BOLTON METROPOLITAN BOROUGH

2013/2014

MEETING OF THE COUNCIL

26th JUNE, 2013

Present - Councillors Shaw (Mayor), G. Harkin (Deputy Mayor), Allen, Ashcroft, Ayub, Bashir-Ismail, C. Burrows, D. Burrows, J. Byrne, L. Byrne, Chadwick, A. Connell, M. Connell, Cox, Critchley, Cunliffe, Darvesh, Dean, Donaghy, Evans, Mrs. Fairclough, Francis, Gillies, Greenhalgh, S. Harkin, Haslam, Hayes, A. Ibrahim, I. Ibrahim, Iqbal, Irving, Jones, Kay, Kellett, Lewis, McKeon, Mistry, Morris, Murray, Peacock, Peel, Pickup, Rushton, Sherrington, Silvester, Spencer ,Mrs. Swarbrick, Mrs. Thomas, A. Walsh, J. Walsh, Watters, Wild, A. Wilkinson and Zaman.

10. STATEMENT REGARDING DRUMMER LEE RIGBY

Councillors Morris, Greenhalgh and Mrs. Swarbrick referred to the statement issued by the three leaders regarding the death of drummer Lee Rigby.

11. PETITION – UMBERTON PARK, OVER HULTON

A petition was received relating to a request for a skate park in Umberton Park, Over Hulton and it was referred to the Director of Environmental Services for report to the Executive Cabinet Member for Environmental Services.

12. POLICE AND CRIME COMMISSIONER FOR GREATER MANCHESTER – MR. T. LLOYD

Mr. T. Lloyd addressed the Council regarding his role as the Police and Crime Commissioner for Greater Manchester.

13. MINUTES

The minutes of the proceedings of the meeting held on the 15th May, 2013 were submitted and signed as a correct record.

14. POLICY FRAMEWORK – BOLTON'S ALLOCATION PLAN

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

> That the proposed published Allocations Plan and other submission documents be approved for submission to the Secretary of State for examination; that the recommendations in the report circulated to members be approved and that the Published Allocations Plan is a material consideration for development management purposes.

15. CHANGES IN COMMITTEE MEMBERSHIP AND APPOINTMENTS TO OTHER BODIES

It was moved by Councillor Donaghy, seconded by Councillor Mrs. Fairclough and approved –

> That the following appointments and changes in membership be approved:-
>
> (i) That Councillor Lewis replace Councillor Donaghy on the Children's and Cultural Services Scrutiny Committee and that Councillor Donaghy replace Councillor Lewis on the Corporate and External Issues Scrutiny Committee.
>
> (ii) That Councillor Zaman replace Councillor Harkin on the GMCA/AGMA Scrutiny Committee.

16. QUESTIONS/COMMENTS UNDER STANDING ORDER 9(a)

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

(i) by Councillor McKeon relating to the comprehensive spending review

The Leader of the Council replied to this question.

(ii) by Councillor Critchley relating to a Notice of Motion regarding the Northern Hub

The Leader of the Council replied to this question.

(iii) by Councillor Critchley relating to a Notice of Motion regarding the Heritage Trail Development

The Leader of the Council replied to this question.

(iv) by Councillor Allen relating to the Town Hall refurbishment

The Leader of the Council replied to this question.

(v) by Councillor Critchley relating to pay day loans – Council's computer system

The Leader of the Council replied to this question.

(vi) by Councillor Dean relating to school utility bills

Councillor Mrs. Thomas replied to this question

(vii) by Councillor Cunliffe relating to smoking at the hospital site

Councillor Bashir-Ismail replied to this question.

17. PLANNING COMMITTEE

It was moved by Councillor Darvesh, seconded by Councillor Kellett and resolved –

That the minutes of the proceedings of the meetings of the Planning Committee held on 23rd May and 13th June, 2013 be approved.

18. SCRUTINY COMMITTEES

It was moved by Councillor Ashcroft, seconded by Councillor Donaghy and resolved –

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

Corporate and External Issues Scrutiny Committee – 24th June, 2013

Environmental Services Scrutiny Committee – 18th June, 2013

Children's and Culture Scrutiny Committee – 19th June, 2013

Health and Overview Scrutiny Committee – 30th April, 2013

19. MOTION UNDER STANDING ORDER NO. 4 – DANGEROUS DOGS

It was moved by Councillor Pickup and seconded by Councillor Jones –

Council notes that 7 children and 2 adults have been killed by dogs since 2006, and 6,000 admissions to hospital are caused by dog attacks each year, leaving many victims scarred for life.

The Council believes that the current Government proposals on dangerous dogs do not go far enough.

Council endorses and supports the campaign currently being undertaken by Bolton West MP, Julie Hilling, calling upon the Government to introduce tougher legislation on dangerous dogs.

