

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

Date of Meeting: 9 September 2015

Present: The Worshipful the Mayor (Councillor S Smith), in the Chair; Councillors P Adams, N Bayley, I Bevan, J Black, K S Briggs, R A Caserta, D M Cassidy, M Connolly, M D'Albert, J Daly, E FitzGerald, L Fitzwalter, I B Gartside, J Grimshaw, D L Gunther, M Hankey, S Haroon, J Harris, P Heneghan, R Hodgkinson, T Holt, K Hussain, A Isherwood, M A James, D Jones, J Kelly, S Kerrison, J Lewis, J Mallon, A K Matthews, S Nuttall, E O'Brien, N Parnell, T D Pickstone, C Preston, A Quinn, R Shori, A Simpson, R Skillen, Sarah Southworth, Susan Southworth, T Tariq, J Walker, R E Walker, S Walmsley, M Whitby and M Wiseman.

Apologies from: Councillors D Bailey and Y Wright

Public attendance: 12 members of the public attended the meeting

C.282 DECLARATIONS OF INTEREST

1. Councillor Connolly declared a personal interest in any item which related to staffing as his partner is an employee of Bury Council.
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 Kelly declared a personal interest in relation to Question 4, Leader's Statement and Cabinet Question Time, as an employee of the Care Quality Commission.
6. Councillor R E Walker declared a personal interest in matters relating to Central Library and the Sculpture Centre as the Treasurer of the Re-instate Bury Central Library Group.
7. Councillor Walmsley declared a personal interest in relation to Question 3, Leader's Statement and Cabinet Question Time, as an employee of Capita (O2) and Member of Communication Workers Union.
8. Councillors Briggs, Quinn and Hussain declared personal interests in relation to Item 10 Notice of Motion - Bury Magistrates and County Court, as serving Magistrates.

9. Councillors Daly, James and Shori declared personal interests in relation to Item 10 Notice of Motion - Bury Magistrates and County Court, as practising Solicitors appearing at Bury Magistrates and County Court.

C.283 MINUTES

RESOLVED:

That the Minutes of the Meeting of Council held on 1 July 2015 be signed by the Mayor as a true and correct record.

C.284 MAYORAL COMMUNICATIONS

1. The Mayor offered congratulations to Queen Elizabeth II on becoming the longest serving Monarch.
2. The Mayor informed Members of the recent death of Mr Neville Neville.

C.285 PUBLIC QUESTION TIME

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

No	Issue	Questioner	Answered By
1.	Council Chamber Accessibility	Mr A Miller	Councillor Connolly
2.	Support for Refugees	Ms A McKay	Councillor Connolly
3.	Foster Carers	Mr V Hagan	Councillor Connolly
4.	Inconsiderate Parking (Bury FC Matchdays)	Mr M Harling	Councillor Connolly
5.	Flooding Rochdale Road	Mr R Dixon	Councillor Connolly
6.	Recycling	Mr I Henderson	Councillor Connolly

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

No.	Issue	Questioner	Answered By
7.	Practical Steps to Support Refugees	Ms M Ricketts	Councillor Connolly
8.	Parking Issues – Walmersley Rd	Ms N Afilal	Councillor Connolly
9.	Recreational Facilities in Ramsbottom	Ms K Leach	Councillor Connolly

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C.286 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

1. Minute CA.151 of the meeting of the Cabinet held on 8 July 2015 – Risk Management Annual Report 2014/15

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

RESOLVED:

- (i) That approval be given to re-affirm support for the Council's approach to Risk Management.
- (ii) That the progress made throughout 2014/15 and the actions planned for 2015/16 be noted.

2. Minute CA.157 of the meeting of the Cabinet held on 8 July 2015 – Treasury Management Annual Report 2014/15

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

RESOLVED:

That the Council, in accordance with CIPFA's Code of Practice on Treasury Management, notes the report.

C.287 LEADER'S STATEMENT AND CABINET QUESTION TIME

(a) Written question (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
1.	Sculpture Centre	Councillor R Walker	Councillor Heneghan
2.	Budget Cuts	Councillor O'Brien	Councillor Shori
3.	Capita O2 Job Losses	Councillor Kelly	Councillor Connolly
4.	Elmhurst CQC Report	Councillor Grimshaw	Councillor Simpson
5.	Ramsbottom Skate Park	Councillor Bevan	Councillor Isherwood
6.	Domestic Abuse Strategy	Councillor Fitzwalter	Councillor Tariq
7.	Disability Sports Provision	Councillor Adams	Councillor Simpson

