

COUNCILLOR TREVOR UNSWORTH, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 14th October 2010

PRESENT: The Mayor Councillor Unsworth (in the Chair)
Councillors Aldred, A. Barnes, L. Barnes, Challinor,
Cheetham, Crawforth, Driver, Eaton, Essex, Evans,
Farrington, Gill, Gledhill, Graham, Jackson, Kenyon, May,
Milling, Morris, Neal, Nuttall, Oakes, C. Pilling, J. Pilling,
Robertson, Sandiford, Serridge, Smith, Swain and Thorne.

IN ATTENDANCE: Helen Lockwood, Chief Executive
Stuart Sugarman, Director of Business
Carolyn Sharples, Committee and Member Services
Manager
George Taylor, Mayor's Attendant
Liz Sandiford, Head of People and Policy
Sian Roxborough, Assistant Head of Legal
Danny Dobson, Principal Enforcement Officer
Adrian Smith, Principal Planner, Forward Planning

ALSO PRESENT: County Councillor, Tim Ashton
Daniel Herbert – Lancashire County Council
Phil Barrett – Lancashire County Council
Reverend Sue Davies
County Councillor Winder
2 representatives of the press
4 members of the public

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Lamb, McInnes, Stansfield, H.Steen and P.Steen.

2. MINUTES

Resolved:

That the minutes of the Council meeting held on 1st July 2010 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 Morris declared a personal interest in items 10a, 10b and F10d as he was a member of the Licensing Committee and also Chair of the Audit and Accounts

Committee. Councillor Evans declared a personal interest in items 10a, 10b and 10d as he was a member of the Licensing Committee and Vice-chair of the Audit and Accounts Committee.

5. OUTSTANDING ITEMS OF BUSINESS FROM THE LAST MEETING

There were no outstanding actions to report.

6. UPDATE FROM LANCASHIRE COUNTY COUNCIL (LCC) HIGHWAYS

The Mayor welcomed County Councillor Tim Ashton and representatives from LCC - Highways to the meeting to give members an update on Highways issues.

County Councillor Tim Ashton informed members that the winter service is reviewed every year. Last year £5.6 million was spent, which was higher than the budget allocation. There had been improved communications on what they will be doing as part of the winter service. There would be a focus on the primary network and keeping business going by helping to get people to work. This year they had increased stock levels and there was one and a half times more salt, which had been protected with sheeting to increase capacity. They had gone out to consultation and reviewed priority routes. Satellite Navigation and route planning would help make gritting more efficient. An advert for contractors to work with LCC during harsh winter conditions had gone out with the aim of working with farmers and people with suitable machinery to help assist clearing roads in extreme conditions. They would also be working more closely with district, parish and town councils and there would be more joint working to ensure people could assist where required, for example, if bin men would not be able to go out on their rounds they could assist with clearing snow on pavements. Since last year they had provided training on snow ploughs and snow blowing equipment. There had been a grit bins review, and the bins would be filled by the end of October. A meeting would be held in the Council Chamber at Rossendale on the 25th October at 6.00pm where there would be more details on the winter service.

There were no questions from members of the public. In considering the update members commented on the following to which County Councillor Ashton responded:

- Gritting around the bus depot to keep transport services going
- Replacement of grit bins
- Gritting side roads around schools
- Public liability and the initiative to get farmers to help in winter
- Frequency of grit refills
- Re-installation of grit bins removed from unadopted roads
- Leaflet to inform of grit routes, grit bins and public responsibilities
- Road Safety Scheme in relation to Hambledon and Hapton Road
- People felt re-assured in Whitworth

In response to questions from elected members County Councillor Ashton informed members that they could approach their County Councillors with LCC Highways

issues as they had local knowledge and could take up complaints and provide a response.

The Mayor thanked County Councillor Ashton and representatives from LCC - Highways for their participation in the meeting.

7. COMMUNITY ENGAGEMENT, PUBLIC QUESTION TIME

No questions were raised by members of the public.

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

The Mayor welcomed newly elected Councillor Helen Jackson and Councillor Sean Serridge to their first Council meeting and thanked former Councillors Michael Christie and Roger Wilson.

