

8 July 2011

Dear Councillor

**OVERVIEW AND SCRUTINY COMMITTEE - MONDAY, 11TH JULY 2011**

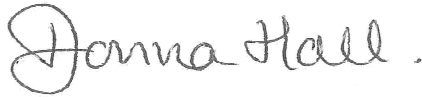
I am now able to enclose, for consideration at the above meeting of the Overview and Scrutiny Committee, the following minutes that were unavailable when the agenda was printed.

**Agenda No    Item**

5.    **Executive Cabinet minutes (Pages 115 - 124)**

To consider the enclosed minutes of the last Executive Cabinet meeting held on 23 June 2011.

Yours sincerely



Donna Hall CBE  
Chief Executive

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

## Executive Cabinet

### Minutes of meeting held on Thursday, 23 June 2011

**Present:** Councillor Peter Goldsworthy (Executive Leader in the Chair), Councillor Ken Ball (Deputy Leader of the Council) and Councillors Eric Bell, Alan Cullens, Kevin Joyce, Greg Morgan and John Walker

**Also in attendance:**

**Lead Members:** Councillors Harold Heaton, Rosie Russell and Stella Walsh

**Other Members:** Councillors Julia Berry, Alison Hansford, Paul Leadbetter, Adrian Lowe, June Molyneaux, Mark Perks, Alan Platt, Geoffrey Russell, Ralph Snape and Peter Wilson

#### 11.EC.01 APOLOGIES FOR ABSENCE

No apologies for absence were received.

#### 11.EC.02 MINUTES

The minutes of the last meeting of the Executive Cabinet meeting held on 31 March 2011 were confirmed as a correct record for signature by the Executive Leader.

#### 11.EC.03 DECLARATIONS OF ANY INTERESTS

Councillors Eric Bell, (Executive Member (Places)), Kevin Joyce (Executive Member (Transformation)) and Greg Morgan (Executive Member (Policy and Performance)) declared a personal interest in Item 7 – Chorley Pals Memorial Trust – Heritage Lottery Fund Bid.

#### 11.EC.04 PUBLIC QUESTIONS

The Executive Leader reported that there had been no requests from any members of the public to speak on any of the meeting's agenda items.

#### 11.EC.05 CHORLEY PALS - HERITAGE LOTTERY FUND BID

The Director of People and Places presented a report providing details of the Chorley Pals Memorial Trusts funding bid to the Heritage Lottery Fund and specifically, further details of projects that involved Chorley Council assets.

Chorley Council and the Trust had worked closely to prepare the bid and there had been, and continued to be, extensive consultation with the parks, Astley Hall, town centre and conservation officers.

The Remembrance Project had a number of strands:

- Enhancement to the Chorley Cenotaph
- Remedial works to the Memorial Arch at the Queens Road entrance to Astley Park.
- Expansion and enhancement of the Memorial Room at Astley Hall.
- Enhancements to the Chorley Pals Memorial statue.
- Chorley Remembers website.
- Education and community initiatives, for example, Chorley Remembers Months

The report focused on the first four strands, given that the assets involved were Chorley's responsibility. The trustees would be the accountable body for the Heritage Lottery Funding, be responsible for the whole project and all financial matters.

The proposed enhancement work to the Chorley Cenotaph would mean the repositioning of the Falkland Stone. Any decision to relocate the Stone would be the subject of further consultation with various stakeholders for example, the British Legion and the South Atlantic Medals Association.

