

COUNCILLOR MARILYN PROCTER, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 9th December 2015

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

IN ATTENDANCE: Stuart Sugarman, Chief Executive
Clare Birtwistle, Legal Services Manager (Monitoring Officer)
Carolyn Sharples, Committee and Member Services Manager

ALSO PRESENT: 2 representatives of the press
22 members of the public

Prior to the start of the meeting the Mayor informed that item F3 Empty Homes (minute 10) would be taken after item E1 Lives and Landscapes (minute 9). She also informed members that a revised item E6 had been circulated.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received for Councillors L. Barnes, De Souza, Kenyon, Morris and M. Smith.

2. MINUTES

Councillor D. Smith moved an amendment which was seconded by Councillor Essex that the minutes be amended to record the full question and supplementary question asked at the previous Council meeting by Mr F. Rogers as follows:

Does the Leader of the Council agree that a priority duty of all elected councillors, working on behalf of all the borough's residents, is to closely and regularly monitor and oversee the proper and legitimate running of all aspects of the borough's affairs, in accordance with the council's own code of corporate governance?

Staying with the Council's published Code of Corporate Governance and the Council's published Constitution, does the Leader of the Council agree that:

- a) the senior controlling committee of the Council is the Cabinet committee, comprising the Leader and the Portfolio Holders of the other committees,*
- b) that the committee whose purpose, among other things, is to ensure that all business of the Council is conducted in accordance with the Council's Code of Corporate Governance, is the Overview and Scrutiny Committee (both of these committees made up of elected councillors)*

c) and that these committees are supported by an officer of the Council, the Monitoring Officer, one of whose roles is, according to the Code of Corporate Governance, to report on any issues about the Council's legal powers, possible maladministration, impropriety and probity.

The Mayor noted that the minutes were a summary of what was said at the Council meetings.

Members voted on the amendment which became the substantive motion.

Resolved:

That the minutes of the Council meeting held on 30th September 2015, as amended, be signed by the Mayor as a correct record.

3. URGENT ITEMS OF BUSINESS

There was one urgent item of business regarding the Empty Homes report (minute 10), which the Mayor had agreed to add to the Council agenda as this was an important issue and of public interest.

4. DECLARATIONS OF INTEREST

Councillor Steen declared a non-pecuniary interest in minute number 17 as a family member was a manager at Ladbrokes.

Councillor A. Barnes declared a non-pecuniary interest in minute number 13 as Together Housing was a partner member of the RTB Board of which Councillor Barnes was the chair.

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.	Why was Empty Homes not disclosed earlier? Had there been any disciplinary measures in relation to staff?	Mr A.Jowett	Councillor Barnes clarified the report findings in relation to the control systems and whistle blowing, and confirmed that information was communicated to members once the financial implications had become clear. She also confirmed that there were two disciplinaries in process, and that these two individuals had now left the organisation.
2.	Various queries and anomalies in the Lives and Landscapes consultation for	Mr K. Loughlin	Councillor Lamb informed that: two clerical errors were identified as part of the consultation process; the calculation error was identified early on and it was appropriate to rectify it as soon as

