

**COUNCILLOR MARILYN PROCTER, MAYOR**

**MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE**

**Date of Meeting: 15<sup>th</sup> July 2015**

**PRESENT:** The Mayor Councillor Procter (in the Chair)  
Councillors Ashworth, Alyson Barnes, Lynda Barnes,  
Cheetham, Crawforth, James Eaton, Janet Eaton, Essex, Evans,  
Farrington, Graham, Haworth, Hughes, Kempson, Kenyon,  
Knowles, Lamb, Lythgoe, Marriott, McMahon, Neal, Oakes,  
Robertson, Serridge, Shipley, Smallridge, D.Smith, M.Smith and  
Steen.

**IN ATTENDANCE:** Stuart Sugarman, Chief Executive  
Carolyn Sharples, Committee and Member Services Manager  
Clare Birtwistle, Legal Services Manager (Monitoring Officer)  
George Taylor, Mayor's Attendant

**ALSO PRESENT:** 1 representative of the press  
19 members of the public

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**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received for Councillors Bleakley, Collinge, De Souza, Fletcher, Morris and Sandiford.

**2. MINUTES**

**Resolved:**

That the minutes of the Annual Council meeting held on 22<sup>nd</sup> May 2015 be signed by the Mayor as a correct record.

**3. URGENT ITEMS OF BUSINESS**

The Mayor informed that there was an urgent item of business which she had agreed to add to the agenda, this was in relation to Haslingden Pool. This report would be taken as item E4 on the agenda. The reason for urgency was that the bid proposes to re-open the swimming pool in September 2015 and therefore a decision would be required prior to the next Council meeting.

**4. DECLARATIONS OF INTEREST**

Councillor Procter declared that she was appointed to the board of Green Vale Homes (minute 10).

Councillor Ashworth declared an interest in minute 19 as she was chair of the Capita Strategic Governance Board.

Councillor L.Barnes declared an interest in minute 19 as she was appointed to the Capita Strategic Governance Board.

## 5. OUTSTANDING ITEMS OF BUSINESS FROM THE LAST MEETING

There were no outstanding items to report.

## 6. COMMUNITY ENGAGEMENT, 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 (and action)
1.	Housing refurbishment project, main contractor in liquidation, £70k debt outstanding, June councillor meeting, doubts over officer skills in delivering the Town Centre project, response not received from question asked at the previous Council meeting. Would information be made public at the end of the investigation?	Mr. Clive Balchin	Councillor A.Barnes informed that his previous question had been responded to and the response would be resent. Regarding the housing project, further information could not be provided at the present time, a full investigation was being carried out and the Council needed to be careful that it didn't prejudice the police and internal investigations. Information would be made public at the end of the investigations.
2.	The report at 5.2 refers to the number of houses required to be built in Rossendale with 50% in Bacup, Haslingden and Whitworth combined but Policy 3 says an even spread of development. Housing allocations of 340 Whitworth, 395 Haslingden, 860 Bacup, is not an even spread. Has policy been changed, if so, when?	Mr. John Atherton	Councillor Lamb informed the document was being published for a 7 week consultation. It was an opportunity to submit any representations for consideration as part of the consultation process. The Council did not consider Policy 3 to be in conflict with the Housing Policy. The Core Strategy indicated approximately 50% of new housing should be in Haslingden, Whitworth and Bacup but was not prescriptive on how the allocations should be split between the towns. The Local Plan Part 2 does not have an equal distribution between the three named settlements but this does not conflict with the Core Strategy.
3.	Responses given at the previous Council meeting. Did the Leader agree that the English	Mr. Tim Nuttall	Councillor A.Barnes informed that when the comments from English Heritage were received the case officer would only have just begun consideration of

