

COUNCILLOR JEFFREY CHEETHAM MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 1st February 2006

**PRESENT: The Mayor Councillor J Cheetham (in the Chair)
Councillors Alcroft, Atkinson, A Barnes, D Barnes, L Barnes, Challinor, Eaton, Entwistle, Farquharson, Forshaw, Graham, Hancock, Huntbach, Lamb, McShea, Neal, Ormerod, J Pawson, S Pawson, Pilling, Robertson, Ruddick, Sandiford, Starkey, H Steen, P Steen, Thorne and Unsworth.**

**IN ATTENDANCE: Carolyn Wilkins, Deputy Chief Executive
Phil Seddon, Head of Financial Services
Liz Murphy, Head of Human Resources
Linda Fisher, Head of Legal and Democratic Services
Julian Joinson, Democratic Services Manager**

**ALSO PRESENT: Angela Yates, Payroll Manager
Clare Law, Human Resources Assistant
Louise Wheeler, Administrative Assistant
Patricia Couch, Scrutiny Support Officer
Jennifer Cook, Committee Officer**

APOLOGIES: Councillors Crosta, Disley, Driver, Marriott, Swain and Young.

BUSINESS MATTERS

1. MINUTES

Councillor Hancock referred to meeting of the Rossendale Hospital Group arranged by Rossendale Community Network, which had taken place on the previous evening and which had flowed from the debate on health issues at the recent Special Council meeting.

Resolved:

That the minutes of the Council meeting held on 13th December 2005 and the Special Council held on 19th January 2006 be signed by the Mayor as correct records, subject to the inclusion in the former of apologies submitted on behalf Councillor Huntbach.

2. DECLARATIONS OF INTEREST

Councillor Graham declared a personal and prejudicial interest in Agenda Item F1,

Prudential Borrowing, in the light of the employment by the Leisure Trust of a close family member.

Councillors Challinor and Robertson declared a personal interest in Agenda Item F1, Prudential Borrowing, in the light of their membership of the Board of the Leisure Trust.

3. COMMUNICATIONS FROM THE MAYOR, LEADER AND HEAD OF THE PAID SERVICE

The Leader read out a letter from the Chief Executive of the East Lancashire Hospitals Trust, which clarified the position in respect of attendance at the Special meeting of Council in January 2006 and which indicated that the Trust had not received an invitation to that meeting. Representatives of the Trust would attend a meeting of the Policy Development Overview and Scrutiny Committee on 20th March 2006 to provide an opportunity for the Members to discuss relevant health issues further.

The Leader indicated that further meetings would be arranged in order to progress partnership working on the health proposals.

The Deputy Chief Executive announced that Human Resources Section had recently been awarded Investors in People (IIP) status. She introduced members of the Human Resources Team, Liz Murphy, Angela Yates, Clare Law and Louise Wheeler and presented staff with a formal plaque. Elected Members congratulated staff on their achievement.

The Deputy Chief Executive also introduced new members of Democratic Services Section, Pat Couch and Jennifer Cook, who were in attendance at the meeting. The staff were looking forward to working closely with Elected Members. Councillors welcomed them both to Rossendale Borough Council.

There were no communications from the Mayor.

4. MEMBERS QUESTION TIME

Councillor Forshaw asked if any action was being take to address the poor acoustics of meeting venues.

At the request of the Leader, the Deputy Chief Executive responded, indicating that a number of options were currently being evaluated.

Councillor Hancock asked the following questions in relation to Kay Street Buildings and the Tourism information Centre:-

- (a) When was the decision to sell the block of properties on Kay Street made? The report to Cabinet in January states July last year. I can find no reference to this in the July minutes, but there is a clear decision taken by the Executive in April to sell the buildings on Kay Street and at several other

locations around the Borough including Waterfoot and Haslingden Neighbourhood Offices

