

COUNCILLOR JEFFREY CHEETHAM MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 13th July 2005

PRESENT: The Deputy Mayor Councillor P Steen (in the Chair)
Councillors Atkinson, A Barnes, L Barnes, Challinor,
Crosta, Eaton, Entwistle, Farquaharson, Forshaw,
Graham, Hancock, Lamb, McShea, Neal, Nicholass,
Ormerod, J Pawson, S Pawson, Pilling, Robertson,
Ruddick, Sandiford, Starkey, H Steen, Swain, Thorne,
Unsworth, and Young

IN ATTENDANCE: Owen Williams – Chief Executive
Lynn Hurrell – Director of Housing Management Services
Mark Weston – Head of Legal & Democratic Services
Chris McConville – Principal Administrative Assistant

APOLOGIES: Councillors: D Barnes, Cheetham, Disley, Driver and
Marriott,

The Mayor's Chaplain addressed Members at the commencement of the meeting. Members observed a silence as a mark of respect to the victims of the London Bombings on the 7th July 2005 and Stephen Hensby who had died following an incident in Rawtenstall on the 5th July 2005.

1. MINUTES

Resolved:

That the minutes of the Council meeting held on 29th June 2005 be signed by the Deputy Mayor as a correct record.

2. DECLARATIONS OF INTEREST

No Declarations of Interest were made.

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

The Leader referred to the incident in Hardman Avenue Rawtenstall which had resulted in an injury to Community Beat Manager David Lomas and the death of Stephen Hensby on 5th July 2005.

He advised Council that the Emergency Plan had been put into operation involving council staff and a number of partner organisations. He complimented all those concerned in the successful operation of the Emergency Plan and praised the bravery shown by the police officers involved in the incident.

He conveyed the best wishes of the Council to Community Beat Manager Dave Lomas for a speedy recovery.

The Leader also referred to the London Bombings which had taken place on Thursday 7th July. He advised that staff would be asked to observe the national two minutes silence in memory of those who lost their lives.

The Deputy Mayor agreed to send a letter of condolence to the Mayor of London from the people of Rossendale.

The Chief Executive introduced Vincent Hindley, Raj Khatum, Barbara Hopkinson and Pauline Hughes, the members of the Local Land Charges team and also mentioned Barbara Crawshaw the other member of the team who was unable to be present at the meeting.

He advised Members that the Land Charges Team had again achieved top quartile performance in the completion and return of local searches by returning 100% of searches within 10 working days. The vast majority of those searches were returned within 3-5 working days which was a far superior performance than was required to achieve top quartile status.

On behalf of the council he congratulated the staff and members applauded the team for their excellent work.

4. MEMBERS' QUESTION TIME

Councillor Neal asked the follow question:

Car-Parks in Rossendale in a bade state of disrepair and very bad white lines, does he feel they should all be repaired and relined ASAP?

The Leader indicated that in answering the question he was not subscribing to the views on the condition of car parks expressed by Councillor Neal. He noted that the Waterfoot carpark had been mentioned during Councillor Neal's comments and he indicated that if the Councillor would supply him with details of those car parks which he felt were in need of attention he would ask the Head of Street Scene and Liveability to supply her report to the Leader to enable him to determine whether there was a need for action.

Councillor Neal asked the following question:

Should Rossendale Borough Council only be answerable to the charge payers of Rossendale?

The Leader replied that members in Rossendale like in any other local authority in the country were subject to the verdict of the Council Tax payer at the municipal elections. He pointed out that the voters in Rossendale had shown a propensity to change the local political leadership somewhat more often than was the norm nationally.

The Leader referred to difficulties the Council had encountered in the past and commented on the assistance received in recovering from those difficulties from a number of outside agencies including the Improvement Board. He advised that the Council would be removed from the oversight of the Improvement Board following a satisfactory comprehensive performance assessment but that ultimately the issue would be determined by the Audit Commission.

Councillor Neal asked the following question:

Why are Members of this Council having to make contact with Vivista call centre on a 0208 7223934, why can we not make contact on lets say an 0845 number or better still a free phone number such as 0800 to report a fault with our laptops when they go down as they often do. This IT has had very many problems and it is still not working right.

The Leader indicated that it was a requirement of the Councils' contract with Vivista that problems are reported to their central help desk located in London.

Councillor Neal asked the following question:

When the housing stock transfer go ahead, will the estate roads also transfer with the properties?

The Leader replied that this matter would be the subject of negotiation between the Council and Green Vale Homes. The Council was currently in discussion with the County Council in respect of maintenance responsibilities as recent case law stated that they should be maintained by the Highway Authority.

Councillor Farquharson asked for comments from the Leader on the Community Strategy document recently issued by the Local Strategic Partnership.

