

Minutes of: **AN ORDINARY MEETING OF THE COUNCIL**

Date of Meeting: 13 July 2016

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

Apologies from: Councillors R Cathcart, J Daly, E Fitzgerald, S Nuttall and N Parnell

Public attendance: 56 members of the public attended the meeting

C.128 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.
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. Councillor S Wright declared a personal interest in any item which related to staffing as his wife is an employee within a Bury School.
6. Councillor Quinn declared a personal interest in respect of item 8, Notices of Motion (EU Referendum) as his daughter is employed at the EU Parliament.
7. Councillor Shori declared a personal interest in any item which related to staffing as his partner is an employee of Bury Council.
8. Councillor Kelly declared a personal interest in Leader's Question Time (Q21) as an employee of the Care Quality Commission.

C.129 MINUTES

RESOLVED:

That the Minutes of the Meeting of Council held on 18 May 2016 be signed by the Mayor as a true and correct record.

C.130 MAYORAL COMMUNICATIONS

The Mayor thanked all those who attended the Mayoral Sunday Church Service.

C.131 PUBLIC QUESTION TIME

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

No	Issue	Questioner	Answered By
1.	Fracking	Ms K Leach	Councillor Shori
2.	Fracking	Mr P Jenkins	Councillor Shori
3.	Missing No Through Sign, Ebury Street	Mr S Wheeler	Councillor Shori

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

No.	Issue	Questioner	Answered By
1.	Six Town Housing Performance	Mr V Hagan	Councillor Shori
2.	Fracking	Ms J Ross	Councillor Shori
3.	Lack of grass cutting at Gypsy Brook	Ms K Delaney	Councillor Shori

C.132 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

There were no recommendations of Cabinet or Council Committees.

C.133 LEADER'S STATEMENT AND CABINET QUESTION TIME

(a) Written question (Notice given)

The Leader of the Council, Councillor Shori, 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.	Apprenticeship Scheme	Councillor Mallon	Councillor Lewis
2.	Elected Member Safety	Councillor Adams	Councillor Shori
3.	Transfer of Business Rates	Councillor Caserta	Councillor Shori
4.	2015/2016 Accounts	Councillor Cummings	Councillor Lewis
5.	Neighbourhood Working	Councillor Grimshaw	Councillor Tariq
6.	Charges for Additional Grey Bins	Councillor Kersh	Councillor Quinn
7.	Post referendum funding	Councillor Kelly	Councillor Lewis
8.	UKIP Poster	Councillor J Walker	Councillor Shori
9.	Victoria Wood	Councillor D'Albert	Councillor Shori
10.	Datong	Councillor R Walker	Councillor Shori
11.	Loss of EU Funding	Councillor O'Brien	Councillor Shori
12.	Parklife Illegal Campsite	Councillor James	Councillor Quinn
13.	Ramsbottom Library	Councillor Bevan	Councillor Walmsley
14.	Parklife Costs	Councillor James	Councillor Quinn
15.	New Housing in Prestwich	Councillor Bayley	Councillor Walmsley
16.	Safety on Kirklees Trail	Councillor Gartside	Councillor Quinn
17.	Flood Defences	Councillor Preston	Councillor Shori
18.	Academisation of Schools	Councillor Pickstone	Councillor Briggs

Due to the lack of time to answer questions 19 to 37 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.	Libraries Review	Councillor Gunther	Councillor Walmsley
2.	AGMA – 7 Day GP Services	Councillor Caserta	Councillor Shori

C.134 JOINT AUTHORITIES – REPORTS BY THE COUNCIL’S REPRESENTATIVE AND QUESTIONS

- (a) Councillor Shori, the Council’s representative on the Greater Manchester Police and Crime Panel 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.	Metrolink Delays	Councillor D’Albert	Councillor Bayley (Representative on Transport for Greater Manchester)
2.	Assumptions Around Fare Increases	Councillor Pickstone	Councillor Bayley (Representative on Transport for Greater Manchester)
3.	Impact of EU Referendum on Pension Fund	Councillor S Wright	Councillor Grimshaw (Representative on GM Pension Fund Advisory Board)
4.	Future of Recycling Following EU Referendum	Councillor Mallon	Councillor Quinn (Representative on Greater Manchester Waste Disposal Authority)

C.135 NOTICES OF MOTION

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

(i) Fracking

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

Councillors P Adams, N Bayley, J Black, S Briggs, R Cathcart, M Connolly, A Cummings, E FitzGerald, J Grimshaw, S Haroon, T Holt, M James, D

Jones, J Kelly, S Kerrison, J Lewis, A Mckay, J Mallon, A Matthews, E O'Brien, N Parnell, C Preston, A Quinn, R Shori, R Skillen, S Smith, Sarah Southworth, Susan Southworth, T Tariq, J Walker, S Walmsley and M Whitby.

It was moved by Councillor Shori and seconded by Councillor Quinn that:-

This Council acknowledges the growing public concern that unconventional gas extraction entails significant risks to the environment and to the health and wellbeing of neighbouring communities. These include, but are not limited to, earth tremors, potential air pollution, pollution of water resources and increased industrialisation of the countryside. There appears to be insufficient regulation and scrutiny of current unconventional gas extraction operations in the UK and as a consequence these operations risk irreversibly polluting fragile water courses, established nature and tourism activities.

