

Minutes of: AN ORDINARY MEETING OF THE COUNCIL

Date of Meeting: 3 February 2016

Present: The Worshipful the Mayor (Councillor S Smith), in the Chair; Councillors P Adams, N Bayley, D Bailey, I Bevan, J Black, R A Caserta, M Connolly, M D'Albert, J Daly, E Fitzgerald, L Fitzwalter, I B Gartside, J Grimshaw, D L Gunther, M Hankey, S Haroon, J Harris, R Hodgkinson, T Holt, K Hussain, A Isherwood, M A James, D Jones, G Keeley, J Kelly, S Kerrison, J Lewis, J Mallon, A K Matthews, S Nuttall, E O'Brien, N Parnell, T D Pickstone, C Preston, A Quinn, R Shori, R Skillen, Sarah Southworth, Susan Southworth, T Tariq, J Walker, R E Walker, S Walmsley, M Whitby, M Wiseman and Y Wright.

Apologies from: Councillors K S Briggs, D M Cassidy, P Heneghan and A Simpson

Public attendance: 19 members of the public attended the meeting

C.xxx DECLARATIONS OF INTEREST

1. Councillor Connolly declared a personal interest in any item which related to staffing as his partner is an employee of the Local Authority Trading Company, Persona. Councillor Connolly further declared a prejudicial interest in Minute C.XXX below, Recommendations of Cabinet and Council Committees, and took no part in the discussion or vote relating to Mayoralty 2016/2017
2. Councillor Jones declared a personal interest in any item which related to staffing as his wife is an employee of Bury Council.
3. Councillor Bevan declared a personal interest in any item which related to staffing as his wife is an employee within a Bury School.
4. Councillor Mallon declared a personal interest in any item which related to staffing as his wife is an employee within a Bury High School.
5. Councillors Hodgkinson, Hussain, Nuttall, Sarah Southworth, Susan Southworth and Wright declared prejudicial interests in relation to the Private Renters Notice of Motion as property landlords and left the Chamber during consideration of this item.
6. Councillor Fitzwalter declared a prejudicial interest in relation to the Private Renters Notice of Motion as she and her husband were property landlords and left the Chamber during consideration of this item.
7. Councillors J Daly, J Walker and R Skillen declared prejudicial interests in relation to the Private Renters Notice of Motion as private tenants in Bury and left the Chamber during consideration of this item.

8. Councillor Isherwood declared a prejudicial interest in relation to the Private Renters Notice of Motion as his wife is a property landlord and also declared a prejudicial interest in relation to the Rail Franchise Notice of Motion as a shareholder in Alstom Transport Ltd. Councillor Isherwood left the Chamber during consideration of both items.
9. Councillor Walmsley declared a personal interest in relation to the private Renters Notice of Motion as a tenant in a private rented property in Bury.
10. Councillor R E Walker declared a personal interest in respect of the Rail Franchise Notice of Motion as his son is employed by a rail company.

C.xxx MINUTES

RESOLVED:

That the Minutes of the Meeting of Council held on 9 December 2015 be signed by the Mayor as a true and correct record.

C.xxx MAYORAL COMMUNICATIONS

1. The Mayor paid tribute to Henry Donn and Tracy Neville following their recognition in the Queen's New Years Honours List
2. The Mayor passed on the commiserations and sympathies of the High Sheriff, Sharman Birtles, to the victims of recent flooding in the Borough
3. The Mayor reported that over £2500 had been raised from the Mayoral Ball with donations still coming in.
4. The Mayor, on behalf of the Council, wished Councillor Cassidy a speedy recovery from her recent operation.
5. The Mayor informed Members of the recent death of ex- Council Director, Mr John Benson.

C.xxx PUBLIC QUESTION TIME

The Mayor reported the receipt of four written questions as set out below:

| No | Issue | Questioner | Answered By |
|----|--|--------------|---------------------|
| 1. | Insurance for Flood Victims | Ms K Leach | Councillor Connolly |
| 2. | Business Case Radcliffe Leisure Centre/Civic Venue | Ms N Haydock | Councillor Connolly |
| 3. | Extension of Metrolink | Mr A Thew | Written Response |
| 4. | Flooding Harwood Road | Mrs Plow | Councillor Connolly |

On inviting questions from members of the public present, the following issues were raised:-

| No. | Issue | Questioner | Answered By |
|------------|------------------------------------|----------------------|---------------------|
| 1. | Divestment into Renewable Energy | Ms N McGarry-Gribben | Councillor Connolly |
| 2. | Dog Fouling (Tottington) | Mr A Luxton | Councillor Connolly |
| 3. | Radcliffe Flood Volunteer Handover | Ms W Williams | Councillor Connolly |
| 4. | Culvert (Harwood Road) | Mr M Whittaker | Councillor Connolly |
| 5. | Culvert Ownership (Harwood Road) | Mr A Thomson | Councillor Connolly |
| 6. | Flooding (Rochdale Road) | Mr R Dixon | Councillor Connolly |

C.xxx RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

Minute CA.626 of the meeting of the Cabinet on 13 January 2016 – Mayoralty 2016/2017.

