procurement policies.

(iii) Human Trafficking and Illegal Migration

A motion had been received and set in the Summons in the names of:
Councillors Arif, Bernstein, Brown, Dean, Gartside, Harris, Hussain, Jones,
Lancaster, McBriar, Rydeheard, Vernon

The United Kingdom has long been a safe haven for those individuals, and groups of people, who have had to flee their countries of origin due to religious, political, and social persecution. People also migrate for economic reasons due to unemployment, conflict, war, famine, and other natural disasters.

We are proud of our Country's humanitarian legacy in accepting refugees, asylum seekers through fair and legal means such as through the United Nation's Vulnerable Person's Resettlement Scheme (VPRS).

However, this motion aims to deal head on with a new and dangerous phenomena that is putting the lives of innocent men, women and children in grave danger and is leading to loss of life.

Since the beginning of 2022, more than 40,000 illegal immigrants, many of whom are at the mercy of criminal human trafficking gangs, have crossed the English Channel in small boats. This is up from 28,526 in 2021.

It is the view of many people living within the Borough of Bury, that this is one of the most pressing issues which our country faces today.

The increasing number of illegal migrants are putting a great deal of pressure on local services throughout the country and the residents of Bury are rightly concerned that the situation seen elsewhere with local hotels being commandeered for large numbers of irregular migrants could happen here in Bury. This would of course put intolerable pressure on local services.

We are not against lawful and controlled migration. On the contrary, we are immensely grateful to those who have made the United Kingdom their home and have shaped our nation for the better. Whether this be through working within the NHS or in other public, private and charitable fields.

Overseas workers are an integral part of our nation's fabric and diversity.

However, what we cannot condone, under any circumstances, is the arrival upon our shores of those who have deployed illegal and criminal means to enter the United Kingdom.

Whilst we sympathise with some of those who try to enter the UK through crossings, many are doing so in order to commit heinous crimes in the United Kingdom.

We must also remember that many criminal gangs and prohibited organisations are profiting at the misfortune of those crossing in small boats and putting the lives of

those who chose to cross in this manner at serious risk of danger.

It is incumbent on us all as elected officials to guarantee that the law of this country is upheld and respected.

Therefore, we must do all we can to prevent these illegal crossings and acts of illegal migration from occurring.

That is why we are asking this Council to do the following:-

* Condemn the criminal gangs and organisations that are putting the lives of men, women and children at risk by enforcing small boat crossings in the English Channel.

* Fully support the UK Government's plans to reduce these illegal crossings through a strategic partnership with our European neighbours.

* Instruct the Chief Executive to write to both the Bury North and Bury South Members of Parliament to ask that they support the Government's plans to tackle illegal immigration and support offshore processing of illegal immigrants.

a **LABOUR AMENDMENT TO THE CONSERVATIVE NOTICE OF MOTION**
(Pages 93 - 94)

Amendment attached.

11 **COUNCIL MOTION TRACKER** (Pages 95 - 110)

A report setting out progress in respect of Motions passed at the last meeting of Council is attached.

12 **SCRUTINY REVIEW REPORTS AND SPECIFIC ITEMS "CALLED IN" BY SCRUTINY COMMITTEES**

There are no scrutiny review reports or specific items called in by the scrutiny committee.

13 **QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS**

Questions on the work of Outside Bodies or partnerships on which the Council is represented to be asked by Members of the Council (if any).