

Minutes of: AN ORDINARY MEETING OF THE COUNCIL

Date of Meeting: 11 September 2013

Present: The Worshipful the Mayor (Councillor S Briggs), in the Chair; Councillors A Audin, K Audin, M Bailey, N Bayley, I Bevan, J Black, P Bury, G Campbell, S Carter, R A Caserta, D M Cassidy, J Columbine, M Connolly, A Cummings, J Daly, E FitzGerald, L Fitzwalter, J Frith, I B Gartside, J Grimshaw, D L Gunther, M Hankey, P Heneghan, T Holt, K Hussain, A Isherwood, M A James, D Jones, J S Lewis, A Matthews, S Nuttall, D O'Hanlon, 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 and M J Wiseman

Apologies for Absence: Councillors D Bailey, S Haroon, N A Parnell and Y Wright

Public attendance: 9 members of the public attended the meeting

C.334 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.
2. Councillor Connolly declared a personal interest in Minute C.342, Notice of Motion – Airport Dividend as he is Deputy Director of MAG and a member of the Shareholder Committee for MAG.
3. Councillor Jones declared an interest in any item which related to staffing as his wife is an employee of Bury Council.
4. Councillor O'Hanlon declared an interest in property issues as he rents two domestic garages.
5. Councillor Fitzwalter declared a personal interest in a question relating to credit unions as she is a member of the recently formed credit union in Ramsbottom.
6. The following members declared Personal Interests in questions relating to Unite the Union, as members of that Trade Union:-

Councillors A Audin, M Bailey, Bury, Carter, Columbine, Connolly, Fitzwalter, Frith, Isherwood, Lewis, Quinn, Shori and Simpson

C.335 MINUTES

RESOLVED:

That the minutes of the Meeting of the Council held on 3 July 2013 be signed by the Mayor as a true and correct record.

(At this stage in the proceedings Councillor Walker asked that members refrain from tweeting remarks relating to statements made by him at Council. Comments should be made in the Chamber so that he can respond.)

C.336 MAYORAL COMMUNICATIONS

The Mayor called for a short silence to mark the passing of the fire fighter, Stephen Hunt, whose funeral took place on 3 September 2013.

C.337 PUBLIC QUESTION TIME

The Mayor reported that there were no written questions from members of the public. Questions were invited from members of the public present and the following issues were raised:-

Issue	Questioner	Answered By
1. United Nations report on the impact of Benefit Changes in the UK	Mr J Mallon	Councillor Connolly

C.338 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

1. Minute CA.189 of the meeting of the Cabinet of 10 July 2013 – Treasury Management Annual Report

It was moved by Councillor John Smith and seconded by Councillor Connolly and it was

RESOLVED:

That the Treasury Management Annual Report for 2012/2013 be approved.

2. Minute CA.190 of the meeting of the Cabinet of 10 July 2013 – Risk Management Annual Report 2012/2013

It was moved by Councillor John Smith and seconded by Councillor Connolly and it was

RESOLVED:

That the Risk Management Annual Report for 2012/2013 be approved.

C.339 LEADER'S STATEMENT AND CABINET QUESTION TIME

(a) Written questions (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.	Zero Hour Contracts	Councillor Pickstone	Councillor Holt

2.	Use of "Fracking"	Councillor Hussain	Councillor Isherwood
3.	Youth Unemployment and apprenticeships	Councillor Frith	Councillor Connolly
4.	Equal Pay and disclosure of information	Councillor O'Hanlon	Councillor Connolly
5.	Video promoting democracy produced by UNITE	Councillor Caserta	Councillor Campbell
6.	"Bedroom" Tax	Councillor Simpson	Councillor Shori
7.	Road Surfacing Works	Councillor Pickstone	Councillor Isherwood
8.	Post of Deputy Police Commissioner	Councillor Walker	Councillor Connolly
9.	Working Age People on Out of Work Benefits	Councillor Cassidy	Councillor John Smith
10.	Waste Disposal Charges	Councillor O'Hanlon	Councillor Isherwood
11.	Bury Art Museum	Councillor Gunther	Councillor Lewis
12.	Reduction in Government Grant	Councillor Quinn	Councillor John Smith
13.	Motorists visiting Bury town Centre	Councillor Gartside	Councillor Isherwood
14.	Credit Union in Ramsbottom	Councillor Fitzwalter	Councillor John Smith
15.	Libraries Review	Councillor Daly	Councillor Lewis
16.	Number of Councillors	Councillor Columbine	Councillor Connolly
17.	Trade Waste Recycling	Councillor Jones	Councillor Southworth
18.	Anti social Behaviour Programmes	Councillor S Smith	Councillor Walmsley