	<p>Heritage comments were pertinent to the decision on the transfer of assets and that she should have been informed about them prior to the meeting? Also, which page/edition of the Free Press before 24th October did the consultation events appear and will she make sure future consultation events are publicised earlier? Should she have been informed about the meeting between senior officers and the RTB Partnership on 18<sup>th</sup> March?</p>		<p>the comments and potential next steps. The case officer liaises between the applicant's agent and any consultees to prepare a report to the Development Control Committee, as they are the decision making body. Such planning considerations and technical work would not be relevant to the process of land transfer which goes through its own separate process. The press release was issued on the 10th October, unfortunately the Free Press chose not to publish the release until 23<sup>rd</sup> October. Flyers were distributed well in advance to businesses on Bank Street, Kay Street and St Mary's Way, also put on Rawtenstall Market and in public notice boards. Emails were sent to everyone who had left their details from the March consultation event and emails were sent to local community groups to raise awareness of the event. She informed that she could be contacted at any time if there were any questions.</p>
4.	<p>Total number of wind turbines currently installed in the Borough; number awarded planning permission but not yet installed; number of wind turbines subject to a planning application or in the process of seeking planning permission. Did the Leader agree that Rossendale had its fair share of wind turbines?</p>	Mr. Peter Woods	<p>Councillor A.Barnes informed that the Council maintains a database related to Wind Turbine Development in the South Pennines area. It can be viewed on the Council's website and officers would contact him to advise him how to find the database to interrogate the data. She also informed that personally she supported the concept of wind energy, but wouldn't want to see turbines on every hill top.</p>
5.	<p>Maps on the Lives and Landscapes consultation show the old conservation area boundaries. Appraisals were completed in 2011/2012 and adopted by Council. The consultation document needs to show people where these are.</p>	Ms. Kathy Fishwick	<p>Councillor A.Barnes informed that she was not aware of this, but as it had been raised directly with the Forward Planning Team, she was sure it would be dealt with in due course.</p>

## 7. COMMUNICATIONS FROM THE MAYOR, THE LEADER OR HEAD OF PAID SERVICE

The Mayor had no communications to report.

The Leader of the Council brought members attention to the new visitor guide and also the Rogue Landlord flyer that had been circulated to members that evening.

She also informed that the Lancashire leaders had met to discuss the potential for forming a combined authority serving the whole of Lancashire. A combined authority was a formal arrangement where councils continue to exist as separate authorities, but work together to make decisions on specific strategic issues affecting the whole area, such as economic growth, transport, housing, health and employment. The leaders had agreed to continue exploring the possibility of a combined authority over the coming months. In addition, an all member briefing would be set up in September and a report would come to Council in December to consider joining a Lancashire wide combined authority.

The Leader updated members on the VIP session being held at Haslingden Sports Centre to launch the new climbing wall. She encouraged members to come along and support the event.

The Head of Paid Service informed members that Councillor Steen had replaced Councillor Lynda Barnes on the Overview and Scrutiny Committee.

## 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.	Changes to the street cleaning rota over the past 4 months. Leaflet stated there would be cleaner streets.	Councillor Steen	Councillor Lamb confirmed that there had been no changes to resources. She informed of how the service operated, and that any specific areas of concern should be reported to the Operations Team. Litter picking had increased now that refuse teams were dropped off to litter pick whilst the bin wagons were going to the tip to be emptied.
2.	Update on the work of the Haslingden Task Force.	Councillor Kenyon	Councillor A. Barnes gave an update on the following: clean-ups, CCTV, cobbles, Chamber of Trade, hanging baskets, promoting Haslingden, parking, shop front improvement scheme, on street parking, enforcement and Love Haslingden/Haslingden Market.

3.	Future of 3 Tier Forum meetings.	Councillor Neal	Councillor A. Barnes confirmed that the 3 Tier Forums were currently under LCC review and they were looking at alternatives during the interim, for example, having ½ hour dedicated on Neighbourhood Forum agendas for county councillors to take up any concerns.
4.	Reviewing the grass cutting in Stubblee Park.	Councillor James Eaton	Councillor A. Barnes confirmed that she was more than happy to review this and someone would get back to Councillor Eaton.
5.	Update on enforcement action in relation to dog fouling.	Councillor Hughes	Councillor A. Barnes confirmed that she didn't have the figures to hand but would circulate the information to members.
6.	Extending the membership of the Haslingden Task Force to include herself and Councillor Sandiford.	Councillor Shipley	Councillor A. Barnes confirmed that the membership of the group was set when it was established 18 months ago and would remain as it was.
7.	Value for money in relation to grass cutting and putting the service out to private contractors. Undertaking time and motion studies and starting at one side of the valley and working to the other side as a team.	Councillor Kempson	Councillor A. Barnes confirmed that services were tested from time to time. Council services had been cut back and staff numbers cut accordingly. It would be useful for members to understand more about certain services, what they do and the way they do it. Any concerns should be taken back to the Operations Manager.

