

COUNCILLOR GLADYS SANDIFORD, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 29th February 2012

PRESENT: The Mayor Councillor Sandiford (in the Chair)
Councillors Aldred, A. Barnes, L. Barnes, Cheetham, Crawforth,
Driver, Eaton, Essex, Evans, Farrington, Gill, Gledhill, Jackson,
Kenyon, Lamb, McInnes, MacNae, Marriott, Milling, Morris, Neal,
Oakes, Pilling, Roberts, Robertson, Serridge, Shipley, D. Smith,
M. Smith (part), Stansfield and Wilkinson.

IN ATTENDANCE: Helen Lockwood, Chief Executive
Stuart Sugarman, Director of Business
Fiona Meechan, Director of Customers and Communities
Phil Seddon, Head of Finance and Property Services
Carolyn Sharples, Committee and Member Services Manager
Michelle Hargreaves, Committee and Member Services Officer
Bernard Gwyn, Mayor's Attendant

ALSO PRESENT: 2 representative of the press
9 members of the public

1. APOLOGIES FOR ABSENCE

Apologies were submitted for Councillor Graham, May, Nuttall and H.Steen, and it was noted that Councillor Michelle Smith would be late.

2. MINUTES

An amendment was moved and seconded to amend the minutes of 14th December 2011 under declarations of interest as follows:

Minute item 12 – Councillor Evans declared a personal interest that he had long term membership of the Electrical Power Engineers Association.

Resolved:

That the minutes of the Council meeting held on 14th December 2011 be signed by the Mayor as a correct record following the amendment detailed above.

3. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

4. DECLARATIONS OF INTEREST

No declarations were made.

5. OUTSTANDING ITEMS OF BUSINESS FROM THE LAST MEETING

There were no outstanding items to report.

6. COMMUNITY ENGAGEMENT, PUBLIC QUESTION TIME

The following issues were raised by members of the public and were answered by the Leader or designated person:

No	Issue	Questioner	Answered by (and action)
1.	Report to Performance Overview and Scrutiny on 27 th February; unsatisfactory responses to questions; meeting representatives of Save the Haslingden Pool Group to produce a long term plan and having yearly nominal funding to save for a new pool.	Mr. J.Lund	Councillor A.Barnes
2.	Progress on investigating the possibility of having a polymer layer around the pool structure. Although not currently viable this option was still on the table and had not been ruled out?	Mrs E. Freeman	Councillor A.Barnes
3.	Enforcement and an illegally operating car wash near the pine shop in the Glen.	Ms J.Derby	Councillor A.Barnes

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

The Mayor informed that a Loyal Address had been sent to the Queen on behalf of the Council and people of Rossendale.

The Leader of the Council congratulated Rossendale Councillor and Whitworth Town Councillor Aldred on becoming Honorary Townsperson after 40 years service to the people of Whitworth.

The Leader of the Council congratulated Councillor Anne Cheetham on behalf of all councillors and officers on her retirement from the bench after 30 years and thanked her for the work she had done as a magistrate.

The Leader of the Council informed that Lancashire County Council had agreed to support the 464 bus subsidy for the next 6 months and thanked the cross party working group for their work in ensuring the subsidy was reinstated.

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.	Financial contribution of solar panel at Futures Park and encouraging others to use solar power.	Councillor Robertson	Councillor A.Barnes agreed to explore encouraging others to use similar schemes.
2.	Closure of the recycling plant at Rakehead, consultation with staff before redundancies were announced and ensuring Lancashire County Council return the land to its original condition.	Councillor Oakes	Councillor A.Barnes
3.	Former Valley Centre proposals, negotiations, and whether the District Auditor had been made aware of this information as well as the MP.	Councillor Aldred	Councillor A.Barnes

Councillor Gledhill raised a point of order that the details were inaccurate and that no offer was made.

Councillor Serridge raised a point of order that Councillor Gledhill's point of order was not a point of order.

The Leader of the Council confirmed that details had been confirmed with the former Leader of the Council.

