

**COUNCILLOR PETER STEEN MAYOR**

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

**Date of Meeting: 30<sup>th</sup> November 2006**

**PRESENT: The Mayor Councillor P Steen (in the Chair)  
Councillors Alcroft, A Barnes, Challinor,  
Cheetham, Crosta, Dickinson, Driver,  
Entwistle, Essex, Farquharson, Forshaw,  
C Gill, P Gill, Graham, Hancock, Haworth,  
Lamb, Lynskey, Morris, Neal, Ormerod,  
J Pawson, S Pawson, Robertson, Ruddick,  
Sandiford, Smith, Starkey, H Steen, Thorne  
and Unsworth.**

**IN ATTENDANCE: Ms C Wilkins, Chief Executive  
Ms H Lockwood, Deputy Chief Executive  
Mr G Graham, Executive Director of  
Resources  
Mr W Lawley, Interim Legal and Democratic  
Services Manager  
Mr J Joinson, Democratic Services Manager  
Mrs H Moore, Committee Services Manager  
Mrs A Tradewell, Civic Officer and Leader's  
Personal Assistant.  
Mrs P Couch, Overview and Scrutiny Officer**

**APOLOGIES: Councillors D Barnes, L Barnes, Eaton,  
Ormerod and Swain.**

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**BUSINESS MATTERS**

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

The Mayor welcomed Members and distinguished visitors to the new Council Chamber, at Hardmans Mill, which had been opened in a ribbon cutting ceremony by the Mayor and Rossendale's Mini Mayor earlier this evening. He announced the presence of a very special guest and nonagenarian, Mrs Edna Trickett. He also pointed out a carving of the Rossendale Coat of Arms suspended above the Mayor's seat which had been specially made by her late husband, Jack, to commemorate the formation of Rossendale Borough Council.

The carving followed a long history of civic carvings by Mr Trickett, who had started as an apprentice cabinetmaker in 1922, at age 14. Jack,

who had died earlier this year aged 97, had a long and varied career, culminating in him teaching at Bacup and Rawtenstall Grammar School for 25 years. Jack's civic carvings were well known in Lancashire. A similar carving was proudly displayed in the One Stop Shop, in Rawtenstall and an earlier coat of arms was located on the mezzanine within the Council Chamber. Mrs Trickett was then presented with some flowers on behalf of the Council.

The Mayor also congratulated the Local Strategic Partnership on its success in achieving a green rating in the annual review by Government Office North West. The Chair of the Partnership, Mr David Ingham, was presented with a certificate on behalf of the Partnership. Mr Ingham spoke about the role of the Partnership, which involved many organisations working together for the good of Rossendale.

In addition, the Mayor congratulated elected Members and staff from Democratic Services on their achievement of the North West Charter for Member Development. This reflected the hard work of Members and officers alike and had put Rossendale firmly on the map. The attention of Members was drawn to a glass plaque, which had been presented to the Portfolio Holder at a celebration event held recently at the Lowry in Salford. Members and officers at that event had delivered a presentation about Member Development based upon the format of "Who Wants to be a Millionaire". This production was well received by other delegates, who joined in the answers and applauded enthusiastically.

The Mayor indicated that another guest, Jack Williams, was present this evening. Jack was a student studying local government and was attending to observe the proceedings.

Members were also invited to look at the other civic memorabilia on display around the Council Chamber, which represented Rossendale's proud and vibrant heritage.

The Leader echoed the warm wishes of the Mayor to all guests.

There were no communications from the Chief Executive.

## **2. MINUTES**

### **Resolved:**

That the minutes of the Council meeting held on 27<sup>th</sup> September 2006 be signed by the Mayor as a correct record.

## **3. DECLARATIONS OF INTEREST**

No declarations of interest were made.

#### **4. PUBLIC QUESTION TIME**

There were no questions submitted by Members of the Public.

#### **5. QUESTION BY MEMBERS TO THE LEADER**

Councillor Neal asked the following question:-

Can the Leader of the Council explain why Whitworth is getting less Street Cleaning than the rest of Rossendale? Councillor Neal expressed the view that streets in Stacksteads, Haslingden and Waterfoot were cleaner.

The Leader indicated that Whitworth received the same levels of street cleaning as the remainder of the Borough. He thanked Councillor Neal for highlighting the cleanliness of the Borough.

Councillor Lamb enquired about the production of a green travel plan in respect of the use of the Council Chamber. She asked whether the plan was yet in force. A sum of £5k had been promised for a bus service. She considered that there might be enforcement issues in connection with the occupancy of the site. Councillor Lamb also expressed disappointment that the ramp for disabled access had not yet been completed.

The Leader confirmed that £5k had been set aside for public transport and that negotiations were currently taking place with the bus company based upon the County Rider service. No enforcement action would be taken while this process was on-going. The disabled access would be completed, but given the short time span between the award of planning approval it had not been possible to complete the works in time for tonight.

