

1 April 2011

Dear Councillor

**COUNCIL - TUESDAY, 5TH APRIL 2011**

I am now able to enclose, for consideration at the above meeting of the Council, the following reports that were unavailable when the agenda was printed.

**Agenda No    Item**

6.     **Executive Cabinet (Pages 151 - 152)**

A report of the meeting held on 31 March 2011 is now attached.

7.     **Overview and Scrutiny Committee and Task and Finish Groups (Pages 153 - 158)**

A report of the meeting held on 28 March 2011 is now enclosed.

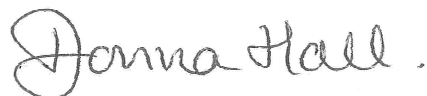
8.     **Audit Committee (Pages 159 - 160)**

A report of the meeting held on 17 March 2012 is now enclosed.

11.    **To consider the Notices of Motion given in accordance with Council Procedure Rule 10 (Pages 161 - 162)**

To consider the attached four motions from Councillor Peter Wilson.

Yours sincerely



Donna Hall CBE  
Chief Executive

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આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون  
کیجئے: 01257 515823

**REPORT OF EXECUTIVE CABINET****GENERAL REPORT**

1. The report summarises the business considered at the meeting of the Executive Cabinet held on 31 March 2011.

**Interim Policy on Residential Car Parking standards**

2. We considered a report of the Director of Partnerships, Planning and Policy informing Members of the recent change to national planning policy on Transport. Amendments have been made to reflect the localism agenda, and in particular, the requirement for local planning authorities to set and apply maximum car parking standards for residential development has been removed.
3. An interim policy on parking standards for residential development is considered necessary to allow account to be taken of local circumstances and to assist in determining proposals for residential development.
4. The policy allows for negotiation with developers on a case by case basis and sets out proposals for dwellings with 1 bedroom 1 space, dwellings with 2-3 bedrooms 2 spaces and dwellings with 4 or more bedrooms 3 spaces.
5. We approved the draft interim policy on Residential Car Parking Standards for a six week public consultation exercise. In the event of objections being received the results of the consultation will be brought back to the Executive Cabinet for the policy to be considered further.

**Council's Community Engagement Strategy**

6. The Chief Executive presented a report which contained the Community Engagement Strategy 2011/12 for approval.
7. The purpose of the Strategy is to bring together the Council's current community engagement activities and to clearly define the approach to community engagement with actions to help improve existing methods.
8. The Corporate Strategy 2010/11 – 2013/14 has a number of long term outcomes which rely on successful community engagement in order to be achieved. The Community Engagement Strategy aims to:

Inform	Consult
Involve and	Devolve.
9. We noted that one of the actions is the development of a Citizens' Jury.

**Equality Scheme Refresh 2011**

10. Following consideration of a report from the Chief Executive we approved the revised version of the Equality Scheme.
11. Since the last refresh, in February 2008, the legislation regarding equality has been superseded by the Equality Act 2010. The Scheme identifies nine Equality Strands, with each strand identifying a group of customers who share a similar characteristic, which is protected by law. The exception to this is the rurality strand, which is not protected by law but is contained within the scheme to ensure that the needs of customers who live in rural areas are considered.

12. The Equality Strands are:
- |                     |                         |
|---------------------|-------------------------|
| Age                 | Disability              |
| Gender Reassignment | Pregnancy and Maternity |
| Race                | Religion and Belief     |
| Rurality            | Sex and                 |
| Sexual Orientation  |                         |
13. In terms of service delivery, the Equality Scheme describes how the Council will ensure that equality is embedded into processes, and indicates the information and tools that are used to do this.

