

COUNCILLOR AMANDA ROBERTSON, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 25th September 2013

PRESENT: The Mayor Councillor Robertson (in the Chair)
Councillors Aldred, Ashworth, Barnes, Bleakley, Cheetham, Crawforth, Creaser, De Souza, Eaton (in part), Essex (in part), Evans (in part), Farrington, Fletcher, Gill, Hughes (in part), Jackson, Kenyon, Knowles, Lamb, MacNae, Marriott, Milling, Morris, Neal, Oakes, Procter, Sandiford, Serridge, Shipley, D.Smith and Wilkinson.

IN ATTENDANCE: Helen Lockwood, Chief Executive
Stuart Sugarman, Director of Business
Carolyn Sharples, Committee and Member Services Manager
Elaine Craven, Civic Services Officer/PA to the Leader/Mayor
Chris Holden, Property Services
Bernard Gwin, Mayor's Attendant

ALSO PRESENT: 3 representative of the press
60 members of the public in the Chamber
20 members of public in the breakout area

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors McInnes, Pilling, Roberts and M.Smith. Councillors Essex and Hughes would be late.

2. MINUTES

Resolved:

That the minutes of the Council meeting held on 17th July 2013 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

Declarations of interest were made by Councillors Morris and Aldred as they were council representatives on the board of the Leisure Trust.

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.	The number of working CCTV cameras in the borough and access to footage.	J. Glanfield	Councillor Barnes informed that 96% of external cameras were working and the Council had a protocol in relation to access.

In response to the CCTV question the Chief Executive confirmed that the police use the information retrieved from CCTV to assist with crime.

No	Issue	Questioner	Answered by (and action)
2.	Plans to safeguard lessons and clubs should the pool shut. Also safeguarding the Olympic legacy.	M. Stevenson	Councillor Barnes informed that extra lesson provision would be accommodated at Marl Pits and other options were detailed in the Equality Impact Assessment (EIA). Councillor MacNae informed that trusts had access to a wider range of funding than authorities enabling them to draw funding from outside.
3.	Statements made on swimming needs and waiting lists for lessons.	G. Potter	Councillor Barnes informed that additional lesson times would be made available at Marl Pits. Needs would be met as detailed in the EIA.

N.B. Councillor Essex entered the meeting.

No	Issue	Questioner	Answered by (and action)
4.	Revenue from the sale of the existing pool/land will be used to build a new pool in Haslingden.	S. Ives	Councillor Barnes informed that funds would be earmarked for Haslingden.
5.	Dissolving the leisure trust instead of closing the pool and why are there large overheads costs with only 2 facilities?	S. Cann	Councillor Barnes informed that trusts had access to more funding resources than local authorities, and the Council and trust were working together to create more sustainability. They were already starting to reduce costs through shared services.
6.	Promises made in 2010 and the possibility of	J. Ashworth	Councillor Barnes informed that in 2010 the extent of government

	deferring the decision and entering into further discussions with the Friends of Haslingden Baths.		funding cuts were not fully known. The Council has achieved 3 million pounds of budget cuts but still has 1.5 million to find.
7.	Provision for children learning to swim at Haslingden and those on waiting lists.	F. Grimshaw (not in attendance)	Councillor Barnes agreed to provide a written response as the questioner was not in attendance.

*During questions 3 and 6 the Leader of the Council was prevented from giving a full response due to interruptions from members of the public.

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

There were 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.	Work start dates for 2 stone walls in Shawforth.	Councillor Neal	Councillor Barnes informed that the Council was awaiting a third quote and would contact Property Services to find out when this was likely to be received.
2.	Illegal parking of taxis on Lower Deardengate, Haslingden at weekend.	Councillor Shipley	Councillor Barnes informed that the Council would liaise with the appropriate authorities.
3.	Support for Helmshore residents in relation to the 'music fest'.	Councillor Essex	Councillor Barnes informed that formal action had been taken and a further meeting with Councillors, residents and officers was planned the following day.
4.	Procedure for public questions at Cabinet meetings.	Councillor Pilling	Councillor Barnes agreed to provide a written response as the questioner was not in attendance.

N.B. Councillor Hughes entered the meeting.

No	Issue	Questioner	Answered by (and action)
5.	How recent spending cuts affect Rossendale and its local residents.	Councillor Serridge	Councillor Marriott informed that localisation of business rates was eroding spending power.

