

COUNCILLOR MARILYN PROCTER, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 16th March 2016

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

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

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

1. APOLOGIES FOR ABSENCE

Apologies for absence were received for Councillors Bleakley and D. Smith.

2. MINUTES

Resolved:

That the minutes of the Council meeting held on 24th February 2016 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

There were no declarations of interest.

5. OUTSTANDING ITEMS OF BUSINESS FROM THE LAST MEETING

There were no outstanding items to report.

6. RETIRING COUNCILLORS – VOTE OF THANKS

Councillor Brian Essex spoke in relation to former Councillor Peter Evans who had retired; this was seconded by Councillor Christine Lamb.

Resolved:

That the grateful thanks of this Council be offered to Peter Evans for his hard work throughout his service as an elected member of the Borough.

7. 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.	Lee Quarry and plans to encourage people to get out into the countryside?	Mr P. Marland	Councillor A. Barnes informed that the Council was working closely with the Countryside team on alternative arrangements for the day to day management of Lee Quarry. Discussions with representatives of local groups had also started.

N.B. Councillor Serridge entered the meeting.

No	Issue	Questioner	Answered by (and action)
2.	Is the Council in a financial position to address potholes and poor street lighting?	Ms P. Bromley	Councillor A. Barnes informed that this was a matter for Lancashire County Council (LCC), but could report that work to roads and street lights were being carried out at the moment. However, future cuts to budgets could impact on this work.
3.	When will RTB obtain sufficient funds / securities to satisfy the draft agreement and who will underwrite that guarantee?	Mr C. Hoare	Councillor A. Barnes informed that the contracting party for the new bus station would enter into a fixed price contract with the developer, such that the risk of cost over runs would remain with the developer.

A written question had been submitted from Mr T. Winder but he was not in attendance. Councillor A. Barnes agreed to provide a written response.

No	Issue	Questioner	Answered by (and action)
4.	At last week's Cabinet meeting the Leader stated that Pennine Reach was funding the bus station. Is this	Mr M. Pickup	Councillor A. Barnes informed that she was mistaken about the source of funding and apologised. The funding had previously been in LCC's Capital Budget, but LCC now

	incompetence or an attempt to mislead?		intended to borrow the money to ensure there was sufficient in the reserves.
5.	Could the Leader provide an update on the next phase of development for Rawtenstall town centre?	Mr A. MacNae	Councillor A. Barnes informed that following the planning decision the Council was working with partners to develop the plan for starting work on site. Discussions were progressing well with LCC on the funding and arrangements for building and operating Rawtenstall's new bus station. The Council was on track to submit a further funding bid to the Local Enterprise Partnership for phase 2 and 3. The Council was considering leisure options and the future of the market as part of the wider development.
6.	In relation to the Empty Homes Scheme why was the public not informed by elected councillors for some months after the contractor collapsed?	Mr A. Jowett	Councillor A. Barnes informed that significant costs were not clear until early June 2015. Once this was known, reference was made in reports at Audit and Accounts Committee on 30 th June 2015 and also 8 th July 2015 Cabinet.
7.	The need for the new bus station, since there was rarely anyone seen waiting in the bus station. How many councillors had come on the bus?	Mr C. Balchin	Councillor A. Barnes informed that regeneration in Rawtenstall was being kick started by the bus station development. All bus activity would be located in one place and people would no longer have to walk across town to catch an onward service.
8.	Bus station funding was coming from LCC's Transport Capital Programme and not Pennine Reach as stated at the Cabinet meeting. Would the Leader resign from the Council, LCC and the Labour Party?	Mr P Wood	Councillor A. Barnes responded "no".

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

The Head of Paid Service informed that Councillor Haworth had taken the available place on Governance Working Group and Councillor Kempson had taken the available place on the Audit and Accounts Committee.

The Leader of the Council informed that a letter would be sent on behalf of the Council and the Borough to mark the occasion of Her Majesty's 90th Birthday. "Clean for the Queen" borough clean ups had been taking place with over 220 bags of rubbish collected. The Leader formally thanked everyone who had participated and been involved.

