

Minutes of: AN ORDINARY MEETING OF THE COUNCIL

Date of Meeting: 2 April 2014

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

Apologies for Absence: Councillors A Audin and K Rothwell

Public attendance: 16 members of the public attended the meeting

C.931 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. The following members declared Personal Interests in Minute C.941(1), "Notice of Motion – Trade Union Blacklisting" as they are members of Unite the Union:-

Councillors Bury, Carter, Connolly, FitzGerald, Frith, Isherwood, Lewis, Quinn, Shori and Simpson.

4. The following members declared Personal Interests in Minute C.941(1), "Notice of Motion – Trade Union Blacklisting," as members/retired members of Trade Unions as follows:-

| | | |
|-----------------------|---|--|
| Councillor Black | - | Unison |
| Councillor Matthews | - | Unison |
| Councillor Holt | - | Communication Workers Union |
| Councillor Walton | - | Nalgo, Unison and FUMPO |
| Councillor Bayley | - | Unison |
| Councillor Jones | - | National Association of Retire Police Officers |
| Councillor Campbell | - | Unison |
| Councillor Walmsley | - | Communication Workers Union |
| Councillor K Audin | - | Unison |
| Councillor Heneghan | - | NUT |
| Councillor John Smith | - | NASUWT |
| Councillor Cassidy | - | GMB |
| Councillor James | - | Unison |
| Councillor Gartside | - | Former Member of Unite the Union |

5. Councillor Wiseman declared a Personal Interest in Minute C.941(2), "Notice of Motion – Council Tax Discount Schemes," as she is the Chief Executive Officer of a charity which relies heavily on volunteering.
6. Councillors D and M Bailey declared personal interests in Minute C937, "Leader's Statement and Cabinet Question Time," in so far as it relates to Public Health issues, as they work for BARDOC which provides services commissioned by NHS Bury CCG.
7. Councillor Walton declared a Personal Interest arising from Minutes CA.763 of the meeting the Cabinet on 5 February 2014, "Elms Bank Special High School – Provision of Additional Teaching Accommodation – Capital Project Stage Two," as his wife is Vice-Chairman of Governors at that School.
8. Councillor Parnell declared a Personal Interest arising from Minute CA.763 of the meeting of the Cabinet on 5 February 2014, "Elms Bank Special High School – Provision of Additional Teaching Accommodation – Capital Project Stage Two, as he is a Governor of that School.

C.932 MINUTES

RESOLVED:

That the minutes of the Budget Meeting of the Council held on 19 February 2014 be signed by the Mayor as a true and correct record.

C.933 RAMSBOTTOM BY-ELECTION 2014

It was reported that following the election of Councillors held on 6 March 2014 as a result of a by-election in the Ramsbottom Ward of the Metropolitan Borough, Robert Lee Hodgkinson had been duly elected.

The Mayor congratulated Councillor Hodgkinson and welcomed him to the meeting.

C.934 MAYORAL COMMUNICATIONS

1. The Mayor referred to the recent passing of former Councillor Peter Timperley and Members observed a brief silence by way of tribute.
2. The Mayor paid tribute to Councillors Ann and Ken Audin who were not seeking re-election to the Council in May 2014.
3. The Mayor referred to a recent visit to Bury's twin town in Germany, Schorndorff, and informed Members that Oberburgemeister Matthias Hopfer had passed on his best wishes.

C.935. PUBLIC QUESTION TIME

The Mayor reported that there had been two questions received as follows:-

| Issue | Questioner | Answered By |
|---|-------------------|---------------------|
| 1. Bury Library – Loss of Floor Space – Consultation on Library | Mr R Abrahamsen | Councillor Connolly |

| Provision | | |
|--|---------------|---------------------|
| 2. Bury Library – Loss of Floor Space - Membership | Mr J Connolly | Councillor Connolly |

The Mayor invited questions from members of the public present and the following issues were raised:-

| | | |
|---|-----------------|---------------------|
| 3. On line-information regarding road repairs | Mr J Mallon | Councillor Connolly |
| 4. Planning application – refusal – Anaerobic Digestion Plant | Ms S Southworth | Councillor Connolly |
| 5. Play Equipment – Openshaw Park | Mr H Reed | Councillor Connolly |

C.936 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

- (1) Minutes CA.758 of the meeting of the Cabinet on 5 February 2014 – Mayoralty 2014/2015.

It was moved by Councillor Connolly and seconded by Councillor John Smith that Councillor Wiseman be appointed Mayor of Bury for 2014/2015.