	<p>housing site H67 and traveller sites G2 and G3. Explanation on what the miscalculation was how it affected the boundary?</p>		<p>possible; completion of the Playing Pitch Strategy had been delayed due to slow receipt of responses; consultation regulations set out by government were not prescriptive for this stage; it was appropriate to proceed with the consultation draft on Local Plan part 2 and feed in further information from the study as and when available; the document would be published early in 2016; comments would be given consideration in the future consultations; the Local plan part 2 consultation identified additional sites to that in the 5 year land supply and was intentional; the overall figure in the consultation draft was approximately 5% higher than the minimum to ensure flexibility in housing provision delivery; additional information on ownership was received as a result of the consultation process; and the Council apologises for the omission of his comments in the responses publication, which has now been rectified and rigorous cross checking of all comments has been undertaken. Councillor Lamb confirmed that an officer would respond with exact details regarding the calculations.</p>
<p>3.</p>	<p>Rawtenstall Bus Station costs. Is there now a need for a £3.5 million bus station and has Rossendale Bus Company and Transdev been asked if they can still afford to pay the increased fees when services are cut?</p>	<p>Mr T. Winder</p>	<p>Councillor Barnes confirmed that there would be a cost for changing the plan around, which would be absorbed into the overall cost of the scheme. There was an ambitious programme for Rawtenstall Centre which included the bus station with Lancashire County Council (LCC) funding, retail activity, residences and leisure. The total cost was about £20 million and would absorb the initial costs. Heritage England had changed their views following a change of staff and there was a need to sit down and look at issues and find a way forward. Endeavoured to engage people as fully as possible, and demonstrate changes as a result of that exercise. The proposal from 4 years ago had the bus station diagonally along the middle of the site and it was not part of a bigger plan. If it had been done in isolation we would</p>

			have to work around the bus station. The Council was working with LCC and Rosso in relation to the parking charges. The costs for the last scheme were probably the same as this scheme. Don't look at the bus station in isolation.
4.	Would the Leader attend a public meeting?	Mr C. Balchin	Empty Homes was not at the end of the process, more information would be available and there may be a district auditors report. There had been a long Audit and Accounts session which was open to the public. Public were present at the meeting, and question time was kept open until all questions had been asked by both public and members. The report had been brought on the agenda today, February would be too late to wait and we ought to discuss it now. Expected further information to come through. It was important to be as open and transparent as possible. Councillor Knowles kept the meeting open for people to ask questions for as long as they wanted. The whole report went out in public.

The Mayor confirmed that time had been used up for public question time, but that she would continue and take the remaining registered speakers.

5.	Question about mistakes during her time as the Leader.	Mr P. Wood	Councillor Barnes confirmed that in the past there had been several masterplans for different areas but nothing had come of them. In the last 4½ years they had achieved many things and she listed the various projects. There was a need to continue achieving projects like these in the borough.
6.	Question withdrawn - request to be registered as the first person to speak at the February Council meeting.	Mr F. Rogers	Councillor Barnes agreed.
7.	Leader's knowledge about AAW.	Mr M. Pickup	The Mayor confirmed that this was a statement and not a question.
8.	What were market signals, and where were they derived from, and why is there a difference	Mr J. Atherton	Councillor Lamb confirmed market signals were discussed in the National Planning Practice Guidance which refers to the

	between the numbers of houses required in the 2012 Sub National Household Projections, compared to the Planning Department figures?		methodology to be used (Para 019). Housing need number should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings. Relevant signals may include land prices, house prices, rents, affordability, rate of development and overcrowding. The figures in the FOAN (including reference to 211) were provisional and based on interpretation of different base levels of projected population growth. Figures will be finalised in the near future now further data has been released by CLG which will aid completion of the SHMAA.
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7. COMMUNICATIONS FROM THE MAYOR, THE LEADER OR HEAD OF PAID SERVICE

The Mayor and Leader had no communications to report.

The Head of Paid Service informed of the following changes to membership of outside bodies:

- Councillor Hughes had replaced Councillor Oakes on East Lancashire into Employment.
- Councillor Procter had replaced Councillor Hughes on Rossendale Citizens Advice Bureau.
- Councillor Lythgoe had replaced Councillor Barnes on the Lancashire Police and Crime Panel.