The Leader commented that the Community Strategy was an excellent document and was a credit to the LSP. He pointed out that those officers involved in the production of the document, particularly Ilona Snow-Miller, Lesley Noble and Nick Molyneux should be congratulated on the strategy and in response to a comment from Councillor A Barnes he agreed that congratulations be given to those members of the LSP involved in the production of the document who had made a significant contribution thereto.

Councillor Hancock asked whether it might be possible for certain Members to received individual training in the use of their laptops on a one to one basis where this was necessary.

The Leader replied that he would have no objection to such individual training to be given to those Members who requested it and it would be up to the individual Members to speak to the relevant officers of the Council to arrange for such individual training.

Councillor Hancock referred to the proposed new Constitution of the Council and asked whether there would be an opportunity for the Labour Group to comment on the document, pointing out that they had a number of issues to raise.

The Leader referred to the timetable for the preparation and introduction of the proposed new Constitution and advised Members that it was currently proposed that the revised Constitution would be submitted to Council for consideration on 24th August. The Head of Legal and Democratic Services advised Members that the timetable included a further opportunity for Members to comment on the Constitution at a Member Development session on Monday 18th July.

5. PUBLIC QUESTION TIME

Mrs B Wilkinson referred to the Community Audit undertaken by the Rossendale Chartists and to an updated corrected version which had been circulated by the Chartists to Members at the commencement of the meeting. She asked why the decision process had to be so rushed with no opportunity for community involvement in such an important set of decisions. In other words why was it necessary to implement new arrangements in October 2005.

The Leader replied that he did not agree that the process had been rushed. He referred to the pilot arrangements which had commenced in April 2004 and the timetable which had been subsequently produced whereby the proposals for permanent arrangements were planned. He pointed out that a delay in that programme had been agreed because of the Parliamentary Election in May.

The Leader also referred to the extensive consultation which had been undertaken within the community including the leaflets circulated to households; the presentations at each of the Area Forums; information on the Councils' website and advertisements in the Rossendale Free Press and the Rochdale Observer.

Mr A Winder submitted a list of questions which had been asked at previous meetings of the Area Forum and Chamber of Commerce to which satisfactory answers had not been received. He requested written responses to the list of questions which he handed to the Deputy Mayor.

The Leader indicated that he would arrange for written responses to be sent to the questions referred to by Mr Winder.

Mrs K Fishwick referred to the introduction of new Licensing Legislation which would take effect in November 2005. She referred to conversation which she had had with the Licensing Manager in respect of the Licensing of Council owned premises and facilities which could be undertaken by the Council so as to easily facilitate the holding of cultural and other public events and would avoid the inconvenience and significant cost to voluntary organisations of applying for individual licenses in respect of each event. She asked that arrangements be made to ensure that the Council takes out such licences.

The Leader replied that the Licensing Manager had the matter in hand and he commented that it was clearly a sensible suggestion for the Council to consider.

Mr C Kay referred to correspondence he had had with the Council in respect of vandalism by youths in the vicinity of Holme Bank Rawtenstall. He indicated that the actions of the police had been positive in respect of the complaints but

suggested that the Councils' contribution had been unsatisfactory. He also referred to an issue regarding the lopping of trees in the vicinity which had not been dealt with satisfactorily. Mr Kay asked whether the Council would look into these issues and take appropriate action.

The Leader agreed that the matter would be investigated and a response sent to Mr Kay.

6. RECOMMENDATIONS TO COUNCIL

Executive 23rd June 2005 – Financial Outturn 2004/5

Members considered the recommendation of the Executive in respect of a report on the Financial Outturn 2004/5.

Resolved:

That Council endorse the strategy for the creation of earmarked reserves and the use of housing revenue account balances in excess of targets.

Executive 23rd June 2005 – Treasury Management Borrowing Approvals

Members considered the recommendation of the Executive in respect of a report they had considered on Treasury Management Borrowing Approvals

Resolved:

That Council increase the authorised borrowing for external debt to 38.7m and increase the operational boundary for external debt to 36.5m.

7. EXECUTIVE ARRANGEMENTS

The Head of Legal and Democratic Services referred to his report which had been circulated to Members on the proposals for new Executive Arrangements to be incorporated within the Councils' proposed Constitution, he referred to the Consultation statement which had been circulated to Members at the commencement of the meeting and to the proposal for new governance arrangements which was recommended for submission to the Officer of the Deputy Prime Minister.

The Head of Legal and Democratic Services commented on the consultation process which had been undertaken and advised of a communication from Rossendale Chartists in respect of their response to the consultation exercise. He advised that in view of the low response to the consultation exercise it was proposed to arrange an additional survey to be undertaken by telephone of 300 households, the results of which would be available later in the month.

