

COUNCILLOR COLIN CRAWFORTH, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 13th December 2017

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

IN ATTENDANCE: Stuart Sugarman, Chief Executive
Clare Birtwistle, Legal Services Manager (Monitoring Officer)
Carolyn Sharples, Committee and Member Services Manager
Yasmin Ahmed, Legal Officer
John Illingworth, Mayor's Attendant

ALSO PRESENT: 5 members of the public
1 press

A short silence was held as a mark of respect for former councillor and Mayoress Dorothy Atkinson.

The Mayor informed that the Valley Transport Options report had been withdrawn.

1. Apologies for Absence

Apologies for absence were received for Councillors L.Barnes, Essex, Farrington and Stansfield.

2. Minutes

Resolved:

That the minutes of the meeting held on 4th October 2017 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

Councillor Marriott declared a pecuniary interest in minute 12. During this item he left the room and did not vote.

Non-pecuniary interests were made under minute 20 that Councillor Morris and Lythgoe were Rossendale Leisure Trust trustees.

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

The Leader of the Council updated members in relation to the Shadow Combined Authority. Despite the best efforts of the Chair, it did not seem that the Combined Authority would be going forward, even though the issue of an elected Mayor had been resolved.

ORDINARY BUSINESS

6. Local Council Tax Support Scheme 2018-19

The Council considered the Local Council Tax Support Scheme 2018-19, which was recommended for approval. The report was introduced by Councillor Walmsley, Portfolio Holder for Resources and Customer Services, who noted that the authority had to make any revisions to the scheme by 31st January. There were no proposed changes to the scheme except for inflationary upgrades. The rollout of Universal Credit was scheduled for November 2018 and would necessitate a full review.

In considering the report members discussed the following:

- How many people had gone to court or had problems as they were unable to pay Council Tax?

In response to the question raised, it was agreed that the information would be fed back.

Resolved:

That Full Council approve the Local Council Tax Support Scheme for 2018/19 as set out in the report.

Reason for Decision

The Council is required to formally adopt a scheme by 31st January each year and to consult on any potential changes to the scheme.

Alternative Options Considered

None

7. Food Law Service Plan 2017/18

The Council considered the Food Law Service Plan 2017/18, which was recommended for approval.

In considering the report members discussed the following:

- Thanks to the officers who had compiled the report.
- Important for food standards to be regulated and monitored and be of an acceptable safe standard.
- There should be unannounced inspections on all food providers.

- Went on an unannounced visit with a food inspector, and it is unannounced.
- Environmental Health officers do not give warning of visits, visits are unexpected.
- The offer of attending a visit is open to all councillors.
- Impressed by visit and information gained from queries at the inspection.
- Pride in business and displaying ratings.
- Self-assessments.

In response to questions from members Councillor Oakes, Portfolio Holder for Operations, confirmed that the star rating was not self-assessed. Councillor A.Barnes, Leader of the Council, repeated a previous offer of providing a member with training from an Environmental Health Officer.

Resolved:

That the Food Law Service Plan 2017/18 be approved.

Reason for Decision

The Food Law Service Plan for 2017/18 will deliver the Council's obligation to comply with the Food Standards Agency's Food Law Code of Practice.

Alternative Options Considered

None

8. Public Meeting Schedule

The Council considered the Public Meeting Schedule for 2018/19 which was for approval.

In considering the report members discussed the following:

- The number of schedule versions.

Resolved:

That members agree the Public Meeting Schedule containing dates of public meetings for 2018/2019 as detailed at Appendix 1.

Reason for Decision

To agree a committee schedule in order to ensure that the Council can effectively conduct its business.

Alternative Options Considered

None

9. Rawtenstall Market

The Council considered the Rawtenstall Market report, which was introduced by Councillor MacNae, Portfolio Holder for Regeneration, Leisure and Tourism. The report sought approval to hold an open competition to assess the suitability of tender proposals for the physical redevelopment, long lease and ongoing management of the site.

In introducing the report, Councillor MacNae noted the following:

- It was a good asset for the town.
- Its position was in a pivotal place.
- The site needed investment and proactive management.
- There had been a public meeting held with traders and stall holders.
- There was a need to protect the interest of the market traders and support them.

