

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

Date of Meeting: 11 April 2018

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

Apologies from: Councillors I Bevan, R A Caserta, R Cathcart, D Jones, A McKay, G Keeley, Sarah Southworth and S Wright

Public attendance: 15 members of the public attended the meeting

C.001 DECLARATIONS OF INTEREST

1. Councillor Mallon declared a personal interest in any item which related to staffing as his wife is an employee within a Bury High School. Councillor Mallon further declared a personal interest in respect of the Notice of Motion relating to deaths and burials as he owns a plot of land within a Bury Cemetery.
2. Councillors Shori and Pickstone declared personal interests in relation to Item 6, Leader's Question Time as their partners' work for the NHS.
3. Councillor Hussain declared a personal interest in respect of the Notice of Motion relating to deaths and burials as he owns a plot of land within a Bury Cemetery.
4. Councillor Daly declared a personal interest in respect of question 11 (Item 6, Leader's Question Time) as a Partner in a firm of Solicitors who own a car parking plot in Bury.
5. Councillor Quinn declared a personal interest in Item 6, Leader's Question Time, as his son and daughter are employed by the NHS.
6. Councillors Leach and Simpson declared a personal interest in Item 6, Leader's Question Time, as NHS employees.
7. Councillor Kelly declared a personal interest in respect of question 3 (Item 6, Leader's Question Time) as an employee of the Care Quality Commission.

C.002 MINUTES

RESOLVED:

That the Minutes of the Meetings of Council held on 21 February 2018 be signed by the Mayor as a true and correct record.

C.003 MAYORAL COMMUNICATIONS

The Mayor paid tribute to Councillors Adams, Bevan and Kerrison who are not seeking re-election in May.

The Mayor thanked the staff and organisers involved in the Bury Pride event.

The Mayor reminded Members that the Gallipoli Service would be held on 29 April at the Parish Church.

The Mayor informed Council that a response had been received from the Pensions Minister in respect of the Council Motion passed in November, relating to State Pension Arrangements.

C.004 PUBLIC QUESTION TIME

The Mayor reported the receipt of two written questions as follows:-

No.	Issue	Questioner	Answered By
1.	Bury Pride	Ms N Franklin	Councillor Shori
2.	Highway Funding	Mr A McCaul	Councillor Shori

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

No.	Issue	Questioner	Answered By
1.	Burial Arrangements	Mr Ali	Councillor Shori
2.	Housing issues, St Stephens Close	Mr Hagan	Councillor Shori
3.	Landlord standards	Mr Sinha	Councillor Shori
4.	Double Yellow Lines – Unsworth area	Mr Rafiq	Councillor Shori

C.005 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

Meeting of the Cabinet held on 31 January 2018 – Mayoralty 2018/2019

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

RESOLVED:

That Council note that Councillor Jane Black has been proposed as Mayor of Bury for 2018/19

Meeting of the Human Resources and Appeals Panel held on 8 March 2018 – Pay Policy Statement 2018/2019

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

RESOLVED:

That the Pay Policy Statement for 2018/19 be approved.

C.006 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.	Congestion and Air Quality Plans	Councillor Nuttall	Councillor Quinn
2.	Bury CCG Funding	Councillor Black	Councillor Simpson
3.	Care Home Standards	Councillor Leach	Councillor Simpson
4.	Former Police Station	Councillor R E Walker	Councillor Shori
5.	Fairfield Hospital Performance	Councillor Adams	Councillor Simpson
6.	Chair of Bury CCG	Councillor Preston	Councillor Simpson
7.	Special Educational Needs provision	Councillor Pickstone	Councillor Briggs
8.	Ramsbottom Chocolate Festival	Councillor Hodgkinson	Councillor Shori
9.	Illegal Importation of Puppies	Councillor Black	Councillor Kelly
10.	Broadband Provision	Councillor Lewis	Councillor Kelly

11.	Workplace Parking Levy	Councillor Nuttall	Councillor Quinn
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Due to the lack of time to answer questions 11 to 29 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.	Walshaw Sports Club Funding	Councillor Gartside	Councillor Shori
2.	Air Quality – Green Belt	Councillor Harris	Councillor Quinn
3.	Trans Visibility Day	Councillor Walmsley	Councillor Shori
4.	Peachment Place	Councillor R E Walker	Councillor Kelly
5.	Access to Planning Officers	Councillor Daly	Councillor Shori

C.007 MEETINGS TIMETABLE 2018/2019

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

RESOLVED:

That the Meetings Timetable for 2018/2019 be approved.