It was moved by Councillor Shori and seconded by Councillor Walmsley and it was:-

RESOLVED:

That Councillor M Connolly be proposed as the Mayor of Bury 2016/2017.

C.xxx LEADER'S STATEMENT AND CABINET QUESTION TIME

(a) Written question (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 |
|------------|--------------------------------|---------------------|---------------------|
| 1. | Higher Education Pupil Numbers | Councillor James | Councillor O'Brien |
| 2. | Schools Funding | Councillor J Walker | Councillor O'Brien |
| 3. | Settlement Figures | Councillor Skillen | Councillor Shori |
| 4. | EU Referendum | Councillor R Walker | Councillor Connolly |

| | | | |
|-----|-----------------------------|-----------------------------|----------------------|
| 5. | Locality Plan | Councillor Bayley | Councillor Shori |
| 6. | Domestic Violence | Councillor Preston | Councillor Tariq |
| 7. | Human Habitation Rules | Councillor James | Councillor Shori |
| 8. | Fly Tipping | Councillor Gunther | Councillor Isherwood |
| 9. | Delayed Discharges | Councillor Pickstone | Councillor Shori |
| 10. | 1% Rent Reductions | Councillor Fitzgerald | Councillor Shori |
| 11. | Flood Damage | Councillor Preston | Councillor Connolly |
| 12. | Stonewall Top 100 Employers | Councillor Susan Southworth | Councillor Holt |
| 13. | Members Room Refurbishment | Councillor Harris | Councillor Holt |
| 14. | Hate Crime | Councillor Jones | Councillor Tariq |
| 15. | Pharmacy Budgets | Councillor Mallon | Councillor Shori |

Due to the lack of time to answer questions 16 to 36 inclusive, the Leader gave an undertaking that copies of those questions and responses will be circulated to all Councillors. The Leader also gave an undertaking to make these available on the Council Web Site.

(b) Oral questions on Leader's Speech and the work of the Cabinet since the last Council meeting (without Notice)

| | | | |
|----|---|---------------------|---------------------|
| 1. | Looked After Children Funding | Councillor Gunther | Councillor Connolly |
| 2. | Tax Havens | Councillor Quinn | Councillor Connolly |
| 3. | Council Finances/Trade Union Salaries/Rising Unemployment | Councillor Gartside | Councillor Connolly |
| 4. | Marketing Holidays in Flood Hit Areas | Councillor Bevan | Councillor Connolly |
| 5. | Waterside Demolition Costs | Councillor Daly | Councillor Connolly |
| 6. | EU Migrants | Councillor Parnell | Councillor Connolly |

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C.xxx JOINT AUTHORITIES – REPORTS BY THE COUNCIL’S REPRESENTATIVE AND QUESTIONS

- (a) Councillor Matthews, the Council’s representative on the Greater Manchester Fire and Rescue Service gave a verbal report on the work of the Authority to all Members of the Council.
- (b) The following questions had been received in accordance with Council Procedure Rule 11.2.

| No. | Issue | Questioner | Answered by |
|------------|--------------------------|----------------------|--|
| 1. | Cycle Alert System | Councillor D’Albert | Councillor Bayley (Representative on Transport for Greater Manchester) |
| 2. | Radcliffe Bus Station | Councillor Parnell | Councillor Bayley (Representative on Transport for Greater Manchester) |
| 3. | Single Recycling Schemes | Councillor Pickstone | Councillor Quinn (Representative on Greater Manchester Waste Disposal Authority) |

C.xxx NOTICES OF MOTION

Three Notices of Motion had been received and set out in the Summons.