6.	Impact of the Bedroom Tax on vulnerable people and asking Jake Berry and the Government Minister to revisit this policy.	Councillor De Souza	Councillor Barnes informed that this would be dealt with under item F3 on the agenda (minute 12).
7.	Closure of the pool, leisure trust savings and efficiencies, and meeting interest payments on the loan for the Valley Centre investment.	Councillor Morris	Councillor Barnes informed that the Council had been working with the pool group for over 15 months to find a solution, similar transfers of assets had been successful. The business case for the Valley Centre was already set out in past meetings and it should be noted it would also be supported by 3.5 million from Lancashire County Council for the bus station.
8.	Publicity for mixed equity housing at Weaver's Dene and provision just for Helmshore residents.	Councillor Essex	Councillor Barnes agreed that housing providers required better marketing of products.

RECOMMENDATIONS FROM THE CABINET AND OTHER COMMITTEES

9. RECOMMENDATION OF THE CORPORATE OVERVIEW AND SCRUTINY COMMITTEE: HASLINGDEN SWIMMING POOL

The Mayor informed that the document Save Hassy Baths had been included as part of the suite of background information available to all members to assist with the debate and decision making process regarding this item..

Councillor MacNae introduced the Haslingden Swimming Pool report, and gave an overview of the report as well as background information regarding Haslingden Pool. In introducing the report Councillor MacNae noted the following points:

- Closure was always a grave business with strong feelings expressed.
- The Council had to step back, consider its responsibilities across the borough and get it right.
- The gravity of the financial situation had to be considered.
- There had been 3 million in cuts over 2 years.
- There was still over 1.5 million to find.
- Staff had reduces by a third.
- Unpaid holidays were being taken by staff.
- Health and leisure were important but more cuts were announced and there were no more options.
- Over half the budget is required to cover statutory services, so there is limited room for finding savings in the discretionary budget.
- The leisure trust cannot deliver savings with the pool making £140k a year loss.
- The trust is working to reduce costs.

- Looking forward, cuts will continue until we can only provide statutory functions.
- Business cases for taking over the pool had to meet the required tests and be prudent with no shortfalls.
- Previously 6 options had been considered which included an extensive consultation exercise, after considering the viability of all options two were left: to transfer the pool (similar to Ski Rossendale and the Museum) or close the pool.
- The better option was to transfer the pool with transitional costs.
- Three expressions of interest were received and 3 months was given to provide a proposal that would meet the required criteria, during which time interested parties were free to meet with the Council at any time for advice on proposals.
- Two of the interested parties backed out which only left The Friends of Haslingden Baths.
- An Asset Transfer was not received but a different proposal was made which did not meet the financial objectives, therefore the only option left was to close the pool.

Councillor Kenyon moved and Councillor Procter seconded an amendment that should the recommendations of the report be approved an extra recommendation be included as 1.4 as follows: That any capital receipt which is realised be committed to be spent in Haslingden.

Members were asked to vote on the amendment becoming the substantive motion.

Councillor Smith requested clarity that the report would continue to be debated on once the amendment had become the substantive motion. The Mayor confirmed that the debate would continue once the vote was taken for the amendment to become the substantive motion.

A recorded vote was requested by Councillors Serridge, Barnes and Lamb.

Councillor Essex raised a point of order that the recorded vote should have been requested before the vote had taken place. The Mayor informed that the vote had not been counted, therefore the request for recorded vote would be accepted.

Voting took place as follows:

Name	Vote
Cllr Aldred	For
Cllr Ashworth	For
Cllr Barnes	For
Cllr Bleakley	For
Cllr Cheetham	No Vote
Cllr Crawforth	For
Cllr Creaser	For
Cllr De Souza	For
Cllr Eaton	Against

Cllr Essex	No Vote
Cllr Evans	No Vote
Cllr Farrington	For
Cllr Fletcher	For
Cllr Gill	For
Cllr Hughes	For
Cllr Jackson	For
Cllr Kenyon	For
Cllr Knowles	For
Cllr Lamb	For
Cllr MacNae	For
Cllr Marriott	For
Cllr Milling	No Vote
Cllr Morris	No Vote
Cllr Neal	Against
Cllr Oakes	For
Cllr Procter	For
Cllr Robertson	For
Cllr Sandiford	No Vote
Cllr Serridge	For
Cllr Shipley	No Vote
Cllr D Smith	No Vote
Cllr Wilkinson	For
Total For	22
Total Against	2
Total No Vote	8

The amendment became the substantive motion.

In considering the amendment members discussed the following:

- Dealt with poorly.
- Diverting funds to purchase and demolish the Valley Centre site.
- Not making decision on what matters most.
- It's not about the budget cuts, but about how you spend it.
- Chose to spend on the Valley Centre and not the pool.
- Subsidy to the bus company to paint the buses.
- Spending on bike rack, solar panels and bulbs for the Halo.