### **Core Funding 2011/12**

14. We received a report of the Chief Executive detailing the Core Funding allocation for 2011/12.
15. Core Funding is provided to local voluntary, community and faith sector organisations whose activities contribute towards the delivery of the Sustainable Community Strategy. The process of allocating, managing and monitoring this Core Funding has undergone some changes this year to ensure that value for money is being achieved through an effective and proportionate process.
16. There are now three types of funding: Large Core Funding, Project Funding, and Small Community Grants. Forty applications were received by the close date at the end of February and a panel scored them against assessment criteria as set out in the guidance.
17. We approved the recommendations subject to three amendments: the constitution of one organisation will be checked, there will be a condition that two organisations ensure no duplication in their projects, and the funding for 'Dial a Ride' will be provided for a three month period whilst a countywide review is undertaken
18. Contracts will be drawn up for the Large Core Funding and the Project Funding. The performance against these contracts will then be monitored on a quarterly basis, and presented six monthly as part of the Corporate Performance Management Report. Grant agreements will be developed for the Small Community Grants.

### **Shared Assurance Budget 2011-12**

19. We considered a confidential report of the Director of Transformation and approved the proposed changes as recommended by the Shared Services Joint Committee. We approved the recommendation.

### **Land at Pall Mall**

20. We considered a confidential report of the Director of Transformation and approved the disposal of land at Pall Mall, Chorley. We approved the recommendation.

### **Recommendation**

21. That the report be noted.

COUNCILLOR PETER GOLDSWORTHY  
Executive Leader

There are no background papers to this report.

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## **REPORT OF OVERVIEW AND SCRUTINY COMMITTEE AND TASK AND FINISH GROUPS**

1. This report summarises the business transacted at the meeting of the Overview and Scrutiny Committee held on 28 March 2011, as well as a brief summary of the recent activities and matters discussed at the meetings that have taken place of the Task and Finish Groups.

### **OVERVIEW AND SCRUTINY COMMITTEE – 28 MARCH 2011**

#### **Community Safety Partnership and Anti Social Behaviour**

2. To fulfil their statutory duty to scrutinise Community Safety matters, the Committee concentrated on the scrutiny of anti social behaviour as an issue which affects everyone and has strong links to neighbourhood working.
3. Members attended Chorley Police Station to visit the Council's CCTV unit ahead of the meeting and two Members reported back on their participation in two of the initiatives currently taking place to combat alcohol related crime and anti social behaviour amongst young people:- Operation Cherub and Smart Response.
4. The Committee also received a report of the Chair of the Chorley and South Ribble Community Safety Partnership providing information on the work of the Partnership in response to anti social behaviour issues, that included:
  - Defining identifiable categories of anti social behaviour
  - Threats relating to anti social behaviour and signal crime in Chorley
  - Past performance relating to anti social behaviour including Confidence and Perception
  - Structures and arrangements in place to prevent and tackle anti social behaviour
  - Support in place for residents
  - Links to anti social behaviour and neighbourhood working; and
  - How members can engage in this work including the reporting and receipt of information relating to anti social behaviour in their neighbourhood area.
5. The Joint Community Safety Partnership Manager and Chief Inspector Geoff Hurst took a variety of questions from Members that included how information is disseminated, how the Council measures the outcomes of the various operations and initiatives to ensure value for money.

#### **Alleygates and their impact on Community Safety**

6. The Committee received a report of the Chair of the South Ribble Community Safety Partnership that provided an update on the impact on community safety and of the removal of funding for alleygate schemes in the Borough.
7. At the Executive Cabinet meeting in August the decision was taken to withdraw the capital funding for the alleygate scheme and that the use of alleygates as a tool for

tackling community safety issues and criminal activity be administered on a case by case basis through the MATAC process. At this time the Members of the Overview and Scrutiny Committee requested that the Executive Member for Places be invited to a meeting of the Committee in six months time to report on the effects of withdrawing the scheme.

8. The alleygate scheme had been very popular and perhaps for the reasons of feeling safe and perception, rather than any statistical evidence that they contributed to crime and anti social behaviour reduction against a backdrop of low baseline figures. The move to a case by case assessment of schemes based on intelligence led methodology was deemed to be a more appropriate use of limited resources in tackling community safety issues across the Borough.