- (b) When was the decision to close the TIC made and when was it established that the OSS would not be suitable to accommodate the County Council services? One Stop Shop Working Group minutes from August refer to the closure of the facility and concern was expressed by County about provision for their service.
- (c) When were Lancashire County Council informed that their ticket service could not be accommodated in the Tourist Information Centre or the One Stop Shop? What other alternatives were offered to the County Council and when?
- (d) Is it the case that the TIC is to close because RBC want to sell the block of buildings that house this facility?
- (e) The proposed closure of the TIC is justified in the Budget Consultation with the words 'visitor information is not a Corporate Priority' yet in the budget papers 'Promoting Rossendale' is. Is it the view of the controlling group that the TIC does not 'Promote Rossendale'?
- (f) What arrangements have been made for the other tenants of the block on Kay Street to be relocated and what are their views on suggestions made? The tenants I refer to are the residents of two houses and Age Concern
- (g) If the residents are unwilling to move out of their home what is the Council proposing to do? Do they have the same tenancy agreement as other tenants of the Council?
- (h) Where will the proposed Marketing and Business Manager operate from and would this person be an employee of the Borough or a Consultant? The estimated of cost presented in the budget consultation includes no finance for accommodation or for any ancillary costs.
- (i) Has any research been done by RBC on the proposed use of libraries and the capacity of the library service to incorporate the proposals outline in the report considered by Cabinet on 25th January? Are Lancashire County Council aware of the proposals being considered by RBC? The proposal suggests that library staff and equipment can be used without any charge to RBC.

The Leader reminded Members that, at the Council meeting on 27th April 2005 the Council had resolved to "declare the following properties surplus to requirements and authorise their disposal upon vacation". The list of properties that followed included the Kay Street Offices.

Discussions were underway with the tenants of Kay Street to identify their requirements and alternative locations were being explored. Discussions would also be taking place with residents as the desire was to come to an amicable

agreement regarding relocation. The question asked what would the Council do if the tenants were unwilling to move. The Council did have certain rights as the landlord where an area was to be redeveloped, but obviously the Council was hoping not to have to use these.

In terms of the Tourist Information Centre, the initial thinking had been that the Tourism Information function would be incorporated into the One Stop Shop and in developing the service's right first time ethos, queries regarding tourist information would be rolled in as part of the future programme.

Alongside the Council's review of accommodation the County Information Service had reviewed the way it provided its services and, as part of this wider review, had decided not to continue with the Service Level Agreement it had with Rossendale BC but provide its services within libraries. Discussions were taking place with the County Council regarding delivery of services through the libraries.

Rossendale BC had commissioned a review of Tourism Marketing as part of its commitment to improve all services. A clear issue emerging from this report was the need for Rossendale to improve what it actually had to offer to visitors, as well as improving the promotion of existing attractions. The need to be able to access information about Rossendale in a variety of ways had also been highlighted. This was recognised nationally in order to ensure visitor information services which were fit for the 21st century.

A number of options for the provision of visitor information had been identified following this work and had been considered by the Economy Theme Group of the LSP, Overview and Scrutiny Committee and Cabinet.

The budget consultation paper was correct – tourism was not currently identified as a corporate priority. However, in developing the budget for next year the Authority had identified the need to promote Rossendale locally, nationally and regionally and, as part of the budget consultation process, the Council was asking if people supported this. Clearly promoting Rossendale as a place to visit was an important part of this – but the Council also wanted to promote Rossendale as a place to live, to raise a family – a place in which to invest. Until the budget was agreed it would be premature to discuss whether or not someone was to be appointed. Should the budget option be approved, the resources would be used to promote Rossendale in the most effective way possible.

The Leader indicated that the decision of the Cabinet in respect of the proposal to make resources available for tourism marketing was clear. No budget was yet available for this resource and further discussions would need to take place. The proposals referred to a marketing resource rather than a post.

The Library Service, having assessed the proposals regarding the provision of tourism information, was keen to take on board that function. It was envisaged that tourism information would complement and enhance the Library Service. Pilot proposals were also being developed to establish County Council One Stop Shops in the Central Libraries at Rawtenstall and neighbouring Accrington. A joint report would be provided to the Lancashire Local to consider the approach.

