

Bolton Council

MEETING OF THE COUNCIL

23rd March 2022

SUMMONS AND AGENDA



BOLTON COUNCIL

Members of the Council are hereby summoned to attend a meeting of the Council to be held in the Council Chamber, 2nd Floor, Town Hall on Wednesday next, 23rd March, 2022 at 7.00 p.m. when the following business is proposed to be transacted: -

1. Vote of Thanks to Madam Mayor and Consort

Motion to be moved by Councillor Cox

2. Minutes

To approve as a correct record the minutes of the proceedings of the meetings of the Council held on 16th March, 2022 (Section A) (to follow).

3. Constitution

Motion in the name of Councillor Cox –

That the amendments to the Council's Scheme of Delegation for 2021/2022, as circulated, be approved.

4. Changes in Committee Membership and Appointments to Other Bodies

5. Questions under Standing Order No. 9(a)

6. Questions under Standing Order No. 9(c)

7. Committee Proceedings

To approve the proceedings of the following Committee:-

Licensing and Environmental Regulation Committee (See Section B)

8. Motions under Standing Order No.4

(a) Motion in the name of Councillor Silvester -

This Council believes that healthy high streets throughout the Bolton Borough are essential for community cohesion, civic pride, employment, shopping, services and leisure. But many shops and businesses were struggling even before the Covid pandemic: high street retail employment fell in more than three-quarters of local authorities between 2015 and 2018 according to the Office of National Statistics and more than half of all UK consumers were shopping online before the pandemic.

This Council notes that retail is among the sectors most affected by the coronavirus pandemic, and retail workers have been on the frontline of the crisis throughout. The almost complete shutdown of non-essential shops between March and June 2020 has hit businesses hard, and the need for social distancing has changed the way many businesses operate, reducing footfall. The pandemic has accelerated what, in many cases, has been a longer trend of lower footfall and changing shopping habits. As the Portas Review a decade ago acknowledged, the form and function of many high streets needs to radically change if they are to adapt and survive.

This Council welcomes the willingness of Government to acknowledge the problems and come forward with initiatives in response to these challenges such as the furlough scheme, the Covid support business loans, and the High Street Taskforce. However, as the Treasury Select Committee stated in 2019, the current system of Business Rates places an unfair burden on “bricks and mortar” businesses compared to online retailers, and the Business Rate system needs

radical overhaul. The announcements in the Budget, though welcome, fall short of what is required: small changes to revaluation cycles and temporary discounts simply tinker around the edges, and will not deliver the support that local high streets need and deserve.

This Council resolves to:

Write to the Government to urge it to scrap business rates and replace them with a system which is fit for purpose and which levels the playing field between bricks and mortar businesses and online retail giants.

Campaign to devolve funds like the Towns Fund, Levelling Up Fund, UK Shared Prosperity Fund and other national funding pots, to give local communities, councils and regions the ultimate say in how it is spent in their area.

Explore what local action can be taken to revive our high streets and town centres including facilitating a public meeting involving the Bolton Civic Trust and other stakeholders to discuss the plans for the redevelopment of Bolton Town Centre.

Make full use of s215 planning enforcement powers where empty units are attracting antisocial behaviour or creating an eyesore on the high street – and name and shame those premises which don't do their bit and are regularly subject to enforcement.

Proactively contact landlords of vacant premises (and work with Chambers of Commerce, Landlord Associations and BID managers) to explore meanwhile use options and/or encourage alternative rental models (e.g. turnover rather than market rent) to enable new co-operatives, SMEs, social enterprises and community businesses to open their doors on the high street.

(b) Motion in the name of Councillor Donaghy –

Council deplores the decision by the Government Agency Ofcom to raise the Energy Price Cap by around £700 from April 2022: a decision that will affect more than 22 million customers. Council sees the help proposed so far by the Government as woefully inadequate, amounting to a £150 one off payment, and a further ‘loan’ of £200. Council believes that this excessive increase in bills will directly lead to an increase in the hardship already suffered by many people in this borough, and worse still, will lead to many vulnerable people being too afraid to heat their homes.