- Friends of Haslingden Baths offer sensible alternative.
- Put differences aside and work together.

Councillor Smith informed he would table the following amendment if it would be supported by one of the leading group members and voted on:

- Delete the word 'detailed' as per 1.1
- 1.2 Keep Haslingden Pool open for an initial 12 months with the support and volunteers from the Friends group.
- 1.3 Work with the Friends group to identify funding schemes.
- 1.4 Should arriving at 1.2 fail during or at the 12 month stage, the capital receipt be ring fenced for a swimming facility in Haslingden.

Members continued to discuss the following:

- Colossal amount of work has been done over the last 2 years to explore all options.
- Wanted the pool to be the same part of the museum and ski slope process.
- No viable business plan put forward, no evidence behind the proposals.
- Unpleasant decision, but everything possible has been done.
- Cannot afford to spend and give more money to the pool.
- Councillors need to be responsible to all residents of the borough where public money is concerned.
- Putting money into the pool was not viable.
- Health and Social Care Act states local authorities have a duty to protect and improve health.
- Children's health and lives at risk.
- Cannot support closure of pool.
- New baths would have generated income.
- Close baths and sell it off to pay for a new one.
- Taking responsibility and being fully accountable.
- It would take £27k to support Friends of Haslingden Baths, money could come from the Leader and Portfolio Holder allowances.
- Largest petition presented.
- Hope to see all councillors voting to keep the pool open.
- It's all about choices.
- New pool would have been Olympic legacy.
- Support the additional amendment.
- No viable option is on the table, a firm plan needed to be in place.
- Investment in town centres and regeneration to attract business.
- Facilitating Morrisons site.
- Priorities about jobs for residents.
- Awaiting news on bids for funding for Bacup and Haslingden.
- Over 30 million SRB funding for Haslingden in 1990s.
- In a mess owing to financial sector.
- Whitworth baths, rebuilding the Riverside and speaking to CLAW.
- Bacup baths and leisure hall closure.
- Disruption to children and elderly.
- Marl Pits unable to accommodate everything.
- Cut councillors and maintain Haslingden pool.
- 8400 on the pool petition.

- Pool group deserves the right to try.
- Severe effect on the community.
- Council is beyond choice.
- Swimming needed to keep children safe near lodges and pools.
- Social side of Haslingden pool.
- Give another 12 months to work with people with a passion to give it a go.
- Lots of holes and question marks with proposal around liability and training.
- Prepared to help and support community.
- Not adverse to continuous discussions.
- Respect for officers and Rossendale Leisure Trust.
- Pool biggest saving on the agenda.
- Change proposal on report.
- Do not want to see facilities close.
- Urge to second Councillor Smith's amendment.

Councillor Wilkinson informed that on behalf of the residents of Haslingden he would second Councillor Smith's amendment, but the wording would need amending regarding ring fenced capital receipt.

Members continued to discuss the following:

- Wish the 8000 people that had signed the petition had used the pool, otherwise we would not be here.
- No subsidy was given to the bus company.
- Safer to go by bus.
- Need to make clear what would be cut as a result of keeping the pool open.
- Cut in councillors has already been recommended but it still doesn't fill the 1.5 million gap.
- Representatives from CLAW offered to meet with Friends group.
- CLAW volunteers are back office staff.
- Pools run at a loss and do not generate income.
- Health and Social Care Act public health is the responsibility of top tier authorities.
- If there was an offer on the table that met the criteria to remove revenue liability and save £27k a year it would be supported but we don't have that.

Councillor Smith indicated that the amendment had been moved and seconded and Councillors Smith, Eaton and Essex requested for recorded named vote.

Councillor Knowles raised a point of order and asked for clarity on the amendment following Councillors Wilkinson's comments concerning the ring fenced capital receipt and requested that each recommendation be voted on separately.

Councillor Essex raised a point of order that the amendment had been proposed and seconded and the vote should be taken.

The Mayor informed that all the recommendations would be taken together but asked Councillor Smith to clarify the amendment before members were asked to vote.

Members continued to discuss the following:

- Prospect that the capital receipt could sit there forever.

- Choice and priorities.
- Cuts being made or in progress such as shared services, staff reductions, operations, emergency call out and building control, contract re-negotiation, unpaid leave, grants, Mayoralty, councillor numbers, all out elections.