Councillor Hancock asked the following question in relation to minutes of meetings posted on the Council website:-

Currently there are several instances where minutes of meetings or reports are not included on the Council website - for instance no minutes are included for the Council meetings on 16th January 2006 or the 13th December 2005 and no reports are posted for 20th April 2005 - can we ensure that the website is brought up to date and that all available information is included before the next meeting of the Council.

The Leader indicated that, at the time of submission of Councillor Hancock's question, the Council minutes referred to had been in the process of being finalised. These were now available on the website. He thanked Councillor Hancock for pointing out the omission of the reports from the meeting of Council in April 2005. Those reports had now been added to the website.

Every effort was made by staff to ensure that agendas, reports and minutes were posted on the website as soon as possible. Additional members of Democratic Services Section were attending a web training session tomorrow in order to increase the capacity to post items on the website and to reduce any logjams.

Councillor Hancock reminded councillors that they had agreed to a system of Criminal Records Bureau (CRB) checks being undertaken for Elected Members. He asked whether any progress had been made on the introduction of the scheme.

The Leader replied that some difficulties had been encountered in developing the scheme. Ms Murphy reported that the regulations concerning checks were relatively strict. The CRB had recently visited the authority to undertake an audit of procedures. It hoped that the Council would be able to proceed with CRB checks for Members, but it was first necessary to await the feedback following the visit.

Councillor Neal asked the following question:-

I understand that there have been a high number of wheelie bins going missing from properties in Rosendale and needing to be replaced. I believe that this may be due to larger families, unable to cope with the fortnightly collection, taking other people's bins in order to store household waste. Can the Leader consider the introduction of a system whereby green bins are collected three weeks in every four and the blue bin is collected in the fourth week.

The Leader replied that, firstly, there was no evidence that a high number of wheeled bins had been going missing from properties. The Council had recently taken back some bins from properties that had more than one green bin, in particular where a few residents were putting out 2, and in some cases 3 wheeled bins for collection, but were not using any recycling bins at all. The Council aimed to provide a fair and equitable service to all customers and therefore allowing some people to have multiple general waste bins would fly in the face of providing that service.

As a local authority in Lancashire and a member of the Lancashire Waste

Partnership (LWP) for several years, the Council had agreed to introduce an alternate week general waste and recycling collection and to sign up to the LCC Cost Share Agreement.

The collection method was meant to be simple for residents to understand, and in order to comply with the agreement the Authority was committed to re-engineering its refuse rounds to enable all waste to be collected on the same day of the week. By its very nature, it also aimed to encourage recycling and to minimise the cost of collecting recyclates.

If a family of four recycled their waste, a 240 litre bin was perfectly adequate for two week's general waste and in most cases for a family of five, but the Council did provide an additional small bin where a family of this size had small children in nappies. A family of six was provided with a second general bin if they were having difficulties with general volume.

In February 2006 the recyclates collected would be increased to include cardboard and textiles from all accessible properties, leading to a further reduction in the general waste. This was in addition to every property with a garden being provided with a bag or brown bin for green waste since September 2005.

This meant that the majority of residents would be provided with a 240 litre bin for general waste, a 240 litre bin for glass, cans and plastics, a bag or box for paper and card, a bag for textiles and a bag, compost bin or brown bin for organic waste.

A return to a more frequent general waste collection would not only discourage recycling and cause recycling rates to plummet, but would effectively result in increased collection costs in excess of £500,000, as a double collection would have to be provided on the alternate week. The Council would need at least six new refuse vehicles, circa £250k per annum and 18 more staff to perform the duties of another six weekly refuse rounds, estimated at £360K per annum in addition to a loss of income from recyclates. The cost share agreement specified that the Authority must provide an alternate weekly collection and therefore Rossendale would also lose the income received from LCC through the LWP of circa £280k per annum. The Council would also be at risk of paying penalties under the Landfill Allowance Trading scheme of up to £150 per tonne, as Rossendale currently collected in excess of 20,000 tonnes per annum.

