

**COUNCILLOR ANN KENYON, MAYOR**

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

**Date of Meeting: 27th February 2019**

**PRESENT:** The Mayor Councillor Kenyon (in the Chair)  
Councillors Aldred, Ashworth, A. Barnes, L. Barnes, Bromley, Cheetham, James Eaton, Essex, Farrington, Fletcher, Gill, Haworth, Hughes, Johnson, Kempson, Kostyan, Lamb, Lythgoe, MacNae, Marriott, Morris, Neal, Oakes, Procter, Roberts, Robertson, Serridge, Stansfield, Steen, Stevens and Walmsley.

**IN ATTENDANCE:** Stuart Sugarman, Chief Executive  
Clare Birtwistle, Legal Services Manager (Monitoring Officer)  
Cath Burns, Director of Economic Development  
Phil Seddon, Head of Finance  
Sam Plum, Director of Communities  
Carolyn Sharples, Committee and Member Services Manager  
George Taylor, Mayor's Attendant

**ALSO PRESENT:** 6 members of the public  
1 press

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**1. Apologies for Absence**

Apologies for absence were received for Councillors Janet Eaton, Shipley and Smallridge.

**2. Minutes**

**Resolved:**

That the minutes of the meeting held on 30<sup>th</sup> January 2019 be signed by the Mayor as a correct record.

**3. Urgent Items of Business**

There were no urgent items of business.

**4. Declarations of Interest**

Councillor Ashworth declared a non-pecuniary interest under minute 12 as a family member was employed by the Council.

**5. Communications from the Mayor, the Leader or Head of Paid Service.**

The Mayor had been contacted by Mr Mulderrig who had informed that the disability group he was involved in had branched out into cycling at Marl Pits and he owed his thanks to Ken Masser and the team at Rossendale Leisure Trust in helping with cycling equipment and advice on which road to go down. The Mayor also expressed her thanks on behalf of the Council.

The Leader of the Council informed that:

- The Leaders of Rossendale, Pendle, Blackburn with Darwen and Burnley had sent a letter to the Secretary of State to look at current local government arrangements in East Lancashire. It was not an easy decision, but with lack of security over money raised in Council tax, funding and duplication within a two tier system, there was a better way of organising local government in East Lancashire. The two tier system had never been ideal, but residents had got a good deal out of such a small Council. She would wait to see what government would say about the request and keep members informed.
- Officers from the Public Protection Unit had been successfully awarded £18,000 from the Department for Housing, Communities and Local Government to continue and expand their work tackling rogue landlords who continue to exploit vulnerable tenants.
- In partnership with 5 other Lancashire authorities, a successful bid had been made to the Department for Transport's Office for Low Emission Vehicles (OLEV) to provide electric vehicle charge points and other infrastructure to support the taxi industry in moving to ultra low emission taxis. This would help improve air quality. A total of £630,000 had been awarded to fund the installation of 24 charge points across the 6 boroughs.
- Through the introduction of strict new policies and continued enforcement by the licensing section, the number of hackney carriages licensed by the Council had been reduced from around 2,500 to 230. Rossendale taxis were no longer scattered across the country, and the Rossendale taxi fleet was now one of the safest and most modern in the country with both drivers and vehicles checked and monitored continually.
- The Leader added that hers and members thanks should be sent to the teams involved in the above bids and taxi licensing activity.

## **6. Roll of Honour**

The Mayor informed that Mr David Tattersall had been awarded the Roll of Honour. Mr Tattersall, was the Principal Cornet Player of Whitworth Vale and Healey Band, and had played The Last Post and Reveille at 40 consecutive Remembrance Sundays. The Mayor commended him for his dedication to the people and communities of Rossendale.

## **POLICY AND BUDGET FRAMEWORK ITEMS**

### **7. 2019/20 Corporate Priorities, Council Tax and the Medium Term Financial Strategy**

The Council considered the 2019/20 Corporate Priorities, Council Tax and the Medium Term Financial Strategy.