### **Executive Cabinet minutes – 17 February 2011**

9. Members considered the minutes of the last Executive Cabinet meeting and discussions took place in relation to the following items:

#### Overview and Scrutiny Inquiry – Allotments

- Comments to the Executive Member for Places regarding the deferral of some of the accepted recommendations on concessionary based charges.
- Concerns that the change in approach was not communicated to Members of the Council, in particular the Chair of the Task Group.

#### Section 106 Funding for Youth and Community Activities at Buckshaw

- Comments about the allocation criteria for the Section 106 monies.

#### Capital Programme, 2010/11 to 2012/13 – Monitoring Report

- Clarification that the improvement works to the highways around the site of the ASDA development, on Bolton Street and Pall Mall, Chorley would still be carried out.

### **Monitoring Report – Joint Affordable Housing Task and Finish Group**

10. The Director of Partnerships, Planning and Policy presented a report to update Members on the progress made following the Executive's response to the recommendations made by the Joint Overview and Scrutiny Inquiry on Chorley Community Housing in June 2010.
11. Since the Inquiry, there had been a number of changes announced by the Government which had implications for Affordable Housing delivery, and Members attention were drawn to the following:
  - The new Affordable Rent Model whereby social landlords will be able to offer fix term tenancies at up to 80% of the local market rate creating revenue to invest in building new homes.
  - A promotion day for the Plumlife Scheme on 10 May, that would show case the 45 remaining properties.

- £210m for a new first buy investment scheme that would target around 10,000 people.
  - £100m through the HCA in supporting housing associations to refurbish empty properties and manage them at an affordable rent for up to 10 years.
12. Clarification was sought and given on 'pepper potting' of affordable housing on new developments and the roles and responsibilities of the Council and developers in informing prospective buyers of their location.

### **Monitoring of Inquiry Recommendations – Town Centre Vitality**

13. The Director of Partnerships, Planning and Policy updated the Committee on the actions taken following the general endorsement of the recommendations of the Town Centre Vitality Task Group by the Executive Cabinet in June 2010.
14. The report set out the recommendations and the progress made against each one. Members asked questions about the following areas:
- Encouraging the Market Traders to work more on their own initiative
  - The brown motorway advertising
  - A policy for dealing with the siting of A boards on public footpaths
  - Herringbone parking on Market Street and St Georges Street
  - Coach operator tours of Chorley
  - Leaflet drop to promote the range of shops in Chorley

### **Update on the Chorley Partnership**

15. The Committee received a report of the Chief Executive that provided an update on the changes being made to the Chorley Partnership. Following the refresh of the Corporate Strategy in autumn 2010, the structure of the Partnership had been changed to ensure that it was more streamlined and focussed on delivering the partnerships new priorities.
16. The new structure would include a decision making Executive, a wider Network, three Champions for You and Your Family, You and Your Community and You and Chorley and the two statutory thematic groups. The new structure would be in place from April, with the first Network annual conference taking place in October.
17. To ensure that the voluntary, community and faith sector are properly represented on the partnership, a consortium of VCFS organisations has been commissioned to develop and manage a forum to organise and support this sector.
18. Members had raised concerns about the availability of the minutes of the Partnership and its thematic groups and it had now been agreed that the minutes would be published in draft form on the website within ten working days of the meeting.

**Joint Scrutiny Committee – Councils Liberating the NHS Task Group**

19. It was reported that Chorley would be working with Members from South Ribble on a Joint Scrutiny project that would enable Scrutiny councillors to carry out engagement, research and learning on NHS reform around GP Consortia, to improve the health and well-being of communities.
20. The Councillors representing Chorley were as follows:
  - Councillor Alan Cullens
  - Councillor Rosemary Russell
  - Councillor Peter Wilson
21. The Task Group had met twice and the draft scoping document was circulated at the meeting for information. Councillor Alan Cullens would provide regular updates as the review progressed.