Councillor Smith moved and Councillor Wilkinson seconded the following amendment:

- Delete the word ‘detailed’ as per 1.1.
- Keep Haslingden Pool open for an initial 12 months.
- Should it close the capital receipt be ring fenced for projects within Haslingden but with a preference for a new pool in Haslingden.
- Work with the Friends group to identify funding.

Voting took place as follows:

Name	Vote
Cllr Aldred	Against
Cllr Ashworth	Against
Cllr Barnes	Against
Cllr Bleakley	Against
Cllr Cheetham	For
Cllr Crawforth	Against
Cllr Creaser	For
Cllr De Souza	Abstention
Cllr Eaton	For
Cllr Essex	For
Cllr Evans	For
Cllr Farrington	Against
Cllr Fletcher	Against
Cllr Gill	Against
Cllr Hughes	Against
Cllr Jackson	Against
Cllr Kenyon	For
Cllr Knowles	For
Cllr Lamb	Against
Cllr MacNae	Against
Cllr Marriott	Against
Cllr Milling	For
Cllr Morris	For

Cllr Neal	For
Cllr Oakes	Against
Cllr Procter	For
Cllr Robertson	Against
Cllr Sandiford	For
Cllr Serridge	Against
Cllr Shipley	For
Cllr D Smith	For
Cllr Wilkinson	For
Total For	15
Total Against	16
Total Abstention	1

The amendment was lost and members were asked to vote on the previous substantive motion.

Councillor Hughes requested clarity on the previous substantive motion and the information was confirmed as follows:

- That Members note the work done to date in order to identify a solution for Haslingden Pool and note the detailed consultation undertaken.
- Haslingden Pool to close within the next two months.
- The pool site to be disposed of and a capital receipt realised.
- That any capital receipt in its entirety which is realised be spent in Haslingden.

Councillors Milling, Essex and Evans requested a recorded named vote.

Voting took place as follows:

Name	Vote
Cllr Aldred	For
Cllr Ashworth	For
Cllr Barnes	For
Cllr Bleakley	For
Cllr Cheetham	Against
Cllr Crawforth	For
Cllr Creaser	For
Cllr De Souza	For
Cllr Eaton	Against

Cllr Essex	Against
Cllr Evans	Against
Cllr Farrington	For
Cllr Fletcher	For
Cllr Gill	For
Cllr Hughes	For
Cllr Jackson	For
Cllr Kenyon	Against
Cllr Knowles	Against
Cllr Lamb	For
Cllr MacNae	For
Cllr Marriott	For
Cllr Milling	Against
Cllr Morris	Against
Cllr Neal	Against
Cllr Oakes	For
Cllr Procter	Against
Cllr Robertson	For
Cllr Sandiford	Against
Cllr Serridge	For
Cllr Shipley	Against
Cllr D Smith	Against
Cllr Wilkinson	Against
Total For	18
Total Against	14

Resolved:

1. That Members note the work done to date in order to identify a solution for Haslingden Pool and note the detailed consultation undertaken.
2. Haslingden Pool to close within the next two months.
3. The pool site to be disposed of and a capital receipt realised.
4. That any capital receipt in its entirety which is realised be spent in Haslingden.

N.B. Councillors Eaton and Evans left the meeting and were not present for the remaining items.

ORDINARY BUSINESS

10. SCOUT MOOR UPDATE

The Council considered the Scout Moor Update report.

In considering the report members discussed the following:

- Congratulating the officer for the work undertaken.
- Co-operation required of all agencies.
- Traffic management.
- Consultation group would re-convene.

Resolved:

That the contents of the Report are noted; that negotiations on a Planning Performance Agreement and related staffing implications and liaison with developers are delegated to the Director of Business in consultation with the Portfolio Holder.

11. NOTICE OF MOTION

Councillor Ashworth moved the following motion which was seconded by Councillor Marriott:

“This Council notes the suffering forced upon local people as a result of the Coalition Government’s massive cuts to Local Authority funding.

This Council advocates that Britain should join the 11 European countries that have pledged to introduce a transaction tax on all financial exchanges, including shares, bonds and derivatives, in the process targeting those who caused the economic collapse. This will go in some way to help pay off the national debt whilst recognising it as an important contribution the banking and financial sector can make to the funding of public investment in communities, education, health, housing, infrastructure and social security.

This should be as part of a wider programme that starts with the urgent reform of the banking sector that properly separates high street and investment banks, with a crackdown on aggressive corporate and high earners’ tax avoidance.

This Council requests that the Leader write to Jake Berry MP regarding this matter.”

In considering the motion members discussed the following:

- EU parliament news item on policy to cap bankers processes.

