

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

Date of Meeting: 10 July 2019

Present: The Worshipful the Mayor (Councillor T Holt), in the Chair; Councillors J Black, R A Caserta, R Cathcart, P Cropper, C Cummins, J Daly, I Gartside, R Gold, J Grimshaw, D L Gunther, S Haroon, J Harris, M Hayes, K Hussain, D Jones, N Jones, G Keeley, K Leach, G McGill, A McKay, J Mason, C Morris, B Mortenson, S Nuttall, E O'Brien, T D Pickstone, M Powell, A Quinn, T Rafiq, I Schofield, R Shori, D Silbiger, Sarah Southworth, Susan Southworth, L Smith, S Smith, T Tariq, C Tegolo, K Thomas, R E Walker, S Walmsley, M Whitby, S Wright and Y Wright.

Apologies from: Councillors K S Briggs, A J Cummings, S Hurst, O Kersh, A Simpson and C Walsh

Public attendance: 46 members of the public attended the meeting

C.53 DECLARATIONS OF INTEREST

1. Councillor S Wright declared a personal interest in any matter relating to staffing as his wife is employed in a Bury School.
2. Councillors Daly, Gartside, Harris, N Jones and Y Wright declared personal interests in relation to Item 6, Leader's Question Time, as they are Members of the campaign group Bury Folk.
3. Councillor McGill declared a personal interest in respect of Item 10, Notice of Motion relating to Education, as his wife is an officer in a national education trade union.
4. Councillor Leach declared a personal interest in Item 7, Integrating Health and Care – Bury One Commissioning Organisation, as she is employed by the NHS.
5. Councillor L Smith declared a personal interest in Item 7, Integrating Health and Care – Bury One Commissioning Organisation, as her partner is employed by the NHS.
6. Councillor Mason declared a personal interests in relation to Item 6, Leader's Question Time, as Chair of Save Manchester Green Belt.
7. Councillor Morris declared a personal interest in relation to Item 9 Joint Authorities Report, as her partner is employed by Transport for Greater Manchester.

C.54 MINUTES

RESOLVED:

That the Minutes of the Meeting of Council held on 15 May 2019 be signed by the Mayor as a true and correct record.

C.55 MAYORAL COMMUNICATIONS

The Mayor welcomed Councillors Cummins, Gold, Hurst, Mason, Morris, Mortenson, Powell, Tegolo and Walsh to their first meeting of the Full Council.

The Mayor congratulated Nicola Schindler, Richard Searling and Janet Wood following their recognition in the Queens Honours list.

The Mayor thanked all those who attended the Mayoral Sunday Service held at the Guardian Angles.

Members stood in silent tribute to Lily Reid, a Freeman of the Borough, and local news reporter Jonathon Ali, who had recently passed away.

C.56 PUBLIC QUESTION TIME

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

No.	Issue	Questioner	Answered By
1.	Close Park	Ms C Birchmore	Councillor Quinn
2.	Housing Plan GMSF	Mr S Cluer	Councillor O'Brien
3.	Mosses Centre	Ms S Simmonds	Councillor Shori
4.	Mosses Centre	Mr P Adams	Councillor O'Brien
5.	Air Pollution	Ms C Allen	Councillor Quinn
6.	Glyphosate	Ms R Getcliffe	Councillor Quinn
7.	GMSF	Mr C Russell	Councillor Shori

C.57 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

Meeting of the Cabinet held on 25 June 2019 – Treasury Management Annual Report 2018/19

It was moved by Councillor O'Brien and seconded by Councillor Shori and it was:-

RESOLVED:

That, in accordance with CIPFA's Code of Conduct on Treasury Management, the report be noted.

C.58 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.	Chamberhall	Councillor Harris	Councillor Shori
2.	Flood Defences	Councillor Cathcart	Councillor Shori
3.	Children's Safeguarding	Councillor Susan Southworth	Councillor Tariq
4.	Senior Management Recruitment	Councillor N Jones	Councillor Black
5.	Council Funding Cuts	Councillor McGill	Councillor O'Brien
6.	SEND Inspection	Councillor Whitby	Councillor Tariq
7.	GMSF Trees	Councillor Cropper	Councillor O'Brien
8.	School Attendance	Councillor Pickstone	Councillor Tariq
9.	Playing Pitch Strategy	Councillor Mortenson	Councillor Quinn
10.	Community Safety	Councillor Whitby	Councillor Gold
11.	Senior Recruitment Process	Councillor Gunther	Councillor Tariq
12.	Care Standards	Councillor Cummins	Councillor Shori
13.	Young People's Aspirations	Councillor S Smith	Councillor Tariq
14.	Traffic – New Housing Developments	Councillor Harris	Councillor O'Brien
15.	Environmental Schools Conference	Councillor Gold	Councillor Quinn