#### **Decision made**

- 1. To support the application and approve Chorley Council's involvement in the Trust's bid.**
- 2. Approval of the inclusion of the Chorley Cenotaph in the Chorley Pals Memorial Trust application, subject to:**
  - **A consultation exercise being undertaken to consider options for the location of the existing Falklands Stone within the Cenotaph area.**
  - **A detailed final design, costings, work methods, conservation details and insurances being presented for approval by the Executive Member for People prior to consent being given to work on site.**
  - **The cost of the works, estimated to be £63,000 in total, to be met by Chorley Pals Memorial Trust.**
- 3. Approval of the Chorley Cenotaph management and maintenance actions in Appendix C to the report.**
- 4. Approval of the inclusion of the Memorial Arch in the Chorley Pals Memorial Trust application, subject to:**
  - **A detailed final design, costings, work methods, conservation details and insurances being presented for approval by the Executive Member for People prior to consent going given to work on site.**
  - **The cost of the works, estimated to be £15,000 in total, to be met by Chorley Pals Memorial Trust.**
- 5. Approval of the Memorial Arch management and maintenance actions set out in Appendix C to the report.**
- 6. Approval of the inclusion of the Memorial Room at Astley Hall in the Chorley Pals Memorial Trust application, subject to:**
  - **A detailed final design, costings, work methods, conservation details and insurances being presented for approval by the Executive Member for People prior to consent being given to work on the site.**
  - **The cost of the works, estimated to be £56,000 in total, to be met by Chorley Pals Memorial Trust. Chorley Council will contribute £2,000 towards the works.**
- 7. Approval of the Memorial Room management and maintenance actions set out in Appendix C of the report.**
- 8. Approval of the inclusion of the area around the Chorley Pals Memorial Statue in the Chorley Pals Memorial Trust application, subject to:**
  - **A detailed final design, costings, work methods and insurances being presented for approval by the Executive Member for People prior to consent being given to work on site.**
  - **The cost of works, estimated to be £5,000 in total, to be met by Chorley Pals Memorial Trust.**
- 9. Approval of the area around the Memorial Statue management and maintenance actions set out in Appendix C of the report.**

**Reason for decision**

Improvements to the Cenotaph, the Memorial Arch, an expansion and enhancement of the Pals Memorial room at Astley Hall and the introduction of interpretation boards and improved access at the Chorley Pals memorial statue on the Flat Iron car park.

**Alternative option(s) considered and rejected**

Not to support the Chorley Pals Memorial Trust's Heritage Lottery Funding application.

**11.EC.06 PRINCIPAL AREA BOUNDARY REVIEW - BUCKSHAW**

The Chief Executive presented a report informing Members that the Local Government Boundary Commission for England had indicated a possibility of a Principal Area Boundary Review being undertaken of the boundary between Chorley and South Ribble Councils regarding the Buckshaw Village Development.

The boundary between South Ribble and Chorley Council's goes through existing residential development. Currently there are around 1200 completed housing units on the Chorley part of Buckshaw, along with significant commercial development. Further significant residential and commercial development is planned in future years, with most of the planned development to be on the Chorley side of Buckshaw Village.

Upon receipt of confirmation from the Local Government Boundary Commission that a boundary review will take place, it was agreed that an all party group would be set up to formulate the Council's position.

The Leader was asked to consider single member wards across the Authority and it was agreed that this would be discussed at the next Leaders Liaison meeting.

**Decision made**

- 1. Approval to recommend Council to agree in principle that the area of Buckshaw Village should be located entirely in one authority and that this to be confirmed to the Local Government Boundary Commission for England.**
- 2. Approval of discussions to continue with South Ribble Borough Council who are undergoing a full ward review by the Boundary Commission.**
- 3. Noted that the Community Governance Review Committee has paused its Community Governance Review into whether or not to create a Parish Council for Buckshaw, to enable the Council to consider its position.**

**Reason for decision**

The Council wrote to the Local Government Boundary Commission for England in 2008 requesting that a review take place of the boundary between South Ribble and Chorley to resolve the anomaly of Buckshaw Village being located across two local council areas. The response received on 20 April 2011 is the first indication that a boundary review could take place and is therefore to be welcomed.

The review will only proceed if both Chorley Borough Council and South Ribble Borough Council agree one is required (although it does not appear to be necessary for them both to be in agreement on the location of the new boundary)

**Alternative option(s) considered and rejected**

If the Council did not support the principle of the review, Buckshaw Village would continue to be in an anomalous situation where the boundary cuts through actual properties and residents in the same cul-de-sac receive services from different Councils. This situation was considered to ignore the community identity of Buckshaw Village and would not provide effective and convenient local government, which is a key factor when determining local authority boundaries.

