

COUNCILLOR ANN KENYON, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 11th July 2018

PRESENT: The Mayor Councillor Kenyon (in the Chair)
Councillors Aldred, Ashworth, A. Barnes, L. Barnes, Bromley, Cheetham, James Eaton, Janet Eaton, Essex, Farrington, Fletcher, Gill, Haworth, Hughes, Johnson, Kempson, Kostyan, Lamb, Lythgoe, Morris, Neal, Oakes, Procter, Roberts, Robertson, Serridge, Smallridge, Stansfield, Steen, Stevens and Walmsley.

IN ATTENDANCE: Stuart Sugarman, Chief Executive
Clare Birtwistle, Legal Services Manager (Monitoring Officer)
Cath Burns, Director of Economic Development
Carolyn Sharples, Committee and Member Services Manager
George Taylor, Mayor's Attendant

ALSO PRESENT: 60 members of the public
1 press

The Mayor informed that the order of business on the agenda would be changed to allow item D3 Formal Local Plan Consultation and Updated Statement of Community Involvement (Minute 1) to be taken as the first item of business. She also informed that the Notices of Motion, items F1, F2 and F3 would be taken at the Extraordinary Council Meeting on 18th July along with confidential items G1 and G2.

Prior to the start of the first item members were asked to consider whether they had any pecuniary interests to declare in relation to this item only. No pecuniary declarations of interest were made in relation to this item.

1. Formal Local Plan Consultation and Updated Statement of Community Involvement

The Council considered the Formal Local Plan Consultation and Updated Statement of Community Involvement report. Councillor Serridge asked the Portfolio Holder to consider amending the plan and 5.5 of the report to remove Barlow Bottoms and state "*Gypsy and Traveller Transit site relocated to a small discreet piece of land owned by the Borough Council at the far corner of Futures Park,*" in addition to an extra recommendation at 1.5 "*That this Council ask the Planning Inspector to give full and due consideration to the local community plan in relation to Edenfield.*" Councillor Neal confirmed he would second the proposals. The Portfolio Holder for Regulatory Services, Councillor Lamb, moved the recommendations of the report including changing the site of Barlow Bottoms to Futures Park for the transit site and the additional recommendation 1.5 as stated. The Leader of the Council, Councillor A. Barnes, seconded the proposals.

In introducing the report Councillor Lamb brought members attention to the following:

- The Local Plan identified development preferences for the borough including sites for housing and employment.
- Government could decide the plan for us if it was not completed on time.
- Regulation 19 required the Council to undertake a 6 week consultation from the end of August to the beginning of October.
- The Planning Inspector would consider the plan January – February 2019.
- The housing figures were challenging and a petition had been delivered to the Housing Minister to keep Rossendale green.
- There was a standardised methodology for housing need.
- The Edenfield Neighbourhood Forum was working on a plan of their own and officers would continue to work with them.
- It was key to plan for homes, jobs and leisure facilities.
- An adopted plan was required in order to prevent unwanted development.

Councillor Essex proposed the following amendment, which was seconded by Councillor Cheetham:

To approve the recommendations of the report with an amendment to 1.3 that:

The Local Plan for Rossendale (2019 – 2034) be referred back to the Local Plan Steering Group to review and make recommendations to alleviate the proposed development on Green Belt land in Edenfield and to review and make recommendations regarding the proposed development of a Gypsies, Travellers and travelling Showpeoples Transit site at Facit.

The Local Plan to be brought back to the September Council Meeting.

In considering the amendment, members discussed the following:

- Most important decision in over 10 years and would direct Rossendale for a long time to come.
- There was a tremendous amount of responsibility in representing the communities.
- The importance of retaining heritage and scenery.
- The potential to attract more economic development.
- There was a need for housing as populations would increase and people were living longer.
- Proposal to extend Edenfield Primary School.
- Development of 400-500 houses from one entry.
- Include brownfield sites e.g. church site.
- Bring the plan back to Council in September once the review had taken place.
- The cross party steering group had been aware of the sites and gypsy site.
- There were concerns with delaying the plan as people from outside the area would be called in to sort out the plan.
- The Council could lose the slot with the Planning Inspector leaving the risk of unwanted development.
- The highway strategy was important in relation to volumes of traffic, but it was not ready till next week.

- Need further verification on the traffic movement figures as it did not look like quarry traffic movements had been included.
- Members had been given briefings and were aware of the information.
- The Local Plan Steering Group had been meeting for the last 2 years and lots of information had been circulated.
- Members had a responsibility to keep themselves informed with this information and raise any issues.
- The plan was a requirement that had to be done otherwise government would appoint someone to do it for us without the considerations.
- There would be a limited period in which to respond if it was put off till September.

