

COUNCILLOR AMANDA ROBERTSON, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 17th July 2013

PRESENT: The Mayor Councillor Robertson (in the Chair)
Councillors Aldred, Ashworth, Barnes, Bleakley, Cheetham,
Crawforth, Creaser, Eaton, Essex, Farrington, Gill, Hughes,
Jackson, Kenyon, Knowles, Lamb, MacNae, Marriott, Morris,
Neal, Oakes, Pilling, Procter, Roberts, Sandiford, Serridge,
Shiple, D.Smith and Wilkinson.

IN ATTENDANCE: Stuart Sugarman, Director of Business
Fiona Meechan, Director of Customers and Communities
Carolyn Sharples, Committee and Member Services Manager
Bernard Gwin, Mayor's Attendant

ALSO PRESENT: 1 representative of the press
18 members of the public
County Councillor Stansfield

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted for Councillors, De Souza, Evans, Fletcher, McInnes, Milling, and M.Smith.

2. MINUTES

Resolved:

That the minutes of the Annual Council meeting held on 17th May 2013 be signed by the Mayor as a correct record.

3. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

4. DECLARATIONS OF INTEREST

Councillor Morris declared that he was a Council representative on Rossendale Leisure Trust.

Non-pecuniary declarations of interest were made prior to minute 18: Councillors Cheetham, Crawforth, Essex, Knowles, Marriott and Wilkinson.

5. OUTSTANDING ITEMS OF BUSINESS FROM THE LAST MEETING

There were no outstanding items to report.

6. COMMUNITY ENGAGEMENT

6a. RECOGNITION OF ACHIEVEMENT

The Mayor commended Team Leader, Brian Pickup MBE, Dawn Taylor, the Deputy Team Leader and the Extended Community First Responders Andrew Walmsley, Alan Scowcroft and Colette Walsh, on achieving the Queen's Award for Voluntary Service. Brian Pickup gave a speech and thanked the whole team of Community First Responders, and everyone for their support including Ray Pollard and the Deputy Lieutenant.

6b. JOINT VENTURE COMPANY PRESENTATION

Gareth Smith and Ian Clarke provided members with an update on the progress of projects being undertaken by RTB Ltd., including:

- Burnley Road, Bacup
- Mytholme House, Waterfoot
- Valley Centre
- New Hall Hey

In considering the presentation members discussed the following:

- Including Ladbrokes in the masterplan for Rawtenstall.
- Local views and Waterfoot Forward concerns in relation to Mytholme House.
- Mytholme House plans would be going to committee.
- The original scheme was larger, the current scheme goes behind the fence line, but not into the sports area.
- Questions on the Mytholme scheme will be raised as part of the planning process.

6c. PUBLIC QUESTION TIME

The following issues were raised by members of the public and were answered by the Leader or designated person:

| No | Issue | Questioner | Answered by |
|----|---|------------|---|
| 1. | Haslingden baths - what support is the Council providing, and assurance that everything will be done to ensure the facility remains available for the community to use. Why do pool staff believe the pool will be closing tonight? | Mr Green | Councillor MacNae confirmed that the Council was working with the pool group to put together a detailed business plan and looking at possibilities for external funding. Rumours on closure this evening demotivated staff and were incorrect. A decision on closure would not be taken this evening. |
| 2. | The state of footpaths and grass cutting in Newchurch. | Mr Pickup | Councillor Barnes informed that she would pick up the footpaths issue outside the Chamber. Owing to funding cuts, grass cutting was less frequent. |

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|----|---|--------------|--|
| 3. | Was the pool closing and when would a decision be made? | Ms Whittaker | Councillor Barnes informed that a full report was on the agenda and the Council had been working for 18 months on options for the pool. Councillor Barnes agreed to speak to the managers at the Leisure Trust about keeping staff informed. A decision would be made by September depending on the outcome of the proposal from the Friends of Haslingden Pool. |
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7. COMMUNICATIONS FROM THE MAYOR, THE LEADER OR HEAD OF PAID SERVICE

The Mayor reported a communication on behalf of the Chief Executive, that Councillor Christine Lamb will be replacing Councillor Ann Kenyon on the Standards Panel.