#### **11.EC.07 GRANT OF A NEW SUB-LEASE OF LAND AT CHISNALL LANE, COPPULL, FROM CHORLEY COUNCIL TO CHORLEY PANTHERS ARLFC**

The Director of Transformation presented a report seeking approval for the terms agreed for the granting of a 25 sub-lease with the opportunity to extend for a further 25 years to Chorley Panthers ARLFC on land at Chisnall Lane, Coppull.

The report also sought approval for consent to improve and alter the facilities provide, namely:

- Improved drainage system to all pitches.
- Floodlighting for one pitch and training area
- Extension of changing rooms to include 6 changing rooms, a match officials' changing room, a treatment room and gymnasium
- The erection of a new perimeter fence and a 3 foot fence with access gates across the playing pitches.

#### **Decision made**

- 1. Approval of the terms for the surrender of the existing sub-lease dated 5 February 2004 and the grant of a new sub-lease.**
- 2. Authorisation to Liberata Property Services to instruct the Head of Governance (Legal Services) to proceed with the drafting of the surrender and grant of new sub-lease.**
- 3. Consent granted for the alterations and improvements to the drainage, the perimeter fencing of the pitches, the installation of floodlights and the extension of the changing rooms/pavilion.**

#### **Reason for decision**

To ensure continued and improved delivery of a recreational facility for the people of Chorley.

#### **Alternative option(s) considered and rejected**

Should the sub-lease not be extended, the funding application would have to be withdrawn because the qualifying criteria (the longer lease term) would not be met, so the facilities would remain in their current condition for the remainder of the term of the current sub-lease.

#### **11.EC.08 CHORLEY COUNCIL FOURTH QUARTER PERFORMANCE REPORT 2010/11**

The Executive Cabinet considered a report of the Chief Executive, which set out and reviewed the Authority's performance in respect of the key projects included in the Corporate Strategy and key performance indicators during the fourth quarter of 2010/11 ending on 31 March 2011.

The report indicated that, overall performance of the key projects remained excellent with the vast majority of the projects identified in the Corporate Strategy, either on track, completed or scheduled to start later in the year. Of the two

projects reported to be rated as amber, one would now be completed in the original timescales, with the other to be completed by the end of the second quarter.

Performance on the key measures in the Corporate Strategy and key performance indicators were strong, with 95% of the measures performing above target or within the 5% tolerance.

Three of the key service delivery measures were below target and it was explained what measures had been put into place to improve on performance.

**Decision made**

**That the report be noted**

**Reason for the decision**

To facilitate the ongoing analysis and management of the Council's performance in delivering the Corporate Strategy.

**Alternative option(s) considered and rejected**

none

**11.EC.09 CHORLEY PARTNERSHIP ANNUAL REPORT 2010/11**

The Executive Cabinet received a report of the Chief Executive presenting the Chorley Partnership's end of year performance report for 2010/11.

The report reviewed the Partnership's activities and performance throughout 2010/11, commenting particularly on the progress and impact of the LSP sponsored projects and how they were contributing to the achievement of the refreshed Sustainable Community Strategy.

The Chief Executive highlighted the following significant statistics and trends revealed in the annual report:

- Unemployment had reduced by 2.5% since last year.
- The number of persons in temporary accommodation was on target.
- House prices in Chorley had only decreased by 1% over the last year.
- Crime was down overall by 1.7% compared to 2009/10.
- Anti Social Behaviour was down by 11.7%, with Criminal Damage down by 15.4%
- Teenage pregnancies across the Borough had reduced in numbers and figures were now lower than the Lancashire and North West average at 38.7 per 1,000.
- The rate of alcohol admissions had reduced and was now lower than the North West average.
- 67 new business start-ups were recorded against a target figure of 53.
- The delivery of affordable homes in the Borough had increased by 62% since last year.
- CO2 emissions had continued to reduce and were exceeding target.
- 84.7% of people felt that Chorley was a place where people get on well together.
- The level of street cleanliness was exceeding target.
- The number of primary fires had increased slightly in the past year.

**Decision made:**

**That the report be noted in advance of its presentation to the Chorley Local Strategic Partnership Board.**

**Reason for the decision**

To facilitate the efficient working of the Local Strategic Partnership.

**Alternative option(s) considered and rejected**

None.