As a result of failing to secure a transfer station in Rossendale last year the cost of collecting general waste had increased by £300k due purely to travelling costs and the need for additional vehicles to take general waste to Whinney Hill Landfill site in Accrington 15 miles from Henrietta Street depot, instead of using Deerplay which was 3 miles from the depot.

Any increase in recycling would reduce this cost. It should be remembered that only 10% of the waste in a bin was not recyclable. Accordingly, it was important to 'Reduce, Reuse and Recycle'. The Authority had an enviable recycling rate, in excess of 22%, which far exceeded neighbouring Rochdale and Bury, where rates of just about 11% were being achieved.

From March the Council's NEAT Officers would be carrying out waste audits, which aimed to demonstrate to residents that they could recycle their waste and that sufficient capacity was available if they used the receptacles provided.

A reduction in recycling collection could only have a detrimental effect and, as Councillor Neal was an ardent recycler, this was surely not his intention. Anybody who was having difficulties with recycling should contact the NEAT Officers at Stubbylee Hall (Tel: 871600) who would arrange to come out and visit.

Councillor Neal asked if the Leader could indicate how the Council would work in partnership with Whitworth Town Council on the user rights issues in respect of the Council Chamber and Clerk's Office.

The Leader reported that Rossendale's Deputy Chief Executive and Head of Financial Services had met with Members of Whitworth Town Council on 4th January 2006, a meeting at which Cllr Neal had also been present.

The conclusions of that meeting had been that, subject to the formal exchange of contracts:

- 1) The Town Council should meet with the Community Leisure Association of Whitworth (CLAW) to mutually agree the Town Council accommodation requirements.
- 2) The Town Council accommodation requirements to be incorporated into a formal lease arrangement between Whitworth Town Council and Rossendale Borough Council, to ensure that Whitworth Town Council had security of tenure in the form of lease contract with Rossendale Borough Council. These arrangements to be then reflected in a "back to back" agreement in a head lease between CLAW and Rossendale Borough Council.

That meeting between Whitworth Town Council and CLAW had now taken place with the outcomes to be ratified by the Town Council this month. These arrangements would then be incorporated into a formal partnership agreement between Rossendale Borough Council and Whitworth Town Council and subsequently incorporated into an agreement between Rossendale Borough Council and CLAW.

Councillor Unsworth asked the following question:-

Could the Leader inform us what the position is regarding the free concessionary fares as from 1st April 2006? Please explain the changes to the scheme, eg is it going to be from 9.30 am to the Borough boundaries or is it going to include the areas covered by the present concessionary passes.

The Leader responded that Lancashire County Council had, since October 1986, managed a Joint Concessionary Travel Scheme that governed these arrangements on behalf of all the district and unitary authorities. The concessionary rates were:

- People aged 60 or above - Half fare;

- Disabled people – Half fare to a maximum fare of 50p.

The benefits of the existing Joint Countywide Scheme were:

- The provision of travel arrangements that were simple and understandable for both user and bus driver;
- That pass holders could travel across boundaries to access essential services that might not be available in the district where they lived;
- That the 46 bus and community transport operators dealt with a single organisation, rather than individually with each of the 14 Travel Concession Authorities within Lancashire.

To ensure that existing pass holders received the benefits of reduced travel costs currently in place and the new arrangements, Lancashire Councils were taking a joint approach to this issue. From 1st April 2006 the scheme would provide pass holders:

- With free travel for eligible residents wholly within the authority area, the concession to be available for journeys after 0930 on weekdays and at all times on weekends and Bank Holidays;
- With free travel for eligible residents to the authority boundary and half fare from the boundary to destinations within countywide scheme, the concession to be available for journeys after 0930 on weekdays and at all times on weekends and Bank Holidays;
- With half fare travel before 0930 weekdays on all journeys within authority boundaries and on cross boundary journeys into those areas included in the countywide scheme;
- With half fare travel at all times on journeys taken wholly outside the authority area in which a pass holder resides, but on services that operate in the countywide scheme.

Existing flat fare pass holders would be entitled to all the above, but with a maximum 50p flat fare payable on those journeys that required a payment.