The Leader of the Council had no communications to report.

The Chief Executive confirmed that Councillor Helen Jackson and Councillor Sean Serridge had signed their declaration of acceptance forms. Councillor Jackson would be serving on Policy Overview and Scrutiny and Overview and Scrutiny Management Committees and Councillor Serridge would be serving on Appointments and Appeals Committee and would replace Councillor Unsworth on the Member Development Working Group.

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.	Confirmation that in June 2010 the Council was signed up to the policy of Street Traders Licences.	Councillor Neal	Councillor Swain
2.	The Council's commitment to community safety.	Councillor Neal	Councillor Swain
3.	Consumers and the sale/labelling of Halal meat.	Councillor Morris	Councillor Swain
4.	Value for money, budget monitoring and leaflets to promote tourism e.g. shoe trail and halo.	Councillor Oakes	Councillor Gledhill
5.	Which Council department would cover the financial improvement partnership?	Councillor Robertson	Councillor Swain
6.	Progress on election pledges in 2008 to return to weekly bin collections.	Councillor Serridge	Councillor Swain
7.	How much has Bacup Leisure Hall been sold for and what will happen to	Councillor Eaton	Councillor Swain

	the money? Public support for the facility now sold.		
8.	Budget challenges at Local Democracy Week and other positive ideas.	Councillor Morris	Councillor Swain
9.	Reduction in the number of reports going to Council.	Councillor Morris	Councillor Swain
10.	Visit to the Pendle Community Hospital and the number of beds available for rehabilitation in Rossendale.	Councillor Driver	Councillor Sandiford
11.	Provision for the recycling of food waste.	Councillor Crawforth	Councillor Swain
12.	Assistance in identifying another suitable location for the other organisation who were interested in Bacup Leisure Hall.	Councillor Jackson	Councillor Swain
13.	Ophthalmic services at the new health hub and the suitability of eye test rooms.	Councillor Nuttall	Councillor Sandiford
14.	Budget on highways and pavements.	Councillor Serridge	Councillor Swain
15.	The Constitution and the calling of another State of the Borough Debate.	Councillor Aldred	Councillor Swain

10. RECOMENDATIONS FROM CABINET AND OTHER COMMITTEES

10a. Recommendation of the Licensing and Policy Overview and Scrutiny Committees: Model Conditions for Animal Boarding Establishments (excluding Home Boarding of Dogs)

The Council considered the recommendations of the Licensing and Policy Overview and Scrutiny Committees in respect of the Model Conditions for Animal Boarding Establishments (excluding Home Boarding of Dogs).

In considering the report a member commented on the following:

- Home boarding of dogs would be considered at the next meeting as extra checks were required.

Resolved:

1. That members adopt the Model Licence Conditions for all Animal Boarding Establishments.
2. That all future minor amendments to these conditions be delegated to the Head of Health, Housing and Regeneration in consultation with the Portfolio Holder for Regeneration.

10b. Recommendation of Licensing and Policy Overview and Scrutiny Committees: Adoption of amended Schedule 3, Local Government (Miscellaneous Provisions) Act 1982.

The Council considered the recommendations of the Licensing and Policy Overview and Scrutiny Committees in respect of the adoption of amended Schedule 3, Local Government (Miscellaneous Provisions) Act 1982.

Resolved:

1. That Council adopts Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.
2. That an implementation date be set six weeks from the date the resolution is passed in order that the necessary advertisements may be placed.

10c. Recommendation of the Governance Working Group, Member Development Working Group and Standards Committee: Standards Media Guidelines

The Council considered the recommendations of the Governance Working Group, Member Development Working Group and Standards Committee in respect of the Standards Media Guidelines.

Resolved:

1. That Council adopt the Standards Media Guidelines.
2. That all future minor amendments to the guidelines be delegated to the Monitoring Officer in consultation with the Portfolio Holder for Finance and Resources and the Chair of Standards.

10d. Recommendation of the Audit and Accounts Committee: Treasury Management Practices

The Council considered the recommendations of the Audit and Accounts Committee in respect of Treasury Management Practices.