(i) Flooding

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

Councillors P Adams, N Bayley, J Black, S Briggs, D Cassidy, M Connolly, E FitzGerald, L Fitzwalter, J Grimshaw, S Haroon, P Heneghan, T Holt, A Isherwood, M James, D Jones, J Kelly, S Kerrison, J Lewis, J Mallon, A Matthews, E O’Brien, N Parnell, C Preston, A Quinn, R Shori, A Simpson, R Skillen, Sarah Southworth, Susan Southworth, T Tariq, J Walker, S Walmsley and M Whitby

It was moved by Councillor Fitzwalter and seconded by Councillor Quinn:

"This Council pays tribute to all the Council Officers, emergency services and volunteers for their heroic and selfless work in helping those devastated by the Boxing Day floods which hit our borough.

It calls on the Government to reverse the savage cuts to all these services especially to this Council, the fire and police service and the Environment Agency which threaten the maintenance of infrastructure and the ability to help

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those in need in a crisis, and to recognise the need to act now to mitigate the effects of climate change.

It also calls on the Government to apply immediately for the £125 million available for flood relief from the EU solidarity Fund which incredibly it has so far failed to do."

It was moved by Councillor Gartside and seconded by Councillor Daly as an amendment:-

That the Motion be amended by the deletion of paragraphs 2 and 3 and the substitution of:

"This Council recognises the £200 million pounds direct emergency funding provided by Government to all flood affected areas and notes that this was needed immediately rather than having to rely on funding applications from the EU which will take several months to be processed. In Bury's case we welcome the 1.5 million pounds of direct funding assistance by the Government, which is more than many of our surrounding councils.

We also welcome the Government's continued work to recognise climate change through "Climate Change Adaption Reporting" and to reduce the effects of climate change through the 2015 Paris Agreement, the Natural Capital Committee, and further investments in clean air and water.

"Council welcomes the announcement by Government that all forms funding assistance, including that of the EU Solidarity fund, will be pursued to help with Britain's flood relief effort and flood defences"

Prior to the vote on the amendment, in excess of eight Councillors requested that voting be recorded to show how each Member cast their vote, in accordance with Council Procedure Rule 17.5.

The result of the vote was as follows:-

For the amendment:

Councillors I Bevan, R Caserta, J Daly, I Gartside, D Gunther, M Hankey, J Harris, R Hodgkinson, K Hussain, G Keeley, S Nuttall, R Walker, M Wiseman and Y Wright

Against the amendment:

Councillors P Adams, N Bayley, D Bailey, J Black, M Connolly, M D'Albert, E FitzGerald, L Fitzwalter, J Grimshaw, S Haroon, T Holt, A Isherwood, M James, D Jones, J Kelly, S Kerrison, J Lewis, J Mallon, A Matthews, E O'Brien, N Parnell, C Preston, T Pickstone, A Quinn, R Shori, R Skillen, Sarah Southworth, Susan Southworth, T Tariq, J Walker, S Walmsley and M Whitby

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Abstaining from the amendment:

The Worshipful the Mayor.

The Mayor declared the amendment lost.

Prior to the vote on the substantive motion, in excess of eight Councillors requested that voting be recorded to show how each Member cast their vote, in accordance with Council Procedure Rule 17.5.

The result of the vote was as follows:-

For the substantive motion:

Councillors P Adams, N Bayley, D Bailey, J Black, M Connolly, M D'Albert, E FitzGerald, L Fitzwalter, J Grimshaw, S Haroon, T Holt, A Isherwood, M James, D Jones, J Kelly, S Kerrison, J Lewis, J Mallon, A Matthews, E O'Brien, N Parnell, C Preston, T Pickstone, A Quinn, R Shori, R Skillen, Sarah Southworth, Susan Southworth, T Tariq, J Walker, S Walmsley and M Whitby

Against the substantive motion:

Councillors I Bevan, R Caserta, J Daly, I Gartside, D Gunther, M Hankey, J Harris, R Hodgkinson, K Hussain, G Keeley, S Nuttall, R Walker, M Wiseman and Y Wright

Abstaining from the substantive motion:

The Worshipful the Mayor.

The Mayor declared the substantive motion carried.

(ii) Fair Deal for Private Renters

A motion had been received and set out in the Summons in the names of Councillors T Pickstone and M D'Albert.

It was moved by Councillor Pickstone and seconded by Councillor D'Albert:

Council notes

- 1 The important contribution private-rental property makes to our housing market in Bury (nearly 14% at the last survey);
- 2 That some private rented homes fall beneath a decent standard and there is a continuing problem with rogue landlords in a minority of cases;
- 3 That private renters spend a higher proportion of their income on housing than in with other tenures, and that moving costs can be prohibitively expensive, with high letting fees and large deposit requirements.

