

COUNCILLOR JOYCE THORNE, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 7th October 2009

**PRESENT: The Mayor Councillor Thorne (in the Chair)
Councillors Aldred, A.Barnes, L.Barnes, Challinor,
Dickinson, Driver, Eaton, Essex, Evans, Farrington,
Forshaw, Gill, Gledhill, Graham, Haworth, Lamb, Lynskey,
Milling, Morris, Neal, Nuttall, J.Pilling, Robertson,
Sandiford, Smith, H.Steen, P.Steen, Swain, Unsworth and
Wilson.**

**IN ATTENDANCE: Helen Lockwood, Chief Executive
Stuart Sugarman, Director of Business
Carolyn Sharples, Acting Committee and Member Services
Manager
Tracy Brzososki, Licensing and Enforcement Manager**

**ALSO PRESENT: 2 Members of the Public
2 Representatives of the Press**

MINUTES SILENCE

The Mayor asked Members of the Council to join her in paying tribute to former Councillor Peter Starkey by observing a minute's silence.

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Cheetham, Crawforth, May, C.Pilling and Stansfield.

2. MINUTES

Resolved:

That the minutes of the Council meeting held on 19th August 2009 be signed by the Mayor as a correct record.

3. URGENT ITEMS OF BUSINESS

The Mayor reported that 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 actions to report.

6. COMMUNITY ENGAGEMENT, PUBLIC QUESTION TIME

The Leader of the Council answered questions raised by members of the public on the following issues:

No.	Issue	Answered by (and action)
1.	Public consultation on the Council Chamber move to Futures Park.	Councillor Swain
2.	Public consultation on the road/rail facilities.	Councillor Swain

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

The Mayor had no communications to report.

The Leader of the Council reported the details of the funeral arrangements for former Councillor Starkey.

The Chief Executive had no communications to report.

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.	An update on option 2 of the plans for Waterfoot and keeping members of the public informed.	Councillor Robertson	Councillor Challinor
2.	Funding for empty shops and Waterfoot Alive and Shopping project.	Councillor Robertson	Councillor Challinor
3.	Report to Council regarding grass cutting.	Councillor Neal	Councillor Sandiford
4.	Update on PLLACE and report to Full Council.	Councillor A Barnes	Councillor Swain
5.	Update on the meeting with Ashcap.	Councillor A Barnes	Councillor Swain
6.	Including Crawshawbooth as a Conservation area.	Councillor A Barnes	Councillor Swain

9. RECOMMENDATIONS FROM THE CABINET AND OTHER COMMITTEES

9a. Recommendation of the Licensing Committee and Policy Overview and Scrutiny: Street Trading within the Borough of Rossendale

The Council considered the recommendations of the Licensing Committee and Policy Overview and Scrutiny Committee in respect of Street Trading within the Borough of Rossendale.

In considering the report and recommendations from other Committees, members identified the following issues to which the Leader of the Council responded:

- Including something on oversupply
- Impact on other businesses
- Recommendations of Policy Overview and Scrutiny
- Appendix B conditions
- Including other areas

In response to questions from members the Licensing and Enforcement Manager reported that members can look at their own wards and the document can be revisited at any time. She also informed members that there was a condition on other premises to protect current trade.

Resolved

1. That Council adopt Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, the proposed fees, locations and conditions.
2. That the following text be included in the street trading conditions at Appendix B:
 - The consent holder and or any assistant(s) shall comply with any reasonable request made by either an authorised officer of the Council or a police officer.

Specifically:

The Consent shall be produced on request to either the authorised officer or police officer.

Requests regarding the display of either the Consent plate or badge shall be complied with immediately. The Consent holder and/or any assistant(s) shall give the authorised officer or police officer such information as is requested, to enable those officers to undertake their duties under the relevant legislation. The Consent holder and/or any assistant(s) shall comply with any requirements made by an authorised officer or police officer regarding the siting of operation of the street trading business.

9b. Recommendation of Performance Overview and Scrutiny, Standards and Development Control Committees: Local Government Ombudsman Annual Letter for the year ended 31st March 2009 and Annual Complaints Review

The Council considered the recommendations of Performance Overview and Scrutiny, the Standards Committee and Development Control Committee in respect of the Local Government Ombudsman Annual Letter for the year ended 31st March 2009 and Annual Complaints Review.

In considering the report and recommendations from other committees, members identified the following issues to which the Leader of the Council and Portfolio Holder for Finance and Resources responded:

- Improvements required in relation to response times
- Recording compliments received by the Council

Resolved

1. That members note the content of the Local Government Ombudsman's Annual Letter for the period 1st April 2008 to 31st March 2009.
2. That the Planning Unit Manager be asked to provide a report to Performance Overview and Scrutiny and the Standards Committee on the process for responses to Ombudsman complaints.

9c. Recommendation of the Governance Working Group and Standards Committee: Review of the Constitution

The Council considered the recommendations of the Governance Working Group and Standards Committee in respect of the Review of the Constitution.

In considering the report and recommendations from other committees, members identified the following issues to which the Leader of the Council and Director of Business responded:

- Neighbourhood Forum Terms of Reference
- Political balance on Standards Committee
- Cabinet Procedure Rules and non Cabinet Members questions
- Keeping the Car Parking Working Group
- Including a report back to Council on PLLACE
- Including Terms of Reference for Task and Finish Groups
- Legal document constantly requiring updating
- Membership of Development Control
- Members Allowances section and Management Structure
- Updating sections rather than the whole document

The Director of Business clarified that the suggested changes from committees would be included in the document and training would be set up for members and officers.

Resolved

1. That the changes highlighted in the attached constitution - version 11, be adopted with effect from 1st November 2009.
2. That a copy of the new constitution is issued to all members, senior staff and relevant partner organisations.
3. That an annual review is undertaken by the Monitoring Officer to be reported to Annual Council.

4. That all Councillors and all senior officers be required to attend a training session on the updated constitution before the end of the civic year 09/10.
5. That additional amendments to the Constitution be made as follows:

Page 267 4.(iii) – Management Board should be Management Committee.

Page 267 4 (v) – line 2, Overview and Scrutiny Committees should read Overview and Scrutiny Committee.

Page 267 5 – Overview and Scrutiny Committees should read Overview and Scrutiny Committee.

Page 271 under ‘What will happen to my Councillor Call for Action?’ – take out ‘Sub’ and it should read ‘Committee’. Ensure revised Constitution states that Councillor Call for Action goes to Overview and Scrutiny Management Sub-Committee and that the Crime and Disorder Reduction Partnership is carried out by the Overview and Scrutiny Management Committee.

**9d. Recommendation of the Cabinet:
Draft Food and Health Strategy**

The Council considered the recommendations of the Cabinet in respect of the Draft Food and Health Strategy.

In considering the report members identified the following issues to which the Leader of the Council responded:

- Qualifications for food producers similar to Taxi Trade qualifications.

Resolved

1. That a consultation process be undertaken to develop a comprehensive and prioritised Food and Health Strategy for Rossendale by March 2010.
2. That the Food Law Enforcement Service Plan 2009-2010 be approved.
3. That the Rossendale Food Forum Action Plan 2009-2010 be noted.

10. URGENT DECISIONS

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

(The meeting started at 7.00pm and concluded at 7.50pm)

Signed.....

(Chair)

Date