As the meeting had been in session for 3 hours the Mayor asked members to vote to continue the meeting.

Resolved:

That the meeting would continue.

Members continued to discuss the following:

- Derivative contracts and financial crisis.
- Every family affected.

A recorded named vote was requested by Councillors Serridge, Barnes and Lamb.
Voting took place as follows:

Name	Vote
Cllr Aldred	For
Cllr Ashworth	For
Cllr Barnes	For
Cllr Bleakley	For
Cllr Cheetham	No Vote
Cllr Crawforth	For
Cllr Creaser	For
Cllr De Souza	For
Cllr Essex	No Vote
Cllr Farrington	For
Cllr Fletcher	For
Cllr Gill	For
Cllr Hughes	For
Cllr Jackson	For
Cllr Kenyon	For
Cllr Knowles	For
Cllr Lamb	For
Cllr MacNae	For
Cllr Marriott	For
Cllr Milling	No Vote
Cllr Morris	No Vote
Cllr Neal	For
Cllr Oakes	For
Cllr Procter	For
Cllr Robertson	For
Cllr Sandiford	No Vote
Cllr Serridge	For
Cllr Shipley	No Vote

Cllr D Smith	No Vote
Cllr Wilkinson	For
Total For	23
Total No Vote	7

Resolved:

That Council requests that the Leader write to Jake Berry MP regarding this matter.

12. NOTICE OF MOTION

Councillor Jackson moved the following motion which was seconded by Councillor Hughes:

“Research published this month by the North West Housing Forum shows that the consequences of the bedroom tax will be to force people into the private rented sector. This will be more expensive for The Government.

Two thirds of people affected by the tax are disabled. This extra tax is a vindictive attack using the full force of law to marginalise minority groups.

The bedroom tax is uneconomic and unjust.

This Council requests that the Leader write to Jake Berry MP regarding this matter.”

In considering the motion members discussed the following:

- Lives of residents directly affected.
- No appropriate social housing available.
- Vulnerable people that are affected often don't have a say.
- Rented private accommodation is expensive.
- Mental health impact and suicide rates rising.
- Need for food banks.
- Pay day lenders are flourishing.

A recorded named vote was requested by Councillors Serridge, Barnes and Lamb. Voting took place as follows:

Name	Vote
Cllr Aldred	For
Cllr Ashworth	For
Cllr Barnes	For
Cllr Bleakley	For
Cllr Cheetham	No Vote
Cllr Crawforth	For
Cllr Creaser	For

Cllr De Souza	For
Cllr Essex	No Vote
Cllr Farrington	For
Cllr Fletcher	For
Cllr Gill	For
Cllr Hughes	For
Cllr Jackson	For
Cllr Kenyon	For
Cllr Knowles	For
Cllr Lamb	For
Cllr MacNae	For
Cllr Marriott	For
Cllr Milling	No Vote
Cllr Morris	No Vote
Cllr Neal	For
Cllr Oakes	For
Cllr Procter	For
Cllr Robertson	For
Cllr Sandiford	No Vote
Cllr Serridge	For
Cllr Shipley	No Vote
Cllr D Smith	No Vote
Cllr Wilkinson	For
Total For	23
Total No Vote	7

Resolved:

That Council requests that the Leader write to Jake Berry MP regarding this matter.

Following the voting and decision, the Director of Business was asked to clarify the difference between a “no vote” and an “abstention”. He clarified that according to case law if you do not vote or abstain it is considered a positive vote in favour, so to avoid this a councillor should express a vote for or against a particular motion.

Councillor Essex raised a point of order that he understood that a “no vote” meant you had not voted but were present at the meeting.

13. URGENT DECISIONS

The Mayor asked members to note that two urgent decisions had been taken by the Cabinet since the last meeting. These were in relation to the following:

- Deed of Variation to the Section 106 Agreement for the Weavers Dene Housing Development at Helmshore.
- Community Right to Bid nominations received for the Old Market Hall, Bacup and the Bacup Conservative Club, Irwell Terrace, Bacup.

In noting the item members discussed the following:

- Reducing the time to 6 weeks.
- Publicity being done?
- Helmshore people should get the first choice.
- Young people unable to buy in the ward.
- Looking at how we allocate to those with the greatest need.
- Better marketing and putting more information in the information pack.
- Timescales were a barrier to those in need.
- Difference between social housing and affordable housing.
- Confusing the role of the Council and the housing association.
- Advertising on the council web site.
- Housing association issue.

(The meeting started at 6.30pm and concluded at 9.50pm)

Signed.....

(Chair)

Date