8.	Creative Living Centre	Councillor Black	Councillor Lewis
9.	Refugees	Councillor Pickstone	Councillor Connolly
10.	Union Subscriptions	Councillor Caserta	Councillor Walmsley
11.	Recruitment of Apprentices	Councillor Mallon	Councillor Holt
12.	Police Numbers	Councillor Quinn	Councillor Connolly
13.	Made in Bury Business Fair	Councillor James	Councillor Connolly
14.	Bin Collection Vehicles	Councillor Hodgkinson	Councillor Isherwood
15.	Homelessness	Councillor Jones	Councillor Shori
16.	House Building	Councillor Skillen	Councillor Shori
17.	Markets in the Borough	Councillor Preston	Councillor Connolly
18.	Fly-tipping	Councillor D'Albert	Councillor Isherwood
19.	Charitable Donations through Payroll	Councillor Gunther	Councillor Walmsley
20.	Electoral Registration	Councillor Fitzgerald	Councillor Walmsley
21.	Trading Standards	Councillor Parnell	Councillor Walmsley
22.	Parking in Prestwich	Councillor Black	Councillor Walmsley
23.	Corporate Procurement	Councillor Gartside	Councillor Walmsley
24.	Confidential Information	Councillor Bayley	Councillor Connolly
25.	Psychoactive Substances	Councillor Quinn	Councillor Simpson
26.	Sculpture Centre Accessibility	Councillor R Walker	Councillor Heneghan
27.	Uncollected Council tax	Councillor Pickstone	Councillor Walmsley
28.	S106 Monies Play Areas	Councillor Bevan	Councillor Walmsley
29.	Handling Sensitive Personal Information	Councillor Gartside	Councillor Walmsley
30.	Japanese Knotweed	Councillor Hodgkinson	Councillor Isherwood
31.	Council Trees	Councillor D'Albert	Councillor Isherwood

Due to the lack of time to answer questions 16 to 31 inclusive, the Leader gave an undertaking that copies of those questions and responses will be circulated to all

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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.	Corporate Financial Monitoring Report	Councillor Gartside	Councillor Shori
2.	Anti-Semitic Attack – Bowker Vale	Councillor James	Councillor Tariq
3.	Access to Nuttall Park (Unadopted Rd)	Councillor Bevan	Councillor Isherwood
4.	Revenue Outturn (recycling)	Councillor Quinn	Councillor Isherwood
5.	Physical Activity and Sports Strategy	Councillor Daly	Councillor Simpson

C.288 JOINT AUTHORITIES – REPORTS BY THE COUNCIL'S REPRESENTATIVE AND QUESTIONS

- (a) Councillor Bayley, the Council's representative on Transport for Greater Manchester, 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.	Smart Ticketing	Councillor Pickstone	Councillor Bayley (Representative on Transport for Greater Manchester)
2.	Patterns of Use at Household Recycling Centres	Councillor Pickstone	Councillor Quinn (Representative on the Greater Manchester Waste Disposal Authority)
3.	Legal Highs	Councillor D'Albert	Councillor Connolly (Representative on the Greater Manchester Police and Crime Panel)

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C.289 BURY TOWN CENTRE REVIEW OF BUS LANES

A report of the Leader of the Council was submitted in response to a motion regarding the review of town centre bus lanes passed by Council on 1st April 2015.

It was moved by Councillor Connolly and seconded by Councillor Isherwood that the recommendations be approved.

With 35 voting for and 11 abstaining it was:

RESOLVED:

1. That, in light of the current Lidl proposal to realign Bolton Road and Victoria Street, the sections of bus lane on Bolton Road be left in situ. The bus lane at Victoria Street be realigned and the new layout, which should make the bus lane easier to negotiate by drivers, be reviewed after 6 months.
2. With regard to the bus lane at Manchester Road the termination point of the bus lane be moved approximately 20 metres south. In addition the bus stop at the end of the lane also be relocated further south.
3. That the bus lane on Rochdale Road be experimentally suspended for up to 18 months and reviewed after 6 months. In addition to this the effects of the experimental suspension are reviewed after 6 months.
4. That Council notes the comments in paragraph 2.4 about wider traffic management issues.

C.290 MEMBERSHIP OF THE ASSOCIATION OF GREATER MANCHESTER AUTHORITIES

A report of the Leader of the Council was submitted setting out details of a request from the Greater Manchester Combined Authority (GMCA) to become a full member of the Association of Greater Manchester Authorities (AGMA) in its own right. The report outlined the background to this issue, the implications and the impact on voting rights.

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

RESOLVED:

1. That Council agrees to GMCA becoming a full member of AGMA in its own right.
2. Council notes that further consequential amendments to the AGMA constitution may be agreed by AGMA as a result of the admission of an eleventh member of AGMA.
3. Council notes that Tony Lloyd, Mayor of the GMCA, will be enabled to vote at GMCA meetings.

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C.291 NOTICE OF MOTION

A Notice of Motion was received and set out in the Summons.