16.	Brexit Preparations	Councillor Tegolo	Councillor O'Brien
17.	Uncollected Council Tax	Councillor Gunther	Councillor O'Brien
18.	Homeless Initiative	Councillor Hayes	Councillor O'Brien

Due to the lack of time to answer questions 19 to 33 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.	Istanbul Restaurant Sale	Councillor Daly	Councillor Shori
2.	Taxi MOT Station	Councillor Hussain	Councillor Shori
3.	Prestwich Regeneration Funding Bid	Councillor Pickstone	Councillor Shori
4.	Non-Disclosure Agreements	Councillor N Jones	Councillor Shori
5.	Council Owned Property in St Anne's	Councillor S Wright	Councillor Shori
6.	Istanbul Restaurant/Regeneration of Prestwich	Councillor Tegolo	Councillor Shori
7.	Non-Disclosure Agreements	Councillor Caserta	Councillor Shori
8.	No Deal Brexit	Councillor Quinn	Councillor Shori

C.59 INTEGRATING HEALTH AND CARE – BURY ONE COMMISSIONING ORGANISATION

It was moved by Councillor Shori and seconded by Councillor D Jones and it was:-

RESOLVED:

That the Council as a core statutory partner with NHS Bury Clinical Commissioning Board:

- 1) Agrees the proposed strategic approach and framework described in this report;
- 2) Agrees that a Strategic Commissioning Board will be established as a Joint Committee with delegated functions, to operate from 1 October 2019
- 3) Authorises the Council Solicitor to make the necessary amendments to the Constitution to enable implementation of the arrangements.

C.60 REVIEW OF AGMA CONSTITUTION

It was moved by Councillor Shori and seconded by Councillor D Jones and it was:-

RESOLVED:

That the revised Constitution be adopted.

C.61 JOINT AUTHORITIES – REPORTS BY THE COUNCIL’S REPRESENTATIVE AND QUESTIONS

- (a) Councillor Shori, the Council’s representative on the Greater Manchester Transport 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.	Community Policing Teams	Councillor S Wright	Councillor Gold (Deputy Cabinet Member for Communities)
2.	Police Incidents on Metrolink	Councillor S Wright	Councillor Gold (Deputy Cabinet Member for Communities)
3.	Plastics in Residual Waste Stream	Councillor Pickstone	Councillor Quinn (Representative on GM Waste Authority)
4.	Virridor Laing Contract	Councillor S Wright	Councillor Quinn (Representative on GM Waste Authority)
5	Metrolink Ticket Revenue	Councillor Pickstone	Councillor Shori (Representative on Transport for Greater Manchester)
6.	GM Transport Funding	Councillor Walmsley	Councillor Shori (Representative on Transport for Greater Manchester)

C.62 ELECTION OF COUNCIL LEADER

Councillor Shori formally notified the Council of his intention to step down as Leader of the Council with immediate effect, necessitating Council to elect a new Leader.

It was moved by Councillor Shori and seconded by Councillor Cummins that:

Councillor David Jones be appointed as Leader of the Council.

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 J Black, R Cathcart, C Cummins, R Gold, J Grimshaw, S Haroon, M Hayes, D Jones, K Leach, G McGill, C Morris, B Mortenson, E O'Brien, A Quinn, T Rafiq, R Shori, Sarah Southworth, Susan Southworth, L Smith, S Smith, T Tariq, K Thomas and M Whitby.

Against the motion:

R A Caserta, P Cropper, J Daly, I Gartside, D L Gunther, J Harris, K Hussain, N Jones, G Keeley, S Nuttall, I Schofield, D Silbiger, R E Walker and Y Wright.

Abstaining from the motion:

The Worshipful the Mayor, Councillors McKay, Mason, Powell, Tegolo, Pickstone and S Wright.

The Mayor declared the motion carried.

(Note: This item, which did not appear on the Summons for the Meeting, was allowed by the Mayor to be considered as a matter of urgency due to the constitutional requirement for the Full Council to elect a Leader).

