

BOLTON METROPOLITAN BOROUGH

2009/2010

MEETING OF THE COUNCIL

9TH DECEMBER, 2009

Present - Councillors Critchley (Mayor), Connell (Deputy Mayor), Adia, P. Allen, R. Allen, Ashcroft, Ayub, P. Barrow, R Barrow, Bashir-Ismail, Mrs. Brierley, P. Brierley, Burrows, J. Byrne, L. Byrne, Chadwick, Cottam, Mrs. Fairclough, Greenhalgh, Hall, Harkin, Hayes, Hollick, Ibrahim, Iqbal, Kay, Lord, Mistry, Morgan, Morris, Murray, Norris, Peel, Rock, Mrs. Ronson, R. Ronson, J. Rothwell, Mrs. Rothwell, Rushton, Shaw, Sherrington, J. Silvester, R. Silvester, Spencer, Mrs. Swarbrick, Mrs. Thomas, A. Walsh, J. Walsh, White, Wild, A. Wilkinson, D. Wilkinson, Williamson, Woodward and Zaman.

49. PETITION

A petition was received regarding the Animal Aid's Compassionate Charter which was referred to the Executive Member for Housing, Neighbourhoods and Regulation.

50. MINUTES

The minutes of the proceedings of the meeting of the Council held on the 21st October, 2009 were submitted and signed as a correct record.

51. QUARTERLY REPORT ON EXECUTIVE DECISIONS

It was moved by Councillor Morris, seconded by Councillor Mrs. Thomas and resolved –

That the quarterly report on Executive decisions made under the special urgency provisions of the Access to Information Regulations be noted.

52. NEW EXECUTIVE ARRANGEMENTS

It was moved by Councillor Morris and seconded by Councillor Mrs. Thomas –

That the Council agrees that, having regards to the public consultation undertaken, the proposals now submitted regarding the new Executive arrangements as contained in the Local Government and Public Involvement in Health Act 2007 will assist in securing continuous improvement in the way the Council's functions are exercised and that the following be approved:-

- (i) That the Council's Executive be the "new style" Leader and Cabinet Executive (England);
- (ii) That the Council has the power to remove the Leader by way of resolution by a simple majority;
- (iii) That the transitional arrangements, as detailed in the report, be agreed; and
- (iv) That the consequential amendments required to the Constitution be considered at a meeting of the Constitutional Panel prior to submission to the Annual Meeting of Council in May 2010.

Whereupon as an amendment, it was moved by Councillor D.A. Wilkinson and seconded by Councillor J. Walsh –

That the motion be amended by the addition of the following –

- (v) That in approving this Motion, Council wishes to put on record that constant Government inspired

tinkering with local democratic processes does nothing to improve Council performance and merely serves to erode local decision making.

Upon being put to the vote, the amendment was declared carried.

The original motion, as amended was then put to the meeting and agreed.

53. CHANGES TO THE COUNCIL'S SCHEME OF DELEGATION

It was moved by Councillor Peel, seconded by Councillor Morris and resolved –

That the changes to the Scheme of Delegation relating to private hire and hackney carriage driver licenses reflecting the changes arising from the adoption of the revised convictions policy, as detailed in the report circulated to members, be approved.

54. POLICY FRAMEWORK - THE CORE STRATEGY

It was moved by Councillor J. Byrne and seconded by Councillor Peel -

- (i) That the Core Strategy publication document and other proposed submission documents, as amended to take account of the revised proposed development site for Cutacre, be approved for publication for representations to be made in line with the agreed procedure and that the Director of Development and Regeneration, in consultation with the Executive Member for Development, Regeneration and Skills and opposition spokespersons be authorised to make minor changes to the Core Strategy prior to submission to the Secretary of State, and to make changes to the Background Documents listed in Appendix A, in order to reflect the most recently available

information; and

- (ii) That in approving the Core Strategy this Council recognises the representations made in relation to the employment allocation on the Cutacre site. In this respect the plan now included at Appendix C (page 20) of Background Document 9 clearly indicates the revised employment site at Cutacre that this Council is prepared to support.

Whereupon as an amendment, it was moved by Councillor Morgan and seconded by Councillor A. Walsh -

That this Council accepts that the Government requires a Core Strategy but cannot support the proposed Core Strategy submitted to members owing to the policies contained therein resulting in the loss of Green Belt, lack of considerations with regards transport infrastructure and the adverse impact on the environment and therefore requests the Executive Member for Development and Regeneration to re-examine these areas with the members of the relevant PDGs before resubmission to the Council.

Upon being put to the vote, the amendment was declared lost.

The original motion was then put to the meeting and approved.

55. CHANGES IN COMMITTEE MEMBERSHIPS AND APPOINTMENTS TO OTHER BODIES

It was moved by Councillor White, seconded by Councillor Shaw and resolved –

That the following appointments and changes in membership be approved:-

That the Executive Member for Children's Services and the Director of Children's Services be appointed to the LEP Strategic Partnering Board

56. QUESTIONS UNDER STANDING ORDER 9(a)

The following questions were asked under Standing Order 9(a):-

- (i) by Councillor Hayes relating to Contractors Framework – Progress.

The Executive Member for Strategy and External relations replied to this question.

- (ii) by Councillor J Walsh relating to Contractors Framework – Progress.

The Executive Member for Strategy and External relations replied to this question.

- (iii) by Councillor White relating to spot checks of private hire and hackney carriage taxis.

The Executive Member for Housing, Neighbourhoods and Regulations replied to this question.

- (iv) by Councillor Greenhalgh relating to Sure Start Early Years and Childcare Capital Grant 2008/2011.

The Executive Member for Looked after Children and Safeguarding replied to this question.

- (v) by Councillor Ashcroft relating to Contract with NCP for Ashburner Street Market car park.

The Executive Member for Strategy and External relations replied to this question.

- (vi) by Councillor D.A. Wilkinson relating to the result of the CAA Judgement.

The Executive Member for Strategy and External relations replied to this question.

- (vii) by Councillor Hayes relating to the collection of missed bins.

The Executive Member for Cleaner, Greener, Safer replied to this question.

57. PLANNING COMMITTEE

It was moved by Councillor Connell, seconded by Councillor Woodward and resolved –

That the minutes of the proceedings of the meetings of the Planning Committee held on 15th and 29th October, 12th and 26th November, 2009 be approved.

58. LICENSING AND ENVIRONMENTAL REGULATION COMMITTEE

It was moved by Councillor Mrs. Fairclough, seconded by Councillor Lord and resolved –

That the minutes of the proceedings of the meeting of the Licensing and Environmental Regulation Committee held on 3rd November and 1st December, 2009 be approved.

59. SCRUTINY COMMITTEES

It was moved by Councillor Higson, seconded by Councillor P. Barrow and resolved -

That the minutes of the meetings of the following Committees be approved:-

Corporate Issues Scrutiny Committee – 7th
December, 2009

Development, Housing and Skills Scrutiny Committee
– 30th November, 2009

Children's Services Scrutiny Committee – 3rd
December, 2009

Environmental Services Scrutiny Committee – 19th
November and 2nd December, 2009

Adults and Community Services Scrutiny Committee
– 1st December, 2009

External Organisations Scrutiny Committee – 5th
November, 2009

Health Overview and Scrutiny Committee – 3rd
November, 2009

60. AREA FORUMS

It was moved by Councillor Mrs. Thomas, seconded by
Councillor D.A. Wilkinson and resolved –

That the minutes of the meetings of the Area Forums,
now submitted, be approved.

(The meeting started at 7.00 p.m. and finished at 9.15 p.m.)