Bury Magistrates and County Court

A motion had been received and set out in the summons in the names of Councillors M Connolly, I Gartside and T Pickstone

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

"This Council is of the view that having a legal centre in Bury is vital to our residents and important to our town centre from both a social and economic point.

The Council therefore notes with concern the Ministry of Justice's proposals to close Bury Magistrates Court and Bury County Court with workloads being transferred to Manchester and Salford Magistrates' Court and Manchester Civil Justice Centre respectively.

The Council is of the view that the proposals will have a negative impact on a range of issues including travel times and costs for clients; witnesses and magistrates; Police efficiency; arrangements for social security tribunals; the loss of local jobs; and the loss of business rates income to the Council. Insufficient information is provided on value for money arising from the proposals.

The Council is also disappointed that the consultation takes no account of the benefits that could be obtained by incorporating the proposals into a wider review of the public estate across Greater Manchester nor any account of the opportunities provided to the region through the devolution agenda or on the opportunities for integrating the Courts into the other local buildings.

The Court is an integral part of Bury town centre and the Council also expresses concern that the consultation fails to provide assurance around the future of the site nor does it give details or timescales for alternative uses for the site.

The Council therefore resolves to consult widely with all stakeholders within Bury and to lead on the preparation of a response representing as wide a range of views as possible.

The Council also calls on the Chief Executive to write to the Ministry of Justice asking that the proposals be deferred so that the Courts can be included within the One Public Estate review of public assets that is being undertaken by the 10 Greater Manchester Councils."

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

2. Refugee Crisis

With the agreement of the Mayor, a motion was submitted at the meeting in the names of P Adams, N Bayley, J Black, S Briggs, , D Cassidy, M Connolly, E FitzGerald, L Fitzwalter, J Grimshaw, S Haroon, P Heneghan, T Holt, A Isherwood, M James, D Jones, J Kelly, S Kerrison, J Lewis, J Mallon,

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A Matthews, E O'Brien, N Parnell, C Preston, A Quinn, R Shori, A Simpson, R Skillen, Sarah Southworth, Susan Southworth, T Tariq, J Walker, S Walmsley and M Whitby.

It was moved by Councillor Connolly and seconded by Councillor Shori:-

"This Council believes that the humanitarian crisis on the borders of Europe can only be solved with strong political leadership by the United Kingdom, in conjunction with other European nations.

This Council notes that Germany expects up to 800,000 asylum applications this year. France has agreed to take 24,000. We note with disappointment that the UK Government has only agreed to take 20,000 over five years and that the funding is coming from the Foreign Aid budget with no guarantees of funding after the first year.

Bury and many other authorities stand ready to play our part.

We call on the UK Government to:-

1. Accept a much fairer settlement of refugees to help lessen the crisis in Europe.
2. Work directly with local authorities and not through the existing failed asylum seeker contracts.
3. Ensure adequate resources are made available to local authorities and government agencies to deal with the situation.
4. Develop a national strategy to help settle refugees across the whole of the UK, not just in those areas with low property prices.
5. Work out a long term strategy with our European neighbours so that crisis's like the current refugee crisis do not develop in the tragic way this one has.

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:

P Adams, N Bayley, J Black, K S Briggs, D M Cassidy, M Connolly, M D'Albert, E FitzGerald, L Fitzwalter, J Grimshaw, S Haroon, P Heneghan, T Holt, A Isherwood, M A James, D Jones, J Kelly, S Kerrison, J Lewis, J Mallon, A K Matthews, E O'Brien, N A Parnell, T Pickstone, C Preston, A Quinn, R Shori, R Skillen, A Simpson, Sarah Southworth, Susan Southworth, T Tariq, J Walker, S Walmsley and M Whitby

Against the motion:

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Abstaining from the motion:

Councillors I Bevan, J Daly, I B Gartside, D Gunther, M Hankey, J Harris, K Hussain, R Hodgkinson, S Nuttall, R E Walker and M J Wiseman (Deputy Mayor).

The Mayor declared the Motion carried.

(Note: This Motion which did not appear on the Summons for the meeting was allowed by the Mayor to be considered as a matter of urgency in light of the unfolding humanitarian crisis and the Government's recent announcement that the country would take additional numbers of refugees. Discussion of the matter would give the opportunity for the Council to represent the views of the people of the Borough and assist in the preparations for refugees coming to Bury).

C.292 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.293 QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS

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

C.294 DELEGATED DECISIONS OF COUNCIL COMMITTEES

There were no written questions asked on the delegated decisions of the Committees or Scrutiny Committee contained in the Digests of Decisions 8 (2014/15) and Digest 1 (2015/16).

THE WORSHIPFUL THE MAYOR

(NOTE: The meeting started at 7.00 pm and ended at 10.00 pm)