C.63 NOTICES OF MOTION

Education in Bury

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

Councillors R Caserta, P Cropper, J Daly, I Gartside, D Gunther, J Harris, S Hurst, K Hussain, N Jones, G Keeley, O Kersh, S Nuttall, I Schofield, D Silbiger, R Walker, and Y Wright

It was moved by Councillor Daly and seconded by Councillor Caserta that:-

This Council Notes:

The hard work and dedication of school leaders, governors, teachers, support staff and all professionals working within the education sector in the Metropolitan Borough of Bury.

That many schools within Bury are delivering good educational provision to our children and teachers are working tirelessly to achieve this.

However, Council is alarmed by the declining educational and behavioural standards at a number of schools within the Borough. In 2007 Bury's schools were ranked 45th out of 148 Local Authorities in the 5ACEM indicator and 3rd in Greater Manchester, however in 2017 Ofsted ranked Bury 141st out of a 162 Local Authorities and 21st out

of 23 in the North West. In 2017 21.6 % pupils attended an RI / Inadequate school and the situation is getting worst.

A recent OFSTED Inspection of a High School within the Borough found it was "failing to give it's pupils an acceptable standard of education." Council is concerned that such comments highlight a wider problem with educational standards, especially within our High Schools. Furthermore it is inexcusable that a recent OFSTED report found that children with special educational needs and disabilities were being let down by Bury Council.

Council believes that the ruling Labour Group, in power since 2010 have let down children and families within our Borough by allowing such a deterioration in educational standards. It is inexcusable that we do not have a full-time Assistant Director of Education in place with a plan to drive up standards and the lack of leadership from Bury MBC over many years on this issue is shameful. How can it be the case that other comparable Local Authorities, whose schools have been funded in the same manner as Bury have seen educational standards rise whilst they have plummeted in many schools within our Borough.

Council therefore instructs:

1. The Interim Assistant Director of Education to provide a written report to all councillors by Friday 9th August 2019 to confirm what immediate steps must be taken to improve educational standards within the Borough.
2. The Interim Assistant Director of Education to provide a written report to all councillors by Friday 9th August 2019 identifying which individual schools within the Borough are failing to provide an acceptable standard of education to their pupils and highlighting what emergency steps must be taken by Bury MBC to address these problems.
3. The Chief Executive to provide a written report to all councillors by Friday 9th August 2019 amending the Budget passed by Council in February to ensure that funding be made available immediately to invest in educational support services. If money can be found to employ highly remunerated directors it can be found to support services to the most vulnerable in our Borough. That within this report the Interim Assistant Director of Education highlight the amount of money needed to assist schools in improving their educational provision.
4. That a cross-party committee of councillors be appointed to assume responsibility for overseeing the transformation of educational standards within the Borough. That this committee meet every 2 weeks and be briefed on each occasion by the Interim Assistant Director of Education as to the progress of Bury MBC's plan to drive up educational standards within many of our schools. That Council give this Committee the authority to direct the Assistant Director of Education together with others to take what steps they feel necessary to improve the educational provision at failing schools within the Borough.
5. The Interim Assistant Director of Education to appear before each sitting of the Scrutiny Committee for this municipal year to brief members on the steps being taken by Bury Council to drive up educational standards.

It was moved by Councillor Tariq and seconded by Councillor D Jones as an amendment to:-

Retain:

This Council Notes

The hard work and dedication of school leaders, governors, teachers, support staff and all professionals working within the education sector in the Metropolitan Borough of Bury.

That many schools within Bury are delivering good educational provision to our children and teachers are working tirelessly to achieve this.

Replace para's 3-5 with:

In 2007 Bury's schools were ranked 27th out of 148 Local Authorities in the 5ACEM indicator; this increased to 30th in 2011.

In 2017 Ofsted ranked Bury 75th out of 151 Local Authorities and 10th out of 23 in the North West.

It is acknowledged that performance has deteriorated in secondary schools over recent years relative to national figures, however we saw slight improvement in the new good pass in English & Maths in 2018 and we continue to be in line with the national average for the percentage of pupils in sustained education, employment and training.

There has been a decline in Ofsted inspections overall in Bury, with a 2% dip against the North West average in primary for the percentage of pupils in good or better schools since 2015 (when a new Ofsted Framework was introduced); in secondary the dip against the North West is 15% since 2015 however Bury was 19% above the North West in 2017. The overall dip in Bury in 2019 is due to the performance in secondary schools.

