

COUNCILLOR ANN KENYON, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

Date of Meeting: 30th January 2019

PRESENT: The Mayor Councillor Kenyon (in the Chair)
Councillors Aldred, Ashworth, Cheetham, James Eaton, Janet Eaton, Essex, Farrington, Fletcher, Gill, Haworth, Johnson, Kempson, Kostyan, Lamb, Lythgoe, MacNae, Marriott, Morris, Neal, Oakes (in part), 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
Phil Seddon, Head of Finance
Sam Plum, Director of Communities
Andrew Buckle, Head of Customer Services and ICT
Jenni Cook, Committee and Member Services Officer
Joanna Wood, Committee and Member Services Officer
John Illingworth, Mayor's Attendant

ALSO PRESENT: 7 members of the public

A short silence, followed by a tribute was undertaken as a mark of respect following the passing of former councillor, former Mayor and Honorary Alderman, Joyce Thorne.

1. Apologies for Absence

Apologies for absence were received for Councilors A. Barnes and L Barnes, Bromley, Hughes, Oakes (would be late) and Shipley.

2. Minutes

Resolved:

That the minutes of the meeting held on 12th December 2018 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 MacNae declared a non-pecuniary interest under minute 10.

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

The Mayor informed members that the Cubs and Beavers in Bacup had been awarded the Level 5 North West Britain in Bloom Award for their help and volunteering towards

the Wall of History in Bacup. The Mayor noted that they had made a significant contribution to the local area.

The Mayor also informed members of a Mr Tony Royle who had been diagnosed with mouth cancer. He, along with Mr Alan Royle had raised £1,215 for the charity Christies. The employer for one of the gentlemen, Vodaphone, had advised they would match the funds, giving a fundraising total of £2,430.

A letter of appreciation would be sent from the Mayor congratulating these groups and individuals.

ORDINARY BUSINESS

6. Urgent Decisions

There were no urgent items of business.

7. Contract Award: Revenues, Benefits, Customer Contact, Out of Hours and supporting IT systems

The Council considered the Contract Award report, which was introduced by the Portfolio Holder for Resources. In introducing the report he noted that in determining the potential options for service provisions beyond September 2019, officers considered the following:

- Bring back in-house. Given the size of the Council and its customer client base, officers concluded that a third party, with existing infrastructure and capacity was best placed to deliver the maximum value for money.
- Shared service working with another authority. Officers made other local authorities in the region aware of the Council's tender, but no public sector bids were forthcoming.
- Competitive tender all or part of the service. This option was deemed the most appropriate resulting in Official Journal of the European Union process to enable members to consider the awarding of the contract.
- Internal project. A team of four created a service specification, assisted by Arran Consulting Ltd.
- Risk Assessment implications.
- The evaluation process had two elements. Firstly, confirmation that the bidder had the financial resources and experience to provide a long term commitment to the Council. All bidders passed this test. Secondly, the formal scoring of the bidder's response to specification requirements and to the price.
- Financial implications for the Council's Medium Term Financial Strategy (MTFS).

In considering the report members discussed the following:

- Thanks to officers for the work involved.
- The contract was an important one and the largest that the Council managed.

Resolved:

1. That Members award the contract for Revenues, Benefits, Customer Contact, Out of Hours and supporting IT systems, commencing Oct 2019, as follows:

- Lot 1: Revenues, Benefits, Customer Contact to Capita Business Services Ltd, initially for ten years (with option to extend of 2 x three years) - subject to any further evaluation and due diligence.
- Lot 2: Supporting IT systems to Northgate, initially for seven years (with option to extend of 3 x three years) - subject to any further evaluation and due diligence.
- Lot 3: Emergency Out of Hours to Capita Business Services Ltd, initially for ten years (with option to extend of 2 x three years) - subject to any further evaluation and due diligence.

2. That Members authorise Officers, upon completion of any further evaluation, due diligence and a standstill period, to enter into the appropriate legal arrangements with each party and that minor contractual adjustments are delegated to the Head of Finance and the Head of Customer Service & ICT, in consultation with the Portfolio Holder for Resources.

Reason for Decision

To give the necessary certainty re: the quality of the Council's future service delivery at a contract price which supports and contributes to the MTFS.

Alternative Options Considered

None.

8. Public Meeting Schedule

The Council considered the Public Meeting Schedule.

