

COUNCILLOR COLIN CRAWFORTH, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 4th October 2017

PRESENT: The Mayor Councillor Crawford (in the Chair)
Councillors Aldred, Ashworth, A. Barnes, L. Barnes, Bromley, Cheetham, Essex, Haworth, Johnson, Kempson, Kenyon, Lamb, Lythgoe, MacNae, Marriott, Morris, 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)
Carolyn Sharples, Committee and Member Services Manager
George Taylor, Mayor's Attendant

ALSO PRESENT: 8 members of the public
1 press

1. Apologies for Absence

Apologies for absence were received for Councillors James Eaton and Janet Eaton, Farrington, Graham, Hughes and McMahon.

2. Minutes

Resolved:

That the minutes of the meetings held on the following dates be signed by the Mayor as a correct record:

- 12th July 2017
- 18th September 2017

3. Urgent Items of Business

There were no urgent items of business.

4. Declarations of Interest

It was noted that councillors owning a brown bin had a non-pecuniary interest in item C1 (minute 6).

Councillor Morris declared a non-pecuniary interest in item C2 (minute 7) regarding partnership work as he was on the RTB Board and Rossendale Leisure Trust.

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

The Head of Paid Service informed of the following committee changes:

- Councillor Procter had taken the unfilled position on Audit and Accounts.
- Councillor L.Barnes had come off Overview and Scrutiny.
- Councillor Stansfield had come off Standards and Governance Working Group.
- Councillor Stansfield had gone on Overview and Scrutiny.
- Councillor Shipley had gone on Standards.
- Councillor Haworth had gone on Governance Working Group.

Information would also be updated on the Council website in due course.

The Leader of the Council informed that she had replaced Councillor Serridge on the East Lancs Railway Trust.

ORDINARY BUSINESS

6. Kerbside Collection Service for Garden Waste

The Council considered the Kerbside Collection Service for Garden Waste report.

In considering the report members discussed the following:

- Ensuring developers/builders pay for all bins as part of any new development.
- Not everyone has enough space for a brown bin, or has access to a brown bin.
- Bins look unsightly when they have to be kept on the kerbside: think about tourism.
- Some people would be prepared to pay if there was regular collection.
- Between 2010 and 2020 £27.5 million would have been lost from central government funding.
- No feedback was received from groups.
- Task and finish group looked at other options such as monthly green bin collections but this was rejected as unacceptable.
- Recycling centre at Leyland cost £1billion, that money could have been better used throughout Lancashire.
- There had been no cross party working group meeting since May.
- It was a non-statutory cost which was currently being met out of the existing operations budget.
- In 2018/19 £½ million would be removed by Lancashire County Council (LCC).
- Most other authorities were starting to charge.
- £35 and 50% take up was about average in Lancashire, but there would still be work to be done in order to break even on non-statutory services.
- It cost on average £20 an invoice, so how would charging be administered?

In response to questions and comments, the Portfolio Holder for Operations, Councillor Jackie Oakes informed that no other suggestions had been brought forward on how to raise the £½ million. The take up was expected to be 35-40%, so at best £100k could be raised, leaving a gap of £400k. It was a non-statutory service and would be reviewed again in 12 months. To be eligible for a brown bin there needed to be access for a 26 tonne refuse vehicle. There would be many opportunities arising for budget discussions in the coming months and it was important to take part. Bags collected by community groups could not always be collected on the same day, but if they informed the Operations Team they would be collected as soon as possible. It was now part of the planning process to ensure developers/builders provided bins. The plan was to

collect money via direct debit. Alternatives were to share a bin or compost. Out of the Council Tax paid by residents only 15% came to the Council.

Members continued to discuss the following:

- The Council had sustained so much in government cuts and was struggling to maintain statutory activity.
- The Council had worked hard to try to maintain non-statutory activity by continuing to work with partners, such as for leisure.
- Civic Pride did an outstanding job and were to be commended on gaining the Queens Award for Voluntary Organisations.
- In 2010 the Council had £12 million a year, but now only had £9 million.
- Could the Portfolio Holder investigate offering a bagged service and charge per roll?