In considering the report members discussed the following:

- The use of the employment and transport reserve.
- The need for ingenuity and a robust business plan.
- Rossendale was unique.
- Taking account of shopping values and younger people's preference for online shopping.
- Not losing the quirkiness of the market.
- Important asset where the main public transport comes together.
- Intentions for the other two markets.
- Look at the other markets as part of the deal.
- Haslingden and Bacup had been refurbished in the mid 1990's.

In response to questions from members, Councillor MacNae noted that it was like any other capital investment with the business case looking to make returns on the investment. This was the only way to for the Council to stay sustainable; by bringing in additional income. It would need to be inventive and specific with an understanding of the economy and people of Rawtenstall. This was just the first stage before looking at the other markets.

Resolved:

1. To approve the holding of an open competition for the redevelopment and ongoing management of Rawtenstall Market on a long lease basis.
2. The assessment of tender bids to be delegated to the Economic Development Manager in consultation with the Head of Finance and Portfolio Holder.
3. To approve a budget of £8,000 from the employment and transport reserve for the legal and professional fees associated with this process.

Reason for Decision

To ensure that Rawtenstall Market remains at the heart of the community for future generations.

Alternative Options Considered

None

10. Appointment of Director of Economic Development

Councillor A.Barnes moved and Councillor Lamb seconded that Cath Burns be appointed as the Director of Economic Development, subject to HR policies and clearances being completed.

In considering the report members discussed the following:

- Information about the person being appointed.

Resolved:

That Cath Burns be appointed as the Director of Economic Development, subject to HR policies and clearances being completed.

Reason for Decision

To appoint a new director as recommended by the Appointments and Appeals Panel.

Alternative Options Considered

None

11. Urgent Decisions

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

RECOMMENDATIONS FROM THE CABINET AND OTHER COMMITTEES

N.B. Councillor Marriott left the meeting during the consideration of the following item.

12. Draft Local Plan Consultation

The Council considered the recommendation of the Cabinet regarding the Draft Local Plan Consultation. The report was introduced by Councillor Lamb, Portfolio Holder for Regulatory Services who noted the following:

- The consultation and responses received.
- Looking at the weight of the planning issues.
- The Brownfield Register was due to be published at the end of December, but would exclude some sites owing to flooding or other issues.
- All sites must be suitable.
- There would be multi agency meetings to look at the issues and at funding streams.
- Looking at 15 key junctions in relation to traffic and mitigating measures.
- The indicative figure for housing numbers was expected to be 2020 over 10 years.
- A 6 week consultation was planned for summer 2018.
- Inspection was expected in 2019 and possible adoption in 2020.
- The government would be intervening in 15 authorities because of lack of progress.

In considering the report members discussed the following:

- Thanks to officers and Planning Team.
- Still a long way to go.
- Infrastructure impact.
- Keeping public involved at every stage.
- Accessing the Housing Innovation Fund.
- Transport hot spots and diversions back onto the "A" roads.
- Urge cooperation from Highways England.
- Use Brownfield sites first e.g. Barlow Bottoms.
- Issues with Tonacliffe School proposals as it was a Greenfield site and part Greenbelt.
- Not many flat sites to build houses on in Rossendale.
- Thanks to residents who took part in the consultation.

- Look at refurbishing redundant agricultural properties.
- Need to look at 21st century materials for affordable housing.
- Consultation was via the web, press, posters, in the libraries and public sessions.

In response to questions from members, Councillor A.Barnes, Leader of the Council, noted that it was difficult to access the infrastructure fund as it was geographically challenging looking for ideas of where to build a by-pass or put a new road. The outcome of the highways capacity study would be interesting in this respect.

Resolved:

That Council be informed of the response to the consultation about the draft Local Plan and to identify the next stages in Plan preparation.

Reason for Decision

The draft Local Plan consultation has attracted a significant amount of comment which needs to be processed and carefully considered.

Alternative Options Considered

None

N.B. Councillor Marriott returned to the meeting.