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Council calls on the Government

1. To carry on work started in the last Parliament to tackle rogue landlords, revenge evictions.
2. To move towards a system where letting of homes in the private rented sector to be professionalised through the licensing of landlords;
3. To provide proper funding for local authorities to enable them to support tenants through improved housing and legal advice.

Council Resolves

1. To look to significantly increase the take-up and awareness of the Landlord Accreditation Scheme (currently less than 1.5% of rented properties).
2. To consider the business case for extending the Paperless Bond facility to a wider group of potential tenants in financial need.
3. To continue to work, together with Six Town Housing, to look at how the Council can help bring empty properties into use through assisting with private sector renting, in return for nomination rights.
4. To write to the Borough's MPs to inform them of this motion and ask to support this issue in their work.

It was moved by Councillor Gartside and seconded by Councillor Gunther as an amendment:-

That (1) paragraph 1 be amended to include:

"That 84% of private sector tenants are now satisfied with their housing according to the 2012-13 English Housing Survey 'Households Report'

That (1) paragraph 2 be amended as follows:

"To carry on work started in the last Parliament and continued in this Parliament to tackle rogue landlords, revenge evictions. This Council welcomes the Housing and Planning Bill (now in House of Lords) to protect tenants and ensure that landlords provide good quality, safe accommodation. Rogue landlords and property agents will face bans and fines up to £30,000."

That (2) and (3) paragraph 2 be amended to include:

"The industry itself has developed a Code of Practice on the legal requirements and best practice. A Model Tenancy Agreement has also been introduced which will help tenants to agree longer tenancies with their landlords for stability
The Enterprise and Regulatory Reform Act requires that letting and managing agents in the private rented sector offer landlords, tenants, freeholders and leaseholders access to an approved redress scheme."

The amendment was put to the vote and with 9 voting for, 25 against with the Mayor abstaining was declared lost.

The substantive motion was put to the vote and with 34 voting for, 0 against and Mayor abstaining the substantive motion was declared carried.

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(iii) Rail Franchises

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

Councillors I Bevan, R Caserta, J Daly, I Gartside, D Gunther, M Hankey, J Harris, R Hodgkinson, K Hussain, G Keeley, S Nuttall, R Walker, and Y Wright

It was moved by Councillor Gartside and seconded by Councillor R Walker:

This Council Meeting welcomes the Government's announcement on 9 December, 2015 that the new Northern and TransPennine Express Franchises have been awarded, in a massive boost to rail services bringing the Northern Powerhouse to life.

As Bury is one of the most outward commuting places in Greater Manchester this will bring benefits and make a real difference to our local community, across our region and beyond including:

- The introduction of 500 brand new carriages
- Removal of the outdated and unpopular Pacer trains across the North
- Space for over 40,000 more passengers at the busiest of times
- Thousands of extra services a week
- Roll out of free Wi-Fi on trains and at stations
- Over £55 million invested in station improvements, including new ticket machines and the introduction of staffing at 45 currently unstaffed stations
- Improving compensation arrangements, including automatic compensation for delays for registered season and advanced purchase tickets.

This Council Meeting further welcomes the decision that the franchises will be jointly managed in the North, from Leeds, by the DfT and Rail North Ltd - which represents 29 Local Authorities across the North. This shows the Government's continued commitment to devolution and to closing the economic gap between the North and South. The new franchises are expected to create jobs, opportunity and growth and – coupled with electrifying the vital trans-Pennine route – will help our region realize its full economic potential by ensuring it has a modern, 21st Century transport system.

This Council Meeting notes that the award of the new rail franchises has been roundly welcomed by business organisations and others including the CBI, Manchester Airport and UKTI as well as by the IPPR North.

This Council Meeting therefore welcomes the award of the rail franchises and resolves to support the provision of a world class rail service across the North and the contribution this can make to rebalancing the UK economy, with Bury at the heart of a Northern Powerhouse.

The motion was put to the vote and with 16 voting for, 28 against and the Mayor abstaining the motion was declared lost.

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C.xxx SCRUTINY 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.xxx QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS

There were no questions received in accordance with Council Procedure Rule 11.2.

C.xxx DELEGATED DECISIONS OF COUNCIL COMMITTEES

There were no written questions asked on the delegated decisions of the Committees or Scrutiny Committee contained in the Digest of Decisions 5 (2015/16).

THE WORSHIPFUL THE MAYOR

(NOTE: The meeting started at 7.00 pm and ended at 10.25 pm)