**Annual Review of Overview and Scrutiny Committee 2010/11 and potential review topics for 2011/12**

22. The Director Transformation submitted a report providing an overview of the Overview and Scrutiny Committee in 2010/11.
23. In the past the Committee had been very focused on the Council's performance. Following a review earlier in the year, it was agreed that although some monitoring reports would still continue to be produced quarterly for the Executive Cabinet agenda, the Overview and Scrutiny Committee would only receive them every six months allowing the Committee to focus on the Scrutiny of Executive decisions.
24. The report outlined the work undertaken by the Committee in the following areas:
  - Challenging the Executive
  - Scrutiny Reviews that have taken place or are currently being undertaken.
    - Allotments
    - Asset Management
    - Lancastrian
  - Challenging Performance
  - Financial Scrutiny
  - Community Safety ScrutinyMembers were invited to submit topics for scrutiny in 2011/12.

**Reports from the Task and Finish Groups****Overview and Scrutiny Task Group - Lancastrian**

25. The Committee approved the scoping document for the Overview and Scrutiny Task Group – Lancastrian. The Chair, Councillor Alan Cullens reported that the main objective of the Group was to undertake a review of the Lancastrian Room to see how it could be better utilised and outlined the following terms of reference:



- To look at the current function, suitability, space and operational costs of the Lancastrian Suite within the Town Hall
- To look at current and future working arrangements and alternative methods of service delivery
- To assess the need for the type of facilities offered by the Lancastrian Suite – both commercially and for community facilities.
- To look at other options for the future management of the Lancastrian Suite including use of external companies on a commercial basis and not for profit organisations for a community use facility
- To consider whether there needs to be investment in the facilities to make them more usable.

**Recommendation**

26. The Council is recommended to note the report.

REPORT OF COUNCILLOR ADRIAN LOWE

Chair of Overview and Scrutiny Committee

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There are no background papers to this report.

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**REPORT OF AUDIT COMMITTEE****GENERAL REPORT**

1. This report summarises briefly the items considered and decisions taken by the Audit Committee at its meeting on 17 March 2011.

**Certification of Claims and Returns - Annual Report**

2. The Audit Manager, Audit Commission advised the Council is required to demonstrate to its auditors that it has met the conditions attached to the grants received from government grant-paying departments.
3. The Council receives more than £26 million funding from government departments and is responsible for collecting non-domestic rates to the value of £23 million which is paid over to the national pool.
4. We noted that work undertaken to certify the Housing and Council Tax Benefits Subsidy claim for the Department of Work and Pensions (DWP) includes a full review each year because of the high value and inherently high risk nature of the claim. This includes carrying out detailed testing of individual claims for benefit to ensure the Council is calculating benefit entitlement correctly.
5. In response to a query, officers explained that a limited review has been undertaken relating to two claims and a full review of one claim. For claims spanning over more than one year the entire life of the claim is tested. There have been no control or compliance issues following certification of the three claims with a total value of more than £49 million.
6. The Committee expressed their pleasure that no recommendations have been necessary for improvements and that the fees charged for certification work in 2009/10 has been less than the estimated figure.

**Refresh of the Council's Strategic Risk Register**

7. The Strategic Risk Register is the vehicle by which the Council aims to identify and address any potential risks to the organisation and the delivery of its functions.
8. The Performance Improvement Manager advised the Plan focuses on strategic risks to the organisation and delivery of functions rather than risks in not delivering the Corporate Strategy as these will be monitored more effectively through project and business plan risk registers.
9. The Strategic Risk Register contains ten strategic risks to the Council, including actions in progress as well as actions planned to further mitigate them. Responsibility for the Register has moved from the Shared Assurance Service to the Policy team in order to better align it with strategy and policy development.
10. Only one risk has been identified as high - Lack of resources to deliver the Council's priorities due to public sector funding cuts (financial & staff capacity). Officers clarified that risks are rated, subjectively, against a matrix. This reflects the likelihood of the risk occurring against the impact of it on the organisation if it did happen. There are a number of controls in place and actions planned which should enable the Council to manage risks effectively.
11. The Register is a live document and will be updated on an ongoing basis to reflect any new or emerging strategic risks facing the Council. The Register will be formally reviewed when the Corporate Strategy is refreshed in 6 to 8 months time.