**11.EC.10 CAPITAL PROGRAMME PROVISIONAL OUTTURN 2010/11 AND MONITORING 2011/12 - 2013/14**

The Director of Transformation presented a report that the provided the provisional outturn figures for the 2010/11 Capital Programme, which were at this stage subject to scrutiny by the Council's external auditor.

The Executive Cabinet were also updated on the Capital Programmes for financial years 2011/12 to 2012/14 to take account of rephrasing expenditure and other budget changes.

The report also informed of the receipt and budgeted use of contributions from developers for the period 2010/11 to 2011/14.

In accordance with the Council's strategy of reducing debt incurred for the financing of capital expenditure in previous years, £0.719 million had been set aside voluntarily in addition to the Minimum Revenue Provision for debt reduction charged to the revenue budget each year. This had been achieved by applying VAT shelter Income and revenue budget for repaying debt in subsequent years.

**Decision**

- 1. Approval of the financing of the Capital Programme for 2010/11 as presented in Appendix 1.**
- 2. Approval of the rephrasing of capital expenditure from 2010/11 and 2012/13 to the Capital Programme 2011/12, as presented in column (2) of Appendix 2**
- 3. Approval of the increases in the Capital Programme for 2011/12 financed by Government grant and developers contributions, and other changes, as presented in column (3) of Appendix 2.**

**Reasons for decision**

It is necessary for the Council to approve the financing of the 2010/11 Capital Programme and to approve the rephrasing of expenditure between financial years and to update the provisional capital programme figures for 2011/12 and 2012/13 to take into account the rephrasing of expenditure and changes to the resources estimated to be available to finance the programme.

**Alternative option(s) considered and rejected**

None.

**11.EC.11 PROVISIONAL REVENUE OUTTURN 2010/11**

The Director of Transformation presented a report setting out the provisional revenue outturn figures for the Council as compared against the budgets and efficiency savings targets it set itself for the year 2010/11.



The accounts were provisional and subject to final checking and scrutiny by the Council's external auditor. It was reported that any significant changes to the outturn as a result of the process would result in a further report being brought to Cabinet at a future meeting. Further details of the Council's overall financial position would be presented to the Audit Committee at the end of June when they considered the Council's statement of accounts.

Further savings in addition to the £360,000 in the original budget had been achieved and had helped to offset one-off costs associated with the recent directorate restructures.

The provisional outturn showed that the Council's initial net expenditure at the end of the year to be below budget. However, the figure included underspends to the value of £169,000 on committed items where slippage requests had been received to carry forward resources to 2011/12.

The level of working balances had exceeded the minimum £2.0m proposed at 31 March 2011 by £77,000, putting the Council in a positive position for the start of the next financial period.

**Decision made:**

- 1. Approval of slippage requests outlined in Appendix 2 of the report to finance expenditure on specific items or projects in 2011/12.**
- 2. Approval of slippage of Section 106 funding for Play and Recreation schemes.**
- 3. Approval of transfer of available funds to a specific reserve to fund one-off costs associated with achieving the objectives of the Medium Term Financial Strategy.**

**Reason for decision**

To ensure the Council's budgetary targets are achieved.

**Alternative option(s) considered and rejected**

None.

**11.EC.12 TREASURY MANAGEMENT ANNUAL REPORT 2010/11**

The Director of Transformation presented an out-turn report that was the last of three treasury reports to have been received by the Executive Cabinet during 2010/11, allowing Members to scrutinise treasury policy and activity.

The report advised that Prudential and Treasury Indicators had been complied with and that the return on investments totalled 0.65% which had exceeded the benchmark of 0.43%. The report also gave details of borrowings and the updated situation with regard to the Icelandic investments.

**Decision made**

**That the report be noted.**

**Reasons for the decision**

To ensure effective Member scrutiny on treasury policy and activity.

**Alternative option(s) considered and rejected**

None.

**11.EC.13 JOINT INSURANCE PROCUREMENT TENDER EXERCISE IN COLLABORATION WITH SOUTH RIBBLE BOROUGH COUNCIL**

The Director of Transformation presented a report requesting approval to undertake a joint procurement tender exercise with South Ribble Borough Council for the renewal of the current insurance covers in place at both Councils under existing Long Term agreements that will expire on 31 December 2011.