No	Issue	Questioner	Answered by (and action)
4.	Finance for the bus station from Lancashire County Council, and was Rossendale now getting a fairer deal from Preston.	Councillor Crawforth	Councillor MacNae and Councillor A.Barnes
5.	Confirmation of regeneration across the whole borough.	Councillor Roberts	Councillor MacNae
6.	The Police Commissioner, impact on policing, getting Rossendale's voice heard at a strategic level and cost implications.	Councillor Gill	Councillor A.Barnes agreed to make sure Cllr Gill received more detailed costings.

The Chief Executive confirmed that Lancashire County Council were holding training sessions in relation to the arrangements for the new Police Commissioner and details would be circulated to all members.

No	Issue	Questioner	Answered by (and action)
7.	Web site listing councils increasing council tax this year when the Secretary of State encouraged a council tax freeze, and the need for modernising the democratic structure at Rossendale to produce savings.	Councillor Serridge	Councillor Marriott and Councillor A.Barnes

Councillor Neal thanked the Leader for the news regarding the 464 service and requested that Sarah Walker, the petition organiser, be contacted and informed of the outcome. Councillor A.Barnes agreed.

No	Issue	Questioner	Answered by (and action)
8.	Approaching Lancashire County Council to resolve problems near the school at Moorland Avenue, Whitworth, and why no 20mph zones had been put in the schedule for Whitworth.	Councillor Neal	Councillor A.Barnes agreed to take up the issues through the 3 Tier Forum Meeting.
9.	Procedures for reporting dog fouling, having a clearer procedure and revisiting the process.	Councillor Lamb	Councillor A.Barnes agreed to take this into consideration when next reviewing the service.
10.	Value of Mary Portas involvement in the town centre, and when results of the bid would be known.	Councillor McInnes	Councillor MacNae
11.	Cancellation of Policy Overview and Scrutiny meetings, the democratic process, and length of time between meetings.	Councillor Essex	Councillor A.Barnes
12.	Interest payments on the Valley Centre and Marl Pits loans, and impact of the delay in the Marl Pits development.	Councillor Gledhill	Councillor A.Barnes
13.	Comments made to the Free Press regarding the bus station, and Rawtenstall gaining the bus station if a site was identified.	Councillor Shipley	Councillor A.Barnes

The Mayor confirmed that the written questions submitted by Concillors Morris, Cheetham, Stansfield, Evans and Darryl Smith, would be responded to in writing.

POLICY AND BUDGET FRAMEWORK ITEMS

9. REVENUE BUDGET AND COUNCIL TAX SETTING AND MEDIUM TERM FINANCIAL STRATEGY 2012/2013

The Council considered the Revenue Budget and Council Tax Setting and Medium Term Financial Strategy 2012/2013.

The Mayor announced that an amended page 1 of Appendix 4 had been circulated to all members to confirm the Lancashire Police Authority precept.

Councillor Essex moved an amendment which was seconded by Councillor Smith to add an additional recommendation as follows: "That members agree that as from 6th April 2012 there will no longer be a car mileage allowance."

N.B. Councillor Michelle Smith entered the meeting for the remaining items of business.

In considering the amendment members discussed the following:

- No longer needing to submit insurance documents and MOTs, etc.
- No longer needing to pay for insurance business cover?
- Using public transport and being able to claim public transport fees.
- Promoting the Green Policy.

The Chief Executive advised that the Members Allowance Scheme could only be amended following a report by the Remuneration Panel.

Councillor Essex informed that the Member Allowances Scheme did state that members had by resolution restricted travel allowances to the lower rates previously.

The Mayor informed that the amendment could not be accepted as it stood, however it could go as a recommendation to the Remuneration Panel.

The Chief Executive informed that if members were in agreement the wording could be changed to: "That subject to Remuneration Panel agreement, that Members agree that as from 6th April there will be no longer be a car mileage allowance for councillors."

In considering the amendment members discussed the following:

- Council signalling it was serious in meeting economic challenges in the valley.
- Councillors had an allowance out of which mileage should come.
- Green Policy encouraged the use of public transport.
- Opportunities to provide leadership in the budget and make savings.

