

COUNCILLOR GRANVILLE MORRIS, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 28th September 2016

PRESENT: The Mayor Councillor Morris (in the Chair)
Councillors Aldred, Ashworth, A. Barnes, Bromley, Cheetham, Crawforth, Essex, Farrington, Fletcher, Graham, Haworth, Hughes, Johnson, Kempson, Kenyon, Lamb, Lythgoe, Marriott, McMahon, Neal, Oakes, Procter, Roberts, Robertson, Serridge, Shipley, Smallridge, Smith, Stansfield, Steen and Walmsley.

IN ATTENDANCE: Stuart Sugarman, Chief Executive
Clare Birtwistle, Legal Services Manager (Monitoring Officer)
Sarah Davies, Director of Business
Phil Seddon, Head of Finance and Property Services
Carolyn Sharples, Committee and Member Services Manager
George Taylor, Mayor's Attendant

ALSO PRESENT: Clare Law, HR Manager
14 members of the public

1. Apologies for Absence

Apologies for absence were received for Councillors L.Barnes, James Eaton, Janet Eaton and MacNae.

2. Minutes

Resolved:

That the minutes of the Council meeting held on 6th July 2016 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

The following non-pecuniary declarations of interest were made:

- Rossendale Transport Director – Councillors Cheetham, Crawforth, Essex, Marriott, Oakes and Walmsley

5. Outstanding Items of Business from the Last Meeting

There were no outstanding items to report.

6. Communications from the Mayor, the Leader or Head of Paid Service

The Mayor and Head of Paid Service had no communications to report.

The Leader of the Council updated members on the Lancashire County Council (LCC) Property Strategy. Expressions of interest had been received in relation to taking over the assets at Crawshawbooth Library/Community Centre and also Whitwell Bottom Community Centre. It was likely that these would be taken forward and the Council had agreed to offer support in terms of helping them to stack up their business plans. There was talk of Bacup being a satellite library, however this had been reviewed and there would be a full library service at the current site. Talks were still ongoing in relation to Whitworth Library, and the Leader agreed to keep members updated.

ORDINARY BUSINESS

7. Treasury Management

The Council considered the Treasury Management report. The Portfolio Holder for Resources and Performance, Councillor Marriott, introduced the report and informed members of the following:

- The report proposed agreeing to settle the current mortgage agreement for Rosso and refinance the mortgage using Council resources.
- The table on page 3 provided details, and it would be refinanced against the Haslingden Depot.
- There was no increase in risk to the Council's finances.
- It made sense to spread the pension scheme costs.
- The Council was guarantor for the extension to Haslingden Sport Centre.
- Details for repaying and recharging the loan were detailed in the report.

In considering the report members discussed the following:

- State Aid and complying with the rules in relation to using tax payers money.
- What was the legal basis?
- Supporting the proposal.
- It was a good deal for the Council and also ensured that our partners were supported.
- Don't see problems with State Aid as the articles of formation state that the company should only be borrowing from the Council.
- It was a better interest rate than the bus company could get and it would be part of the due diligence.
- The report and activity was welcomed.
- Neighbouring authorities still spend a lot of money on leisure.
- The Council was now in a better position owing to the initiative taken by the Leisure Trust, who were financially viable 2 years ahead of schedule.
- The Council wouldn't be in a position to offer this type of support in the future owing to further cuts and only being able to provide statutory services.
- Pleased to see the Leisure Trust got there ahead of time.
- Clarity on the ownership of the bus depot.

In response to questions from members, the Monitoring Officer confirmed that State Aid consideration was part of the due diligence on the wider package to ensure it was able to be given, and Councillor Marriott confirmed that the bus company owned the depot and the asset was mortgaged.

Resolved:

1. That Full Council agrees to re-mortgage the Rossendale Transport Limited's Haslingden Depot at a rate equivalent to PWLB's 15 year fixed rate plus 1% secured on the company's assets as noted in 5.1(f) of the report.
2. That Full Council agrees to repay the outstanding finance lease with Alliance Leisure on behalf of Rossendale Leisure Trust.
3. That Full Council approves the transfer of Rossendale Transport Limited's Local Government Pension fund to Council, subject to the Head of Finance confirming the final values, the financial advantages to Rossendale Transport and maintaining a neutral position for Council. The final decision being delegated to the Head of Finance in consultation with the Portfolio Holder for Resources and Performance.

Reason for Decision

The Council is using its own resources to mitigate the cost of liabilities for which it is guarantor or to mitigate costs of its subsidiary backed by security of assets. The debt restructuring as noted in the report will significantly add to the financial sustainability of both organisations over the medium to long term.

Alternative Options Considered

None

8. Green Waste – kerbside collection service for garden waste

The Council considered the Green Waste report. The Portfolio Holder for Operational Services and Development Control, Councillor Lamb, introduced the report and informed members of the following:

- The report was for noting, pending a further report.
- The garden waste service was over subscribed.
- A cross party working group would be looking into the various options.
- It was a non-statutory duty.
- There was an option to charge and 5.7 of the report identified local authorities that currently charge a fee.
- The majority of the remaining 14 districts were currently in discussion regarding charging for this service.
- It is estimated that 50% of councils on England make a charge for garden waste, and of those 75-80% will make a charge for kerbside garden waste in the next 24 months.
- Some councils outsource the service.
- Not everyone wants to compost or has the capacity to compost.

In considering the report members discussed the following:

- Council asks for a clean, green Rossendale, so there is a supposition about our future work.
- The working group would be looking at methods for waste collection.
- We were not as good at recycling as other boroughs, and clarity was needed on what can and can't be placed in recycling bins.
- Think carefully about how we can make Rossendale attractive.
- Not everyone has space for a bin or compost bin.
- Feel reassured that other aspects will be looked at.
- Look at other recycling materials at the same time.
- Issues at Orama Mill development: a few people were still struggling to get brown bins.
- Ensure there is a superior consultation to the one at Haslingden triangle.