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.	Update on developments within Stubbylee Park and any future plans.	Councillor Oakes	Councillor Lamb confirmed that there had been some positive progress including a bid submitted to refurbish the rose gardens, a bid to support restoration to the duck pond area, renewal of the winter

			maintenance programme, and working with interested parties.
2.	How will the Housing and Planning Bill's Right to Buy extension to Social Housing Associations affect Rossendale residents?	Councillor Lamb	Councillor Barnes informed that it promoted first time buyers under 40 being able to acquire a home at about a 20% discount; there were a number of concerns around affordability, the subsidy would not stick with the property so would not continue to be affordable forever; starter homes would no longer contribute to S106 or CIL; previously managed to renovate a number of playgrounds using this type of money, but it will come out of the system; time will tell if it helps residents.
3.	Public access to wifi in the Council Chamber.	Councillor Ashworth	Councillor Barnes confirmed that the password would be displayed in the Council Chamber and would change on a monthly basis.
4.	Had the Leader no knowledge of the Empty Homes situation given that she attended PLACE meetings and met regularly with the former Chief Executive? Will the Leader make a public apology for her own failings and leadership?	Councillor D.Smith	Councillor Barnes informed that she was offended by the question as it implied she had not been open and honest. She had attended 3 PLACE meetings: one when it was agreed to put the bid in; one which mentioned the bid had been successful and one where there was a presentation with no reference to any trouble. Weekly meetings were held with the former Chief Executive, but at no point was there any reference to this scheme being in trouble. Councillor Barnes apologised. She informed that no one gets involved in something to do a bad job. If she had been informed, she would have been able to do something about it, but she had not been informed. It was disappointing that it had not been brought to her attention so it could have been sorted out.
5.	Extent of the financial liability relating to Empty Homes. Would the portfolio holder responsible for finances be relieved of his	Councillor Essex	Councillor Marriott confirmed that the financial liability had previously been reported to Cabinet and was on the agenda at this meeting. There were two areas impact:

	duties?		annual Revenue costs and Capital costs. Capital costs were noted in tonight's report and assumed to be a net £1.7m before any partner contributions. Revenue costs were: £278k as reported in the 2014/15 accounts; for 2015/16 £747,000 was forecast; for future years the cost was expected to be approx. £200,000 per annum, before any partner contributions; the council would finish the year in budget with a small surplus. Councillor Barnes informed the there was no intention to relieve the portfolio holder of his duties. There was a job to finish and they would continue to pursue partners for their share.
6.	Was the Leader of the same opinion (as the last meeting) regarding the former Portfolio Holder for Health and Housing's reasons for stepping down, since she had signed the scheme of delegation for the Empty Homes Project and held regular portfolio meetings with housing officers? When can we expect more Cabinet members to step down?	Councillor Shipley	Councillor Barnes informed that she was again offended by this question as the former portfolio holder was decent, intelligent and hard working and brought those qualities with her. She had experienced ill health. She was away from her family and friends and decided to step down and move to Manchester to be nearer to them. It was nothing to do with Empty Homes. Councillor Barnes had spoken to her recently and she had confirmed that she met officers regularly and had been told the scheme was doing well. An officer was also saying how good the scheme was at a Homes and Communities Agency (HCA) roadshow. Councillor Barnes confirmed that if anyone had pointed out problems with the scheme she would have sorted it out, but members were not made aware.
7.	Tinkering with the Constitution. Not many Council meetings without some form of amendment. Can the former Deputy Leader explain why he didn't spend more time ensuring the document was being	Councillor Sandiford	Councillor Serridge confirmed that amendments to the Constitution go through the Governance Working Group, who make recommendations to Council where amendments are taken for decision. Give an example if tinkering? Seems to be confusion between

	properly adhered to in relation to Empty Homes? Whatever document was signed, why was it not being adhered to? There used to be Governance, Civic Matters and Member Training Working Groups, these have been amalgamated. Lots of things tinkered with.		reports and the Constitution. The Internal Audit Report did say we had governance and Constitution rules but these were over-ridden and ignored. Councillor Barnes confirmed that working groups had merged as the Council had lost government funding of £3 million and there had to be cut backs.
8.	Would the Leader hold a full debate at Council once the external auditors report was concluded in relation to Empty Homes? The question was regarding Grant Thornton, not the Internal Auditors report. No Cabinet member had accepted responsibility. Justifying Council Tax and Special Responsibility Allowances.	Councillor Steen	Councillor Barnes confirmed that the report had been discussed at Audit and Accounts in December at length, in public, with as many questions as asked. The report had been brought here today.
9.	Were any apprentices employed by AAW as part of the Empty Homes project? Improving the education of children in Rossendale. Rossendale College campus at Stubbylee shut. Can the apprentice issue be addressed and can there be assistance with the campus at Stubbylee?	Councillor Evans	Councillor Barnes informed that the Internal Audit Report stated there were no apprentices employed, although it was the original intention. ACCROSS had not been able to provide outreach owing to budget cuts, but they were speaking to two other organisations about the space in the barn.