Council further recognises that fracking may have a detrimental effect on house prices, as well as building insurance within the vicinity of fracking wells. Additionally, an investigation by Greenpeace found that many fracking licenses have been issued to companies linked to offshore tax havens, raising questions about the purported economic benefits of shale gas extraction and any potential tax benefits to the Treasury.

There is also concern that exploration and extraction of fossil fuels by unconventional means can undermine investment in a safe and secure renewable energy future. The Conservative Government have been diverting incentives and investment away from renewable energy sources, while at the same time encouraging and supporting non-renewables such as fracking.

It is the duty of the Council to protect the health and wellbeing of residents and the integrity of our natural environment and to play its part in supporting sustainable energy for future generations. Bury Council has already demonstrated a commitment to providing clean, green energy and in accordance with this commitment:

- i) Council will not allow any exploratory drilling, fracking or coal-bed extraction on land it owns or controls.
- (ii) Whilst this Council is unable to introduce planning policies seeking a presumption against fracking because of national planning policy introduced by Central Government, the Council will nevertheless ensure in accordance with the law that there is a rigorous criteria for assessing planning applications for the exploration or extraction of gas, including the practice commonly known as fracking. Planning applications will be assessed against appropriate planning policies and relevant material planning considerations to ensure that any such application is considered in appropriate detail. Council will oppose strongly any attempt to weaken or override its powers as a planning authority when considering any applications for fracking.
- (iii) Council agrees to consult with local communities on any planning applications related to fracking received for their area.
- (iv) Council aims to take steps within its statutory powers to work to harness the abundant sustainable and renewable energy resources available locally such as wind and river weirs, and aims to work towards becoming fossil-free by 2025.

Furthermore, in line with the Paris Agreement 2015, we call on the Secretary of State for Energy & Climate Change to reconsider the Government's reversal of the scrapping of clean energy subsidies, to reintroduce rules on zero-carbon housing and tax incentives on 'green' cars and to reinstate the energy efficiency budget, increasing investment in renewables in a bid to reduce our carbon emissions.

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

RETAIN:- This Council acknowledges the growing public concern that unconventional gas extraction [**Insert 'Proportedly'**] entails significant risks to the environment and to the health and wellbeing of neighbouring communities. These include, but are not limited to, earth tremors, potential air pollution, pollution of water resources and increased industrialisation of the countryside. There appears to be insufficient regulation and scrutiny of current unconventional gas extraction operations in the UK and as a consequence these operations risk irreversibly polluting fragile water courses, established nature and tourism activities.

Council further recognises that fracking may have a detrimental effect on house prices, as well as building insurance within the vicinity of fracking wells.

DELETE:- Additionally, an investigation by Greenpeace found that many fracking licenses have been issued to companies linked to offshore tax havens, raising questions about the purported economic benefits of shale gas extraction and any potential tax benefits to the Treasury.

There is also concern that exploration and extraction of fossil fuels by unconventional means can undermine investment in a safe and secure renewable energy future. The Conservative Government have been diverting incentives and investment away from renewable energy sources, while at the same time encouraging and supporting non-renewables such as fracking.

RETAIN:- It is the duty of the Council to protect the health and wellbeing of residents and the integrity of our natural environment and to play its part in supporting sustainable energy for future generations. Bury Council has already demonstrated a commitment to providing clean, green energy and in accordance with this commitment:

i) Council will not allow any exploratory drilling, fracking or coal-bed extraction on land it owns or controls **ADD:- until all the aforementioned safety concerns have been satisfactorily addressed.**

(ii) Whilst this Council is unable to introduce planning policies seeking a presumption against fracking because of national planning policy introduced by Central Government, the Council will nevertheless ensure in accordance with the law that there is a rigorous criteria for assessing planning applications for the exploration or extraction of gas, including the practice commonly known as fracking. Planning applications will be assessed against appropriate planning policies and relevant material planning considerations to ensure that any such application is considered in appropriate detail. Council will oppose strongly any attempt to weaken or override its powers as a planning authority when considering any applications for fracking.

(iii) Council agrees to consult with local communities on any planning applications related to fracking received for their area.

DELETE (iv) Council aims to take steps within its statutory powers to work to harness the abundant sustainable and renewable energy resources available locally such as wind and river weirs and aims to work towards becoming fossil-free by 2025.

REPLACE WITH (iv) Council aims to take steps within its statutory powers to work to harness the abundant sustainable and renewable energy resources available locally such as river weirs.

DELETE:- Furthermore, in line with the Paris Agreement 2015, we call on the Secretary of State for Energy & Climate Change to reconsider the Government's reversal of the scrapping of clean energy subsidies, to reintroduce rules on zero-carbon housing and tax incentives on 'green' cars and to reinstate the energy efficiency budget, increasing investment in renewables in a bid to reduce our carbon emissions.