In considering the report members discussed the following:

- A date to be added to any alterations, along with the version number.

Resolved:

That members agree the Public Meeting Schedule containing dates of public meetings for 2019/2020 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. Sale of Haslingden Baths

The Council considered the Sale of Haslingden Baths.

Councillor Haworth moved an amendment, which was seconded by Councillor Roberts:

Following numerous promises made to the residents of Rossendale, in particular Haslingden, generally concerning a swimming facility in Haslingden, any proceeds from the sale of the Haslingden Baths site should be ring-fenced towards financing a new

pool at the Leisure Centre site. Consequently, if monies from the sale of the Haslingden Bus Depot site were likewise ring fenced then a new pool would be a reality.

Members discussed the amendment as follows:

- Proceeds to be reinvested for swimming pool facilities only.
- The Chief Executive clarified the current position on the bus depot.
- The costs of running a swimming pool.

A named vote on the amendment was requested by Councillors Essex, Serridge and Roberts.

Name	Vote
Cllr Aldred	Against
Cllr Ashworth	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 Johnson	For
Cllr Kempson	For
Cllr Kenyon	Abstain
Cllr Kostyan	For
Cllr Lamb	Against
Cllr Lythgoe	Against
Cllr MacNae	Against
Cllr Marriott	Against
Cllr Morris	For
Cllr Neal	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

The amendment was lost.

The Council considered the original report for the Sale of Haslingden Baths which was introduced by the Portfolio Holder for Resources. In introducing the report he noted that the Council had been looking at options for the future of the former Haslingden Baths over the last several years.

- A sale by sealed bids was aborted in 2014 by Rossendale Borough Council when Haslingden All People Pool Initiative (HAPPI) nominated the pool as an asset of community value using the community right to bid process. HAPPI never completed the process and formally made the Council aware they no longer wanted to progress in October 2018.
- The site was placed on the market at offers in excess of £175,000 in December 2018, the valuation was provided by Taylor Weaver and a further confidential market valuation was also provided by Petty, which substantiated the offer. All bidders replying to the previous tender process were notified.
- Two bids were received, both above the asking price of £175,000. £180,000 unconditional offer, proposed plan for residential development of new homes following demolition of all existing structures. £240,000 unconditional offer for (a) Feasibility Transport Museum, or (b) Residential Affordable Housing.
- Failure to proceed with the sale and development of the site will result in the loss of substantial capital receipt for Rossendale Borough Council.
- A capital receipt of £240,000 (£65,000 above the asking price) to reinvest in Haslingden.
- A potential income of £1,800 representing the Council's share of the council tax base, assuming Band A.

In considering the report members discussed the following:

- The costs of the pool re-opening.
- The costs of running a pool once opened.

N.B. Councillors Farrington and Johnson left the meeting

A named vote was requested by Councillors Serridge, Walmsley and Stevens.

N.B. Councillors Farrington and Johnson returned to the meeting

Name	Vote
Cllr Aldred	For
Cllr Ashworth	For
Cllr Cheetham	Against
Cllr James Eaton	Against
Cllr Janet Eaton	Against
Cllr Essex	Against
Cllr Farrington	For
Cllr Fletcher	For
Cllr Gill	For
Cllr Haworth	Against
Cllr Johnson	For
Cllr Kempson	Against
Cllr Kenyon	For
Cllr Kostyan	Against
Cllr Lamb	For
Cllr Lythgoe	For
Cllr MacNae	For

Cllr Marriott	For
Cllr Morris	Against
Cllr Neal	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

Resolved:

Members agree to the freehold sale of the former Haslingden Baths for an unconditional sum of £240,000 (two hundred and forty thousand pounds), subject to contract; the proceeds to be reinvested in Haslingden.

Reason for Decision:

To progress regeneration and investment in Haslingden.

Alternative Options Considered:

None.

10. Industrial Building Development

The Council considered the advanced business expansion enquiry report, which was introduced by the Deputy Leader of the Council.

N.B. Councillor Stansfield left the meeting

In introducing the report she noted the following:

- A business expansion enquiry from a well-known business in the borough was identified requiring 68,000 sq ft, plus office space, to develop its UK head office. The business is looking at retaining its existing business premises and creating an additional 90 jobs in the borough.
- The company requires a first phase completion to house machinery on order by January 2020, and a second final phase completion by August 2020.