The Leader of the Opposition, Councillor Essex noted that the amendment was to ensure the Council took control of the process and not just delegate it to officers. It would ensure everything would be included in the substantive plan rather than be appended to the plan. Councillor Essex re-read the amendment.

Councillor A. Barnes raised a Personal Statement as Councillor Essex had suggested that the Local Plan Steering Group would not meet again, which was not the case.

A named vote was requested by Councillors Essex, Steen and Stansfield.

Name	Vote
Cllr Aldred	Against
Cllr Ashworth	Against
Cllr Alyson Barnes	Against
Cllr Lynda Barnes	For
Cllr Bromley	Against
Cllr Cheetham	For
Cllr James Eaton	For
Cllr Janet Eaton	For
Cllr Essex	For
Cllr Farrington	Against
Cllr Fletcher	Against
Cllr Gill	Against
Cllr Haworth	For
Cllr Hughes	Against
Cllr Johnson	Against
Cllr Kempson	For
Cllr Kenyon	Against
Cllr Kostyan	For
Cllr Lamb	Against
Cllr Lythgoe	Against
Cllr Morris	For
Cllr Neal	Against
Cllr Oakes	Against
Cllr Procter	Against
Cllr Roberts	For
Cllr Robertson	Against

Cllr Serridge	Against
Cllr Smallridge	Against
Cllr Stansfield	For
Cllr Steen	For
Cllr Stevens	Against
Cllr Walmsley	Against
Total For	12
Total Against	20
Total Abstentions	0

The amendment was lost.

In considering the original motion members discussed the following:

- Confusing discussions on Green Belt and an inability to agree.
- Thanks to the officers who brought the report.
- Difference between regulation 18 and 19 in relation to consultation timescales, being 12 weeks and 6 weeks.
- Need to lobby about empty homes as they had not been included.
- 556 new homes in Whitworth over the last 20 years, bringing in over £18 million of which the Council gets 15%.
- Lancashire County Council (LCC) and Rossendale Borough Council committed to spend £5.5 million at Barlow Bottoms and good quality houses were built on the Brownfield site.
- Barlow Bottoms was a mixed use 11 hectare site and LCC had spent £110k putting in the roadway for the cycle route.
- Would urge members to approve the original proposals.
- Been involved in the previous local plan between 1988 and 1994 when it was completed.
- There were problems with empty homes and absentee landlords.
- The review did not support the Golf Club site as the Planning Inspector would not have approved it because it was Green Belt land.
- The 6 week consultation and criteria was set by central government.
- The requirements meant that empty homes could not be included in the figures.
- Once members voted on the Local Plan it would not come back to the Chamber and Council would have no more input.
- Remind residents about the consultation to ensure they were involved in the process.
- Thanks to the officers for all the work done.
- The plan needed to be sensitive for the next generations.
- Edenfield was most affected by losing Green Belt.
- Edenfield did not have the same public transport access and it was not a major route.
- Would like consultations to be spread about.
- Heritage and greenery were important.
- Neighbouring boroughs were not mentioned in relation to what they expected us to take on from their plans.
- There was a surfeit of water in some areas to consider.

- There had been briefings and consultation and it was members responsibility to keep abreast of what was going on in their areas.

The Portfolio Holder for Regulatory Services, Councillor Lamb, informed that this was a different type of consultation which would be on the website, in libraries and those who had added themselves to the consultation database would be contacted. The Highways Capacity Study was due on 23rd July, but nothing major was expected.

Councillor Morris asked for clarification on the additional proposals.

Councillor Serridge clarified his additional proposals as stated at the start of the item and moved that the vote be put now. Councillor A. Barnes seconded. The proposal to move to the vote was agreed.

Councillor Morris asked for further clarification.

The Monitoring Officer confirmed that if members were voting in favour of the motion they were voting on the recommendations of the report 1.1-1.4 and also included changing the site of Barlow Bottoms to Futures Park for the transit site and the additional recommendation 1.5 as stated by Councillor Serridge at the start of the item.

A named vote was requested by Councillors Serridge, Hughes and Neal.