ORDINARY BUSINESS

9. “LIVES AND LANDSCAPES” LOCAL PLAN PART 2 - RESPONSE TO CONSULTATION AND NEXT STEPS

The Council considered the report on the “Lives and Landscapes” Local Plan Part 2-response to consultation and next steps report.

In considering the report members discussed the following:

- Hours it had taken and work by officers.
- Costs to the tax payer.
- When did changes come to light?
- Could we have done things differently and sooner?

- £200k on top of what has already been spent.
- Report identifies possible legal challenges.
- Listening to residents.
- Plan had been in transition for a number of years.
- Large number of responses.
- Legislation had changed and more numbers were required in relation to housing development.
- Makes sense to start again.
- The process never stops.
- Ongoing process which is time consuming and expensive.
- It's a challenge that all councils in the country are facing.
- Pressure to build houses.
- Members on both sides spent hours in meetings.
- Review of the District Plan took years.
- Different Secretary of States have taken different views.
- Grateful for development on brownfield site in Whitworth.
- Policy is not by this Council's choosing.
- Goal posts have been moved.
- Officers to be commended.
- Cumbria and North Lancashire still recovering from floods.
- Core infrastructure: look at water plains and utility services.
- Will never be able to please everyone.
- Look at infrastructure: where pipes are going and what they are resting on.
- Save time by not including land with covenants or sites where it is impossible to access/build.
- Thanks to officers.
- Work starts again to get it right, however long it takes.
- 2700 comments compared to only 400 in Hyndburn.
- Core Strategy was revoked.
- Figures of 285-370 houses per year up to 2031.
- Don't know where to find that number of houses.
- Now need to find a lot more.
- Petition MP, Minister and Prime Minister on where we can find the land for this.
- All party steering group will take ownership of the plan with stronger scrutiny and will meet monthly.
- A need for sufficient housing sites to get through the process.
- Aware there were developers waiting for us not to declare sufficient sites.
- Best to consider afresh as there were considerable dynamics.

Resolved:

1. That Council note the responses received to "Lives and Landscapes", the Local Plan Part 2, and the preliminary findings from the Strategic Housing Market Area Assessment (SHMAA) which provisionally provides for the Borough's Objectively Assessed Housing Need (OAHN).
2. That Council gives authority to proceed with the production of a new Local Plan and Community Infrastructure Levy document for the Borough (Option 3).
3. That Council authorise the Section 151 Officer to examine the options to revise the budget to enable additional expenditure on Local Plan/CIL production.

Reason for Decision

Option 3 would provide the Council with a fully National Planning Policy Framework compliant Local Plan more quickly, and the long-term costs are likely to be no greater. Introduction of CIL would increase initial costs but would provide a reliable revenue stream to be spent on infrastructure in the medium term, particularly as 'pooling' s.106 contributions to fund infrastructure would be more restricted in the future. Undertaking CIL as an exercise separate from the Local Plan would be more costly than doing the work together, with the risk that the Evidence Base, especially on viability, would become out of date.

Alternative Options Considered

Options 1-5 as detailed in the report.

10. MANAGEMENT RESPONSE TO THE LANCASHIRE COUNTY COUNCIL INTERNAL AUDIT REPORT: "BRINGING EMPTY HOMES INTO USE"

The Council considered the management response to the Lancashire County Council Internal Audit report: "Bringing Empty Homes into Use".