The joint insurance tender would be a key project in the Shared Financial and Assurance Services Business Improvement Plan that had been agreed by the Shared Services Joint Committee.

The report summarised the approach for the tender, together with the evaluation procedure and criteria to be applied for a combined tender exercise that would seek out more economically advantageous terms than would exist if each Council were to approach the insurance market separately.

**Decision made**

- 1. Approval that South Ribble Borough Council will act as lead body for the joint procurement and conduct the exercise in compliance with its Contract Procedure Rules and Procurement Guidance.**
- 2. Approval of the use of the proposed contract award procedure and evaluation criteria set out in the report.**

**Reasons for the decision**

The aims of the joint tender exercise were to:

- (a) Seek volume discounts from insurers by providing them with a larger overall offer;
- (b) Share procurement costs by arranging one tender exercise, rather than two;
- (c) Rationalise the current insurance portfolios in order to provide ongoing administrative efficiencies.

**Alternative option(s) considered and rejected**

Research was undertaken involving the Council's Procurement and Partnerships Manager to identify alternatives to the traditional tender approach to obtaining insurance covers. For example a number of consortia were currently being developed.

During a recent tender exercise to appoint a joint insurance broker to both Council's all three candidates were questioned on their views on the alternatives on offer. All were dismissive about the possibility of forming a consortium, feeling that any procurement savings from this route would be modest.

**11.EC.14 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED – The press and public be excluded from the meeting for the following items of business on the ground that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972.**

**11.EC.15 PROPOSED NEW SENIOR MANAGEMENT STRUCTURE**

The Executive Cabinet received and considered a confidential report on a proposed senior management structure for Chorley Council.

**Decision**

1. **Approval of the new senior management structure set out in Appendix 2 of the report.**
2. **Approval of the internal appointment process for the appointment of a new Chief Executive.**
3. **Approval of the commissioning of North West Employers to facilitate the politically balanced Chief Officer Appointment Panel meeting on 1 July 2011.**
4. **Approval of the £100,00 savings resulting from the revised senior management structure.**
5. **Approval that members of the Cabinet, agree the proposed final salary of the Chief Executive should be reviewed and the amount (to be no more than the amount of £110,000) be confirmed to any applicants before the Chief Officer Appointment Panel meet on 1 July 2011.**

**Reason(s) for the decision**

To provide a senior management structure that is able to continue the high performance of the Council as well as reduce overall costs.

**Alternative option(s) considered and rejected**

1. Continue existing management structure.
2. A flatter structure with no Directors.

**11.EC.16 2010/11 YEAR END PROGRESS REPORT ON THE PERFORMANCE OF KEY PARTNERSHIPS**

The Executive Cabinet received and considered a confidential report on the performance of the Council's key partnership arrangements.

**Decision**

1. **That the report be noted.**
2. **Approval for effective exit and risk management arrangements to be put in place for the existing Chorley Community Housing partnership agreement which is due to expire on 31 March 2012.**

**Reason(s) for the decision**

To keep Members informed of the performance of key Partnerships and to ensure effective management of the Council's partnership arrangements.

**Alternative option(s) considered and rejected**

None.

**11.EC.17 EXECUTIVE'S RESPONSE TO OVERVIEW AND SCRUTINY REVIEW OF ACCOMMODATION ASSETS**

The Executive Cabinet received a confidential report of the Director of Transformation outlining a suggested response to the Overview and Scrutiny review of accommodation assets.

The report outlined each of the Overview and Scrutiny Task Group's recommendations and contained a suggested response to each recommendation.

The Executive Leader thanked the Task Group for their work and Members noted that a separate inquiry was taking place to look into ways of maximising the usage of the Lancastrian Room at the Town Hall, as a result of this review.

**Decision made:**

- 1. That the Executive's response to the recommendations contained in the report of the findings of the Overview and Scrutiny Task Group following its inquiry into accommodation assets, as outlined in the submitted report of the Director of Transformation, be endorsed for implementation.**

**Reason(s) for decision**

To respond to the Overview and Scrutiny Committee's recommendations.

**Alternative option(s) considered and rejected**

None.

Executive Leader