REPLACE WITH:- Furthermore, in line with the Paris Agreement 2015, we welcome the Government's continued tax incentives on 'Green Cars' and investment in renewables in a bid to reduce our carbon emissions. We also welcome the Government's scrapping of clean energy subsidies for on-shore Wind Turbines and note that taxpayer funded subsidies should only be a short-term measure whilst long term reductions in renewable's technology prices is a more effective business model in helping to achieve a 'Green Economy'.

The amendment was put to the vote and with 14 voting for, 32 against with the Mayor abstaining was declared lost.

Prior to the vote on the 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 motion:

Councillors P Adams, N Bayley, J Black, S Briggs, A Cummings, M D'Albert, J Grimshaw, S Haroon, T Holt, M James, D Jones, J Kelly, S Kerrison, J Lewis, A McKay, J Mallon, A Matthews, E O'Brien, T Pickstone, C Preston, A Quinn, R Shori, R Skillen, S Smith, Sarah Southworth, Susan Southworth, T Tariq, J Walker, S Walmsley, M Whitby and S Wright

Against the motion:

Abstaining from the motion:

Councillors I Bevan, R Caserta, I Gartside, D Gunther, M Hankey, J Harris, R Hodgkinson, K Hussain, G Keeley, O Kersh, I Schofield, D Silbiger, R Walker, Y Wright and the Worshipful the Mayor

The Mayor declared the motion carried.

(ii) EU Referendum

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, O Kersh, I Schofield, D Silbiger, S Nuttall, R Walker, and Y Wright

It was moved by Councillor Kersh and seconded by Councillor Gartside that:-

This Council notes the views of the people in our Borough, who by a clear and decisive majority expressed their wish to leave the European Union institution at the national referendum held on the 23rd June 2016.

This Council will therefore respect the views of all of the Bury electorate who participated in the referendum and gave their views. However, this Council will resolve to work together on a cross party basis with the Government to make the transition to life outside the EU institution as smooth as possible.

We also need to ensure that we keep a strong and positive relationship with our European neighbours and in particular with the towns of Angouleme, Schorndorf and Tulle who are our European twinning partners.

It was moved by Councillor Lewis and seconded by Councillor Pickstone as an amendment as follows:-

Delete last line of Conservative motion and insert -

However, the decision to leave the EU is likely to have serious consequences, many of them unknown as yet. For Bury the immediate consequences locally, and actions needed, are threefold -

1. This council is aware that there may be serious consequences for local businesses trading within Europe. We are very concerned about the effect on local employment, the impact on both trade and tourism and we are already aware of contracts that have been cancelled or put on hold. We will work to support the local economy where we can, with a commitment to examine ways to further support local businesses where possible as events unfold.
2. We have already seen an alarming rise in the number of hate incidents across the country. The sad and unnecessary death of Jo Cox MP being the most stark and devastating of crimes, and this council wishes to record its sadness and anger at this outrageous crime.

In Bury we have a good track record on community cohesion, and we will continue to work hard with our local communities to ensure that good community relations are maintained and enhanced. We will also liaise with other agencies to try and ensure that community safety and protection is paramount, so that all residents, irrespective of nationality or race feel safe.

3. The impact on council income of the referendum outcome through any resulting emergency budget, the effect on the local economy, the potential rise in interest rates and the effect on both council and staff pension scheme investments, will need to be watched closely. Any further reduction in income will once again affect the services we are able to offer residents. Furthermore, the stated government desire to make councils self-sustaining by 2020 may prove even more difficult to achieve in a potentially worsening economic climate.

Additionally, we also need to ensure that we keep a strong and positive relationship with our European neighbours and in particular with the towns of Angouleme, Schorndorf and Tulle who are our European twinning partners.

This council pledges to do all it can, with the resources available, to support our residents, communities, and businesses through the difficult process of exiting the European Union.

On being put, with 32 voting for, 12 against, with 3 abstentions, including the Mayor, the Mayor declared the amendment carried.

On being put, with 32 voting for, 12 against, with 3 abstentions, including the Mayor, the Mayor declared the substantive motion carried.

(iii) Hate Crime and Tolerance

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

Councillors M D'Albert, T Pickstone and S Wright

It was moved by Councillor Pickstone and seconded by Councillor Tariq that:-

This Council notes with concern the increase in hate crime (57% increase by 27 June 2016) following the outcome of the EU Referendum.

Council restates that we are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country.

Council condemns racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

Council reassures all people living in Bury that they are valued members of our community.

Council resolves to work to ensure local bodies and programmes as needed to fight and prevent racism and xenophobia.

On being put, with no-one voting against the Mayor declared the motion carried.

The Mayor called upon the Leader to move the Closure Motion in accordance with Council Procedure Rule 9

RESOLVED:

That the whole of the remaining business before Council be approved.

THE WORSHIPFUL THE MAYOR

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

- NOTE:**
- There were no scrutiny review reports or specific items called in by the Overview and Scrutiny Committee
 - There were no questions on the work of Outside Bodies or Questions on the Delegated Decisions of the Council.

The following report was duly approved following the Closure Motion:

Quarterly Report on Special Urgency Decisions