In considering the report members discussed the following:

- Permitted under urgent items.
- Came forward Monday night.
- Put at the end of a full agenda.
- Important issue.
- Commend Chair of Audit and Accounts.
- Call for debate on external audit report.
- Not going to debate tonight.
- Bring back when there are things to discuss.
- Members and public attended a long meeting to debate detailed findings.
- Purposely didn't limit questions for elected members and members of the public.
- It was asked at the meeting if it could go to Council.
- Didn't know if there was authority for it to go on the agenda at that stage.
- Members were made aware of the internal audit report prior to Audit and Accounts and it was also in the public domain.
- This is part of a process and one of a number of investigations.
- What was the number of working days the report has to be published prior to a meeting?

In response to a question, the Monitoring Officer confirmed that the report had been brought as an urgent item of business and fell in line with these procedures.

Members continued to discuss the following:

- Normally 5 working days.

Councillor Eaton moved and Councillor Essex seconded an amendment to defer the item.

Members discussed the amendment as follows:

- Members had read a copy of the internal audit report at the member briefing.
- There were more papers here.

The Mayor confirmed that the report and appendix had been sent to all members via email when it was published for the Audit and Accounts Committee on 23rd November and the report was now coming to Council. The item had been moved up the agenda rather than leave it to the end as there was public interest in the item.

Members voted on the amendment becoming the substantive motion, and the motion was not carried. Members returned to discuss the original motion.

Members discussed the following:

- Working through problems with the project.
- There would be more arising to update members on the development.
- Not the time to debate.
- Document received Monday night.
- There was more to come from the external report and partners.
- Don't want it to come in dribs and drabs.
- Fully debate when all the information is available.
- Members have had the information since prior to Audit and Accounts so can't say they are not prepared to debate.
- Members would have criticised, if it had not been brought tonight.
- Received by post today.

The Mayor reminded members that the information had been available to them since 23rd November.

Members continued to discuss the following:

- This is called democracy.
- Reports going to LCC are received the day before the meeting.
- There are no public questions at LCC meetings, but Rossendale meetings are very open in comparison.
- Robust internal report.
- Report exonerates members of the Council as no information was made available to members.
- Owing to the liabilities in the scheme it should have come to full Council.
- Members have had the report for weeks and should be able to debate it.
- Was disappointed as a new councillor at the level of debate at the last meeting, councillors have a responsibility to sort things out together, to make lives better.
- All councillors have a responsibility for public funds.
- Since 23rd November every councillor should have made themselves fully aware of the report.
- Address comments directly to the Mayor.

Resolved:

That Members note the management response detailed in the report, and also note Lancashire County Council's Internal Audit report: "Bringing Empty Homes into Use," which is attached at Appendix 1.

Reason for Decision

For full Council to formally receive Lancashire County Council's (LCC) independent report on "Bringing Empty Homes into Use" (the Empty Homes Project) commissioned by the Chief Executive to seek a clear understanding of the failures of the project from February 2012 to January 2015.

Alternative Options Considered

None

11. COMBINED AUTHORITY FOR LANCASHIRE

The Council considered the Combined Authority for Lancashire report. The Leader of the Council, Councillor A.Barnes introduced the report and brought members attention to the following:

- Previous Council and Cabinet briefings for members.
- The next stage would be consultation.
- Final vote would be 16th March 2016.
- Importance for the future.
- Council's working together.
- Local Strategic Partnership had limited membership.
- A Combined Authority would give councils a central role in deciding where investments were made.
- It would not stop the Council becoming an associate member of the Greater Manchester (GM) Combined Authority.
- There would be talks around feasibility and the additional cost to Rossendale.
- There would be closer working arrangements.