Councillor Essex moved an amendment which was seconded by Councillor Steen that: *The Council Tax increase be limited to 1.49% for 2019/20 and set at £270.13 for D band equivalent properties. The negative impact on the Leader's proposed budget recommendation will be £81,380. This proposal be balanced by a reduction in the corporate contingency (£40k) and as a result of the 2018/19 budget underspends, the use of £41.4k from the Council's Transitional Reserve.*

In response to a question the S151 Officer confirmed that himself and the Monitoring Officer had been consulted on the amendment which was a legal amendment.

Councillors Essex, Steen and Morris requested a recorded vote. Voting took place on the amendment as follows:

<b>Name</b>	<b>Vote</b>
Cllr Aldred	Against
Cllr Ashworth	Against
Cllr A. Barnes	Against
Cllr L. Barnes	For
Cllr Bromley	Abstain
Cllr Cheetham	For
Cllr James Eaton	For
Cllr Essex	For
Cllr Farrington	Against
Cllr Fletcher	Against
Cllr Gill	Against
Cllr Haworth	For
Cllr Hughes	Against
Cllr Johnson	Against
Cllr Kempson	For
Cllr Kenyon	Abstain
Cllr Kostyan	For
Cllr Lamb	Against
Cllr Lythgoe	Against
Cllr MacNae	Against
Cllr Marriott	Against
Cllr Morris	For
Cllr Neal	Against
Cllr Oakes	Against
Cllr Procter	Against
Cllr Roberts	For
Cllr Robertson	Against
Cllr Serridge	Against
Cllr Stansfield	For
Cllr Steen	For
Cllr Stevens	Against
Cllr Walmsley	Against
<b>For:</b>	<b>11</b>
<b>Against:</b>	<b>19</b>
<b>Abstentions:</b>	<b>2</b>

The amendment was lost and members were asked to vote on the recommendations originally proposed at the meeting.

Councillor Essex proposed another amendment that:

*An all party review of the Operations Budget be undertaken with the implementation of a three month's pilot project to provide a free Bulky Waste Collection service to ascertain if such free collections reduce the epidemic of fly-tipping and, secondly, consider the steps to be taken to increase the woeful re-cycling rates in Rossendale.*

A Point of Order was raised that there were members of the public in the room and there was behaviour and conduct expectations of members in the Chamber. In addition the budget was being discussed but this was a string of amendments.

A Point of Order was raised that the item under discussion was the budget for the next financial year and the amendment made had nothing to do with the agenda item.

The Mayor invited the Monitoring Officer to advise on the amendment.

The Monitoring Officer advised that when making amendments reference should be made to which points of the report recommendations were being amended or whether the recommendations being made were additional ones to be added to the existing recommendations. As Councillor Essex had made members aware of other amendments, these should all be proposed at the same time with an explanation of how each related to the report recommendations as advised above.

Councillor Essex confirmed he was proposing an amendment of two additional recommendations to be added to the report recommendations as follows:

- 1. An all party review of the Operations Budget be undertaken with the implementation of a three month's pilot project to provide a free Bulky Waste Collection service to ascertain if such free collections reduce the epidemic of fly-tipping and, secondly, consider the steps to be taken to increase the woeful re-cycling rates in Rossendale.*
- 2. This Council instructs the Leader to provide for Householders a full financial report on the Empty Homes Scheme together with a report on the existing debt the Council has and expects to borrow in the coming financial year and in the Medium Term Financial Plan. These are to be included with the council tax demands for 2019/20.*

The amendments were seconded by Councillor Steen.

Councillors Essex, Steen and Haworth requested a recorded vote. Voting took place on the amendment as follows:

<b>Name</b>	<b>Vote</b>
Cllr Aldred	Against
Cllr Ashworth	Against
Cllr A. Barnes	Against
Cllr L. Barnes	For
Cllr Bromley	Against
Cllr Cheetham	For
Cllr James Eaton	For
Cllr Essex	For
Cllr Farrington	Against
Cllr Fletcher	Against
Cllr Gill	Against
Cllr Haworth	For

Cllr Hughes	Against
Cllr Johnson	Against
Cllr Kempson	For
Cllr Kenyon	Abstain
Cllr Kostyan	For
Cllr Lamb	Against
Cllr Lythgoe	Against
Cllr MacNae	Against
Cllr Marriott	Against
Cllr Morris	For
Cllr Neal	Against
Cllr Oakes	Against
Cllr Procter	Against
Cllr Roberts	For
Cllr Robertson	Against
Cllr Serridge	Against
Cllr Stansfield	For
Cllr Steen	For
Cllr Stevens	Against
Cllr Walmsley	Against
<b>For:</b>	<b>11</b>
<b>Against:</b>	<b>20</b>
<b>Abstentions:</b>	<b>1</b>

The amendment was lost and members were asked to vote on the recommendations originally proposed at the meeting.