Council therefore calls upon the Government to:

- A. Agree with the independent proposals by Ecotricity to remove the VAT element on energy bills for all customers who use up to 3KW per annum, and to further explore a grading system of VAT on fuel use over 3KW per annum, based upon the amount of energy used.
- B. To hold a public inquiry into all possible solutions to the energy crisis.
- C. For the Government to intervene directly by subsidising energy prices in the same way that it does to farming and train fares, among others.

(c) Motion in the name of Councillor Veevers –

Council notes with concern that inflation has risen to its highest point for 10 years and that further increases to the cost of power, fuel, food and other consumer goods and to fares for public transport are likely to mean more rises.

Council also notes that this is happening at a time when real incomes are being reduced by increases

to National Insurance, below inflation pay rises, cuts to Universal Credit and ending or suspension of the 'triple lock' safeguarding for state pensions. This will have a proportionately greater impact on those on low or medium incomes.

Council believes that Government must take urgent action to reduce the impacts on those who cannot afford it and spread the cost to those at the top of the earnings scale and Companies that have largely avoided paying a fair level of taxation.

Council resolves to make these views known to appropriate levels of Government and ask the Borough's MPs to support these moves to reduce the impact on the majority of Bolton's inhabitants.

(d) Motion in the name of Councillor D. Wilkinson -

Council recognises the out pouring of sympathy for the Ukrainian people from the individuals, churches, schools and businesses from across the communities of Bolton and the country in providing donations both of goods, supplies and money.

That council supports the economic sanctions imposed on Russia and the oligarchs to help the Ukrainian people in their fight for freedom but calls upon all individuals and organisations which have received political donations from questionable Russian sources to donate such monies to charities which support the Ukrainian people.

It is now unacceptable for the sake of transparency and for British democracy for those organisations and individuals to retain those Russian monies.

That council calls upon the borough's MP's to support the renouncing of Russian donations.



TONY OAKMAN
Chief Executive
Town Hall, Bolton

16th March, 2022

The proceedings of the Cabinet and Executive Cabinet
Member Portfolio meetings from 7th March to 15th March 2022
are included for information only in a separate volume.

**LICENSING AND ENVIRONMENTAL REGULATION
COMMITTEE**

MEETING, 9th MARCH, 2022

Present – Councillors Dean, Galloway, Grant, Haslam (as deputy for Councillor Mrs. Fairclough), Haworth, Khurram, Mistry (as deputy for Councillor Jiva), Taylor-Burke.

Apologies for absence were submitted on behalf of Councillors Mrs. Fairclough, Flitcroft, Jiva and D. Wilkinson.

30. APPOINTMENT OF CHAIRMAN

Resolved – That Councillor Dean be appointed as Chairman for this meeting.

Councillor Dean, Chairman

31. MINUTES OF LAST MEETING

Resolved – That the minutes of the proceedings of meeting held on 12th January, 2022 be submitted and signed as a correct record.

**32. MINUTES OF THE LICENSING SUB-COMMITTEE
(TRAFFIC MATTERS)**

The minutes of meetings of the Licensing Sub-Committee (Traffic Matters) held on 20th December, 2021 and 28th January, 2022 were submitted.

Resolved – That the minutes be approved as a correct record.

**33. APPLICATION TO REGISTER LAND KNOWN AS,
FIELD OR CANALSIDE LANE / ASCOT ROAD /
NEWBURY ROAD, AS A NEW TOWN OR VILLAGE
GREEN**

(Councillor Taylor-Burke declared an interest in relation to the following item and left the meeting taking no part in the debate and vote thereon)

The Borough Solicitor submitted a report which asked members to consider and determine an application received to register land known as, The Field or Canalside Hall Lane/ Ascot Road/ Newbury Road, as a town or village green.

The area of land subject to the application (the application site) was an area of land which lay to the rear of the gardens of the properties on the western side of Ascot Road, with the northern boundary being the edge of the carriageway of Hall Lane, and the southern boundary starting from the head of the canal and following along the edge of the canal. The irregular shaped piece of land was outlined in red at Appendix B to the report.