As a result of the proposed additional consultation and in order to correct one anomaly within the original recommendations annexed to his report, he circulated revised recommendations for consideration by Council.

It was moved and seconded that the revised recommendations circulated by the Head of Legal Democratic Services be approved.

The following amendment was moved and seconded put to the meeting and declared lost.

- “1. That due to the poor response to the Executive Arrangements consultation and problems with the distribution of information/voting leaflets the consultation period be extended to August 12th and that the results of the consultation be reported to Council on August 24th.
2. The action plan is adjusted to suit these proposed dates.
3. That the consultation is further publicised and the distribution of the information/voting leaflet is completed by 29th July.
4. That a presentation is held for members on the content of the proposed ODPM submission after the consultation period.
5. That the Overview and Scrutiny Committee review the implementation of the consultation process.”

In accordance with the Constitution and on the request of three Members present a recorded vote was taken on the amendment as detailed below:

COUNCILLOR	FOR	AGAINST	ABSTENSIONS
Atkinson	✓		
Barnes A	✓		
Barnes D	Absent		
Barnes L		✓	
Challinor		✓	
Cheetham	Absent		
Crosta		✓	
Disley	Absent		
Driver	Absent		
Eaton		✓	
Entwistle		✓	
Farquharson		✓	
Forshaw	✓		
Graham		✓	
Hancock	✓		
Huntbach	Absent		
Lamb	✓		
Marriot	Absent		
McShea	✓		
Neal	✓		
Nicholass		✓	
Ormerod		✓	
Pawson, J		✓	

Pawson, S		✓	
Pilling	✓		
Robertson	✓		
Ruddick		✓	
Sandiford		✓	
Starkey		✓	
Steen, H		✓	
Steen, P		✓	
Swain		✓	
Thorne		✓	
Unsworth	✓		
Wadsworth	Absent		
Young	✓		
TOTALS	11	18	

The Leader of the Council who had moved the original motion and the seconder of that motion (Councillor Challinor) agreed to incorporate within their original motion an additional resolution relating to a review of the implementation of the consultation process by the Overview and Scrutiny Committee.

Resolved:

1. That subject to the results of the telephone survey being similar or broadly similar to the results of the current survey the Council approve the proposal for its new governance arrangements as attached at Appendix 1 to the report of the Head of Legal and Democratic Services subject to the amendment that it be a responsibility of the Standards Committee to approve the statement of accounts rather than the Performance Management Overview and Scrutiny Committee.
2. That the Head of Legal and Democratic Services following consultation with the Leader and the Leader of the Opposition be authorised to make any further necessary minor amendments to the proposal and the consultation statement.
3. That the Head of Legal and Democratic Services draw up a Constitution for the Council that reflects the adopted proposal for consideration by the Council at its meeting on 24th August.
4. That Council approve the revised action plan attached at Appendix 2 to the report of the Head of Legal and Democratic Services subject to the amendment that the proposals be submitted to the Office of the Deputy Prime Minister following the telephone survey and in accordance with recommendation 1 above.
5. That the Overview and Scrutiny Committee review the implementation of the consultation process.

8. HOUSING STOCK TRANSFER - PARTNER SELECTION

The Director of Housing Management Services presented a report on the process undertaken to select a partner for Stock Transfer and contained recommendations on the selection of a preferred partner.

Members commented on the comprehensive and thorough process which had been followed in arriving at the report and recommendations and the Deputy Mayor conveyed the thanks of the Council to the tenants and staff involved for the diligence and hard work involved in the process.

Resolved:

1. That Council endorse the recommendations of the Stock Transfer steering Group that Pennine Housing 2000 are the Councils preferred partner for the transfer of its stock in the event of a successful tenant ballot.
2. That Council endorse the recommendation of the Stock Transfer Steering Group that Twin Valley Homes would be approached if the partnership negotiations with the preferred partner did not proceed successfully.
3. That the Chief Executive be authorised to finalise the detail of the partnership agreement in the best interest of the Council.

9. APPOINTMENTS TO OUTSIDE BODIES

Lancashire Highways Partnership

Resolved:

That Councillor Ruddick be appointed to serve on the Lancashire Highways Partnership.

Rossendale Transport Board

Resolved:

That Councillors Disley, Entwistle, J Pawson, Starkey, H Steen and Unsworth be appointed to serve on the board of Rossendale Transport Ltd.

Elevate East Lancashire Ltd

Resolved:

1. That Councillor P Steen be appointed to serve as the Member representative on Elevate East Lancashire Ltd.
2. That Council confirm the appointment of Owen Williams as Director of Elevate East Lancashire Ltd.

10. SCHEDULE OF COMMITTEE/COUNCIL MEETINGS

Resolved:

That the schedule of meetings now submitted be approved.

(The meeting started at 7pm and concluded at 8.15pm)