## ORDINARY BUSINESS

### 9. LOCAL PLAN PART 2 – “LIVES AND LANDSCAPES CONSULTATION

The Council considered the report on the Local Plan Part 2 – “Lives and Landscapes Consultation.

In considering the report members discussed the following:

- Thanks to the officers dealing with the consultation and for all the updates, maps and documents.
- Continuing to consult and listening carefully to people's views.
- Policies will affect the Borough for years to come.
- Thanks to the members of the consultation group.
- Central government sets the target for housing and not Rossendale.
- Recent Whitworth developments have all been on former brownfield sites.
- Do have a need for housing, but government sets the figures.
- Social /private housing balance.

- Ensuring there is consultation with the education authority, taking into account school capacities.
- Brown sites can be in greenbelt which causes problems. Finding ways to improve these areas even if they are in greenbelt.
- Taking into account utilities, food risk and surface water.
- 222 band of development in Helmshore.
- Over 100 developed on brownfield in Helmshore over the last couple of years.
- Parking on Holcombe Road is difficult as there is no off street parking.
- Wavell site, residents see the whole site as red, can it be changed?
- Forward Planning Team will take comments on board.
- Working carefully on comments and all aspects.
- It is a difficult exercise but it's a statutory requirement.
- Residents will get consultation information through the door.
- Rossendale needs to identify its own sites, or it will be done for us.
- Need to get through the inspection stage.
- Members to encourage residents to come to the roadshows and give their opinions.

**Resolved:**

1. That members agree to the Draft Local Plan Part 2 – “Lives and Landscapes” – the Site Allocations and Development Management Policies DPD – and the associated Policies Map being consulted on for a period of 7 weeks.
2. Any minor amendments to the Sites or to the Policies or other wording included in the Draft Local Plan Part 2 prior to the consultation commencing to be delegated to the Planning Manager in consultation with the Portfolio Holder.

**Reason for Decision**

The consultation will guide the preparation of a final preferred version of the document which is timetabled to go out to consultation following the Council meeting in December.

**Alternative Options Considered**

None

**10. TOGETHER HOUSING GROUP GOVERNANCE REVIEW**

The Council considered the report on the Together Housing Group Governance Review. The report updated members on the review of governance at the Together Housing Group, and sought members approval to support the changes at Green Vale Homes' special general meeting in September.

In considering the report members discussed the following:

- Concern over how much influence the Council will have with the proposed changes.
- Need to communicate effectively.
- Overview and scrutiny will play a key role in the future.
- Dog fouling.
- Homes and Communities Agency forcing the agenda and housing board changes.
- Steam lining and value for money.
- Vital not to lose sight of the core objectives, and that local voices continue to be heard.
- Need for clear lines of communication and customer satisfaction.

- Concerns were raised via the task and finish group and they answered their case.
- Get to know when local housing officers do their walk-about and report any issues back to board members.

**Resolved:**

That members support the Together Housing Group’s governance review and nominate its shareholder representative to vote in favour of the changes at a special general meeting of Green Vale Homes on 7<sup>th</sup> September.

**Reason for Decision**

The new governance arrangements will reduce costs and complexity, whilst at the same time strengthening local influence through Local Panels and improved and formalised tenant scrutiny groups. It also meets the requirements of its regulator, the Homes and Communities Agency, and its funders.

**Alternative Options Considered**

None

**11. URGENT DECISIONS**

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

**12. URGENT ITEM OF BUSINESS – HASLINGDEN POOL**

The Council considered the Haslingden Pool Report. The Leader of the Council, Councillor A.Barnes, updated members on the work undertaken with the Haslingden All People’s Pool Initiative (HAPPI) to develop a proposal to re-open Haslingden Pool as a community swimming pool initiative. In delivering the report Councillor A.Barnes brought members attention to the following:

- Granting a licence to manage and operate the pool.
- 12 month licence with terms to be agreed.
- £25k to assist with repairs and £25k to support cash flow.
- Using volunteers to take the work forward.
- Impact on the Leisure Trust and users of Marl Pits.
- Working with the Leisure Trust to identify risk.
- Property had been put on open market and had interested potential developers.
- Delighted that the group came forward with the business plan, energy and determination.
- Worked previously with the first pool group.
- Key services were being delivered and enhanced by community groups despite cuts e.g. Ski Rossendale, Museum.