In considering the report members discussed the following:

- Do we want to align with LCC as a Combined Authority.
- Inability to plan and prepare.
- Rossendale is the poor relation.
- Need to look at GM Combined Authority in relation to transport infrastructure.
- Work with other boroughs and GM.
- Not all councils agree on a Combined Authority for Lancashire.
- Go out to consultation and see what comes back.
- Childcare was rated good in the past by Ofsted, but now requires improvement.
- Look at travel and work with Pennine Lancashire and GM.
- Can still be an associate member of GM.
- Cuts to LCC funds 2011-2020 of £65 million in total.
- Complex issue.
- Other Combined Authorities were up and running effectively.
- Work towards economic development.
- Economic prosperity is southward.
- People living and working in Rossendale earn below the national average, whereas people who commute out earn above the national average.
- Work closer with neighbours to the south.
- High quality further education provision in Manchester.

- Consult with the people of Rossendale.
- Shouldn't cut ourselves off.

Councillor Cheetham declared an interest that she was a county councillor and the proposal had been brought up at LCC.

Members continued to discuss the following:

- Lancashire was a shrinking county which previously included Liverpool, Manchester and Warrington.
- Gravitate towards Manchester.
- Don't lose Lancashire heritage.
- Heritage venues such as Helmshore Textile Museum and the Whitaker, came from the old borough councils.
- The 4 libraries have had money spent on them and been refurbished, but they were now on a list to consider getting rid of them.
- Fighting for culture centres to be looked after.
- Risk of losing our identity.
- Should be an associate of GM.
- Future infrastructure.
- For this community to survive there needs to be good transport.
- Consult but go no further at this stage.

Councillor D.Smith moved and Councillor Essex seconded an amendment to keep recommendations 1.1-1.4, delete 1.6 and 1.7 and amend 1.5 as follows:

- *“Rossendale Borough Council agree to consider the feedback from the public consultation at its meeting on 16th March.”*

Members discussed the amendment:

- Issues and concerns with GM and Rochdale.
- Parishes and town councils were the oldest form of local government and would like to see an increase in these.

In response to the amendment, Councillor A.Barnes confirmed that the council was only at present able to be an associate member of GM as Rossendale was part of Lancashire and budgets could not be transferred over the border. There was a need for an agreement in principle around a closer working relationship with other Lancashire authorities, including unitary authorities. The only authority not in agreement at this stage was Wyre. The budgets would be in Lancashire and we would need to be careful that we did not exclude ourselves.

Members voted on the amendment becoming the substantive motion, and the motion was not carried. Members returned to consider the original motion.

Resolved:

1. The contents of the report be noted.
2. The contents of the Lancashire Governance Review and recommendation therein be noted.
3. The contents of the draft Scheme for a Combined Authority be noted.

4. Rossendale Borough Council agree to take part in the public consultation in January/February which will seek views on the formation of a Combined Authority for Lancashire.
5. Rossendale Borough Council agree to consider the feedback from the public consultation and note that following this, those authorities who wish to form a Lancashire Combined Authority will submit a proposal to the Secretary of State for consideration.
6. Rossendale Borough Council agree in principle to becoming a constituent member of the combined authority for Lancashire.
7. That at the council's meeting on 16th March, to give final consideration to becoming a constituent member of a Lancashire Combined Authority.

Reason for Decision

A Combined Authority is a formal arrangement which supports and enables collaboration and co-ordination between two or more local government areas on transport, regeneration and economic growth as well as skills, housing and employment. The combined authority is a mechanism to work more effectively and formally in partnership. Final consideration to becoming a constituent member of a Lancashire Combined Authority will be made by members in March 2016.

Alternative Options Considered

As detailed in the amendment above.

12. PUBLIC COMMITTEE SCHEDULE 2016/2017

The Council considered the Public Committee Schedule 2016/2017.

In considering the report members discussed the following:

- Internal audit findings recommended quarterly reports to Audit and Accounts.
- Currently meets 3 times a year.
- There is approx 6 month between 2 meetings.
- Propose a fourth meeting.
- It was discussed at Audit and Accounts.
- It was a recommendation of the external auditor.
- The committee had taken responsibility for the risk register.
- Agreed with the inclusion of a fourth committee meeting.

