

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

**Date of Meeting:** 3 July 2013

**Present:** The Worshipful the Mayor (Councillor S Briggs), in the Chair; Councillors A Audin, K Audin, N Bayley, I Bevan, J Black, P Bury, G Campbell, S Carter, R A Caserta, D M Cassidy, M Connolly, J Daly, E FitzGerald, L Fitzwalter, J Frith, I B Gartside, J Grimshaw, D L Gunther, M Hankey, S Haroon, P Heneghan, T Holt, K Hussain, A Isherwood, M A James, D Jones, J S Lewis, A Matthews, S Nuttall, D O'Hanlon, N A Parnell, T D Pickstone, A Quinn, K Rothwell, R Shori, A Simpson, S Smith, J Smith, S Southworth, T Tariq, R E Walker, S Walmsley, J F Walton, M J Wiseman and Y Wright

**Apologies for Absence:** Councillors D Bailey, M Bailey, Columbine, A J Cummings and B Vincent

**Public attendance:** 13 members of the public attended the meeting

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### **C.139 BRIEFING BY THE POLICE AND CRIME COMMISSIONER FOR GREATER MANCHESTER**

Mr Tony Lloyd, the Police and Crime Commissioner for Greater Manchester, addressed Members on issues relating to his role since he assumed office in November. Mr Lloyd then invited questions from Members and addressed the following issues:-

- Violent incidents as a result of heavy drinking;
- The future of Ramsbottom Police Station;
- Appointment of Deputy Commissioner;
- Tackling gang crime;
- Dispatching Service;
- Government cuts in Police expenditure;
- Tackling cannabis misuse;
- Goals, Achievements and measuring performance.

The Mayor thanked Mr Lloyd for attending the meeting and invited him to address Members on a future occasion.

### **C.140 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 Jones declared an interest in any item which related to staffing as his wife is an employee of Bury Council.
3. Councillor Noel Bayley declared a prejudicial interest in Minute C.149(2), Notices of Motion (2), Town Centre for Parking, as he is employed as an officer with responsibility for car parking at a neighbouring local authority.

4. Councillors Walker declared a personal interest in Minute C.149(2), Town Centre Car Parking, as a regular church goer in Bury Town Centre.

#### **C.141 MINUTES**

##### **RESOLVED:**

That the minutes of the Annual Meeting of the Council held on 14 May 2013 be signed by the Mayor as a true and correct record.

#### **C.142 MAYORAL COMMUNICATIONS**

The Mayor called for a short silence to mark the passing of Fusilier Lee Rigby and Mr Ted Selby.

#### **C.143 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:-

<b>Issue</b>	<b>Questioner</b>	<b>Answered By</b>
1. Policy regarding the siting and installation of wind turbines	Mr A Walkden	Councillor Connolly
2. Support for festivals	Mr O'Brien	Councillor Connolly

#### **C.144 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES**

The Mayor reported that there were no matters for consideration under this item.

#### **C.145 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:

<b>No.</b>	<b>Issue</b>	<b>Questioner</b>	<b>Answered by (and action)</b>
1.	Zero Hours Contracts particularly in respect of care for the elderly and vulnerable in their homes	Councillor James	Councillor Shori
2.	Commissioning of NHS Services	Councillor Pickstone	Councillor Shori

3.	Involvement of Trade Unions in budget setting process	Councillor Gartside	Councillor John Smith
4.	Take up of grey bins	Councillor Jones	Councillor Isherwood
5.	Equal Pay	Councillor O'Hanlon	Councillor John Smith
6.	Children's Centre Budget	Councillor Caserta	Councillor Campbell
7.	Car Parking near schools	Councillor Heneghan	Councillor Isherwood
8.	15 minute care slots	Councillor Pickstone	Councillor Shori
9.	Mondi Paper Mill, Ramsbottom	Councillor Bevan	Councillor Isherwood
10.	"Bedroom Tax"	Councillor Simpson	Councillor John Smith
11.	Uncollected income and bad debt	Councillor O'Hanlon	Councillor John Smith
12.	Car Parking Allowances	Councillor Daly	Councillor Holt
13.	Anti Social Behaviour	Councillor FitzGerald	Councillor Walmsley
14.	20 mph Zones	Councillor Nuttall	Councillor Isherwood
15.	School Food Waste Recycling	Councillor Haroon	Councillor Isherwood
16.	Welfare Budget Cuts	Councillor Caserta	Councillor John Smith
17.	Walking Rainbow Event	Councillor Holt	Councillor Walmsley
18.	Unadopted Roads and Footpaths	Councillor Bevan	Councillor Isherwood
19.	Fair Deal for Bury	Councillor Quinn	Councillor Connolly
20.	Leisure Centre at Knowsley Place	Councillor Daly	Councillor Lewis
21.	Maternity Unit at Fairfield Hospital	Councillor Tariq	Councillor Connolly
22.	Grass Cutting in Council Parks	Councillor Nuttall	Councillor Lewis