The SEND inspection was an inspection of the Local Area rather than the Council. Inspectors found that the Local Area had made sufficient progress in 5 out of 8 areas. The 3 areas in which sufficient progress had not been made were:

- Sharing of health information
- Joint Commissioning Arrangements
- Awareness of EHCP Plans by health practitioners

Primary performance has seen lifts or stability last year / performing in line with other LAs in Early Years, Year 1 Phonics and Key Stage 2. In relation to standards between 2011 and 2018, Bury has improved in all primary measures. Both primary and secondary phases have seen changes to assessment tests and indicators within this period.

Bury Performance is line with North West; in primary 3 out of 5 indicators showed improved ranking between 2012 and 2018, whilst secondary has seen a decline to 11th in the North West out of 23.

It should be noted that the School Improvement Team reduced dramatically in size at the end of 2010 when National Strategies funding ceased. The latest proposed restructure would increase the current team by 50%.

Council therefore resolves:

Amend 1. – remove “immediate”

1. The Interim Assistant Director of Education to provide a written report to all councillors by Friday 9th August 2019 to confirm what steps must be taken to improve educational standards within the Borough.

Delete 2,3

Amend 4 with bold additions and deletion of italics text follows:

4. That a **working group** of councillors be appointed to assume responsibility for overseeing the transformation of educational standards within the Borough. That this **working group** meet **termly** and be briefed on each occasion by the Interim Assistant Director of Education **& the Cabinet Member for Children and Young People** as to the progress of Bury MBC’s plan to drive up educational standards within of our schools.

That the Council give this committee the authority to direct the Assistant Director of Education together with others to take what steps they feel necessary to improve the educational provision at failing schools in the Borough

Amend 5 with bold additions as follows:

5. The **Cabinet Member for Children and Young People**, alongside the Interim Assistant Director of Education to appear before each sitting of the Scrutiny Committee for this municipal year to brief members on the steps being taken by Bury Council to drive up educational standards. **The focus of the meeting will be an agenda agreed / set by the Cabinet Member of Children and Young People.**

On being put, with 43 voting for, 0 voting against and with the Mayor abstaining, the Mayor declared the amendment carried.

On being put, with 43 voting for, 0 voting against and with the Mayor abstaining, the Mayor declared the substantive motion carried.

(ii) Climate Emergency

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

Councillors J Black, S Briggs, R Cathcart, A Cummings, C Cummins, R Gold, J Grimshaw, M Hayes, S Haroon, T Holt, D Jones, K Leach, G McGill, C Morris, B Mortenson, E O’Brien, A Quinn, T Rafiq, R Shori, A Simpson, L Smith, S Smith, Sarah Southworth, Susan Southworth, T Tariq, K Thomas, S Walmsley, C Walsh and M Whitby.

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

Bury Council welcomes the Labour-led national and Greater Manchester declarations of a Climate Emergency. This Council notes the many positive examples of progress made within in our borough, but given the scale of the challenge believes more needs to be done.

The Intergovernmental Panel on Climate Change made clear in its October 2018 Special Report that action from all parts of society is necessary, and that local governments have a responsibility to lead the way.

Unless action is taken at every level of government to do much more to drive cuts in emissions, the battle to tackle climate change will be lost. It is positive that

Government has committed the UK to become carbon neutral by 2050, but this pledge will be worthless without legislation and the necessary finance to deliver real change.

Over 600 cities in thirteen countries have already responded by declaring a Climate Emergency, and are taking action to address this emergency. These declarations are strong symbolic statements, but actions need to follow with the pace and scale of change accelerated in order to make the difference that is required.

This Council notes that:

- (i) All levels of government have a duty to bring in measures to limit the negative impacts of climate breakdown. Towns and cities cannot wait for national governments to change, they need to act now;
- (ii). City-regions like Greater Manchester are uniquely placed to bring in actions to reduce carbon emissions, as they are in many ways easier to de-carbonise than rural areas;
- (iii). The consequences of the global temperature rising above 1.5°C are so severe that preventing this from happening must be our number one priority for the years ahead;
- (iv). That many residents, including young people, are extremely concerned about climate change;
- (v). Bold local action on climate change will deliver many economic and social benefits – in terms of new green jobs, economic savings and market/commercial opportunities. It will also lead to improved health and well-being for Bury residents, for example via reducing fuel poverty and energy bills, encouraging healthy active travel and improving green spaces and access to nature.