13. Commissioning and Procurement Strategy 2017-20

The Council considered the recommendation of the Overview and Scrutiny Committee regarding the Commissioning and Procurement Strategy 2017-20. The report was introduced by Councillor Walmsley, Portfolio Holder for Resources and Customer Services who noted that the purpose of the strategy was to outline the principles underpinning procurement.

In considering the report members discussed the following:

- Interpretation of the document.
- Training should be complete.
- Probity is needed at the start of the procurement process.

In response to questions from members, Councillor Walmsley confirmed that the minimum training requirement was listed as satisfactory, but the Council was aspiring to more than that.

Resolved:

1. That members approve the Commissioning & Procurement Strategy 2017-20.
2. All future minor amendments to the policy to be delegated to the Head of Finance in consultation with the Portfolio Holder.

Reason for Decision

To assist the Council and its officers delivering value for money in its procurement and commissioning activities in order to ensure the effective delivery of Council priorities.

Alternative Options Considered

None

14. Review of Council Tax and Council Tax Support Penalty and Prosecution Policy

The Council considered the recommendation of the Overview and Scrutiny Committee regarding the Review of Council Tax and Council Tax Support Penalty and Prosecution Policy. The report was introduced by Councillor Walmsley, Portfolio Holder for Resources and Customer Services, who noted that the following:

- The review had arisen from the Extraordinary meeting on the 18th September.
- It allowed cautions to be given.
- It would not look to impose further debt on struggling residents.
- Overview and Scrutiny had noted their frustrations as the Council was limited by the constraints of the Department for Work and Pensions (DWP), as DWP would take the lead on how to deal with fraud/error cases.

In considering the report members discussed the following:

- Welcome the policy.
- It was useful in deterring fraud.
- Why were over 75's referred to on page 4, where had this come from?
- Safeguards in place for dealing with errors.

Resolved:

1. That Full Council approve the Council Tax and Council Tax Support Penalty and Prosecution Policy.
2. All future minor amendments to the policy to be delegated to the Head of Customer Services and ICT in consultation with the Portfolio Holder.

Reason for Decision

The policy would help deter residents of Rossendale from fraudulently, or incorrectly claiming Council Tax Support and from committing acts of Corporate Fraud.

Alternative Options Considered

None

15. Constitution Review

The Council considered the recommendation of the Independent Remuneration Panel and the Governance Working Group regarding the Constitution Review. The report was introduced by Councillor Lamb, Portfolio Holder for Regulatory Services, who noted the change in workload of the Chair and Vice-Chair of the Licensing Committee.

In considering the report members discussed the following:

- Extra costs.

In response to comments, Councillor Lamb confirmed that there were no additional costs.

N.B. Councillor Hughes entered the meeting.

Resolved:

To agree the changes to the Constitution and Members' Allowances Scheme in relation to the special responsibility allowances for Licensing Chair and Vice-chair as detailed in Appendix A, and that the change to the allowances is effective from 9th November 2017.

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

16. Bereavement Charges

The Council considered the recommendation of Cabinet regarding the Bereavement Charges report. The report was introduced by Councillor Oakes, Portfolio Holder for Operations who noted the following:

- It had been examined in detail and comparisons with other areas had been looked at.
- There was a need to invest in cemeteries.
- There was an obligation to set a balanced budget.
- There were no interment charges for stillborn babies or children under 14.

In considering the report members discussed the following:

- Not justified for increases or in comparing with other authorities.
- Keeping costs as low as possible whilst balancing the books.
- Ensuring services pay for themselves.
- Saving on revenue balances the books.

N.B. Councillor A.Barnes left the meeting.

Members continued to discuss the following:

- Look at not subsidising other organisations instead of increasing bereavement charges.
- There was a need to support other local organisations to assist them in becoming sustainable.
- It was a significant piece of work and it was useful to see comparisons.

N.B. Councillor A.Barnes returned to the meeting.

Members continued to discuss the following:

- Would like to see no charges for under 15's.

In response to comments from members, Councillor Oakes confirmed that once costs had been looked at comparisons were then used to check these against other areas.

Councillors Shipley, Steen and James Eaton requested a named vote.