With 40 voting for, none against and 8 abstentions it was:-

RESOLVED:

That Councillor Wiseman be appointed Mayor of Bury for the Municipal Year 2014/2015.

- (2) Minute S.742 of the meeting of the Standard Committee on 4 February 2014 – Revisions to the Code of Conduct.

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

RESOLVED:

That Section 3 of the Code of Conduct for Members (General Obligations) be amended by the inclusion of the following provision:-

“3.1 You must not.....

Behave in a way that a reasonable person would regard as disrespectful.”

- (3) Minutes S.743 of the meeting of the Standards Committee on 4 February 2014 – Guide for Councillors on the use of Council Resources

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

RESOLVED:-

That the draft guidance for Councillors on the use of Council resources be approved for issue to Councillors and inclusion in the Council Constitution.

- (4) Minute 4 of Human Resources and Appeals Panel of 26 March 2014 – Pay Policy Statement.

It was moved by Councillor Connolly and seconded by Councillor John Smith that the Pay Policy Statement for 2014/2015 be approved.

With 47 voting for, none against and 2 abstaining it was:-

RESOLVED:

That the Pay Policy Statement for 2014/2015 be approved.

C.937 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 Contract Hours | Councillor Caserta | Councillor Holt |
| 2. | Condition of Roads | Councillor Southworth | Councillor Isherwood |
| 3. | Ethical Care Charter | Councillor Pickstone | Councillor Shori |
| 4. | Government Support for Road Repairs | Councillor Gunther | Councillor Isherwood |
| 5. | Fair Deal for Bury | Councillor Frith | Councillor Connolly |
| 6. | Parking in Prestwich | Councillor O'Hanlon | Councillor Isherwood |
| 7. | High Speed Broadband | Councillor Gartside | Councillor Connolly |
| 8. | Radcliffe Riverside School | Councillor Parnell | Councillor Campbell |
| 9. | Air Pollution | Councillor Pickstone | Councillor Isherwood |
| 10. | Procedures for Planning Applications | Councillor Bevan | Councillor Connolly |
| 11. | Dog Fouling | Councillor Haroon | Councillor Isherwood |
| 12. | Parking Charges in Heaton Park | Councillor O'Hanlon | Councillor Isherwood |
| 13. | Membership of the Standards | Councillor Gunther | Councillor Connolly |

| | | | |
|-----|----------------------------------|-----------------------|-----------------------|
| | Committee | | |
| 14. | A56 Bury New Road - Improvements | Councillor Black | Councillor Isherwood |
| 15. | Blocked Gullies | Councillor Tariq | Councillor Isherwood |
| 16. | Radcliffe Pool | Councillor Cummings | Councillor Lewis |
| 17. | Street Sweeping | Councillor Simpson | Councillor Isherwood |
| 18. | Recycling | Councillor James | Councillor Isherwood |
| 19. | Local Government Pension Scheme | Councillor Parnell | Councillor John Smith |
| 20. | Traffic Calming | Councillor Tariq | Councillor Isherwood |
| 21. | Community Cohesion | Councillor Haroon | Councillor Walmsley |
| 22. | Anti-social Behaviour | Councillor Jones | Councillor Walmsley |
| 23. | Healthier Radcliffe | Councillor Southworth | Councillor Shori |

Due to the lack of time to answer questions 10 to 23 inclusive, the Leader gave an undertaking that copies of those questions 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 the work of the Cabinet since the last Council meeting (without Notice)

| | | | |
|-----|---|-----------------------|----------------------|
| 24. | Corporate Financial Monitoring – Bury Core Strategy | Councillor Daly | Councillor Isherwood |
| 25. | Success of Bury companies | Councillor Quinn | Councillor Connolly |
| 26. | Sports Hall – Derby High School | Councillor Tariq | Councillor Connolly |
| 27. | Localism Act and implications for development | Councillor Fitzwalter | Councillor Isherwood |
| 28. | Wind Farm Developments | Councillor Bevan | Councillor Connolly |
| 29. | Rejected Planning Application – Anaerobic Digestion Plant | Councillor Walker | Councillor Connolly |
| 30. | Statements by Chairman of Conservative Party on local visit | Councillor Jones | Councillor Connolly |

C.938 JOINT AUTHORITIES – REPORTS BY THE COUNCIL’S REPRESENTATIVE AND QUESTIONS

- (a) Councillor Bayley, the Council’s representative, on the Committee for the Greater Manchester Transport, gave a verbal report on the work of the Committee 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. | Bus services between Manchester and Simister Village | Councillor Pickstone | Councillor Noel Bayley (Representative on the Committee for Greater Manchester Transport) |
| 2. | Heywood Link Bus Service | Councillor Pickstone | Councillor Noel Bayley (Representative on the Committee for Greater Manchester Transport) |

C.939 INDIVIDUAL ELECTORAL REGISTRATION

A report of the Chief Executive as Returning Officer was submitted which presented for information a review as to how Individual Electoral Registration will be implemented in Bury.

