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## Chief Executive's Office

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Date: 15 August 2006

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**Chief Executive:** Donna Hall

**Chorley**  
Council

Town Hall  
Market Street  
Chorley  
Lancashire  
PR7 1DP

Dear Councillor

## EXECUTIVE CABINET - THURSDAY, 24TH AUGUST 2006

You are invited to attend a meeting of the Executive Cabinet to be held in the Council Chamber, Town Hall, Chorley on Thursday, 24th August 2006 at 5.00 pm.

### AGENDA

1. **Apologies for absence**
2. **Declarations of any Interests**

Members of the Cabinet are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members' Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

3. **Minutes (Pages 1 - 12)**

To confirm as a correct record the minutes of the meeting of the Executive Cabinet held on 29 June 2006 (enclosed).

### RESOURCES ITEMS (INTRODUCED BY THE EXECUTIVE MEMBER, COUNCILLOR G MORGAN)

4. **Capital Programme 2006/07 - Monitoring Report (Pages 13 - 30)**

Joint report of Executive Director – Corporate & Customer and the Director of Finance (enclosed).

5. **Revenue Budget 2006/07 - Monitoring Report No. 2 (Pages 31 - 36)**

Report of Director of Finance (enclosed).

### CUSTOMER, DEMOCRATIC AND LEGAL SERVICES ITEM (INTRODUCED BY THE EXECUTIVE MEMBER, COUNCILLOR J WALKER)

6. **Learning and Development Strategy (Pages 37 - 62)**

Report of Director of Human Resources (enclosed).

Continued....

7. **Public Questions/Speaking at Council Meetings - Recommendations** (Pages 63 - 66)

Report of Chief Executive (enclosed).

**STREETSCENE, NEIGHBOURHOODS AND ENVIRONMENT ITEM (INTRODUCED BY THE EXECUTIVE MEMBER, COUNCILLOR E BELL)**

8. **Clean Neighbourhoods and Environment Act, 2005 - Adoption of Powers** (Pages 67 - 74)

Report of Director of Streetscene, Neighbourhoods and Environment (enclosed).

9. **Any other item(s) that the Executive Leader decides is/are urgent**

10. **Exclusion of the Public and Press**

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

**EXECUTIVE LEADER'S ITEM (INTRODUCED BY THE EXECUTIVE LEADER, COUNCILLOR P GOLDSWORTHY)**

11. **Housing Stock Transfer Update** (Pages 75 - 92)

Report of Chief Executive (enclosed).

**STREETSCENE, NEIGHBOURHOODS AND ENVIRONMENT ITEM (INTRODUCED BY THE DIRECTOR, JOHN LECHMERE)**

12. **Streetscene, Neighbourhoods and Environment Directorate - Phase 1 Restructure** (Pages 93 - 98)

Report of Director of Streetscene, Neighbourhoods and Environment (enclosed).

**CORPORATE POLICY AND PERFORMANCE ITEM (INTRODUCED BY THE CHIEF EXECUTIVE, DONNA HALL)**

13. **Steps to becoming an Excellent Council - Restructure of Policy and Performance Directorate** (Pages 99 - 106)

Report of Chief Executive (enclosed).

**RESOURCES ITEM (INTRODUCED BY THE CHIEF EXECUTIVE, DONNA HALL)**

14. **Restructure of Office Support**

Report of Chief Executive (enclosed).

Yours sincerely



Chief Executive

ENCS

**Distribution**

1. Agenda and reports to all Members of the Executive Cabinet, Lead Members and Chief Officers for attendance.

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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

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**Executive Cabinet****Minutes of meeting held on Thursday, 29 June 2006**

**Present:** Councillor Peter Goldsworthy (Executive Leader in the Chair), Councillor Mrs Pat Case (Deputy Leader of the Council) and Councillors Eric Bell, Peter Malpas, Greg Morgan, Mark Perks and John Walker

**Also in attendance**

**Lead Members:** Councillors Peter Baker (Lead Member for Information Communication Technology), Alan Cain (Lead Member Human Resources), David Dickinson (Lead Member for Parish Councils), Mrs Marie Gray (Lead Member for Town Centre), Geoffrey Russell (Lead Member for Finance), Rosemary Russell (Lead Member for Health and Older People) and Mrs Iris Smith (Lead Member for Licensing)

**Other Members:** Councillors Kenneth Ball, Dennis Edgerley, Anthony Gee, Daniel Gee, Roy Lees, Adrian Lowe, Ralph Snape, Mrs Stella Walsh and John Wilson

**06.EC.88 HEAD OF CORPORATE AND POLICY SERVICES**

The Chair (Councillor P Goldsworthy) reminded the Members that Mr T Rignall was due to leave the Authority shortly and that this would be the last meeting he would attend in his capacity as Head of Corporate and Policy Services.