In considering the report members discussed the following:

- Proposed new pool and previous closure of the baths.
- Long term plans.
- Schools using the facility.
- Determination and inspiration of HAPPI in getting this far.

- Needing members support.
- Thanking officers for their time in helping the group.
- Congratulating HAPPI.
- HAPPI's passion and community spirit.
- Extensive consultation and 8400 signatures to keep the pool.
- Taking the pressure off Rawtenstall pool.
- Letting the people of Haslingden have this pool.
- Recommend the Council meets with the group on a regular basis e.g. quarterly, during the 12 month licence to get progress updates and for support.
- Setting a 9 month milestone for the review of the licence.
- The 8000 people who signed the petition and social media petition need to start using the pool and get behind the community group.
- Like to see longer than a 12 month licence.
- Contacting schools this week before they close as a matter of urgency.
- The need for time to arrange transport for school sessions.
- Each town to be given a certain amount of equality.
- Free energy use.
- Each service has different arrangements.
- The plan addresses day to day issues.
- Enhancing and improving facilities.
- It had been a difficult 2 years.
- The Council was not able to move forward with previous group.
- HAPPI's energy and enthusiasm similar to CLAW (Community Leisure Association of Whitworth).
- Willingness to talk and negotiate further after 12 months.

**Resolved:**

1. That members support the proposal to grant the Haslingden All People's Pool Initiative (HAPPI) Group, an appropriate licence to manage and operate Haslingden Pool for a period of 12 months subject to review, extension and/or conversion to lease on terms to be agreed.
2. That the Council makes available a grant of £25,000 to assist with the essential repair and redecoration of the premises and a further £25,000 temporary support for cash flow purposes in the early months of operation.
3. All future minor amendments be delegated to the Chief Executive in consultation with the Portfolio Holder.

**Reason for Decision**

Whilst the Council took the reluctant decision to close Haslingden Pool it has always been prepared to work with the community to look at alternative options for its operation and management. The HAPPI group's proposal follows many months of hard work by the group to garner interest, a volunteer workforce and future customers for the pool to support their business plan.

**Alternative Options Considered**

None

## **RECOMMENDATIONS FROM THE CABINET AND OTHER COMMITTEES**

### **13. Recommendation of the Cabinet: Business Rates Retention Scheme with Lancashire**

The Council considered the Cabinet's recommendation on the Business Rates Retention Scheme with Lancashire. The Portfolio Holder for Resources and Performance, Councillor Marriott, informed of the proposal for a pooling arrangement which would allow the retention of a proportion of the business rates. This element had previously been taken away and paid to central government.

In considering the recommendation members discussed the following:

- Keeping more money in the valley was welcome.
- Good example of Lancashire authorities working together.
- 2 councils might not join as it would not be advantageous to them.
- Retaining £2 million in Lancashire was welcome.
- Prior to 1990 Council's kept business rates, after then it went to central government.

#### **Resolved:**

1. That members approve the joining a Lancashire based Business Rates pooling arrangement for 2016/17 and beyond.
2. That the final details are delegated to the Head of Finance in consultation with the Portfolio Holder for Resources and Performance.

#### **Reason for Decision**

The pooling arrangement makes financial sense and is necessary in Council achieving its Medium term Financial Strategy.

#### **Alternative Options Considered**

None

### **14. Recommendation of the Governance Working Group and Audit and Accounts Committee: Constitution Review**

The Council considered the Governance Working Group and Audit and Accounts Committee recommendations on the Constitution Review report.

In considering the report members discussed the following:

- Bringing the Constitution up to date.

#### **Resolved:**

That Council agrees to:

1. Amend the licensing and enforcement delegations as detailed in Appendix A.
2. Amend the Employment Procedure Rules as detailed in Appendix B to comply with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (SI2015/881), and agree that the current Independent Person for Standards will be the same person who will advise the Appointments and Appeals Panel for any relevant dismissals.