The Chair of the Audit and Accounts Committee, Councillor Knowles, confirmed that that the Chief Executive had agreed to add an additional meeting date in the schedule on 6th December 2016.

Councillor Serridge moved, and Councillor A.Barnes seconded, an amendment to add an additional December Audit and Accounts Committee meeting to the schedule for 2016/17.

Members voted on the amendment, which became the substantive motion.

Resolved:

That members agree the Committee Schedule containing dates of public meetings for 2016/2017 as detailed at Appendix 1, with the addition of a December Audit and Accounts Committee meeting.

Reason for Decision

It is important to agree a committee schedule in order to ensure that the Council can effectively conduct its business.

Alternative Options Considered

None

Members agreed to have a short comfort break.

13. TOGETHER HOUSING GROUP LEGAL STRUCTURE REVIEW

The Council considered the Together Housing Group (THG) Legal Structure Review. The Leader of the Council, Councillor A.Barnes introduced the report and brought members attention to the following:

- There had been 2 member briefing sessions.
- Changes were required as a result of the way they were funded by the HCA.
- They would struggle with the existing legal structure.
- Committed to supporting two members on the local panel.

In considering the report members discussed the following:

- Useful briefing.
- Would gain backing as it made commercial, operational and governance sense.
- Established the structure collapse to save £1.6 million in administration costs and cover cuts over the next 4 years.
- Measure forced from a regulatory point of view.
- Clarity on the Council's shareholder representative.
- Ensuring political balance with the members on the panel.
- Need to have a voice and represent constituents.
- Members on the board will discuss day to day issues.
- Membership changed owing to poor attendance.
- Shareholder is usually the Council as a body.
- As a result of Task and Finish Group activity, quarterly meetings would be held with THG.
- Was formerly one of the member representatives and did attend meetings and briefings.
- Poor attendance pre-dated that.
- Green Vale still have walkabouts with the Housing Manager which were very useful and easy to do.

In response to a question, the Chief Executive agreed to clarify who the shareholder representative was and would circulate the information to all councillors.

Resolved:

That Members support the Together Housing Group's legal structure review and nominate its shareholder representative to vote in favour of the changes at a special general meeting of Green Vale Homes in January 2016.

Reason for Decision

Together Housing Group's review of its legal structure arrangements will reduce costs and complexity. It also meets the requirements of its regulator, the Homes and Communities Agency, and its funders. If approved it will mean that the Together Housing Group is more likely to maintain its good regulatory rating, and therefore continue to access funding at an affordable rate, resulting in continued investment in Rossendale and a firm commitment to the Borough.

Alternative Options Considered

None

14. CAPITAL EXPENDITURE

The Council considered the Capital Expenditure report. The Portfolio Holder for Resources and Performance, Councillor Marriott, introduced the report and brought members attention to the following:

- To commit £1.7 million to the empty homes project.
- £4.2 million expenditure less £2.5 million external funding.
- Commenced tender exercise.
- 180 properties for refurbishment between 3 separate tenders.
- The first tender of 50 properties is valued at £590k.
- Average cost per property £11k.
- Shortfall is £1.7 million with no assumption at this stage in relation to partner contributions.

In considering the report members discussed the following:

- Amount of money from tax payer.
- Taking responsibility.
- Little choice but to support.
- Assurance and guarantees regarding tax payers.
- Secure financial contributions.
- Having controls in place.
- Getting appropriate tenants in properties.
- Problem families imported into the borough.
- Explore transferring stock to a local housing association.
- Ensuring housing is for those that need it most.

As the meeting had been in session for 3 hours the Mayor asked members to vote on whether to continue with the meeting.

Resolved:

That the meeting continue.