Name	Vote
Cllr Aldred	For
Cllr Ashworth	For
Cllr Alyson Barnes	For
Cllr Lynda Barnes	Abstain
Cllr Bromley	For
Cllr Cheetham	Abstain
Cllr James Eaton	Against
Cllr Janet Eaton	Against
Cllr Essex	Against
Cllr Farrington	For
Cllr Fletcher	For
Cllr Gill	For
Cllr Haworth	Against
Cllr Hughes	For
Cllr Johnson	For
Cllr Kempson	Against
Cllr Kenyon	For
Cllr Kostyan	Against
Cllr Lamb	For
Cllr Lythgoe	For
Cllr Morris	Against
Cllr Neal	For
Cllr Oakes	For
Cllr Procter	For

Cllr Roberts	Against
Cllr Robertson	For
Cllr Serridge	For
Cllr Smallridge	For
Cllr Stansfield	Against
Cllr Steen	Against
Cllr Stevens	For
Cllr Walmsley	For
Total For	20
Total Against	10
Total Abstentions	2

Resolved:

1. To undertake formal consultation in accordance with Regulation 19 of the Town and Country (Local Planning) (England) Regulations 2012 with all stakeholders on the Pre-Submission Publication version of the Local Plan for Rossendale (Written Statement and Policies Map) and the associated documents for six weeks starting w/b 20th August 2018.
2. Authority is delegated to the Planning Manager/Director of Economic Development to make any changes as required to rectify errors and improve the Draft Local Plan (Written Statement and Policies Map) prior to publication in August 2018.
3. That the Planning Manager/Director of Economic Development in consultation with the Portfolio Holder for Regulatory Services be given delegated authority following the six week consultation period to submit the Submission Draft of the Rossendale Local Plan to the Planning Inspectorate for examination.
4. That Council approve consultation on an updated Statement of Community Involvement (SCI) to act as the basis for undertaking consultation on planning applications; Local Plan consultation and liaison with Neighbourhood Forums/consultation on Neighbourhood Plans.
5. That this Council ask the Planning Inspector to give full and due consideration to the local community plan in relation to Edenfield.
6. To amend the plan and 5.5 of the report to remove Barlow Bottoms and state "Gypsy and Traveller Transit site relocated to a small discreet piece of land owned by the Borough Council at the far corner of Futures Park"

Reason for Decision

The Publication version (Regulation 19) of the Local Plan is a key stage in the development of this document. An up to date SCI is important to how the authority undertakes consultation and seeking public comments on this is essential to ensure that it meets statutory requirements as well as the views of interested parties.

Alternative Options Considered

None

The Leader of the Council thanked the Forward Planning Team for all their hard work in producing the Local Plan over the last 10 years.

N.B. The meeting was adjourned whilst the remainder of the public questions were taken.

Councillor Steen requested that Members Questions be deferred to the meeting the following week, to which the Leader of the Council agreed.

The Mayor informed that item C, Roll of Honour, would be taken as the next item of business before returning the order of the agenda.

2. ROLL OF HONOUR

The Mayor commended Peter Sweetmore for his service to the borough and communities of Rossendale. Peter's contributions were as a former Governor of Tor View School and Chair of The View Trust, his work with Rossendale Hospice and his ongoing passion for Rossendale Radio.

The Mayor noted that people of Rossendale should rightfully be very proud of him.

Councillor Essex added his congratulations for his work at Tor View and as architect for the three graces at Tesco roundabout.

3. Apologies for Absence

Apologies for absence were received for Councillors Graham, MacNae and Shipley.

4. Minutes

Resolved:

That the minutes of the meeting held on 18th May 2018 be signed by the Mayor as a correct record.

5. Urgent Items of Business

There were no urgent items of business.

6. Declarations of Interest

No declarations of interest were made.

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

The Mayor informed members that she had attended the Annual Lancashire School Games on 3rd July, where primary, secondary and special schools were competing in a variety of sports. She commended and congratulated the schools representing Rossendale who had achieved 1 gold and 2 bronze awards at the event.

The Chief Executive informed that there had been a few changes to the committee membership and outside bodies. The lists would be updated and sent to members via email as well as updated on the Council's website.

ORDINARY BUSINESS

8. Ombudsman Report

The Council considered the Ombudsman Report.

Councillor Essex proposed that the report and further report of the Local Government and Social Care Ombudsman be accepted and the recommendations therein be acted upon, which was seconded by Councillor A. Barnes.

Councillor Serridge moved to go straight to the vote, which was seconded by Councillor Hughes.

Members voted on going straight to the vote, which was carried.

Resolved:

That the report and further report of the Local Government and Social Care Ombudsman be accepted and the recommendations therein be acted upon.

Reason for Decision

To accept the Local Government Ombudsman's recommendations.

Alternative Options Considered

None

9. Whitaker HLF – delivery phase

N.B. Councillor Lamb left the meeting.