In response to questions from members the Portfolio Holder for Operational Services and Development Control, Councillor Lamb, informed that the current recycling centre did not take tetra packs, details for what can go in the different bins was on the calendar that was sent out before Christmas, and where there was a new housing development the developer should provide the bins. She agreed to ensure that Councillor Cheetham received the recycling clarification details and asked Councillor Neal to provide details regarding the outstanding brown bins at the Orama Mill site.

N.B. Councillor Stansfield left the meeting.

Resolved:

That Council note the report and agree to await a further report in 2017 on the findings of the working group, as detailed in the report.

Reason for Decision

The kerbside garden waste collection service is a popular service that operates across the borough. Tonnages from collected material contribute significantly to the borough recycling rate, which in 2015/16 stood at 31.83%. The introduction of charges for this service may lead to a reduction in tonnages collected for recycling and an increase in tonnages collected for disposal, both of which will affect our recycling performance. However, in light of reductions to budget as highlighted in 5.5 of the report, this option may be worthy of consideration by members.

Alternative Options Considered

None

9. Local Plan Update

The Council considered the Local Plan Update. The Portfolio Holder for Operational Services and Development Control, Councillor Lamb, introduced the report and informed members of the following:

- Informing of the internal and external consultation process and the revised timetable.
- There had been 90 submissions from the "Call for Sites" exercise.

- The evidence based studies were detailed at 5.3.
- Members briefing sessions were being organised for late October regarding the evidence base.
- The evidence base studies would be published on the Council website in November/December.
- A six week consultation on the local plan would take place in January/February.
- Need to look at what's best for Rossendale.
- Consultation would take place with the 2,500 people on the database and they would also be speaking to community groups and running drop in sessions.

In considering the report members discussed the following:

It was vital communities were involved in the consultation.

- Flood areas seem to be attractive places for people wanting to build houses.
- Working with partners such as United Utilities.
- Starting the Flood Risk Assessment.
- Look at the infrastructure and surface water issues.
- The plan needs to consider where there have been lodges previously.
- Drainage problems.

N.B. Councillor Stansfield returned to the meeting.

Members continued to discuss the following:

- People were concerned there would be no respect for the countryside.
- Don't want brick houses outweighing stone houses.
- Need LCC's input on roads.
- Concerns and worries over the change in climate near Christmas.
- People needed assurances.
- Ongoing consultation.
- Looking forward to an in depth document.

In response to questions from members the Portfolio Holder for Operational Services and Development Control, Councillor Lamb, informed that concerns would be taken seriously. There had been some terrible experiences in the valley with the floods. The Flood Risk Assessment was in the process of being updated with the Environment Agency and LCC. The Council was aware of current concerns, and residents could bring further concerns to the attention for the Forward Planning officers at any time, or bring them forward at the point of the consultation. The Leader of the Council informed that the Council would be putting the evidence base out ahead of the consultation which would serve to extend that period of consultation.

Resolved:

1. That Council support the internal and external consultation process proposed for the Local Plan, provide input on how this should most appropriately be delivered and authorise a revised Local Development Scheme (LDS).
2. All future minor amendments to the Plan to be delegated to the Planning Manager in consultation with the Portfolio Holder.

Reason for Decision

The Local Plan is a key policy document for the Borough. It is important that it is evidence based to support the choices that will need to be made. Member support will be essential to ensuring that the Plan reflects the Council's priorities.

Alternative Options Considered

None

10. Senior Management Structure

Councillor A.Barnes moved and Councillor Marriott seconded the recommendations of the report, with a minor change to the title of the new post detailed at Appendix B to Director of Communities rather than Director of Place.

In considering the report members discussed the following:

- What did the change of title mean and what did the role encompass?

In response to questions from members the Chief Executive confirmed that the new director would cover several different service areas including: Operations, Environmental Health, Licensing, IT and Transformation. The Leader of the Council informed that the Council had managed for a short while with one director, but it was felt that we had become too small in capacity. This decision would improve capacity at a strategic level.

Resolved:

1. Members agree the new structure at Appendix B and as detailed in the report subject to consultation and job evaluation, and that the title of the new post is Director of Communities.
2. Any changes necessary as a result of the new structure to the Council's Constitution in relation to Director and Proper Officer posts be delegated to the Monitoring Officer in consultation with the Portfolio Holder.

Reason for Decision

To maintain an up to date Senior Management Team structure with strong strategic management and leadership skills to support the long term stability and growth of the Council to ensure its future going forward. To make changes to the Council's Constitution to reflect the changes to Chief Officers and Statutory Officers.

Alternative Options Considered

None

11. Urgent Decisions

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

NOTICES OF MOTION

12. Notice of Motion

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

We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. We Rossendale Council condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

Rossendale Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent racism and xenophobia.

We reassure all people living in Rossendale that they are valued members of our community.

In considering the recommendation members discussed the following:

- Cost to the Council?
- Support the motion.
- Protect anyone in the community.

In response to questions from members, the Leader of the Council informed that there were no costs associated with this. It was a commitment from members.

Resolved:

That Council agree that we are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. We Rossendale Council condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

Rossendale Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent racism and xenophobia.

We reassure all people living in Rossendale that they are valued members of our community.

Reason for Decision

To support the Notice of Motion proposed by Councillors Hughes and Serridge.

Alternative Options Considered

None

(The meeting started at 6.30pm and concluded at 7.45pm)

Signed.....
(Chair)
Date