Councillor A Barnes indicated that she looked forward to the publication of the next Rossendale Alive Newsletter, but commented that there had been eleven photographs of the Council Leader in the Autumn 2006 edition and that this paper had been circulated close to the by-election.

The Leader confirmed that he had no direct editorial control over the newsletter. However, he acknowledged that a large number of photographs of himself had appeared in that edition. He had taken steps to redress this balance and Members were invited to send in any photographs of their ward work.

Councilor P Gill referred to Finance guidance notes which stated that cash payments must be sent by registered post, although cash was not in fact accepted. He also raised the matter of why court summonses were issued on a Friday, leaving no point of contact for advice over the weekend.

The Leader agreed to send a full written reply on these matters.

Councillor Forshaw asked if taxi ranks on Kay Street and Lord Street could be made available for general on-street parking during the daytime as these ranks were unused at that time by taxis. She indicated that the taxi associations also supported this view.

The Leader agreed to look into this matter further.

Councillor P Gill had been informed that the Town Twinning Forum was no longer Council led. He asked whether Members had been informed that the Town Twinning Forum had been disbanded. He felt that elected Members should have been given the opportunity to attend some of the recent Town Twinning events at their own expense.

The Leader agreed to look into this matter further.

The Leader thanked Councillor Gill for drawing attention to the Council's new fleet of refuse vehicles. He indicated that the new fleet would improve efficiency. Waste collection staff would also receive new corporate uniforms soon.

## **6. QUESTIONS TO MEMBERS OF THE CABINET**

No written questions had been submitted for response by Members of the Cabinet.

## **7. ELECTION OF COUNCILLOR**

Members considered a report of the Chef Executive on the person elected Councillor on 28<sup>th</sup> September 2006 and that she had made the necessary Declaration of Acceptance of Office.

<b><u>Ward</u></b>	<b><u>Name of Person Elected</u></b>
Cribden	Christine Margaret Gill

A short debate took place concerning the election campaign. Members took the opportunity to welcome Councillor C Gill to her new role as a councillor.

## **RECOMMENDATIONS TO COUNCIL**

**Cabinet - 5<sup>th</sup> July 2006**

### **8. DISPOSAL OF SURPLUS PROPERTIES – DECISION FRAMEWORK**

Members considered a report of the Executive Director of Resources concerning an amendment to the Scheme of Delegation in connection with the disposal of assets deemed surplus to operational requirements. The report clarified the categories of decision maker in relation to various values of asset.

#### **Resolved:**

That the Head of Legal and Democratic Services be authorised to amend the Scheme of Delegation as set out below.

<b>CATEGORY</b>	<b>DECISION MAKER</b>
For assets valued up to £100,000 by the Council's Valuer	Executive Director and Resources (as the Corporate Property Officer) in consultation with the portfolio holder for Finance and Risk Management
For assets valued at over £100,000 by the Council's Valuer	The Cabinet
All acquisitions /disposals of land , buildings or other property interests where the Council's valuer values the property at less than £100,000	Head of Legal and Democratic Services in consultation with the relevant portfolio holder
To refuse requests for the purchase or lease of land or property vested in the Council on the grounds that disposal would not be in the interests of the Council	Head of Legal and Democratic Services in consultation with the relevant portfolio holder
All acquisitions /disposals of land , buildings or other property interests where the Council's valuer values the property at more than £100,000 but less than £250,000 and it is proposed to accept the highest bid and the highest bid matches or exceeds that of the Council's valuer.	Head of Legal and Democratic Services in consultation with the relevant portfolio holder
All acquisitions /disposals of land , buildings or other property interests where the Council's valuer values the property at more than £250,000 but less than 1 million and it is proposed to accept the highest bid and the highest bid matches or exceeds that of the Council's valuer.	The Cabinet

In all cases whatever the value where the buyer is either an elected member or a member of the Council staff .	The Cabinet
All disposals where the Council's valuer values the property at over £100,000 and it is proposed to accept either a bid other than the highest, or where the highest bid neither matches nor exceeds that of the Council's valuer	The Cabinet

## **Overview and Scrutiny Policy Task Group – 6<sup>th</sup> November 2006**

### **9. NOTTINGHAM DECLARATION ON CLIMATE CHANGE**

Members considered a recommendation of the Overview and Scrutiny Policy Task Group that the Council signs up to the Nottingham Declaration on Climate Change and that it endorses the approach to consultation on the Environment Policy and Strategy set out in the report. The Council also considered a copy of related press release and a guidance leaflet on climate change.

Councillor Neal indicated that environmental change was important at the local level, as had been illustrated by recent examples of flooding in Whitworth and Shawforth. Councillor A Barnes also spoke in support of environmental awareness.

Councilor Sandiford indicated that a presentation from the Climate Change Group was due to be made to the Overview and Scrutiny Management Committee on 18<sup>th</sup> December 2006.