The Mayor reminded members about their conduct and having respect for one another in the Chamber.

The report was introduced by the Portfolio Holder for Resources. In introducing the report he noted that 1.4 of the recommendations should read, *“That members agree the Fees and Charges as noted in Appendix 1.”*

Members voted on the recommendations of the report as follows:

<b>Name</b>	<b>Vote</b>
Cllr Aldred	For
Cllr Ashworth	For
Cllr A. Barnes	For
Cllr L. Barnes	Against
Cllr Bromley	Abstain
Cllr Cheetham	Against
Cllr James Eaton	Against
Cllr Essex	Against
Cllr Farrington	For
Cllr Fletcher	For
Cllr Gill	For
Cllr Haworth	Against

Cllr Hughes	For
Cllr Johnson	For
Cllr Kempson	Against
Cllr Kenyon	Abstain
Cllr Kostyan	Against
Cllr Lamb	For
Cllr Lythgoe	For
Cllr MacNae	For
Cllr Marriott	For
Cllr Morris	Against
Cllr Neal	For
Cllr Oakes	For
Cllr Procter	For
Cllr Roberts	Against
Cllr Robertson	For
Cllr Serridge	For
Cllr Stansfield	Against
Cllr Steen	Against
Cllr Stevens	For
Cllr Walmsley	For
<b>For:</b>	<b>19</b>
<b>Against:</b>	<b>11</b>
<b>Abstentions:</b>	<b>2</b>

**Resolved:**

1. That Members recommend a 2019/20 Council Tax rate for Band D of £274.12, being a 2.99% increase.
2. That Members recommend the use of £511k from the Transitional Reserve, £Nil from the Council Tax collection fund and £1.2m from the Business Rates Retention reserve to support the 2019/20 annual budget.
3. That the Council recommends a net revenue budget for 2019/20 of £9,931,000.
4. That members agree the Fees and Charges as noted in Appendix 1.
5. Members recommend that allowances will not increase in line with inflation going forward until further notice, and will be revisited as part of the next review in 2022.
6. That Council agrees the technical resolutions necessary to give effect to these proposals (appendix 4).

**Reason for Decision**

The Council must remain focused on identifying and delivering further efficiencies and income in order to ensure annual balanced budgets over the immediate and medium term. It must also ensure that all its budget resource allocations are directed to the core functions of the Council and that the use of its resources has clear links to the Council's Corporate Priorities.

**Alternative Options Considered**

None.

## **8. Capital Strategy and Capital Programme 2019/20 to 2021/22**

The Council considered the Capital Strategy and Capital Programme 2019/20 to 2021/22 which was introduced by the Portfolio Holder for Resources.

A member asked for clarification on 1.3 and 9.3. The Mayor clarified members were voting on the recommendations detailed at section 1 of the report and the advice from the S151 Officer was that there was no conflict with 1.3 and 9.3.

### **Resolved:**

1. Members approved the Capital Strategy for 2019/20 and the medium term, as set out in Appendix 1.
2. Members approved the affordable capital programme for 2019/20, as set out on page 9 of Appendix 1, and the new capital expenditure projects totalling £1,273k.
3. Members agreed to delegate any minor amendments to the capital programme throughout the 2019/20 financial year as a result of new grant-funded community projects, to the Head of Finance in consultation with the Portfolio Holder for Resources. Amendments would then be reported to Cabinet through the regular Financial Monitoring Reports.

### **Reason for Decision**

To approve a capital programme for 2019/20 and to provide a Capital Strategy for the coming three years.

### **Alternative Options Considered**

None.