Members continued to discuss the following:

- First informed of issues in June.
- Previous hard work by officers and councillors to build the Council's reputation.
- Pride in Rossendale.
- Strengthening relationships with the electorate.
- Support proposal with reluctance.
- Loss of £2 million revenue and £250k this calendar year.
- £1.7 million is on top of £200k a year up to 2021.
- Now awaiting external report.
- Projects and services that could have been provided with that money.
- Do not accept anything without questioning.
- Achieved a lot over the last 4 years and will carry on achieving going forward.
- Told continuously everything was fine and really good.
- Never raised as a problem.
- The Council could have walked away, but it didn't.
- It picked it up and started to sort it out and needed help in doing that.
- Doubled level of reserves over the last 4 years.
- Funding to pay for this is there, and will end the year with a surplus.
- Set aside sufficient reserves to cover any ongoing liability.
- Will continue to work with partners regarding contributions.
- Will review on an ongoing basis, keep assessing, and talking to partners.

Resolved:

That members commit up to £1.7m of Council resources to the Empty Homes Project, being expenditure of £4.2m less external funding resources of £2.5m.

Reason for Decision

The investment programme is the least cost route over the life of the Empty Homes Programme and will be assessed on an individual property basis.

Alternative Options Considered

None

15. URGENT DECISIONS

The Mayor reported that there had been one urgent decision taken by the Cabinet since the last meeting of the Council. This was an addition of General Grant Condition clauses to the Private Sector Housing Renewal Strategy and Policy.

In noting the decision members discussed the following:

- Decision to put a charge against property repairs.
- Debating urgent Cabinet decisions.
- Steps taken to plug the loophole of the empty homes scheme.
- If the landlord sold the property the debt would move on and not stay with the property.
- No opportunity to call in urgent decisions.

- Suggestion to Governance Working Group.
- The November meeting was cancelled.

The Mayor confirmed that a review of the Urgent Cabinet Decision process was scheduled for the January Governance meeting, and that this item was for noting only.

RECOMMENDATIONS FROM THE CABINET AND OTHER COMMITTEES

16. Recommendation of the Overview and Scrutiny Committee: Local Council Tax Support Scheme 2016/17

The Council considered the Local Council Tax Support Scheme 2016/17.

In considering the report members discussed the following:

- £1 million benefits bill transferred to Council Tax payers in Rossendale.
- There was previously a fixed grant to local authorities to pay a proportion of that support.
- Changes have resulted in a 20% charge to the individual.
- Previously they had 100% entitlement.
- Revenue support grant would go to 0%.
- Whole costs of the scheme would be our responsibility at circa. £1 million in Rossendale.
- Rossendale only raises £4.5 million in Council Tax.
- £123k was predicted for 2015/16 but it would go up during the year in line with changes.

Resolved:

That Full Council approve the Local Council Tax Support Scheme for 2016/17 as set out in the report.

Reason for Decision

To continue with the scheme approved in December 2013, but including benefit uprating for 2016/17, as in previous years.

Alternative Options Considered

None

17. Recommendation of the Licensing Committee: Review of Statement of Principles – Gambling Act 2005

The Council considered the Licensing Committee's recommendation on the Review of Statement of Principles – Gambling Act 2005. The Portfolio Holder for Legal and Democratic Services, Councillor Serridge, informed that the statement was almost identical to the last one and changes were detailed in Appendix B.

In considering the recommendation members discussed the following:

- Parents reporting a nightclub open for 11-18 year olds until 11.30 and wanting to know if there were gambling machines there, and who was supervising it.

In response to a question, Councillor Serridge informed that there was possibly an enforcement issue, which would be picked up outside the meeting.

Resolved:

That Council formerly adopts the Statement of Principles under the Gambling Act 2005 for the period 31st January 2016 to 30th January 2019.

Reason for Decision

Section 349 of the Gambling Act 2005 requires the licensing authority prepare and publish a three year licensing policy following due consultation.

Alternative Options Considered

None

(The meeting started at 6.30pm and concluded at 9.50pm)

Signed.....

(Chair)

Date