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

RESOLVED:

That the review of Individual Electoral Registration as set out in the report be noted.

C.940 REVISIONS TO TIMETABLE OF MEETINGS FOR 2013/2014 AND TIMETABLE OF MEETINGS 2014/2015

A report of the Chief Executive was submitted which sought approval to the revised Timetable of Meetings for Cycle 6 of the 2013/2014 Municipal Year and the Timetable of Meetings for the 2014/2015 Municipal Year.

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

RESOLVED:

That the revised Timetable of Meetings for Cycle 6 of the 2013/2014 Municipal Year and the Timetable of Meetings for the 2014/2015 Municipal Year, as set out, be approved, subject to the dates of Budget Cabinet and Budget Council, and any further minor changes, being determined by the Chief Executive in consultation with the Group Leaders.

C.941 NOTICES OF MOTION

Two Notices of Motion have been received and set out in the Summons.

1. Trade Union Blacklisting

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

Councillors A Audin, K Audin, M Bailey, D Bailey, N Bayley, J Black, P Bury, G Campbell, S Carter, D M Cassidy, 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

It was moved by Councillor Parnell and seconded by Councillor Holt:

"For well over three decades blacklisting of workers because of their trade union activities and barring them from employment, mostly in the construction industry, has been covertly taking place. More recently, companies who are known to have blacklisted trade unionists are now tendering for and procuring public contracts throughout councils in England.

The practice of blacklisting is illegal, immoral and reprehensible. In some cases this practice has led to long term unemployment for those who have been "blacklisted" for nothing more than representing their fellow workers. We ask this Council to publicly condemn this practice and affirm its own commitment to its recognised trades unions. The Office of the Information Commissioner has exposed these companies and a list is available upon request.

We call upon this Council to take such steps as are lawful recognising the values of a unionised workplace and the benefits and savings it can bring; and to refer this matter to the Leader and Director of Resources and Regulation to consider how best the objectives of the motion can be taken forward."

(Note: In accordance with Council Procedure Rule 14.7(a), Council had agreed to the Motion set out in the Council Summons being altered by the deletion of the final paragraph and the substitution of that set out above).

The Motion was put and with 32 voting for, none against and 17 abstentions was declared carried.

2. Council Tax Discount Scheme

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

It was moved by Councillor Gartside and seconded by Councillor Gunther:-

"This Council recognises the tremendous amount of hard work carried out by thousands of dedicated volunteers in our Borough. This Council also notes the increasing importance and role of the voluntary sector and the need to continue to recruit more volunteers.

Over the last few years, councils of all political persuasions, in all parts of the country, have been introducing various Council Tax discount schemes as a way of thanking existing volunteers and to incentivise more people to become volunteers. Therefore, this Council resolves to set up a cross party "Task and Finish" group with immediate effect with the goal of producing a financially affordable package of Council Tax discounts for the people who live and undertake voluntary work in the Metropolitan Borough of Bury."

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

"Delete Paragraph 3 which begins "Therefore the Council resolves....." And substitute:

Therefore, this Council resolves to examine this option in conjunction with the current development of the Bury Volunteering Strategy as part of a wider range of feasible volunteering initiatives of the people who live and undertaken voluntary work in the Metropolitan Borough of Bury."

The amendment was put and unanimously carried.

The following Substantive Motion was put and carried unanimously:-

Council Tax Discount Schemes

"This Council recognises the tremendous amount of hard work carried out by thousands of dedicated volunteers in our Borough. This Council also notes the increasing importance and role of the voluntary sector and the need to continue to recruit more volunteers.

Over the last few years, councils of all political persuasions, in all parts of the country, have been introducing various Council Tax discount schemes as a way of thanking existing volunteers and to incentivise more people to become volunteers.

Therefore, this Council resolves to examine this option in conjunction with the current development of the Bury Volunteering Strategy as part of a wider range of feasible volunteering initiatives for the people who live and undertake voluntary work in the Metropolitan Borough of Bury."

C.942 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.943 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.944 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 Decisions 8 (2013-2014).

THE WORSHIPFUL THE MAYOR

(NOTE: The meeting started at 7.00 pm and ended at 10.05 pm)