3. Amend Articles 2, 7 and 9 to ensure that councillor training requirements correspond to the requirements of the member Training and Development Strategy, as detailed in Appendix C.
4. To remove the Record of Decision Form to allow it to be updated and amended on an ongoing basis.
5. To add the following to the Terms of Reference of the Audit and Accounts Committee: "To consider the Council's Risk Register."
6. To agree that the designation of Monitoring Officer be temporarily fulfilled by the Legal Services Manager until further notice, and that the Council's Constitution be amended accordingly.

### **Reason for Decision**

The Council is required by law to implement a Constitution and it is in the interests of the Council to regularly review and update the document.

### **Alternative Options Considered**

None

## **15. Recommendation of the Overview and Scrutiny Committee: Overview and Scrutiny Annual Report and Work Programme**

The Council considered the Overview and Scrutiny Committee's recommendation on the Overview and Scrutiny Annual Report and Work Programme.

In considering the recommendation members discussed the following:

- Scrutiny is vital.
- Thanks to the Scrutiny Officer.
- Urge all members to be diligent in challenging officers and cabinet members as well as outside bodies.
- Engaging with members to formulate the work programme.
- Hard work around task and finish group activity.
- Being fully engaged in the business of the Council.
- Scrutinising Council policies and looking at value for money.
- Looking at external organisations.
- Looking at more subjects for the work programme.
- Policies automatically go through Overview and Scrutiny and do not go into the work programme.

### **Resolved:**

1. That Council approves the Overview and Scrutiny Annual Report 2014/2015 (Appendix A).
2. That Council notes the Overview and Scrutiny Work Programme 2015/2016 (Appendix B).
3. That the final reports of the Task and Finish Groups be presented to the Overview and Scrutiny Committee, in consultation with the Portfolio Holder, prior to being considered by the Cabinet, Council or other relevant organisation.

**Reason for Decision**

That Overview and Scrutiny continues to develop its work over the next 12 months. A commitment to the Work Programme will ensure that Overview and Scrutiny continues to improve its way of working.

**Alternative Options Considered**

None

**16. Recommendation of the Cabinet: Amendment to Treasury Management Strategy 2015/16**

The Council considered the Cabinet's recommendation on the Amendment to the Treasury Management Strategy 2015/16.

In considering the recommendation members discussed the following:

- Technical change to allow investment in Money Markets.
- No risk: the only differential is yield.

**Resolved:**

To approve an amendment to the Treasury Management Strategy to include the potential to invest in Money Market Funds.

**Reason for Decision**

With the Medium Term Financial Strategy challenges in mind, to seek member approval of an amendment to the Treasury Management Strategy to allow investment in Money Market Funds in the future.

**Alternative Options Considered**

None

**17. Notice of Motion**

Councillor Serridge moved the following motion which was seconded by Councillor Marriott:

*This Council undertakes a Polling District Review to be concluded in time for the annual publication of the electoral register on 1st December 2015.*

In considering the recommendation members discussed the following:

- 1/3 of polling stations had been closed since 2006.
- Proposal would reconsider polling stations and obtain suggestions going forward.
- Sensible suggestion.
- To consult with the Town Council.
- Town Council were a statutory consultee.

**Resolved:**

That the Council undertakes a Polling District Review to be concluded in time for the annual publication of the electoral register on 1st December 2015.

**Reason for Decision**

To review polling stations across the Borough.

**Alternative Options Considered**

None

**18. 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.

**19. Recommendation of the Cabinet and Overview and Scrutiny Committee: Revenues, Benefits, One Stop Shop and Customer Contact report on the options for post September 2016.**

The Council considered the Cabinet and Overview and Scrutiny Committee’s recommendations regarding the Revenues, Benefits, One Stop Shop and Customer Contact report on the options for post September 2016.

**Resolved:**

1. That members note and give due consideration to the contents of the report.
2. That members recommend a three year extension to the existing contract arrangements with Capita.
3. All future minor amendments to the strategy and the contract are delegated to the Head of Finance and Property Services in consultation with the Portfolio Holder.

**Reason for Decision**

The Council is seeking the delivery of a Revenues, Benefits, One Stop Shop and Customer Contact Centre as from 30/09/2016; with an improvement to current service delivery.

**Alternative Options Considered**

- Current contract extension
- Open market tender
- Bring back in-house
- Partnership working with another Local Authority
- Mix of the above based on the four main services

**(The meeting started at 6.30pm and concluded at 8.25pm)**

Signed.....  
(Chair)

Date .....