Due to the lack of time to answer questions 8 to 22 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)**

23.	Provision of Credit Unions	Councillor Quinn	Councillor Connolly
24.	Meeting with Secretary of State for Communities and Local Government	Councillor Walker	Councillor Connolly
25.	Plan for Change Review of Libraries	Councillor Pickstone	Councillor Connolly

26	Powers to be adopted by the Secretary of State for Communities and Local Government to curb Council Tax Increases	Councillor James	Councillor Connolly
27.	Statement by Leader of Labour party relating to economy	Councillor Gartside	Councillor Connolly
28.	Anti-Social Behaviour – Spiking of drinks	Councillor Tariq	Councillor Connolly
29.	Funding for Sport for Women	Councillor Ann Audin	Councillor Connolly
30.	Support for local businesses	Councillor Daly	Councillor Connolly

**C.146 JOINT AUTHORITIES – REPORTS BY THE COUNCIL’S REPRESENTATIVE AND QUESTIONS**

- (a) Councillor Matthews, the Council’s representative, on the Greater Manchester Fire and Rescue Authority, 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.

<b>No.</b>	<b>Issue</b>	<b>Questioner</b>	<b>Answered by</b>
1.	Disposal of plastics through the residual waste stream	Councillor Pickstone	Councillor Quinn (Representative on the Greater Manchester Waste Disposal Authority)
2.	Issues relating to signalling on the Metrolink System	Councillor Pickstone	Councillor Noel Bayley (Representative on the Committee for Greater Manchester

			Transport)
3.	Implementation of smart ticketing across Greater Manchester	Councillor O'Hanlon	Councillor Noel Bayley (Representative on the Committee for Greater Manchester Transport)

### **C.147 BURY LOCAL PLAN – PUBLICATION CORE STRATEGY**

A report of the Cabinet Member for Environment was submitted which sought approval to the final Publication Core Strategy for a further six week period of statutory consultation, in order to establish stakeholder views on the content.

It was moved by Councillor Isherwood and seconded by Councillor Southworth that the report be approved.

It was moved by Councillor Gartside and seconded by Councillor Walker as an amendment that the report be approved subject to the following:-

**"1) Delete:-**

All reference to Gin Hall throughout the Core Strategy in relation to being suitable for employment land.

**2) On page 141, under paragraph 4.5.32 Delete :-**

"As such, the policy framework that seeks to protect Other Protected Open Land has not been carried forward in the Local Plan, although it should be noted that other policy constraints exist on some of these sites."

**Replace with :-**

"As such, the policy framework that seeks to protect other Protected Open Land shall be carried forward in the Local Plan, and it should be noted that other policy constraints also exist on some of these sites."

**3) On page 168 delete :-**

"Along the western boundary, north eastern boundary and north of the Irwell Valley along the M60 corridor - where there are opportunities to harness wind energy;"

**Replace with :-**

" Suitable areas in the borough where there are opportunities to harness wind energy whilst avoiding undue harm to the natural environment or amenity of residents. Such opportunities should also be consistent with all other local and national planning policies and in line with Government guidance whilst taking into consideration the wishes of the local community. Additionally, all key stakeholders should be involved in the creation of a "Wind Turbine" policy for Bury setting out acceptable separation distances of wind turbines from residential properties based upon the size of the wind turbine."

**4) On page 23 under Objective 1 delete:-**

The word "Encouraging"

**And replace with**

"Prioritising the effective use of land by reusing land that has been previously developed"

**Delete :-**

The word "limiting"

**Page 62 4.3.92 Within the other EGAs, development will only be allowed for Business (B1), General Industrial (B2) and Warehousing (B8) uses.**

**Add :-** Within the Ramsbottom EGA there may also be scope for the introduction of limited tourism-related uses where this would support the role and function of Ramsbottom town centre.

**Delete –**

Appropriate built waste management facilities may also be acceptable within any EGA identified through the Greater Manchester Joint Waste Development Plan Document.

**Page 199 – Sustainable Waste Management**

**4.5.203** "with existing and potential mineral extraction sites (i.e. at Pilsworth)"

**Add** - but not Fletcher Bank, Shuttleworth

**Page 203 – under "Improving and Managing the Borough's Environment"**

**MINERAL RESOURCES:** "Manage mineral resources at Fletcher Bank Quarry"

**Add** – "but prohibit further built development""

Prior to the vote on the amendment, in excess of the required 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, J Gartside, D Gunther, M Hankey, K Hussain, S Nuttall, R Walker, J Walton, M Wiseman and Y Wright**

Against the Amendment

**Councillors A Audin, K Audin, N Bayley, J Black, P Bury, G Campbell, S Carter, D M Cassidy, M Connolly, E FitzGerald, L Fitzwalter, J Frith, J Grimshaw, S Haroon, P Heneghan, T Holt, A Isherwood, M A James, D Jones, J S Lewis, A K Matthews, N A Parnell, A Quinn, K Rothwell, R Shori, S Smith, J Smith, S Southworth, T Tariq and S Walmsley**