Voting took place as follows:

Name	Vote
Cllr Aldred	For
Cllr Ashworth	For
Cllr Alyson Barnes	For
Cllr Bromley	For
Cllr Cheetham	Against
Cllr Crawforth	For
Cllr James Eaton	Against
Cllr Janet Eaton	Against
Cllr Fletcher	For
Cllr Graham	Against
Cllr Haworth	Against
Cllr Hughes	For
Cllr Johnson	For
Cllr Kempson	Against
Cllr Kenyon	For
Cllr Lamb	For
Cllr Lythgoe	For
Cllr MacNae	For
Cllr Marriott	For
Cllr McMahon	For
Cllr Morris	Against
Cllr Neal	For
Cllr Oakes	For
Cllr Procter	For
Cllr Roberts	Against
Cllr Robertson	For
Cllr Serridge	For
Cllr Shipley	Against
Cllr Smallridge	For
Cllr Smith	For
Cllr Steen	Against
Cllr Walmsley	For
Total For	22
Total Against	10
Total Abstentions	0

Resolved:

1. That Council agree and approve the recommendations included in the report, for increased charges for Bereavement services, from 1st January 2018.
2. That Council agree to introduce an annual appraisal of the bereavement charges made by the authority, to allow investment required by the service and to inform fees and charges made by the authority for bereavement services in future years.

Reason for Decision

The proposals bring charges for the authority's Bereavement service in line with required levels of investment and with charges made by neighbouring Councils, allowing sustained levels of investment.

Alternative Options Considered

None

NOTICES OF MOTION

17. Councillor Smallridge moved the following motion which was seconded by Councillor Hughes:

This Council continues to support and actively promote the apprenticeship programme. It is very disappointing to see that the numbers nationally are reducing.

We would ask the Leader of the Council to write to both our MPs and the relevant Minister to request an explanation of why the statistics have dropped and what action is being taken to reverse the trend.

In considering the motion members discussed the following:

- Department for Education had expected reductions.
- There were 15 new technical routes.
- By 2020 there would be 3 million apprentices across the country.
- It was reasonable to be concerned.
- Ask Overview and Scrutiny to look at what is happening in Rossendale and how to encourage more apprenticeships in the borough.
- Look at the way apprenticeships work in small businesses to see if there is a different approach needed according to size.
- Unions in the 1970's gave the same benefits to the apprentice as the skilled worker and destroyed apprenticeships.
- Operations had 2 apprentices for 2 years but we could not afford to continue to employ them, however they had since found employment.
- Proud to improve employment rights.

Resolved:

That the Leader of the Council write to both MPs and the relevant Minister regarding the apprenticeship programme.

Reason for Decision

To support the notice of motion.

Alternative Options Considered

None

18. Councillor Oakes moved the following motion which was seconded by Councillor Robertson:

At the moment it is voluntary in England that shops display their Food Hygiene Rating rating after a Food Standards Inspection. In Wales it is mandatory, and Northern Ireland are about to introduce it. We feel that the rating should be prominently displayed so the general public are aware of the level of hygiene and cleanliness for that establishment.

We would ask the Leader of the Council to write to both our MPs and request that they instruct the appropriate Minister to take the necessary action to make it compulsory for all shops in England to display the rating they are awarded.

In considering the motion members discussed the following:

- Ensuring good quality and value for money for all that serve food.
- It would be excellent for 1, 2 and 3 to disappear and just have 4 and 5 star ratings.

Resolved:

That the Leader of the Council write to both MPs and the relevant Minister regarding making shops display their Food Hygiene Ratings mandatory.

Reason for Decision

To support the notice of motion.

Alternative Options Considered

None

19. Exclusion of Public and Press

Resolved:

That the public and press be excluded from the meeting during consideration of the following item of business on the grounds that it involves disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) under Part 1 Paragraph 3 of Schedule 12A to the Local Government Act 1972.

20. Grant Funding Agreement

The Council considered the Grant Funding Agreement report, which was introduced by Councillor MacNae, Portfolio Holder for Regeneration, Leisure and Tourism.

N.B. Councillor Roberts left the meeting.

Resolved:

That members agree the recommendations as detailed in the report.

Reason for Decision

To support the report recommendations.

Alternative Options Considered

None

(The meeting commenced at 6.20pm and concluded at 9.00pm)

Signed.....
(Chair)

Date