Specifically, the Council urges the Government to:

- amend the law to cover attacks on people and animals on both private and public property;
- enforce Dog Control Orders;
- introduce Dog Control Notices giving the authorities the power to intervene; and
- introduce compulsory micro chipping of all dogs and to promote responsible dog ownership.

Upon being put to the vote the motion was declared carried.

20. MOTION UNDER STANDING ORDER NO. 4 – BEDROOM TAX

It was moved by Councillor Peel and seconded by Councillor Lewis –

The Council will remember that it passed a resolution on 17th April 2013 that urged the Government to immediately suspend the bedroom tax and to carry out an urgent review into its consequences.

Council acknowledges the reply received by the Minister for Welfare Reform, Lord Freud on the 3rd May, 2013 but expresses its concern that the Minister failed to address the areas of concerns outlined in the motion, particularly concerning the lack of availability of social housing stock.

Council therefore reiterates the following and would request that the Minister takes the time to respond to them -

1. That the number of people being forced to downsize from their homes far outweighs the number of available social housing, and that projections show that, even if no new applicants were offered a home, it would still take years for people to downsize; and

2. that there is growing evidence that social housing tenants are actually moving into the more expensive private rented sector and that, far from leading to a reduction of the benefits bill, the bedroom tax could lead to an overall rise in Housing Benefit payments.

Council also expresses its deep concern that as well as forcing households to uproot and move homes, the Government has paid little attention to the effect on children's education as many will be forced to make unwanted and unplanned moves to different schools, thus disrupting their school life and attainment.

In addition, Council further believes that the Government has failed to take into account the additional pressures on the budget for disabled adaptations, as disabled tenants are forced to move from adapted properties into smaller ones without adaptations, thus incurring unnecessary expenditure on new adaptations.

Where upon the motion was put to the meeting where the voting for and against was as follows:-

<u>For the Motion, 40 viz:-</u>

Councillors Allen, Ayub, Bashir-Ismail, C. Burrows, D. Burrows, J. Byrne, L. Byrne, Chadwick, A. Connell, M. Connell, Cunliffe, Darvesh, Donaghy, Evans, Francis, Gillies, G. Harkin, S. Harkin, A. Ibrahim, I. Ibrahim, Iqbal, Irving, Jones, Kay, Kellett, Lewis, McKeon, Mistry, Morris, Murray, Peacock, Peel, Pickup, Sherrington, Silvester, Spencer, Mrs. Swarbrick, Mrs. Thomas, Watters and Zaman.

Abstentions, 12 viz:-

Councillors Ashcroft, Cox, Critchley, Dean, Mrs. Fairclough, Greenhalgh, Haslam, Rushton, A. Walsh, J. Walsh, Wild and A. Wilkinson.

Whereupon the Motion was declared carried.

21. MOTION UNDER STANDING ORDER NO. 4 – CRIMINAL LEGAL AID

It was moved by Councillor S. Harkin and seconded by Councillor A. Ibrahim –

The Ministry of Justice (MOJ) is proposing to limit the number of providers who give advice under criminal legal aid. A competitive tender exercise will require bids to be 17.5% below the current fee levels.

In Greater Manchester there will be 37 contracts and estimates suggest there are currently over 130 providers of criminal legal aid.

Bolton currently has seven providers of criminal legal aid and it is possible that none of these seven firms would be awarded a contract.

This Council therefore resolves to write to the Justice Secretary, requesting the following action:-

1. that plans to introduce price competitive tendering for the provision of criminal legal aid are immediately scrapped;
2. that plans to remove client choice are immediately scrapped;
3. that the MOJ look elsewhere for savings as opposed to cutting fees paid to criminal legal aid providers; and

4. that any reforms proposed by the MOJ are initially introduced by way of pilot schemes to test their feasibility.

Upon being put to the vote the motion was declared carried.

22. MOTION UNDER STANDING ORDER NO. 4 – BOLTON MAGISTRATES COURT

It was moved by Councillor A. Ibrahim and seconded by Councillor Mrs. Fairclough –

> This Council is disappointed that proposals to close Bolton Magistrates Court are being considered, and wishes to state its opposition to such proposals. The court is of great importance to the population of Bolton, providing as it does access to justice for all residents of the Town as well as many people from other areas.
>
> We are concerned that the proposal for additional reductions within Bolton's Court cluster – which has already seen four courts reduced down to form just two combined courts – will have a significant impact on Bolton residents, as well as the Town Centre.
>
> As one of the largest towns in Greater Manchester, we feel that the retention of the Magistrates Court is important in maintaining an acceptable level of service for residents, who will otherwise be forced to travel considerable distances to attend alternative venues.
>
> The Council is committed to campaigning for the Court to remain open so that it can continue to play an important role in the future of the Borough, and will work closely with our partners to achieve the right decision.

Upon being put to the vote the motion was declared carried.

(The meeting started at 7.00 p.m. and finished at 9.25 p.m.)