The Mayor had no communications to report.

9. 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.	Had the MP accessed all funding available from Central Government in order to minimise the effects of the cuts on Rossendale residents? The MP hadn't supported "Keep Rossendale Green." Did the MP know what the Local Plan was?	Councillor Oakes	Councillor A. Barnes informed that it didn't seem so. In relation to "Keep Rossendale Green" Councillor A. Barnes confirmed that she was in the process of setting up a meeting with both MPs to outline concerns on this issue.
2.	The move of the call centre from Coventry to Futures Park and the impact, particularly regarding the proposal to cap housing benefit to the local housing allowance for social housing tenants.	Councillor Lythgoe	Councillor Ashworth provided an update on the move. Initial feedback had been positive. Staff were able to take payments over the phone. Impact from the proposals was not yet known but the Council anticipated increased calls and increased work for the homeless team.
3.	Did the Council intend to publish a register of Brownfield Sites available in the Valley, and when?	Councillor Crawforth	Councillor Lamb confirmed that authorities were expected to publish by April 2017, however the Council was taking part in a pilot project along with Pendle and Hyndburn and expected to publish the pilot register by the end of June 2016.
4.	What steps were the Council putting in place to ensure members were aware of potential risk	Councillor Knowles	Councillor A. Barnes confirmed that a single 'Rossendale Improvement Plan' was being developed and the Risk Management Strategy had

	<p>areas, improve controls and prevent management override on projects?</p> <p>Getting cross party support and involvement for any improvement plan.</p>		<p>been updated. A checklist framework had been introduced to ensure all the risks associated with new projects were adequately assessed and a future action plan for officers and members would be implemented which would include training.</p>
5.	<p>Update regarding the poisoning and deaths of cattle by arsenic on Shawforth common.</p> <p>School safety concerns following an email sent to the Leader 26th February.</p>	Councillor L. Barnes	<p>Councillor A. Barnes confirmed that a letter had been sent to the cattle owners and she had also met with a representative of the cattle owners and another resident. The resident had provided additional information at the meeting and she had agreed to visit the site and follow this up with another meeting. In the meantime further water samples would be taken.</p> <p>Councillor A. Barnes was not aware of the email, if there had been concerns from the school that were a matter of urgency she should have been contacted by phone.</p>
6.	<p>Why is there no lighting around the Riverside, and there were only four CCTV cameras on site?</p>	Councillor Neal	<p>Councillor A. Barnes confirmed that she was not aware that the issue had been raised by CLAW. She would ask the Head of Finance to pick this up with them at the next meeting.</p>
7.	<p>Would the Leader provide an update on the face-lifting work on the Pioneer Building in Bacup and who would be taking responsibility since the deadline had been missed?</p> <p>Were there any penalty clauses?</p>	Councillor Steen	<p>Councillor A. Barnes confirmed that the contractor had made a formal request for an extension under the terms of the contract. If the extension was agreed, it was likely to be mid-April. Delays of this kind were not uncommon.</p> <p>She confirmed there were penalty clauses.</p>
8.	<p>Standard of work on the Pioneer Building and an explanation regarding the issues.</p>	Councillor Eaton	<p>Councillor A. Barnes confirmed that works had been carried out to a high standard using appropriate heritage techniques. Any 'snags' were currently being resolved. The window on the corner of the building and the Dansworks door were being replaced. A locally based sign writer had been appointed to</p>

	New windows at Dansworks had condensation.		provide heritage appropriate signage for the THI project. She agreed to meet on site if there were issues following the completion of works.
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ORDINARY BUSINESS

10. COMBINED AUTHORITY

The Council considered the Combined Authority report. In delivering the report the Leader of the Council, Councillor A. Barnes, brought members attention to the following:

- Update on the Combined Authority proposals.
- Responses to the public consultation.
- Government was looking to talk to Combined Authorities rather than individual districts about key issues.
- Working in close collaboration on economic matters and exploring options.
- Governance review was considered in December.
- Ambitions for a prosperous Lancashire, looking at transport, connectivity, skills, employment, homes and shared public services.
- Lancashire was one of the largest local economies in the North of England.
- Combined Authority was a single voice for Lancashire.
- New funding arrangements: councils would be reliant on business rates.
- Opportunity to influence and shape the work of the LEP and the funding streams.
- Establishing economic partnerships and accessing further funding.
- Approximately 444,000 people accessed the consultation, 15,000 on the web site.
- 2,000 responses were received with 70% strongly agreeing or tending to agree with a Combined Authority.
- Main concerns were: where resources would be focussed, and the impact on local services.
- It was a formal arrangement to support and enable collaboration.
- Each council would remain a separate authority.
- It did not prevent the council becoming an associate member of another combined authority.
- Initial discussions had taken place with Greater Manchester to become an associate member.

In considering the report members discussed the following:

- Detail of the benefit of a Combined Authority, or a wish list.
- Can't support recommendations 1.3 or 1.4.
- No benefits to the council tax payer.
- Wyre was not supporting it.
- West Lancashire was looking to Merseyside Combined Authority.
- Thinking outside the box.
- Enterprise in Manchester e.g. Salford Quays, Trafford Centre.

- Transport and employment links were with Greater Manchester.
- Explore other avenues.
- Need to join the Lancashire Combined Authority.
- Sit at the table or don't eat.
- Lancashire was not as pioneering since 1974.
- Loss of industrial heartland.
- Not convinced on the public consultation response statistics.
- Modest response, not enough information to get people excited.
- Half of the borough tends to go towards Manchester.
- Preston was not too happy with boroughs that cross boundaries.
- Be realistic in looking towards Manchester rather than Lancashire.
- Rossendale no longer has a hospital, court or Registrar.
- Didn't notice any improved transport recommendations.
- Problems with topography.
- Getting more digital connectivity.
- In favour of becoming an associate member of Greater Manchester, but we can't become a full member.
- Joining the Lancashire Combined Authority would give us an equal voice on discussions about transport, education, etc.
- Greater Manchester has issues with social services and transport and not all the authorities see eye to eye.
- These are not mutually exclusive options.
- Lancashire does not get a good deal, but it should.
- If we're not part of it, this position won't improve.
- Need a serious plea regarding transport to Manchester and the train link.
- There had been a detailed member briefing session where members' questions and concerns had been answered.
- £3.5 billion cuts notified in Chancellor's announcement.
- 100% business rates to be piloted in Combined Authorities.
- Mandate and direction from government is clear.
- We would be made to join even if we don't want to.
- Would need a new parliamentary order to join Greater Manchester as a full member.
- Lancashire Combined Authority would engage on strategic priorities.
- Wyre was always against the scheme.
- West Lancashire was in a similar situation to Rossendale and it was their intention to become a member of Lancashire Combined Authority, and an associate member of Merseyside.
- You can't operate in another area except your own.
- The money would remain in Lancashire.
- We can achieve more by working together.
- Need to think about more strategic issues.

A recorded vote was requested by Councillors Eaton, Essex and Steen.

Voting took place on the recommendations of the report as follows:

Name	Vote
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Cllr Ashworth	For
Cllr A. Barnes	For
Cllr L. Barnes	Against
Cllr Cheetham	Against
Cllr Collinge	Against
Cllr Crawforth	For
Cllr De Souza	For
Cllr James Eaton	Against
Cllr Janet Eaton	Against
Cllr Essex	Against
Cllr Farrington	For
Cllr Fletcher	For
Cllr Graham	Against
Cllr Haworth	Against
Cllr Hughes	For
Cllr Kempson	Against
Cllr Kenyon	For
Cllr Knowles	For
Cllr Lamb	For
Cllr Lythgoe	For
Cllr McMahon	For
Cllr Marriott	For
Cllr Morris	Against
Cllr Neal	For
Cllr Oakes	For
Cllr Procter	For
Cllr Robertson	For
Cllr Sandiford	Against
Cllr Serridge	For
Cllr Shipley	Against
Cllr Smallridge	For
Cllr M. Smith	For
Cllr Steen	Against
Total For	20
Total Against	13
Total Abstentions	0

Resolved:

1. That the contents of the report be noted.
2. That the appended response to the public consultation on the Combined Authority proposals be noted.
3. That the council agrees to become a constituent member of a Lancashire Combined Authority and submit proposals to do so to the Secretary of State.
4. In the interim period, the council agree to form a shadow Lancashire Combined Authority.
5. Any future proposals for a devolution deal with the Government be brought back to council for agreement.