Councillor Essex thanked the Chief Executive for providing advice and agreed that the wording of the amendment could be revised.

Members continued to discuss the following:

- Reminder that councillors signed up to green pledges.

- Take this idea to Lancashire County Council to help them save money.
- Making a small saving.
- Modernising the democratic structure to make significant savings and reduce the number of councillors.

Members voted on the amendment, which was carried and became the substantive motion. Members voted on the amended report.

Resolved:

1. That Members approve a net budget requirement for Rossendale Council for 2012/13 of £9,828,333.
2. That Members approve a 0% increase in Council Tax and that the Band D equivalent for 2012/13 remains at £253.40.
3. That Members approve the technical resolution at Appendix 4.
4. That Members approve fees and charges for 2012/13 as per Appendix 3.
5. That Members confirm a 0% increase in Member Allowances for 2012/13 as included in the budget assumptions.
6. That Members note the implications for the Councils Medium Term Financial Strategy.
7. That subject to Remuneration Panel agreement, that Members agree that as from 6th April there will be no longer be a car mileage allowance for councillors.

Councillor Essex moved an amendment which was seconded by Councillor Smith to add an additional recommendation which was to “Reduce the number of councillors by up to half by a date to be established by the Boundaries Commission following a referral by this Council.”

Councillor McInnes raised a point of order that this was not an amendment.

The Leader of the Council raised a point of order that due process was not being followed.

Councillor Aldred raised a point of order that a substantiated amendment had been proposed and then carried with the amendment.

Councillor MacNae raised a point of order to inform that the amendment would not change the budget.

Councillor Essex asked if it would be useful to table all his amendments.

Councillor Wilkinson raised a point of order that item E1 had been voted on and the meeting was now on item E2.

The Leader of the Council asked for legal advice.

The Director of Business advised that the item had now been voted on. Confusion had arisen because Councillor Essex wanted to make a series of amendments, but the meeting had moved on the next item and Councillor Essex had made a point but it was too late.

The Leader of the Council called to move to item E2, as E1 had been dealt with.

The Mayor confirmed that they had taken the vote on the substantive motion and voted on item E1. No further amendments could be taken as the item was finished and the meeting would carry on with the rest of the agenda.

Councillor Eaton raised a point of order and stated that the Mayor should have confirmed whether there were any further amendments.

The Mayor confirmed that she had asked for amendments.

10. CAPITAL RESOURCES 2012/2015 AND CAPITAL PROGRAMME 2012/2013

The Council considered the Capital Resources 2012/2015 and Capital Programme 2012/2013.

Councillor Essex moved an amendment which was seconded by Councillor Smith that recommendation 1.4 be amended from £400k to £100k.

In considering the amendment members discussed the following:

- Opposition group trying to set their own budget.
- Should be working with staff on budget setting.
- Not operating according to the rules.
- Group Leaders were invited to meetings with the Section 151 officer to make suggestions for the budget.
- Concerns over £400k being delegated to the Finance Officer in consultation with the Portfolio Holder.
- Expenditure still subject to constitutional terms of reference.
- It was not for £400k spend on a single item, but over the entire capital budget.
- £400k should go to Council for final approval.
- If agreed once £100k was reached they would have to keep coming back to Council to approve small amounts of spend.
- Policies were in place.
- Appendix 1 outlines where the money would be spent, it was in the context of the list.
- Under-spend in the Capital Programme.

The Mayor asked for the Head of Finance and Property Services to provide clarification.

The Head of Finance and Property Services clarified that the recommendation was regarding the Stock Condition Survey and the £394k desired programme and not anything else.

Members voted on the amendment and the amended motion was lost.

Members voted on the original recommendations of the report.

Resolved:

1. Members consider the potential resources for 2012/13 and the medium term.
2. Members approve the affordable capital programme for 2012/13 as set out in Appendix 1.
3. Members consider additional capital programme requirements, especially the results of the recent Stock Condition Survey in order to determine a priority list for further investment should additional resources materialise during 2012/13.
4. Members delegate the allocation of any additional resources, up to £400k, during 2012/13 to the Head of Finance and the Portfolio Holder, having regard to the Stock Condition Survey, the desired programme (as per Appendix 1) and Capital receipts available. Any additional allocations to be reported to Members via the Council's regular financial reporting framework.