In considering the report a member asked a question concerning whether each Council has to adopt the same practices. In response Councillor Essex, the Portfolio Holder for Finance and Resources confirmed that these were regulations to all authorities which had arisen out of the financial situation 2 years ago.

Resolved:

- That Council approve the Treasury Management Practices.

10e. Recommendation of the Performance Overview and Scrutiny Committee: Annual Letter of the Local Government Ombudsman and General Complaints Report

The Council considered the recommendations of the Performance Overview and Scrutiny Committee in respect of the Annual Letter of the Local Government Ombudsman and general complaints report. Councillor Essex, the Portfolio Holder for Finance and Resources reported that there had been one complicated case of maladministration involving other agencies which went back a number of years. Issues pertaining to this case are regarded as a one off. The Ombudsman report also noted that the Borough Council had done far more than the other agencies to fulfil their responsibilities. Procedures had been tightened up with regard to Ombudsman complaints and response times were back on track compared with the previous year. Complaints investigated were followed up to completion and were reported on a quarterly basis to Performance Overview and Scrutiny. At present compliments outweighed the number of complaints.

NB. At this point in the meeting Councillor Robertson declared an interest as she was on the board of the Citizens Advice Bureau (CAB).

In considering the report members discussed the following:

- Council tax recovery has doubled to 20, is this owing to an improvement?
- CAB has no vested interest in helping people to complain.
- Money out of bailiff charges.
- Capita complaints and changes in practice as a result of complaints.
- Learning from complaints: how experiences are fed back into the system to make improvements.
- Confusing having general complaints and Ombudsman complaints in the same report.
- Resolution of maladministration case after 8 years and difficulties or working across boundaries and with multi agencies.
- Had the increase in Council Tax recovery resulted in an increase in the number of complaints?

In response to questions from councillors Darryl Smith, Portfolio Holder for Customer Services confirmed that a formal response had been issued this week in relation to the 3 outstanding Ombudsman complaints. In addition, he reassured that the Council's work with bailiffs was ongoing, and that he did not believe that there was a correlation between the increase in claimants and the complaints about Council Tax Recovery.

The Chief Executive also confirmed that past learning had been fed through to Cabinet in respect of planning where there had been changes to administration practices and there were now only a small number of complaints as a result. A briefing note on recent activity in relation to the bailiffs would be circulated to members. There had been lots of work done around how the Council can improve and learning from complaints was integrated into performance management.

Resolved:

- That Members note the content of the Local Government Ombudsman's Annual Letter for the period 1st April 2009 to 31st March 2010.

10f. Recommendation of the Policy Overview and Scrutiny Committee: Grievance Procedure and Redundancy Policy

The Council considered the recommendations of the Policy Overview and Scrutiny Committee in respect of the Grievance Procedure and Redundancy Policy. Councillor Essex, the Portfolio Holder for Finance and Resources reported that these replace various policies and were being taken together as they were linked. The Council remained a key employer in Rossendale, with good relations with staff and providing the best facilities, accommodation, training and flexible working arrangements. The grievance procedure had previously been a long process and had been amended to make the process more speedy by taking out the appeal to councillors. The Council was no longer in a position for enhanced redundancy. There had been negotiation and full consultation with the Trade Union and it had been accepted that the national statutory redundancy procedure would be implemented with an additional 4 week payment.

In considering the report members discussed the following:

- Staff concerns over redundancies.
- Members to be kept informed of staff redundancies/staff numbers.
- Scrutiny process.
- Refusal of an alternative post resulting in loss of redundancy payment.
- Senior officers not included in the review?

Councillor Essex, the Portfolio Holder for Finance and Resources clarified that the policies had been fully discussed at Policy Scrutiny, only 2 people had been made redundant in the last 5 years and they had been Chief Officers, and that everything was being done to avoid compulsory redundancies.

Resolved:

1. That members note the consultation which has been taking place in relation to the modernisation of the Human Resources Policies and Procedures.
2. That members agree the revised Policies in relation to Grievance and Redundancy.

11. RAWTENSTALL TOWN CENTRE MASTERPLAN

The Council considered the Rawtenstall Town Centre Masterplan update.