Reason for Decision

To seek agreement for the Council to become a constituent member of a Combined Authority for Lancashire.

Alternative Options Considered

None

11. PAY POLICY STATEMENT

The Council considered the Pay Policy Statement. The Portfolio Holder for Resources and Performance, Councillor Marriott, informed that the report came every year as a requirement of the Localism Act 2011 and set out the Council's position on a range of issues relating to the remuneration of its employees.

Resolved:

That Full Council approves the attached Pay Policy Statement.

Reason for Decision

To detail the existing contractual entitlements as per current contracts of employment of senior staff within the Council, in order to meet the legal requirements of the Localism Act 2011.

Alternative Options Considered

None

12. HASLINGDEN SWIMMING POOL

The Council considered the report on Haslingden Swimming Pool. In delivering the report the Leader of the Council, Councillor A. Barnes, brought members attention to the following:

- Seeking approval to release funding support.
- Risks highlighted in section 4.1.
- A licence was granted July 2015 to manage the pool for 12 months subject to review.
- £25,000 was agreed to assist with essential repairs/redecoration and £25,000 to support cash flow.
- Achievements were detailed at 5.8.
- HAPPI had acquired Community Interest Company status and secured further additions to its Board and group of volunteers.
- They were currently seeking 2 funding opportunities through Heritage Lottery Funding and Sport England.
- In September 2013 £200k was agreed to support options for the pool.
- HAPPI had achieved a significant amount of work towards fulfilling their ambition to reopen Haslingden Swimming Pool.

In considering the report members discussed the following:

- 8,000 petition signatures obtained.
- Previously it was £28k to produce the business plan.

- Owing to cuts the pool had to close.
- So far costs have been £83k, there were future costs, and costs implications for Rossendale Leisure Trust (RLT).
- Poor planning.
- HAPPI had done a sterling job.
- Potential losses.
- Impact on health and well-being and the elderly.
- Supporting HAPPI.
- Bacup pool was closed over 20 years ago.
- If the 8,000 people who had signed the petition had used the pool, it wouldn't have needed to close.
- The Council could not afford to continue to run the pool because of the cuts.
- There had been 7 years of Council Tax freezes and reserves had doubled.
- Previous offer was to provide volunteers to RLT rather than to take on the pool.
- A loan was taken to build a new pool.
- The money was used for the Valley Centre, with no returns in order to repay interest.
- Grant details were in recommendation 1.1.
- 6.4 gave a breakdown of how the £200k had been spent to date.
- Previously tried for 2 years to get a group to take on the pool.
- There had been a £100k a year loss on the pool.
- Made sense to support the proposal.

Resolved:

1. That Council continues to support the community by setting aside £100,000 to contribute to matched funding raised by Haslingden Baths Community Interest Company, also known as Haslingden All People's Pool Initiative (HAPPI).
2. That Council release immediately £33,500 (plus a 20% contingency allowance) of the funding noted in 1.1 to repair the roof of Haslingden Swimming Pool.
3. That Council support the release of further funding, beyond the initial investment, subject to HAPPI producing:
 1. Evidence of the matched funding.
 2. A revised business case demonstrating the financial feasibility of operating of the pool over at least the next three years including any impact (financial or otherwise) on Rossendale Leisure Trust.
4. A further licence for 12 months is granted to HAPPI to support their work and ambitions to renovate the pool.

Reason for Decision

To support HAPPI in the re-opening of Haslingden Swimming Pool and to seek to understand and develop further HAPPI's business case and plan for the operation of Haslingden Swimming Pool.

Alternative Options Considered

None

13. URGENT DECISIONS

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

(The meeting started at 6.30pm and concluded at 8.35pm)

Signed.....
(Chair)

Date