Due to the lack of time to answer questions 11 to 18 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 under taking to make these available on the Council Web Site.

(b) Oral questions on the work of the Cabinet since the last Council meeting (without Notice)

19.	Youth Unemployment and Government Action	Councillor Gartside	Councillor Connolly
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20.	Government Grant and Regional Impact	Councillor Quinn	Councillor Lewis
21.	Diversity and Equality	Councillor James	Councillor Connolly
22.	Public Convenience Closures	Councillor Bevan	Councillor Connolly
23.	Whitefield Town Hall	Councillor Caserta	Councillor Connolly
24.	Libraries Review and current provision and staffing levels	Councillors Daly and Hankey	Councillor Lewis
25.	Services in Prestwich Library	Councillor O'Hanlon	Councillor Lewis
26.	Use of computer facilities in libraries by Benefit Claimants.	Councillor Simpson	Councillor Connolly

C.340 JOINT AUTHORITIES – REPORTS BY THE COUNCIL’S REPRESENTATIVE AND QUESTIONS

- (a) Councillor Noel Bayley, the Council’s representative, on the Committee for Greater Manchester Transport, gave a verbal report on the work of the Authority to all Members of the Council.
- (b) The following question had been received in accordance with Council Procedure Rule 11.2.

No.	Issue	Questioner	Answered by
1.	Impact on Prestwich of downgrading Broughton Fire Station	Councillor O'Hanlon	Councillor Matthews (Representative on the Greater Manchester Fire & Rescue Authority)
2.	Bus Services and "running to time."	Councillor Pickstone	Councillor Noel Bayley (Representative on the Committee for Greater Manchester Transport)
3.	Costs associated with the smart travel card.	Councillor O'Hanlon	Councillor Noel Bayley (Representative on the Committee for Greater Manchester Transport)
4.	Ring and Ride Service operated by GMATL	Councillor Pickstone	Councillor Noel Bayley (Representative on the Committee for Greater Manchester Transport)

Due to lack of time to answer question 4 it was agreed that this would be circulated following the meeting.

C.341 HEALTH AND WELLBEING BOARD – CONSTITUTION AND TERMS OF REFERENCE

A report of the Leader was submitted which sought approval to an amendment to the Terms of Reference of the constituted Health and Wellbeing Board and a change to the appointment of Chair.

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

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

“As the Health and Wellbeing Board is a Committee of the Local Authority, this Council agrees that elected representatives (in addition to the Cabinet Member for Adult Care, Health and Wellbeing and Housing) should have a decision making role on the Board.”

Proposal:-

Paragraph 2 – Membership

To delete as a core voting member the Deputy Cabinet Member, Adult Care, Health and Wellbeing and Housing and replace with three elected Councillors to be appointed on the basis of the political composition of the Local Authority as a whole.”

The amendment on being put with 13 voting for, 32 against and one abstention was declared lost.

The substantive motion on being put with 32 voting for, none against and 14 abstentions was declared carried and it was

RESOLVED:

1. That the Terms of Reference of the Health and Wellbeing Board be amended by the inclusion of the following paragraph, whereby meetings no longer need to be chaired by a representative from the GP Clinical Commissioning Group:-.

“The meeting will be chaired by a Member of the Health and Wellbeing Board duly appointed by the Council. The Vice Chair will be the Executive Director, Adult Care Services. The Chair and Vice Chair would be appointed annually; the appointments would be ratified by Council. **In the absence of the Chair or Deputy Chair** – A replacement Chair will be elected for the duration of the meeting from the Core Membership.”