C.008 JOINT AUTHORITIES – REPORTS BY THE COUNCIL'S REPRESENTATIVE AND QUESTIONS

- (a) Councillor Grimshaw, the Council's representative on the Greater Manchester Fire Authority reported 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.	First Bus	Councillor Walmsley	Councillor Bayley (Representative on Transport for Greater Manchester)
2.	Escalator Bury Interchange	Councillor R E Walker	Councillor Bayley (Representative on Transport for Greater Manchester)
3.	Metrolink – Northern	Councillor Pickstone	Councillor Bayley

	Terminus		(Representative on Transport for Greater Manchester)
4.	Investment in Aramco	Councillor Pickstone	Councillor Grimshaw (Representative on GM Pension Board)

C.009 NOTICES OF MOTION

(i) Our Tax, Our Roads: Vehicle Excise Duty Raised In Bury Should Be Spent In Bury

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, A Cummings, E FitzGerald, J Grimshaw, S Haroon, T Holt, M James, D Jones, J Kelly, S Kerrison, K Leach, J Lewis, A Mckay, J Mallon, E O'Brien, C Preston, A Quinn, R Shori, A Simpson, R Skillen, S Smith, Sarah Southworth, Susan Southworth, T Tariq, J Walker, S Walmsley and M Whitby.

It was moved by Councillor J Walker and seconded by Councillor Quinn that:

This Council welcomes the commitment by Bury Labour last year to invest £10m on Bury's highway network, including £1.5m for pothole repairs. Work is now underway in fulfilling that commitment; the first element of the project being in Ramsbottom.

Despite this much needed investment in Bury's roads, the Council also recognises that due to an ageing road asset and chronic underfunding by successive Conservative governments, further significant investment would be needed to maintain and improve our highways network.

This Council Notes:

- That the Bury Local Plan Transport Topic Paper published in August 2017, shows that Bury has 660km of road consisting of approximately:

21km Motorway;
55km of A road;
33km of B road;
38km of other classified road;
540km of unclassified road.

- That due to underfunding by successive Conservative governments, the Highway Maintenance Strategy shows the current depreciation of Bury's carriageways and footways stands at around £75m and that over £6m per year would be needed in order to maintain Bury's roads at their current level.

- That Bury has over 110,000 registered vehicles which is steadily increasing (10,000 more cars licensed in the last 5yrs) and that a report published by New Economy estimates that the Government receives over £18,000,000 per year in Vehicle Excise Duty (formally known as Road Tax) from vehicles registered in Bury (Bury Residents).
- That Bury Council only receives around a total of £2m annually from the Department of Transport to maintain transport assets; this includes Carriageways, Footways, Highways Structures, Lighting Columns and Public Rights of Way.
- That Bury will need to fund the replacement of older, concrete street lights at a cost of £5m.
- That the difference from what the Government receives in Vehicle Excise Duty and what Bury Council receives in funding from the Department for Transport is significantly different and unfair to the residents of this town.

This Council Resolves to:

Ask the Interim Chief Executive and the Leader of the Council to write to the Department of Transport to ask the Government to allow Bury Council to spend the Vehicle Excise Duty raises from vehicles registered in Bury on our highway network. This would allow the Council to:

- Spend heavily in bringing the road assets in Bury up to a good standard that residents deserve;
- Invest in new schemes to tackle congestion;
- Invest further in green transport schemes in order to reduce our environmental footprint and in line with the Mayor of Greater Manchester's plan to make Greater Manchester the Greenest City Region in the UK.

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

Delete first 2 paragraphs and replace with:

***This Council welcomes the commitment of all political parties in the Borough to increase investment in Bury's highway network.
This Council recognises that significant and further investment is needed to maintain and improve our highways network.***

This Council Notes (bullet point 2)

Delete "That due to underfunding by successive Conservative governments"

This Council Notes (bullet point 4)

Add after "Public Rights of Way, ***"together with significant extra grants in recent years from central government to fix potholes."***

In the section this Council Resolves to **ADD**

- ***Recognise that the current Bury Labour proposal to invest £10 million over 3 financial years is simply insufficient to address the immediate problem of the appalling state of many of the Borough's roads.***

Support the Bury Conservatives proposal to invest a minimum of £25 million in Bury's road network over the next 4 years, recognising that the Bury Conservatives proposal includes significant income generation during the same period to ensure investment in our highway network is sustainable.