The above details meant that from 1st April 2006, Rossendale Borough Council would be providing a Concessionary Travel service beyond the Government's statutory minimum.

Councillor Forshaw enquired how much the Council had actually paid for rooms for Council meetings at Futures Park or County Council premises.

The Leader replied that the total spent in 2005/06 to date on the hire of rooms at Futures Park and other venues was approximately £10,000, of which some £8,000 was for the servicing of committees.

Councillor Forshaw also asked what had happened to all the furniture moved from Rawtenstall Town Hall.

The Leader indicated that furniture had either been moved within the organisation, or some would go to voluntary groups who had approached the Council. The

Executive Director of Resources would be in a position to provide details about how voluntary groups could access the furniture. The remainder would be disposed of through the trade. The Council Chamber furniture would be put into storage.

Councillor Steen asked whether the authority and County Council could investigate working in partnership with other organisations in respect of tourist information. Some suggested partners included the Chamber of Commerce and the Weavers' Cottage.

The Leader indicated that this suggestion would be taken into consideration.

Councillor Starkey referred to difficulties with his lap top and printer and that other councillors had experienced similar problems. He asked if remedial action could be taken.

The Leader reminded all Members that the Council's IT providers operated a Helpdesk facility, which provided the necessary technical support.

Councillor A Barnes referred to the number of empty buildings in the town centre of Rawtenstall and enquired when terms would be signed with the developers.

The Leader indicated that negotiations with the developer were now at an advanced stage and that it was likely that terms would be signed within the next few weeks.

Councillor Sandiford expressed the view that tourism information services were not a priority, but that the promotion of Rosendale as an attractive place to visit was. She had tested the knowledge of shoppers in neighbouring authorities about Rossendale and had determined that few people knew its location. She asked if the Council could be more proactive about marketing Rossendale to the rest of the country.

The Leader emphasised that the TIC had carried out its role effectively, but that a different approach was now needed. He agreed that there was a need to promote the Borough, and that this would be taken into account when considering the Council's future priorities. The Mayor added that he had recently approached a television broadcaster about featuring Rossendale on their local weather map.

5. PUBLIC QUESTION TIME

Councillor Pickup of Whitworth Town Council enquired about the Brookville Sheltered Housing Scheme and asked if the Borough Council would join discussion with Lancashire County Council about the future of the site.

The Leader indicated that a full written reply would be provided.

6. APPOINTMENT OF DEPUTY MAYOR FOR 2006/07

Members were reminded that the Council, at its meeting on 30th March 2005, had agreed a procedure for the selection and appointment of the Deputy Mayor, which stated that the appointment would be made at the first Council meeting after

Christmas. The Leader indicated that the eligibility criteria had established that nominees should have two years of their term of office remaining, be in at least their second term of office and not have been the Mayor previously. Application of the criteria in 2006/07 would provide only one candidate and that person had declined the position.

Accordingly, Members were asked to suspend the criteria in relation to the second term of office minimum requirement. The Leader nominated Councillor J Pawson for the office of Deputy Mayor for 2006/07 and the Leader of the Opposition indicated his support. Councillor Hancock also pointed out that, because of the composition of the Council, the most recently elected Member, Councillor Alcroft, might also have been eligible. Councillor Alcroft joined Members in wishing Councillor Pawson a successful term as Deputy Mayor.

Resolved:

1. That the eligibility criteria in relation to nominations for Deputy Mayor being in at least their second term of office be suspended; and
2. That Councillor J Pawson be appointed Deputy Mayor for the Municipal Year 2006/07.

RECOMMENDATIONS TO COUNCIL

Cabinet - 25th January 2006

7. PRUDENTIAL BORROWING

Members were informed that the Cabinet, at its meeting on 25th January 2006, had considered a joint report of the Head of Financial Services and Head of Community and Partnerships on the proposals to facilitate a partnership approach to the delivery of a purpose built Lifestyle Centre on the site of the Haslingden Sports Centre.