## **9. Treasury Management Strategy & Treasury Management Practices (updates for 2019/20)**

The Council considered the Treasury Management Strategy & Treasury Management Practices (updates for 2019/20), which was introduced by the Portfolio Holder for Resources.

A Point of Order was raised by a member about disrespect and standards of behaviour. Interruptions in the Chamber were not helpful.

The S151 Officer confirmed that information had already been shared with all members on the loss of grants and it was about 50% of the revenue we used to get and absorbed additional costs from the government Local Council Tax Support grant. The Leader of the Council requested that costs be worked up and circulated to councillors and the press.

### **Resolved:**

1. Members approve the revised Treasury Management Strategy Statement and the Treasury Management Policy and Practices.
2. Members delegate any further minor changes to the Head of Finance in consultation with the Portfolio Holder for Resources.

**Reason for Decision**

Adoption of the updated Treasury Management Strategy Statement and Treasury Management Policy and Practices, which will ensure continued compliance with the Treasury Management Code of Practice and continue to contain the Councils exposure to financial risk.

**Alternative Options Considered**

None.

**ORDINARY BUSINESS****10. Local Council Tax Support Scheme**

The Council considered the Local Council Tax Support Scheme, which was introduced by the Portfolio Holder for Health, Housing, Communities and Customer Services.

**Resolved:**

Full Council approve the Local Council Tax Support Scheme for 2019/20 as set out in the report.

**Reason for Decision**

As required by The Local Government Finance Bill, the authority must make any revision or replacement to its scheme no later than 11<sup>th</sup> March in the financial year preceding that for which the revision or replacement scheme is to have effect.

**Alternative Options Considered**

None.

**11. Haslingden Town Centre – External Funding Bid**

The Council considered the Haslingden Town Centre – External Funding Bid, which was introduced by the Leader of the Council.

In response to a question, the Leader informed that she had chaired the Task Force as she was the one who had set the group up and any issues could have been raised at the Task Force meeting last week.

**Resolved:**

1. Council allocate £160,000 in match funding from the employment and transport reserve, ring-fenced solely for the purpose of providing match funding for external bids. Authorise the submission of further bids to support the enhancement of Haslingden town centre.
2. Council authorise the Legal Services Manager, in consultation with the Director of Economic Development and the Portfolio Holder, to enter into a grant funding agreement for the initial stage one - development phase bid if approved.
3. Council approve the proposed changes to governance for the Haslingden Task Force and its reconstitution as the Haslingden Strategic Town Centre Board and revised Terms of Reference (annex 1) to provide the governance framework for any funding award.

4. Council delegates all stage one – development phase project spend to the reconstituted Haslingden Strategic Town Centre Board.

**Reason for Decision:**

To give authorisation for new Haslingden town centre regeneration project bids, allocate match funding, and to agree to proceed with a successful stage one bid and reconstitution of the Haslingden Task Force.

**Alternative Options Considered:**

None.

## **12. Pay Policy Statement.**

The Council considered the Pay Policy Statement.

In response to questions, the Portfolio Holder for Corporate Services informed that the Trade Union had been involved and approved the document also. The remuneration and appointments had been previously approved by the Appointments and Appeals Panel made up of cross party members. The Leader of the Council informed that in the light of the earlier announcement regarding the letter to the Secretary of State to create a larger unitary authority, that there would be a need for a full remuneration review across all those councils.

**Resolved:**

Full Council approves the Pay Policy Statement.

**Reason for Decision**

The Pay Policy Statement meets the legal requirements of the Localism Act 2011.

**Alternative Options Considered**

None.

## **13. Statement of Community Involvement**

The Council considered the Statement of Community Involvement report, which was introduced by the Portfolio Holder for Regulatory Services.

**Resolved:**

1. That Council note the responses received in respect of the consultation undertaken on the Statement of Community Involvement.
2. That Council approves the 2019 Statement of Community Involvement to be effective from 28th February 2019.

**Reason for Decision:**

The Council is required to maintain a Statement of Community Involvement (SCI). This sets out how the Council will approach consulting statutory consultees, the public and interested parties, in respect of planning matters. It is important that the current SCI be refreshed and revised.