N.B. Councillor Stansfield returned to the meeting

- Given the tight timescale for the business expansion, it was prudent to make members aware of this advanced enquiry, with a view to exploring the business case for investment of Plot 5 with a further update to be made at full Council in February 2019.
- A development fund of £100,000 is requested to meet incurred costs to advance the project before final Council approval. It should be noted that all costs will be recovered if the development proceeds. If the development does not go ahead,

some works will be needed to progress an alternative future scheme, whilst some costs will be abortive.

- The investment enquiry at Futures Park is a fantastic opportunity to support an existing business expansion, safeguard significant jobs in the borough, and create an additional 90 jobs locally.
- The delivery of Plot 5 will 'kick-start' Futures Park Leisure and Employment Village, providing regeneration benefits for Bacup.

Councillor MacNae clarified that he was a Trustee of UK Cycling; this was a non-pecuniary interest.

In considering the report members discussed the following:

- The availability of the report.
- Increased employment in Bacup.
- Why wasn't the report confidential?
- A councillor stated there were two companies interested and who was the company in the report?

N.B. Councillor Smallridge left the meeting

- What would happen with the £100,000 if the proposal did not go through?

N.B. Councillor Smallridge returned to the meeting

- More information would be available within the report due to February's Full Council.
- The decision could not be delayed or the development may not go ahead.

N.B. Councillor Roberts left the meeting

In response to members' questions the Deputy Leader of the Council confirmed that:

The information was located within 6.5 of the Report. If this development did not go ahead, some works would be needed to progress an alternative future scheme, whilst some costs would be abortive.

N.B. Councillor Roberts returned to the meeting and Councillor Oakes entered the meeting.

A named vote was requested by Councillors Marriott, Serridge and Stevens.

Name	Vote
Cllr Aldred	For
Cllr Ashworth	For
Cllr Cheetham	Against
Cllr James Eaton	Against
Cllr Janet Eaton	Against
Cllr Essex	Against
Cllr Farrington	For

Cllr Fletcher	For
Cllr Gill	For
Cllr Haworth	Against
Cllr Johnson	For
Cllr Kempson	Against
Cllr Kenyon	Abstain
Cllr Kostyan	Against
Cllr Lamb	For
Cllr Lythgoe	For
Cllr MacNae	For
Cllr Marriott	For
Cllr Morris	Against
Cllr Neal	Against
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

Resolved:

1. Members note the content of the report and the efforts to bring forward Bacup's key flagship leisure and employment site at Futures Park.
2. Members note the advanced business expansion enquiry and agree to exploring the business case for investment at Plot 5 Futures Park; with a further update to be made to full Council in February as appropriate.
3. Members approve a development fund of £100,000, as detailed in paragraph 6.5, to be funded from the Employment & Transport Reserve.

Reason for Decision

To 'kick-start' the Futures Park Leisure and Employment Village.

Alternative Options Considered

None.

RECOMMENDATIONS FROM THE CABINET AND OTHER COMMITTEES

11. Constitution Review

The Council considered the Constitution Review report.

Resolved:

That Council to agree the changes to the Constitution in relation to:

- The revised Terms of Reference of the Audit and Accounts Committee (Appendix A).

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.

NOTICES OF MOTION**12. Councillor Serridge moved the following motion which was seconded by Councillor Marriott.**

The Co-operative Party has worked with a wide range of NGOs, local Government procurement teams and the Co-operative Group to develop a new Charter which aims to ensure there is no place for modern day slavery in the supply chains used by local authorities. The Council is asked to adopt the Co-operative Party's Charter against Modern Slavery.

Rossendale Council will:

- 1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.*
- 2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.*
- 3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.*
- 4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.*
- 5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.*
- 6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.*
- 7. Review its contractual spending regularly to identify any potential issues with modern slavery.*
- 8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.*
- 9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.*
- 10. Report publicly on the implementation of this policy annually.*

In considering the motion members discussed the following:

- Amendment to be made to the top of the motion to include additional text to be provided by Councillor Serridge.

Resolved:

The motion was carried as amended.

Reason for Decision

To support the notice of motion.

Alternative Options Considered

None

(The meeting commenced at 6.30pm and concluded at 8.50pm)

Signed.....

(Chair)

Date