This Council resolves:

1. To declare a Climate Emergency and aspire for Bury to be Carbon Neutral by 2038;
2. To create a cross party, stakeholder panel to develop a Climate Emergency Strategic Plan and associated Delivery Plan. The membership of this stakeholder panel should include **[but is not limited to pending further discussion]** all public sector partners, community representation and the business community; This Strategic Plan would promote both big and small changes. It would have a particular focus on reducing carbon emissions, promoting the development of renewable energy initiatives and seeking to make Bury a leader in eco – business. The ambition should be that plans to tackle climate change should be mainstreamed into the borough's plans for economic growth and those to improve population health;
3. The Stakeholder Panel should report back to Council within the next six months setting out the immediate steps the Council will take to address the Climate Change emergency, and the longer term actions that will be necessary;
4. The Council acknowledges that the public services in Bury alone cannot deliver the change that is needed and that leadership across our communities is required. On that basis, the Council will look to create Environmental Forums in each of the borough's six townships to help develop a community response to the Climate Emergency;
5. The Council will actively lobby the Government to provide the additional powers and resources needed to meet the 2038 target.

It was moved by Councillor Pickstone and seconded by Councillor S Wright as an amendment to:-

Delete:

"Bury Council welcomes the Labour-led national and Greater Manchester declarations of a Climate Emergency. This Council notes the many positive examples of progress made within in our borough, but given the scale of the challenge believes more needs to be done."

Replace with:

This Council Notes:

- 1. Humans have already caused irreversible climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO2 levels are above 400 parts per million (ppm). This far exceeds the 350 ppm deemed to be a safe level for humanity;**
- 2. In order to reduce the chance of runaway Global Warming and limit the effects of Climate Breakdown, it is imperative that we as a species reduce our CO2eq (carbon equivalent) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible;1**
- 3. Individuals cannot be expected to make this reduction on their own. Society needs to change its laws, taxation, infrastructure, etc., to make low carbon living easier and the new norm;**
- 4. Carbon emissions result from both production and consumption;**

Delete:

1. To declare a Climate Emergency and aspire for Bury to be Carbon Neutral by 2038
2. To create a cross party, stakeholder panel to develop a Climate Emergency Strategic Plan and associated Delivery Plan. The membership of this stakeholder panel should include **[but is not limited to pending further discussion]** all public sector partners, community representation and the business community; This Strategic Plan would promote both big and small changes. It would have a particular focus on reducing carbon emissions, promoting the development of renewable energy initiatives and seeking to make Bury a leader in eco – business. The ambition should be that plans to tackle climate change should be mainstreamed into the borough's plans for economic growth and those to improve population health;
3. The Stakeholder Panel should report back to Council within the next six months setting out the immediate steps the Council will take to address the Climate Change emergency, and the longer term actions that will be necessary;

Replace with:

- 1. Declare a 'Climate Emergency';**
- 2. To make the Bury Council, including statutory partners we control, carbon neutral by 2030.**
- 3. Pledge to make the Borough of Bury carbon neutral by 2030.**
- 4. Ask the Leader to make the immediate policy changes necessary to achieve these targets – including planning, land use, air pollution and transport**

5. **To create a cross party, stakeholder panel to develop a Climate Emergency Strategic Plan and associated Delivery Plan. The membership of this stakeholder panel should include public sector partners, community representation and the business community; This Strategic Plan would promote both big and small changes. It would have a particular focus on reducing carbon emissions, promoting the development of renewable energy initiatives and seeking to make Bury a leader in eco – business. The ambition should be that plans to tackle climate change should be mainstreamed into the borough’s plans for economic growth and those to improve population health;**
6. **The Stakeholder Panel should report back to Council within the next six months setting out what steps the Council will take to address the Climate Change emergency, and the longer term actions that will be necessary;**

On being put, with 43 voting for, 0 voting against and with the Mayor abstaining, the Mayor declared the amendment carried.

On being put, with 43 voting for, 0 voting against and with the Mayor abstaining, the Mayor declared the substantive motion carried.

The Mayor called upon the Leader to move the Closure Motion in accordance with Council Procedure Rule 9, and with 43 voting for, 0 against it was:-

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 10.40 pm

NOTE:

- The Notice of Motion – Fixing Fashion was duly approved.
- 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.