The Mayor congratulated Councillor Farrington on being awarded the British Empire Medal and Councillor Hughes on getting his degree from UCLan.

8. QUESTIONS BY MEMBERS

The following issues were raised by Councillors and answered by the Leader or designated person:

| No | Issue | Questioner | Answered by (and action) |
|----|--|-------------------|--|
| 1. | Amount collected in section 106 agreements since 2003? Reminding planners to include S106 on major applications. | Councillor Neal | Councillor Barnes informed that there had been £1.5 million since 2004/5 when the finance system changed. £730k had been applied and a breakdown would be sent to members. They would be looking into unlocking unused money and putting it to use. Each planning application had to be taken on its own merits. |
| 2. | Effect of the welfare reforms on residents in Rossendale including arrears accrued? | Councillor Lamb | Councillor Jackson informed that the 400 were affected and rent arrears were rising. If no suitable housing was available they would have to move into privately rented accommodation which would be more expensive. |
| 3. | Effect the 10% cut will have on the borough and residents (regarding the Local Government and | Councillor Hughes | Councillor Marriott informed that cuts would affect families, children and higher education. |

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|----|--|----------------------|--|
| | Communities budget). | | |
| 4. | Importance of food banks and urging the M.P. to show support for Rossendale residents and speak out against the reforms. | Councillor Jackson | Councillor Barnes agreed with the importance of food banks. |
| 5. | Did the Leader agree that the recent article on the cost of advertising food banks was insensitive. | Councillor Crawforth | Councillor Barnes agreed. |
| 6. | Update on two damaged stone walls in Shawforth. | Councillor Neal | Councillor Barnes informed that cost estimates had been sought and once they had been approved, the work would be carried out. |
| 7. | Assurance that S106 monies for Snig Hole had been ring fenced. | Councillor Essex | Councillor Barnes informed that it had been done. |

RECOMMENDATIONS FROM THE CABINET AND OTHER COMMITTEES

9. Recommendation of the Corporate Overview and Scrutiny Committee: Haslingden Swimming Pool

The Council considered the Haslingden Swimming Pool report, which was introduced by Councillor MacNae.

In considering the report members discussed the following:

- Spending cuts and looking for ways to do more with less.
- Needing to re-model and reshape to protect local services.
- Creating different ways of working with communities and businesses.
- Looking at all options available for Haslingden Pool.
- Consultation process and the impact of each option.
- Three expressions of interest were received but two dropped out.
- Friends of Haslingden Pool were passionate, motivated individuals who recognise the challenge.
- Council committing to £200k transitional costs.
- Report will come back to September if the proposal is not successful.
- Remaining financially prudent.
- Focussing on local issues.
- The future of swimming and effect on user groups.
- Customer notices at the pool saying adult swimming lessons had finished.
- Stand alone pools do not make a profit.
- Previous petition was signed by 8,000 people.
- Whitworth Pool re-opened by CLAW in 2003.
- £200k as a working incentive in partnership.
- There will always be issues, but there is always a solution.

- Money borrowed for a new pool but used on the Valley Centre.
- Rossendale Leisure Trust can't make it viable.
- Consultant's report and corporate priority of meeting the needs of local people.
- Previously had an extra 3 million a year in the budget but we no longer have this.
- Pool designs failed and new swimming pool was not viable.
- Process needs to finish before a decision is made.
- Using money in reserves and reducing member responsibility allowances.
- Cost of Leisure Trust offices in Rawtenstall.
- Big society and working together with community groups to make a difference.
- Impact on people if there is lack of facilities.
- Incidents from swimming in quarries and lakes.
- Response from schools on the impact.
- Loss of Bacup pool facility.
- Valley Centre is an empty space.
- Planned investment reported in the KKP report.
- Paying back dividends on the loan.
- It is not viable to build if a facility will lose money.
- Modifications at Marl Pits.
- Working with the Leisure trust to look at investment options.