Councillor Marriott moved an amendment which was seconded by Councillor Essex to add an additional recommendation as follows:

That community groups and charities be exempted from charge.

Voting took place on the amendment, which was carried and became the substantive motion.

Resolved:

1. That Council agree and approve the recommendations included in the report for the introduction of charges for garden waste collections from the beginning of the new collection season in March 2018.
2. That Members agree the level of charge per bin at £35 for the first year of the charged service, with a discount of £5 per additional bin per household.
3. That community groups and charities be exempted from charge.
4. That Members agree to a full review of a charged service after one year to allow for further understanding of the take-up of the service and the impact on the recycling rate.
5. That delegated authority for further minor amendments and finalising the administration details of the scheme is given to the Director of Communities and the Head of Operations in consultation with the relevant Portfolio Holder.

Reason for Decision

To introduce charges for the garden waste collection service, in light of the decision of Lancashire County Council to terminate the Cost Sharing Agreement from March 2018.

Alternative Options Considered

None

7. Commissioning and Procurement Strategy 2017-20

The Council considered the Commissioning and Procurement Strategy 2017-20 which set out the framework for Rossendale to obtain value for money in all procurement activities.

N.B. Councillors Roberts left the meeting.

Councillor Morris moved an amendment which was seconded by Councillor Essex to defer the report to allow it to be considered by the Overview and Scrutiny Committee.

Councillor Walmsley informed that the report had come before members following communication from the Internal Auditors in July 2017.

N.B. Councillors Roberts returned to the meeting.

Voting took place on the amendment, which was carried and became the substantive motion.

Resolved:

That the report be deferred and sent to Overview and Scrutiny for their recommendations.

Reason for Decision

For members to consider the recommendations from Overview and Scrutiny.

Alternative Options Considered

To approve the strategy.

8. Urgent Decisions

The Mayor reported that one special urgency decision had been taken by the Cabinet relating to interim treasury management changes with regard to the Council's lending and investment arrangements.

RECOMMENDATIONS FROM THE CABINET AND OTHER COMMITTEES

9. Constitution Review

The Council considered the recommendation of the Governance Working Group regarding the Constitution Review. The report was introduced by Councillor Lamb, Portfolio Holder for Regulatory Services who noted the proposed changes to the Constitution in relation to Licensing Sub-Committees and the Standards Panel.

In considering the report members discussed the following:

- No mention of the Governance Working Group discussion on asking questions, and noting the objections.
- Training given in regard to Licensing, and the Council being able to be more interpretive in relation to policies.
- The Council is a statutory authority.
- Every item under Licensing is a statutory requirement.
- Need to understand the difference between statutory and non-statutory committees.
- Was it now the 2010 Act rather than 2003?

In response to questions from members Councillor Lamb, Portfolio Holder for Regulatory Services, informed that no changes had been proposed at Governance

Working Group in relation to questions, therefore there was nothing in the report to propose to Council, however the objections were recorded in the minutes.

The Monitoring Officer confirmed that the main difference between statutory and non-statutory committees was that substitutes were not permitted on the statutory committee (which for example covered matters under the Licensing Act 2003), but anyone could substitute on the non-statutory committee as long as they had undergone relevant training. It was agreed that further guidance would be provided regarding on what was a statutory meeting and non-statutory meeting. The 2003 Act was the relevant licensing act, even though there had been amendments in other legislation.

Resolved:

That Council agree the changes to the Constitution as detailed in Appendix A and Appendix B.

Reason for Decision

The Council is required by law to implement a Constitution and it is in the interests of the Council to regularly review and update the document.

Alternative Options Considered

None

The Mayor informed that there would be a Fashion Show at St. Mary's Chambers on 25th October to raise money for the Mayor's Charity Fund, tickets were £5 and could be obtained from the Mayoress.

(The meeting commenced at 7.02pm and concluded at 7.50pm)

Signed.....
(Chair)

Date