11. TREASURY MANAGEMENT STRATEGY AND TREASURY MANAGEMENT PRACTICES (UPDATE FOR 2012/2013)

The Council considered the Treasury Management Strategy and Treasury Management Practices update for 2012/2013.

The Leader of the Council thanked all staff involved in preparing the budget this year and this was the third report which was part of the budget setting.

Resolved:

That members approve the Treasury Management Strategy Statement Treasury Management Practices.

ORDINARY BUSINESS

12. ROSSENDALE'S LOCAL DEVELOPMENT SCHEME (2012-2015) AND ANNUAL MONITORING REPORT FOR 2010/2011

The Council considered Rossendale's Local Development Scheme (2012-2015) and Annual Monitoring Report for 2010/2011.

In considering the report members discussed the following:

- Thanks to Forward Planning Team officers and members of the working group for their input into this document.
- Inspectors were impressed.
- The way forward for Rossendale, and assisting regeneration and improvement.
- Demolition of the mill on Market Street.
- Thanks also to the Regeneration Team.
- Need to continue working on this document.
- Polices are working and the 2011/2012 document will be published this summer.

Resolved:

1. That Council approves the revised Local Development Scheme (2012 to 2015), to be effective from 1st March 2012.

2. That Council delegates authority to the Planning Manager, in consultation with the Portfolio Holder, to make minor changes to the Local Development Scheme.
3. That Council notes for information purposes the Annual Monitoring Report (2010/11).

13. COMMITTEE SCHEDULE 2012/2013 - PUBLIC MEETINGS

The Council considered the Committee Schedule of public meetings for 2012/2013.

In considering the report members discussed the following:

- Sticking to the schedule.
- Gaps between Licensing meetings this year.
- Other authorities hold meeting during Purdah.
- Adhering to the schedule to avoid a build-up in business items.
- Provision for additional meetings if required.
- Processes were currently being reviewed.
- During Purdah there were delegations to officers which was better than cancelling meetings.

Resolved:

Members agreed the Committee Schedule of public meetings for 2012/2013.

14. URGENT DECISIONS

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

15. RECOMMENDATIONS FROM THE CABINET AND OTHER COMMITTEES

15a. Recommendation of the Governance Working Group: Constitution Review

The Council considered the amendments proposed to the Constitution.

The Mayor announced that an amended Appendix 2 had been circulated to replace the original Appendix 2 following the recommendations of the Governance Working Group.

In considering the report members discussed the following:

- Reference to 11 working days and 15 days on the original appendix.
- Amended appendix 2 had replaced the original.
- Governance Working Group removed the 15 days for clarity.
- Confusion when the Governance meeting was after the Council meeting publication.
- Enhancing democracy and providing challenge through Notices of Motion.
- Being able to present motions and not stifling discussion.
- The process was democratic, the Leader and officers could be asked questions at any time.
- Councillors and members of the public did not need to wait for a meeting to be able to ask a question, they could ask questions at any point.
- Need to look at meeting structures and make them more effective.

- Possibility of merging Policy and Performance Scrutiny.
- The Council's commitment to consultation.

Resolved:

1. Members considered the Council Procedure Rules in relation to paragraphs 12 *Motions without Notice at Full Council*, 13 *Rules of Debate at Council*, 14 *Debating Motions* and 15 *Procedure for Amendments* and agreed the changes detailed in Appendix 1.
2. Members considered the requirements for the Notices of Motion Procedure at 11.1 and agree the changes detailed in the amended Appendix 2.
3. That the Accommodation Working Group and Car Park Working Group be removed from the Constitution as detailed in Appendix 3.
4. That the Member Allowances Scheme in Part 6 of the Constitution be amended in accordance with the budget setting decision.
5. That the Heritage and Design Champion and Armed Forces Champion be included at 2.07 on page 8 of the Constitution.

(The meeting started at 6.30pm and concluded at 8.35pm)

Signed.....
(Chair)

Date