**Internal Audit Plan 2011/12**

12. The Shared Assurance Services Internal Audit Manager presented a report highlighting the respective roles of managers and Internal Audit to maintain a sound system of governance and internal control within the Council. The report summarised the basis of the Internal Audit Annual Plan for 2011/12 and the priority areas to be reviewed during the new financial year.
13. This Audit Committee, the Governance Committee at South Ribble Council and External Audit have previously been consulted on proposals to reduce Internal Audit inputs from 2011/12. The abolition of Comprehensive Area Assessment and Use of Resources inspections together with the recent Comprehensive Spending Review are now forcing most Councils, including Chorley, to revert to carrying out “core” audit work focussing mainly on key financial systems.
14. The proposed overall reductions amount to 210 days, with 150 days reduction in Chorley’s Audit Plan (485 to 335). This is also due to the transfer to Shared Services of the Revenues and Benefits functions and aspects of the Finance function from both councils. This meant a corresponding increase for Shared Services of 90 days (155 to 245). The reductions will be achieved by not filling vacancies in Internal Audit which have existed since the formation of the Shared Services Partnership.
15. The Shared Services Joint Committee has recommended that the proposals be approved by the Cabinets of both authorities and a report has been submitted to Executive Cabinet on 31 March 2011.
16. Officers confirmed that the number of days allocated matches the resources within the team. The Audit Committee will receive regular reports on the progress made on the Plan with any issues being identified and brought to the attention of this Committee.

**Recommendation**

17. The Council is recommended to note this report.

COUNCILLOR ANTHONY GEE  
Chair of Audit Committee

There are no background papers to this report

RR

**Notice of Motions received from Councillor Peter Wilson****1. Community Transport**

This council welcomes the decision to maintain community transport service levels for the next three months. The council recognises the valuable role community transport services play and the importance to pensioners of using their NowCards on these services. Therefore we urge the Council to make representations to Lancashire County Council to use this three month period to make arrangements for maintaining all community transport services in the future at their current levels.

**2. Social Care**

Chorley Council recognises the huge contribution that parents who act as full time carers to disabled children make to our society. We also acknowledge and applaud the help and support they have been given by Lancashire County Council in the past through the provision of much needed respite care. Chorley Council, however, wishes to express its' opposition to the County Council's decision to reduce this provision as a part of its response to the Government's cut in funding. We request that the Leader of the Council writes to the Leader of Lancashire County Council and demands that the LCC Cabinet reconsiders this decision which has caused heartache and distress to so many.

**3. Support For Senior Citizens**

As part of this Councils ongoing support and commitment to ensure good health and wellbeing amongst older people, we call on the government to immediately restore the proposed cut in winter fuel payments proposed in the recent Budget.

**4. Local Democracy and the Planning Process**

This council recognises the importance of empowering local people in the decision making process and supports the council's vision outlined in our constitution which commits the council to involving people in their communities. We recognise the importance of this in respect of the planning process and the vital role councillors play in representing the views of local residents. Furthermore we believe that too many decisions are taken under delegated powers, despite opposition from councillors and local residents. Therefore we call on the council to ensure that all applications are referred to the Development Control Committee where at least one objection from a ward councillor, who is acting following a written request from a constituent or constituents, is received, thus allowing the public to air their views and the application to be given due consideration by democratically elected councillors from all political parties.

**Councillor Peter Wilson**

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