On being put, with 11 voting for and 27 voting against and 3 abstaining including the Mayor, the Mayor declared the amendment lost.

On being put, with 40 voting for, 0 voting against, and with the Mayor abstaining, the Mayor declared the motion carried.

(ii) Deaths and Burials in the Borough

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

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

This Council notes that Bury is comprised of diverse communities including faith based communities. Moreover, the Council notes that Jewish, Christian, Muslim, Hindu, Sikh and all faith Communities play an important role in the life of the Borough.

Furthermore, the Council notes that faith based communities deal with burials in ways that are sensitive to requirements of their specific faith and religion. The Council notes its role and responsibility in discharging the pre-burial and post-burial processes for faith based communities.

Whilst it is acknowledged that policy documents dealing with religiously sensitive burials exist – tremendous problems still continue to persist: -

1. There is a lack of knowledge and sensitivity about Jewish and Muslim deaths and burials.
2. There is no holistic (multi-agency) approach in dealing with pre and post burial processes for Jewish and Muslim burials.
3. The responsibility of dealing with the entire burial process is placed with members of the deceased's family – at a time when those family members are in the early stages of the grieving process.
4. Time restrictions on providing notification to Bury Council's Registrar Department and Cemetery Services often cause delays in the burial process thus causing immense frustration and animosity about the 'rigid system' which is then perceived as being 'insensitive'.
5. The 99 Year Right of Burial Rule implemented by Bury Council is insensitive to the Religious Beliefs of the Jewish and Muslim Communities in Bury and needs to be reviewed urgently.

In order to resolve these problems, Bury Council will take the following actions with immediate effect: -

1. Create a Multi-agency Advisory Panel consisting of representatives from members of the public, HM Coroner, Bury Police, Bury Council, Bury CCG, Religious Scholars, GP Surgeries, Mortuary Services, Elected Members, and a representative from Jewish, Christian, Muslim and other faith Funeral Service Providers.
2. Review the existing Bury Council policies on Jewish and Muslim Burials by benchmarking its policies and activities with other local authorities that have significant Jewish and Muslim Communities.
3. Training and Development be provided to relevant Bury Council Staff on the 'Religious Sensitivities surrounding Deaths & Burials' including visits to places of worship.
4. Provide a 24/7 One Point of Contact for Dealing with Deaths & Burials in the Borough.
5. An urgent independent review is undertaken of Bury Council's burial costs as compared to other AGMA Authorities, and the issue of water seepage into existing graves.

On being put, with 40 voting for, 0 voting against, and with the Mayor abstaining, the Mayor declared the motion carried.

(iii) Tax Avoidance

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 D'Albert that:-

Council notes that:

- 1 Corporate tax evasion and avoidance are having a damaging impact on the world's poorest countries, to such a level that it is costing them far more than they receive in aid.
- 2 This is costing the UK as much as £30bn a year.
- 3 This practice also has a negative effect on small and medium-sized companies who pay more tax proportionately.

Council further notes:

- 1 That the UK Government has taken steps to tackle the issue of tax avoidance and evasion by issuing Procurement Policy Note 03/14, applying to all central government contracts worth more than £5m.
- 2 The availability of independent means of verifying tax compliance, such as the Fair Tax Mark.

Council therefore resolves to play its part in reducing tax avoidance.

Council resolves that the Cabinet will receive a report within the next twelve months:

1 Looking how we can reform our procurement procedures and how these can be amended to require all companies bidding for council contracts to self-certify that they are fully tax-compliant in line with central government practice, this to apply to all contracts within practical limits.

2 How we can work with local government partners both in Greater Manchester and in our procurement partnerships to use procurement to reduce tax avoidance.

On being put, with 44 voting for, 0 voting against, and with the Mayor abstaining, the Mayor declared the motion carried.

C.010 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.011 QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS

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

C.012 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 Decision 5 (2017/18).

THE WORSHIPFUL THE MAYOR

NOTE: The meeting started at 7.00 pm and ended at 10pm