Resolved:

1. That members note the work done to date in order to identify a solution for Haslingden Pool and note the detailed consultation undertaken.
2. That members note the expressions of interest received and that there now remains one expression of interest developing a full business case for consideration. A further report will be presented confirming if the process has been successful.
3. That members recommend that should a preferred partner not be confirmed as noted in 1.2, that Haslingden pool will close at a date to be confirmed and agreed by Full Council.
4. That members recommend the sum of £200k to support either of the chosen options.

10. Recommendation of the Cabinet: Bacup Townscape Heritage Initiative – Approval of Stage 2 Bid

The Council considered the Bacup Townscape Heritage Initiative report, which was introduced by Councillor MacNae.

In considering the report members discussed the following:

- Final bid phase.
- S106 agreements for town centres and shops.
- Bringing transformation to Bacup.
- Closed shops and old shutters.
- Previous funding to Haslingden, Rawtenstall and Bacup.
- Good ideas of THI board and support from LCC.
- 10% buy-in from individual businesses.

- Working with the Credit Unions to support loans.
- Generating business and investment.

Resolved:

1. That Council approve the Bacup Townscape Heritage Initiative bid.
2. That all future minor amendments to the bid be delegated to the Head of Health, Housing and Regeneration in consultation with the Portfolio Holder.

11. Recommendation of the Corporate and Partner Overview and Scrutiny Committees: Overview and Scrutiny Annual Report 2012/2013 and Overview and Scrutiny Work Programme 2013/2014

The Council considered the Overview and Scrutiny Annual Report 2012/2013 and Overview and Scrutiny Work Programme 2013/2014.

In considering the report members discussed the following:

- The way Task and Finish Group report recommendations are reported.
- Scrutiny is to challenge the Cabinet Executive.
- All members have an obligation to scrutinise.
- Good work done by Scrutiny Officer.
- Scrutiny principles and ensuring all members' voices are heard.
- Street cleansing review, not all recommendations were agreed with by the full group.
- All members of the group had the opportunity to put views forward and come up with alternatives, but no alternative options were put forward.
- There should be input regardless of political party.
- Report recommendations go with the majority vote as this is democracy.
- Scrutiny is about working together to come up with the answers to help residents.
- Welfare Reform Task and Finish Group was well led with lots to review and would continue this year.
- Reassurance that STAN is viable and will be available for those in outlying areas.
- Congratulations to the chairs of Overview and Scrutiny for effective scrutiny in Rossendale.
- Scrutiny is a channel for the opposition and welcomes positive participation.
- Regardless of political party all should equally contribute.

Resolved:

1. That Council approves the Overview and Scrutiny Annual Report 2012/2013 (Appendix A).
2. That Council notes both the Corporate Scrutiny and Partner Scrutiny Work Programmes 2013/2014 (Appendix B).
3. That the final reports of the Task and Finish Groups be presented to the appropriate Scrutiny Committee (Corporate or Partner), in consultation with the Portfolio Holder, prior to being considered by the Cabinet, Council or other relevant organisation.

12. Recommendation of the Governance and Training Working Group: Constitution Review

The Council considered the Constitution Review report.

In considering the report members discussed the following:

- Congratulating Lancashire Police and Crime Commissioner for following procedures.
- Number of Cabinet meetings.

Resolved:

That members agree the following amendments to the Constitution:

1. Part 4 page 119 – section 4 at 2.52 - The authority will have in place a 3 year rolling capital expenditure and receipts programme, reviewed at least annually by Full Council.
2. Part 4 page 105 – section 3 at point 4 - Unless the majority of members present vote for the meeting to continue, any meeting which has not concluded its business within 3 hours will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.
3. Part 4 page 186 – section 8 at points 13 14.1, 14.2 and 15 - changes as detailed at Appendix 3.
4. Part 2 page 15 - Article 4 - to remove the Integrated Performance Report and The Local Agenda 21 Strategy from the list of policies.
5. Part 3 Officer Delegation Scheme page 61 - Section 101 of the Local Government Act 1972 and section 15 of the Local Government Act 2000 and Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 set out the framework of delegation. They provide that a Full Council and a Cabinet can arrange for the discharge of functions through a Committee, Sub-Committee or Officer of the authority, or any other local authorities. Committees can delegate to Sub-Committees or to Officers, and Sub-Committees can delegate to Officers, unless expressly prohibited.
6. Part 4 page 102 Cabinet Procedure Rules - The Cabinet will meet at least six times a year at times to be agreed by the Leader. The Cabinet shall meet at the Council's main offices or another location to be agreed by the Leader.
7. Part 4 pages 53 - 60 Lancashire Police and Crime Panel - changes as detailed at Appendix 7 and that further amendments to this section be delegated to the Director of Business in consultation with the Portfolio Holder.

ORDINARY BUSINESS

13. Extension to the Independent Person's Appointment for Standards

The Council considered the Extension to the Independent Person's Appointment for Standards.

In considering the report members discussed the following:

- Why was the original appointment for 12 months?
- Who was the Independent Person?
- The number of vacancies?

In response to questions from members, the Director of Business confirmed that the post had been on a temporary basis owing to the new standards procedures so the Council could review how many Independent Persons were required and the workloads. Although three were originally appointed, two were disbarred from taking their positions owing to a change in the regulations. With regard to the level of activity and the post being unpaid, it made sense to remain with the one appointment.

Members continued to discuss the following:

- The person in question was totally independent.
- Councillors on the Standards Panel had worked successfully with her.

Resolved:

That Council agrees a three year extension to the appointment of Alison Driver as the Independent Person to be consulted for advice on standards matters.

14. Scout Moor Windfarm Extension Update

The Council considered the Scout Moor Windfarm Extension update, which was introduced by Councillor Lamb.

In considering the report members discussed the following:

- Peel consultation will be complete by the end of summer.
- Coronation Power will start consultation at the end of summer.
- Government is issuing new guidance.
- Consider a ban on turbines on Council land like Hampshire Council.

Resolved:

That the contents of the report are noted; that negotiations on a Planning Performance Agreement and liaison with developers regarding community consultation are delegated to the Director of Business in consultation with the Portfolio Holder.

15. Valley of Stone Greenway-proposed land swaps

The Council considered the Valley of Stone Greenway-proposed land swaps report, which was introduced by Councillor MacNae.

In considering the report members discussed the following:

- Opportunity to create a nationally significant route for walkers, cyclists and horse riders.
- Tourism, health and recreation benefits.
- Using Council land in swaps to facilitate the route.
- This was hardest piece of route to complete.

- Masseycroft gate removed and problem with motor bikes, consider digging a trench to access Healey Dell.
- Takes pressure off the roads.
- Quarries where off road motor bikes can go.
- Landswaps and Mytholme House.
- Need to look at reasonable value where land swaps are concerned.
- The naming of the cycle route, why not give it a number like other routes.
- Route is not just for cyclists.

Resolved:

1. That members approve initiation of negotiations to enable transfers of Council owned land to enable construction of the “Valley of Stone Greenway”.
2. That all future negotiations be delegated to the Director of Business in consultation with the Portfolio Holder.

16. Urgent Decisions

The Mayor reported that the Cabinet had not taken any urgent decisions since the last meeting.

N.B. Cllr Eaton left the meeting and was not present for the remaining item.

17. Exclusion of Public and Press

Resolved:

That the public and press be excluded from the meeting during consideration of the following item of business on the grounds that it involves disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) under Part 1 Paragraph 3 of Schedule 12A to the Local Government Act 1972.

N.B. Members voted to continue the meeting for the remaining business.

18. Treasury Matters

The Council considered and discussed the Treasury Matters report, which was introduced by Councillor Marriott.

Resolved:

That the recommendations of the report be approved.

(The meeting started at 6.30pm and concluded at 9.40pm)

Signed.....
(Chair)

Date