In considering the report members discussed the following:

- Need to aim for something achievable.
- The planned location of the Post Office.
- BDP update for members.

In response to questions from members the Leader of the Council confirmed that the Post Office were negotiating their lease on a monthly basis and as they were a private business any decisions on relocation would be theirs to make. Page 2/3 of the report also outlined details of a full public consultation.

Resolved:

1. That members note the contents of the Report and authorise the Steering Group and Officers to continue working with the consultants to develop the most appropriate options.
2. That members authorise the publication of the document as part of a formal Supplementary Planning Document consultation.

12. ANNUAL REPORT 2009/2010

The Council considered the Annual Report 2009/2010. Councillor Essex, the Portfolio Holder for Finance and Resources reported that this was a reduced document from previous years and listed achievements over the last 12 months.

In considering the report members discussed the following:

- Opening date for urgent care.
- Update on New Hall Hey buildings and further information from KPMG.
- Achievements and target setting.
- Future plans and Hill Street play area.
- When can the rest of Rossendale take part in loft insulation scheme?
- Clean up required in the area around New Hall Hey.

In response to questions from members the Leader of the Council confirmed that tendering documents had been issued for the completion of the rest of the work at New Hall Hey. Councillor Challinor, the Deputy Leader and Portfolio Holder for Regeneration agreed to raise the question regarding loft insulation at the meeting with the Regeneration Team next week.

Resolved:

- That the Annual Report 2009-10 is approved for publication.

13. LOCAL TRANSPORT PLAN 3 (LTP3)

The Council considered the Local Transport Plan 3 report.

In considering the report members discussed the following:

- Taking on comments and LTP 4 in 2011.
- Support for better transport.
- No direct access to NHS facilities in areas such as Oldham or Fairfield.
- Ensure issues raised are in the strategy plan to achieve the railway link.
- Cycle facilities/routes.
- Good aspiration to extend Metro link to Whitworth, and extension with 464 business park.

In response to questions from members the Leader of the Council confirmed that this was a response to Lancashire County Council. LTP3 would run for a 10 year period and there would be no LTP4 in May 2011. The Council was just starting to form a response to the Association of Greater Manchester Authorities (AGMA) and the Leader would ask the Chief Executive to give Councillors the postal address to allow them to comment. Councillors and members of the public were encouraged to send in their responses to AGMA on proposed links to Rochdale and Bury.

Resolved:

- That members note the report.

14. MINUTES OF PLACE JOINT COMMITTEE ON 26th AUGUST 2010

The Council considered the minutes of the PLACE Joint Committee Meeting on 26th August.

In considering the report members discussed the following:

- LEP bid had gone forward and what had come out of the recent meeting with MP's
- Information on the bid for members?

In response to questions the Leader of the Council confirmed that there would be a meeting on Monday of the Leaders. There had been no formal feedback from MP's, but the bid was going in again in the next few weeks and a copy would be circulated to members when available.

Resolved:

- That members note the minutes.

15. URGENT DECISIONS

15a. Extension to the completion of sale of Bacup Leisure Hall

15b. Publication of the Core Strategy for Consultation Purposes

15c. Grants to outside bodies

15d. Designation of land at Pine Street

The Council considered urgent decisions taken by the Cabinet since the last meeting of the Council.

A member commented that they welcomed the decision to give the CAB their full grant.

Resolved:

- That members note the urgent decisions taken by Cabinet since the last meeting of the Council.

16. EXCLUSION OF PUBLIC AND PRESS

Resolved:

That the public and press be excluded from the meeting during consideration of the following item of business on the grounds that it involves disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) under Part 1 Paragraph 3 of Schedule 12A to the Local Government Act 1972.

17. URGENT CONFIDENTIAL DECISIONS

The Council considered a confidential urgent decision taken by the Cabinet since the last meeting of the Council.

Resolved:

- That members note the confidential urgent decision taken by Cabinet since the last meeting of the Council.

The Mayor closed the meeting and informed members of the Council of his charity event on 23rd October.

(The meeting started at 6.30pm and concluded at 8.30pm)

Signed.....

(Chair)

Date