The application was made under section 15 of the Commons Act 2006 which enabled any person to apply to a Commons Registration Authority to register land as a Village Green where it could be shown that:

a significant number of inhabitants of any locality, or of any neighbourhood within a locality, had indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;

The application had been made on the ground that the application site had become a Town or Village Green by virtue of actual use of the land by the local inhabitants for a range of recreational activities, as of right, for more than 20 years.

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The application was supported by 100 user forms from local residents who detailed their use of the site over a period in excess of 20 years.

The application site was owned by Robert Graham Trustees Limited. Robert Graham Trustees Limited objected to the application on the basis that the requirements for registration had not been satisfied and that the application was deficient.

Mr Martin Carter was appointed to hold a non-statutory public inquiry which took place on 24th and 25th January, 2022 at the Town Hall, Bolton. A copy of his Report can be found at Appendix A to the report and he recommended that the application is refused and that the application site should not be registered as a town or village green for the following reasons:

- i. The applicants have not proven that users came from a defined neighbourhood; and
- ii. Use of the application site at all times during the relevant period was not use as of right.

It was moved by Councillor Mistry and seconded by Councillor Haslam that the application is refused and the application site should not be registered as a town or village green.

For the Motion, viz –

Councillors Haworth, Khurram, Mistry, Dean, Galloway, Haslam and Grant.

Against the Motion, viz –

Nil

Abstain, viz-

Nil

Whereupon the motion was declared carried.

34. EXCLUSION OF PRESS AND PUBLIC

Resolved – That, under Section 100(A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as specified in paragraph 3 (financial and business affairs) of Part 1 of Schedule 12A to the Act; and that it be deemed that, in all the circumstances of the case, the public interest in its exemption outweighs the public interest in its disclosure.

35. APPLICATION TO EXTEND A HACKNEY CARRIAGE VEHICLE LICENCE LER/01/22

The Director of Place Services submitted a report which set out details of an application which had been received to extend a hackney carriage vehicle licence.

The applicant did not attend the meeting.

It was moved by Councillor Grant and seconded by Councillor Haslam that the application be refused -

For the Motion, viz –

Councillors Khurram, Dean, Galloway, Taylor-Burke, Haslam and Grant.

Against the Motion, viz –

Councillor Mistry

Abstain, viz-

Councillor Haworth

Whereupon the motion was declared carried and it was specifically resolved that -

The Committee felt that there were no exceptional circumstances to deviate from the current policy. The applicant did not attend the meeting and had not replied to communications from the Council. The Committee were also concerned about the overall condition of the vehicle.

**36. APPLICATION TO EXTEND A HACKNEY CARRIAGE
VEHICLE LICENCE LER/02/22**

The Director of Place Services submitted a report which set out details of an application which had been received to extend a hackney carriage vehicle licence.

The applicant attended the meeting.

It was moved by Councillor Haworth and seconded by Councillor Dean that the elements of the Policy regarding the maximum 15 year age be not applied and that the application be granted for a period of one year -

For the Motion, viz –

Councillors Haworth, Khurram, Mistry, Dean, Galloway, Haslam and Grant.

Against the Motion, viz –

Councillor Taylor-Burke

Abstain, viz-

Nil.

Whereupon the motion was declared carried.

**37. APPLICATION FOR A LICENCE TO DRIVE PRIVATE
HIRE VEHICLES LER/03/22**

The Director of Place Services submitted a report which set out details of an application for a licence to drive private hire vehicles where the driver had previous convictions.

The applicant attended the meeting.

It was moved by Councillor Haworth and seconded by Councillor Khurram that the application for a licence to drive private hire vehicles be granted, subject to standard conditions, as detailed in the report.

Where upon the Motion was put to the vote and the voting was as follows, viz -

For the Motion, Viz –

Councillors Haworth, Khurram, Mistry, Dean, Galloway, Taylor-Burke, Haslam and Grant.

Against the Motion, Viz –

Nil

Abstain, Viz –

Nil

(The meeting started at 2.00 p.m. and finished at 3.00pm)