Abstaining from the Vote:

**The Worshipful the Mayor, Councillors D O’Hanlon and T D Pickstone**

**The Mayor declared the Amendment lost.**

It was moved by Councillor Fitzwalter and seconded by Councillor Bury as a further amendment that the report be approved subject to the following:-

**“Page 199 – Sustainable Waste Management**

**4.5.203** “with existing and potential mineral extraction sites (i.e. at Pilsworth)”

**Add** - but not Fletcher Bank, Shuttleworth

**Page 203 – under “Improving and Managing the Borough’s Environment”**

**MINERAL RESOURCES:** “Manage mineral resources at Fletcher Bank Quarry”

**Add** – “but prohibit further built development””

The amendment on being put, with 43 voting for and three abstaining was declared carried.

The substantive motion on being put with 31 voting for and 15 abstaining was declared carried and it was:-

**RESOLVED:**

1. That the Publication Core Strategy, and the supporting documentation, together with the proposed measures outlined in this report to receive representations, be approved subject to the following amendment:-

**Page 199 – Sustainable Waste Management**

**4.5.203** “with existing and potential mineral extraction sites (i.e. at Pilsworth)”

**Add** - but not Fletcher Bank, Shuttleworth

**Page 203 – under “Improving and Managing the Borough’s Environment”**

**MINERAL RESOURCES:** “Manage mineral resources at Fletcher Bank Quarry”

**Add** – “but prohibit further built development”

2. That the Director of Communities and Neighbourhoods, in consultation with the Cabinet Member for Environment, be authorised to approve any subsequent **minor** revisions to the Core Strategy document in the light of representations received or other minor matters requiring a revision such as a change in circumstances, ahead of the Core Strategy being submitted to the Secretary of State and being subject to Examination.

A joint report of the Leader and Cabinet Member for Adult Care, Health and Housing was submitted, which presented for adoption the Health and Wellbeing Strategy.

It was moved by Councillor Shori and seconded by Councillor Black that the report and recommendations be approved.

On being put the recommendation was unanimously carried and it was:-

**RESOLVED:**

That the Joint Health and Wellbeing Strategy be adopted as part of the Council's Policy Framework, as a matter of local choice, and the Constitution be amended accordingly.

**C.149 AMENDMENTS TO THE COUNCIL CONSTITUTION – CABINET MEMBER PORTFOLIOS**

A report of the Leader was submitted which presented role descriptions for Cabinet Members and Deputy Cabinet Members.

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

On being put, with 31 voting for, 14 against and the Worshipful the Mayor abstaining, it was:-

**RESOLVED:**

1. That the revisions to the Council's Constitution as set out in this report and its appendices be approved.
2. That any further necessary consequential amendments be delegated to the Assistant Director of Legal and Democratic Services, in consultation with the Leader.

**C.149 NOTICES OF MOTION**

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

**1. Alcohol Pricing Policy**

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

**Councillors A Audin, K Audin, N Bayley, J Black, P Bury, G Campbell, S Carter, D M Cassidy, J Columbine, M Connolly, A J Cummings, E FitzGerald, L Fitzwalter, J Frith, J Grimshaw, S Haroon, P Heneghan, T Holt, A Isherwood, M A James, D Jones, J S Lewis, A K Matthews, N A Parnell, A Quinn, K Rothwell, R Shori, A Simpson, S Smith, J Smith, S Southworth, T Tariq and S Walmsley.**

"With no rationale or explanation on why the Government has decided to renege on its commitment on minimum pricing, this Council concludes that the intense lobbying from the alcohol producers has been prioritised over public health.



This Council recognises the public health benefits and reduced pressure on health and social care minimum unit pricing could bring and asks the Government to reconsider its u-turn on this policy.”

**The motion on being put with 31 voting for and 15 abstentions was declared carried**

## **2. Town Centre Car Parking**

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 appreciates the financial burdens placed on this Borough by the calamitous state of the nation’s finances created by the previous Labour Government. However, we also understand the needs of businesses in our town centre to attract shoppers and improve our local economy.

We therefore propose to allow free parking for an hour in all Council “Pay and Display” areas within our town centre. We also propose to reverse all Council Sunday car parking charges in our town centre.

The shortfall from parking income can be accommodated within the Council’s “Golden Financial Rules” by utilising on-going efficiency savings in the revenue budget.”

**The motion on being put with 12 voting for, 30 against and 3 abstentions was declared lost.**

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

The Leader moved and it was:

### **RESOLVED:**

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

## **THE WORSHIPFUL THE MAYOR**

**(NOTES:** The meeting started at 7.00 pm and ended at 10.30 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 partnerships and there were no questions relating to Regulatory or Scrutiny Committees