The Council considered the Whitaker HLF – delivery phase report. The Leader of the Council, Councillor Alyson Barnes, introduced the report and brought members attention to the following:

- The briefing session held a couple of weeks ago.
- The important role of the Whitaker with the visitor economy.
- Turning the outbuildings into the Arts Centre.
- Enhancement would extend the number of activities on offer.

N.B. Councillor Lamb returned to the meeting.

In considering the report members discussed the following:

- Paying higher utilities bills with increased use.
- A presentation had been given to councillors.
- The financial projections were noted.
- Leading the way with the Arts Centre.
- Congratulating the Whitaker on its work.

- Was there a maximum amount or was it a fixed quote?
- There was a superb event held on Saturday.

N.B. Councillor Farrington left the meeting.

In response to a question the Leader of the Council, Councillor A. Barnes, informed that the Council would look to have a fixed price contract, but would keep members informed.

Resolved:

1. Subject to receiving Heritage Lottery Fund (HLF) approval: Members delegate authority to the Monitoring Officer in consultation with the Portfolio Holder and Director of Economic Development to enter into a grant funding agreement with HLF as detailed in this report.
2. Subject to receiving HLF approval: To approve £189,950 of match funding from the employment and transport reserve to support the implementation of the Whitaker HLF project delivery phase.
3. Subject to receiving HLF approval: To approve the creation of a Whitaker HLF Project Officer role (grade 6) on a fixed term contract for the length of the delivery phase.
4. To approve the RBC transitional and long term financial arrangements outlined in this report.
5. To approve the Council entering into a 25 year lease arrangement, such terms to be delegated to Director of Economic Development and Portfolio holder.

Reason for Decision

To enable the delivery of the Whitaker HLF project subject to HLF delivery phase approval.

Alternative Options Considered

None

10. Council Pay Policy Statement

The Council considered the Pay Policy Statement report.

N.B. Councillor Farrington returned to the meeting.

In considering the report members discussed the following:

- Having parity with pay across the country.

Resolved:

That Full Council approves the Pay Policy Statement.

Reason for Decision

To detail the existing contractual entitlements as per current contracts of employment of senior staff within the Council, in order to meet the legal requirements of the Localism Act 2011.

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

12. Constitution Review

The Council considered the Constitution Review report.

In considering the report members discussed the following:

- The hard work of the cross party working groups.
- Were working groups minuted?

In response to a question, the Leader of the Council confirmed that the working groups were minuted.

Resolved:

To agree the changes to the Constitution in relation to

- Changes required as a result of changes to the Community Right to Bid: Assets of Community Value process as detailed in Appendix A.
- Changes required to bring the Members' Planning Code of Good Practice in line with current legislation as detailed in Appendix B.
- Changes to Member Champions as detailed in Appendix C.

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

13. Overview and Scrutiny Annual Report and Work Programme

The Council considered the Overview and Scrutiny Annual Report and Work Programme.

In considering the report members discussed the following:

- The extent of the work carried out by Overview and Scrutiny.
- Effectiveness of the scrutiny in a day approach for the Excess Winter Deaths Task and Finish Group.
- Thanks to Overview and Scrutiny for the good work.

Resolved:

That the Overview and Scrutiny Annual Report 2017/18 is noted and the Work Programme for 2018/19 is agreed.

Reason for Decision

It is important to provide an Annual Report to Full Council to demonstrate the work carried out by the committee each year. A commitment to the Work Programme will ensure that scrutiny continues to improve its way of working.

Alternative Options Considered

None

14. Annual Light Refresh of the Corporate Strategy

The Council considered the Annual Light Refresh of the Corporate Strategy.

In considering the report members discussed the following:

- Performance Task Group had diligently reviewed performance.
- The information on the one piece of paper was welcomed.
- Transport was an issue.
- There should be an addition of promoting improved connectivity across the borough.
- Corporate priorities listed on the report templates were not always identical.

The Leader of the Council, Councillor A. Barnes, informed that she was happy to add connectivity to the strategy and informed that priorities on the templates were standardised and should be the same.

The Portfolio Holder for Regulatory Services, Councillor Lamb, informed that it was a light refresh to confirm the existing priorities, but with greater emphasis on the second priority.

Resolved:

1. That the changes in the annual light refresh of the Council's Corporate Strategy 2017-21 are agreed.
2. All future minor amendments to the strategy to be delegated to the Chief Executive in consultation with the Portfolio Holder.

Reason for Decision

The Corporate Strategy 2017-21 has been reviewed as part of a periodic annual refresh.

Alternative Options Considered

None

(The meeting commenced at 6.55pm and concluded at 8.55pm)

Signed.....

(Chair)

Date