#### **Resolved:**

That the Council agrees to sign up to the Nottingham Declaration and that it endorses the approach to consultation on the Environment Policy and Strategy set out in the report.

**Cabinet - 15<sup>th</sup> November 2006**

### **10. GAMBLING POLICY**

Members considered a report of the Head of Planning and Legal and Democratic Services outlining the Statement of Gambling Policy required under the Gambling Act 2005.

Councillor Neal spoke in connection with the risks associated with excessive gambling and the protection of children.

**Resolved:**

To approve the Statement of Gambling Policy: January 2007 – January 2010.

**11. NOTICE OF MOTION**

The following motion had been submitted in writing prior to the meeting by Councillor Neal and cosigned by Councillor Robertson:-

“The reason for serving this motion is that since 5<sup>th</sup> May 2006 Members of the Development Control Committee have now had five special meetings over and above the normal Development Control Committee meetings, which Members have attended, but on 19<sup>th</sup> October 2006 a large number of Members had to find substitutes purely because that meeting was held on a Thursday. This was the third occasion this has happened. Members who serve on the DC Committee are also Members of other Authorities and in my case this has now meant I have missed four full council meetings at Whitworth Town Council. Other Members of the DC Committee also have other commitments to other outside bodies. We have a Forward Plan so why are we calling so many special meetings and given that there are seven days in a week why are we still calling these meetings on a Thursday, despite Members being given assurances that this practice would cease. Both the Chair and Vice-Chair are I believe being misled when they are being told this is the only day that is free for Members to meet - a Thursday evening. I would seek an assurance that this practice will now cease and other evenings will be sorted to accommodate Members of the Development Control Committee, after all there are seven days in a week.

Councillors Neal and Robertson requested the agreement of the Council to amend the wording of the motion as follows for reasons of clarity.

“That the Council gives an assurance that the practice of arranging special meetings of the Development Control Committee on a Thursday evening will now cease and that other evenings will be utilised to accommodate Members of that Committee.”

Approval to amend the motion was so granted.

Councillor A Barnes also spoke in favour of the motion. The Leader of the Council indicated that notices of motion were normally reserved for important local matters or issues of national or international significance which affected the Borough and that he was not in favour of this motion.

The motion was put to the **VOTE** and was **LOST**.

## **12. WHITE PAPER – STRONG AND PROSPEROUS COMMUNITIES**

Members considered a report of the Chief Executive on the implications of the Government's White Paper on Strong and Prosperous Communities, published on 26<sup>th</sup> October 2006. That document issued an invitation to Councils in England to make proposals for unitary structures or to pioneer, as pathfinders, new two-tier models. The report detailed the reasons for change, timescales, process and the three options available. A number of councillors had recently attended a member development briefing on this subject.

The Chief Executive also delivered a presentation on the White Paper, which set out in more detail the seven themes contained therein, as follows:-

- Responsive services and empowered communities
- Effective, accountable and responsive local government
- Strong cities, strategic regions
- Local government as a strategic leader and place shaper
- New performance management framework
- Efficiency
- Community cohesion

The Leader of the Council outlined the position of the other Lancashire authorities and highlighted his preferred option. Councillors Essex, A Barnes, Hancock, Sandiford, Neal and the Mayor also spoke in connection with the White Paper proposals.

### **Resolved:**

1. That Rossendale Borough Council explore the opportunity for enhanced two-tier working in co-operation with other authorities and a further report be brought back to Council setting out the proposal in full for consideration;
2. That further reports be brought to elected Members on key aspects of the White Paper as appropriate; and
3. That a full position statement be prepared setting out progress against the White Paper themes and highlighting those areas to be developed for Rossendale.



### **13. LOCAL GOVERNMENT OMBUDSMAN INVESTIGATION**

Members considered a report of the Head of Planning and Legal and Democratic Services concerning the outcome of a Local Government Ombudsman investigation into a complaint of maladministration on the part of the Council. The report outlined the recommendations of the Ombudsman, together with the steps taken by the Authority to improve its Planning Services. A copy of the full Ombudsman's report was also considered.

The Leader expressed disappointment that the press had prematurely published a negative article based upon a draft of the Ombudsman's report. He accepted that the Planning Service had undergone some difficulties and highlighted the plan approved by the Cabinet to improve the Service. Councillors Neal and A Barnes also commented about aspects of the report.

#### **Resolved:**

1. To note the implications of the findings of maladministration on the part of the Council and the remedial actions that must be taken;
2. To note the actions taken by the Head of Planning and Legal and Democratic Services more effectively to monitor and performance manage planning applications and Section 106 Agreements.

The Mayor declared the meeting closed and invited Members and guests to stay for light refreshments to celebrate the opening of the new facilities.

**(The meeting started at 7.00 pm and concluded at 8.35 pm.)**