The decisions of the Cabinet were reported to Members, as follows, and Councillor Ormerod highlighted the Cabinet's recommendation to Council at 2) below:-

- 1) That the Cabinet support proposals to develop facilities at Haslingden Sports Centre as set out within the Trust transfer documentation as contained within the Partnership Delivery Plan agreed in May 2004 and through the adoption of the Trusts three year business plan as agreed by the Council in November 2004.
- 2) That the Cabinet recommends to Full Council in principle agreement to borrow under the Prudential Code or by way of guarantee, to a maximum of £1.2 million, in support of the redevelopment scheme, subject to a full review of leisure provision in the Borough. The detailed contractual issues around this being delegated to the Head of Financial Services and Head of Legal and Democratic Services in consultation with the Leader of the Council and Portfolio Holder for Finance and Risk Management.

- 3) That financial servicing of the Prudential Code borrowing be met through a corresponding reduction in the Trusts support grant over the full term of the load period.
- 4) That the Council secure technical advisers to oversee any building project in order to protect the Council's interest in terms of cost and quality of the final building.
- 5) That the project be categorised as a B2 risk within the Council's strategic risk register.

Councillor Hancock enquired about the impact of the reduction of the Trust's support grant during the construction period when incomes were likely to fall. Councillor Ormerod and Challinor responded that the Trust's Business Plan had taken this factor into account. Councillor Neal asked about the rates of interest to be charged on the loan and Mr Seddon replied that a competitive rate would be set at the appropriate time. Councillor Entwistle reminded Members that the proposal would be subject to a review of leisure provision in the Borough.

Resolved:

To agree, in principle, to borrow under the Prudential Code or by way of guarantee, to a maximum of £1.2 million, in support of the redevelopment scheme, subject to a full review of leisure provision within the Borough. The detailed contractual issues around this being delegated to the Head of Financial Services and Head of Legal and Democratic Services in consultation with the Leader of the Council and Portfolio Holder for Finance and Risk Management.

NOTE: Councillor Graham left the meeting during the above item of business and took no part in the debate.

8. APPOINTMENT OF CHIEF EXECUTIVE

Members were informed that, at its meeting on 25th January 2006, the Cabinet had considered a report of the Head of Human Resources on issues in relation to the appointment of a new Chief Executive. Councillor Graham reported the recommendations of the Cabinet and proposed that a Special Meeting of Council be arranged for 31st March 2006 in order to finalise the appointment as soon as possible.

Councillor Neal referred to the proposed establishment of a budget for the cost of consultancy and advertising fees and asked whether, alternatively, the relevant expertise could be provided in-house. Councillors Hancock, P Steen and Graham highlighted the importance of professional advice and support for the recruitment process in view of the key nature of the post.

Resolved:

1. To establish an Appointment Committee consisting of the Leader of Council, Deputy Leader of Council, Cabinet Member for Human Resources, Chair of Overview & Scrutiny, Leader of the Labour Group, Deputy Leader of the Labour Group, Chair of the Local Strategic Partnership and Head of Human Resources.
2. To establish a budget of £45,000 for the cost of consultancy and advertising as set out in the report and to delegate authority to the Appointment Committee to procure a package of consultancy support to assist them in the appointments process.
3. To delegate authority to the Appointment Committee to offer a salary package not exceeding £90,000 (plus nationally agreed cost of living increases) to a suitable candidate.
4. To approve the interim appointment of the Deputy Chief Executive, on an honorarium basis, as the Acting Chief Executive until a permanent appointment is made and the successful applicant takes up the position.
5. To require the Acting Chief Executive to assume the role of returning officer and any other such responsibilities that come with the position of Chief Executive.
6. To keep the position of Deputy Chief Executive vacant until a permanent Chief Executive is appointed and the successful applicant takes up the position.
7. That a Special Meeting of Council be arranged for Friday, 31st March 2006 at 7.00 pm in order to finalise the appointment of the Chief Executive.

MAYOR'S BALL

The Mayor announced that this year's Mayor's Ball would be held on 21st April 2006 to coincide with the birthday of Queen Elizabeth II and to celebrate St George's Day which fell on 23rd April 2006.

(The meeting started at 7.00 pm and concluded at 8.25 pm.)