### **Alternative Options Considered:**

None.

## **14. Industrial Building Development Update**

The Council considered the Industrial Building Development update, which was introduced by the Leader of the Council.

The report was moved and seconded with the following amended wording at 1.2 of the recommendations:

*Members agree to the Council developing out Plot 5 at Futures Park to provide a circa 65,500 sq ft industrial unit up to a maximum capital cost of £6m and increase the Councils Operational and Authorised borrowing limits by an equivalent sum, on condition that all Members are invited to a briefing to comment on the business case, with the final decision delegated to the Chief Executive, Leader and Portfolio Holder for Resources, in consultation with the Leader of the Opposition, given the tight build timescale.*

In response to questions from members, the Leader of the Council confirmed that the decision at the meeting was an agreement in principle and that it would only be signed off after considering the risk and the business case and ensuring the project would be advantageous to the Council.

Councillor MacNae moved and Councillor A.Barnes seconded an additional amendment to the wording at recommendation at 1.2 as follows:

*Members agree in principle to the Council developing out Plot 5 at Futures Park to provide a circa 65,500 sq ft industrial unit up to a maximum capital cost of £6m and increase the Councils Operational and Authorised borrowing limits by an equivalent sum, on condition that all Members are invited to a briefing to comment on the business case, with the final decision delegated to the Chief Executive, Leader and Portfolio Holder for Resources, in consultation with the Leader of the Opposition, given the tight build timescale, subject to the business case.*

Members voted on the amendment which was carried.

Councillors Eaton, Steen and Haworth requested a recorded vote. Members voted on the recommendations of the report including the two sets of amended wording at 1.2 as follows:

<b>Name</b>	<b>Vote</b>
Cllr Aldred	For
Cllr Ashworth	For
Cllr A. Barnes	For
Cllr L. Barnes	Against
Cllr Bromley	For
Cllr Cheetham	Against
Cllr James Eaton	Against
Cllr Essex	Against
Cllr Farrington	For
Cllr Fletcher	For

Cllr Gill	For
Cllr Haworth	Against
Cllr Hughes	For
Cllr Johnson	For
Cllr Kempson	Against
Cllr Kenyon	Abstain
Cllr Kostyan	Against
Cllr Lamb	For
Cllr Lythgoe	For
Cllr MacNae	For
Cllr Marriott	For
Cllr Morris	Against
Cllr Neal	Against
Cllr Oakes	For
Cllr Procter	For
Cllr Roberts	Against
Cllr Robertson	For
Cllr Serridge	For
Cllr Stansfield	Against
Cllr Steen	Against
Cllr Stevens	For
Cllr Walmsley	For
<b>For:</b>	<b>19</b>
<b>Against:</b>	<b>12</b>
<b>Abstentions:</b>	<b>1</b>

**Resolved:**

1. Members note the imminent decision by a local advanced manufacturing company to establish its UK head office at Plot 5 at Futures Park.
2. Members agree in principle to the Council developing out Plot 5 at Futures Park to provide a circa 65,500 sq ft industrial unit up to a maximum capital cost of £6m and increase the Councils Operational and Authorised borrowing limits by an equivalent sum, on condition that all Members are invited to a briefing to comment on the business case, with the final decision delegated to the Chief Executive, Leader and Portfolio Holder for Resources, in consultation with the Leader of the Opposition, given the tight build timescale, subject to the business case.
3. Members approve the use of the existing cross party Project Development Group as a means to receive updates on the implementation of this project.

**Reason for Decision**

The investment enquiry at Futures Park is a fantastic opportunity to support an existing business expansion, safeguard significant jobs in the borough, and create an additional 90 jobs locally. The delivery of Plot 5 will ‘kick-start’ Futures Park Leisure and Employment Village, providing regeneration benefits to Bacup. It will generate a revenue income and expand the business rate base to support the Medium Term Financial Strategy and the sustainability of the Council.

**Alternative Options Considered**

None.

**15. Urgent Decisions**

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

**(The meeting commenced at 7.00pm and concluded at 9.30pm)**

Signed.....  
(Chair)

Date .....