2. That following the resignation of the Chair, Dr Audrey Gibson, Councillor Shori be appointed as Chair of the Board for the remainder of the Municipal Year.
3. That the thanks of the Council be passed on to Dr Gibson for her commitment and support whilst acting as Chair.

C.342 NOTICES OF MOTION

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

1. AIRPORT DIVIDEND

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, K Hussain, S Nuttall, B Vincent, R Walker, J Walton, M Wiseman and Y Wright

"This Council welcomes the increased airport dividend of £400,000 as a result of the revaluation of Stansted airport. In the latest "Corporate Financial and Performance Monitoring Report April 2013-June 2013" that was approved by Cabinet on 28 August, this sum of money is being used to reduce the Council's projected overspend position.

However, assurances were given at the Cabinet meeting on 28 August that the current projected overspends can be seen as being "Cautious" at this early stage in the financial year and that departmental budgets should not overspend by the year end. Therefore, this Council resolves to:-

- 1) Cease using the increased airport dividend as a way of reducing the Council's projected overspend position
- 2) Distribute the £400,000 equally between the 6 township forums to allow them to decide how their share can be used to help fulfill local priorities."

The motion on being put with 11 voting for, 31 against and 3 abstentions was declared lost

2. CONTRIBUTION OF LARGE SUPERMARKETS TO THE LOCAL COMMUNITY

A Motion had been received and set out in the Summons in the names of Councillors Pickstone and O'Hanlon.

"Council notes the important role large retail outlets, such as supermarkets, play in the local economy.

Council further notes the importance of vibrant local towns and communities and the importance of local facilities, local shops and community spaces.

Council therefore resolves to follow the example of the Scottish Parliament, the Northern Ireland Assembly and over 60 English local authorities by submitting the following proposal to the government under the Sustainable Communities Act:

'That the Secretary of State gives Local Authorities the power to introduce a local levy of 8.5% of the rate on large retail outlets in their area with a rateable annual value not less than £500,000 and requires that the revenue from this levy be retained by the Local Authority in order to be used to improve local communities in their areas by promoting local economic activity, local services and facilities, social and community wellbeing and environmental protection.'

The Council notes that if this power was acquired it would present the opportunity to raise further revenue for the benefit of local communities, should the Council wish to use it."

It was moved by Councillor Walmsley and seconded by Councillor Isherwood as an amendment:-

DELETE:

"Council therefore resolves to follow the example of the Scottish Parliament, the Northern Ireland Assembly and over 60 English local authorities by submitting the following proposal to the government under the Sustainable Communities Act:

'That the Secretary of State gives Local Authorities the power to introduce a local levy of 8.5% of the rate on large retail outlets in their area with a rateable annual value not less than £500,000 and requires that the revenue from this levy be retained by the Local Authority in order to be used to improve

The Council notes that if this power was acquired it would present the opportunity to raise further revenue for the benefit of local communities, should the Council wish to use it."

REPLACE WITH:

"Council also recognises the vital role played by small and independent businesses in the life and economic well-being of the borough and it therefore calls on the Government to do more to support local businesses by extending the temporary doubling of small business rate relief that was introduced by the last Labour government and which the coalition is due to scrap at the end of March 2014."

The amendment on being put with 42 voting for, 2 against and one abstention was declared carried.

The substantive motion on being put was unanimously carried.

C.343 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.344 QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS

There were no written questions on the work of the outside bodies or partnerships on which the Council is represented, submitted in accordance with Council Procedure Rule 11.2.

C.345 DELEGATED DECISIONS OF COUNCIL COMMITTEES

There were no written questions asked on the delegated decisions of the Committees or Scrutiny Committee contained in the Digests of Decision No.d 2 and 3 (2013-2014).

THE WORSHIPFUL THE MAYOR

(NOTE: The meeting started at 7.00 pm and ended at 10.00 pm)