Councillor Goldsworthy expressed, on behalf of all Councillors, the Council's appreciation of Mr Rignall's services to the Authority over the past years and wished Mr Rignall well in the future.

**06.EC.89 DECLARATIONS OF ANY INTERESTS**

The following Members of the Executive Cabinet declared a prejudicial interest in the agenda items indicated:

Councillor M Perks - Agenda Item 8 (Capital Programme, 2005/06 - Outturn) (Music Café Project)

Councillor P Malpas - Agenda Item 9(b) (Revenue Budget, 2006/07 - Monitoring) (Post ballot budget for Housing Stock Transfer).

**06.EC.90 MINUTES**

The minutes of the meeting of the Executive Cabinet held on 25 May 2006 were confirmed as a correct record for signature by the Executive Leader.

**06.EC.91 OVERVIEW AND SCRUTINY ANNUAL REPORT, 2005/06**

Councillor J Walker, the former Chair of the Overview and Scrutiny Committee, presented the Overview and Scrutiny Annual Report for 2005/06 which had been endorsed by the Overview and Scrutiny Committee at its last meeting.

The report outlined and commented on the areas of work and scrutiny inquiries undertaken by the Committee and the three Overview and Scrutiny Panels during the last municipal year and Councillor Walker thanked the three Associate Chairs and members of the Overview and Scrutiny bodies for all their work over the year. Councillor Walker also reminded Members that training and development events would commence in September 2006 to assist Members in their overview and scrutiny

role, as identified in the Improvement Plan which had resulted from the Self-Assessment Workshop held in October 2005.

Councillor Perks, the Chair of the former Community Overview and Scrutiny Panel referred to the suggested plans to set up a Special Cabinet Sub-Committee to progress the Community Panel's scrutiny inquiry into public participation in the Council's decision-making processes and hoped that the Sub-Committees would be able to conclude the inquiry and agree recommendations as early as possible.

**Decision made:**

**That the Overview and Scrutiny Annual Report for 2005/06 be noted.**

**06.EC.92 DECRIMINALISATION OF PARKING ENFORCEMENT - SCRUTINY INQUIRY**

The Executive Cabinet received the final report of the former Customer Overview and Scrutiny Panel on its inquiry into the decriminalisation of parking enforcement.

The Chair of the Overview and Scrutiny Committee (Councillor Edgerley) reported that the Committee had, at its meeting on 17 June, endorsed the report and Councillor Mrs Walsh (Chair of the former Customer Overview and Scrutiny Panel) commended the report's recommendations for approval and adoption by the Executive Cabinet. Members of the Panel supported the report and explained the rationale behind a number of the recommendations.

The Cabinet Members and other Councillors present welcomed and commended the excellence of the report and its recommendations.

**Decision Made**

**That the former Customer Overview and Scrutiny Panel's report on its scrutiny inquiry into the Decriminalisation of Parking Enforcement, and the recommendations contained in the report, be approved and adopted.**

**Reason for decision**

The implementation of the report's recommendations are expected to contribute to the delivery of an enhanced service.

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

The rejection of the report's findings.

**06.EC.93 FUTURE OF MENTAL HEALTH SERVICES IN LANCASHIRE - CONSULTATION**

The Council's views had been sought by 14 July 2006, by the Lancashire Joint Primary Care Trust on proposals for changes to the way mental health services were provided in Lancashire.

In essence, the proposals aimed to improve and modernise mental health care services by closing and converting the 15 existing mental health specialist units across Lancashire and creating a new state-of-the-art mental health hospital unit on three sites in Central and West Lancashire, East Lancashire and the Fylde Coast. This would release funding to provide an improved care-in-the-community service, supported by crisis support and respite services.

The consultation paper had been considered, firstly, by the Environment and Community Overview and Scrutiny Panel and, secondly, by the Overview and Scrutiny

Committee at their last meetings. The proposals had been generally accepted by the Environment and Community Panel, but the Overview and Scrutiny Committee had questioned the accessibility of the planned hospital site in Central and West Lancashire for patients. A minute extract outlining the views of both overview and scrutiny bodies was circulated at the meeting.

In addition, a Cabinet member expressed concern at the projected timescale for the construction of the new facility in 2011. A further Cabinet member suggested that the Lancashire Joint Primary Care Trust should be requested to consider a possible site within Chorley (eg Botany Bay or Buckshaw Village) for the proposed Central and West Lancashire facility, and raised concern at the Trust's plans not to maintain funding for the Crisis Intervention Team.

**Decision Made:**

**That the Lancashire Joint Primary Care Trust be advised that the Borough Council generally supports the proposals to improve mental health services as outlined in the consultation document, provided that the following issues and concerns raised by Members are considered and addressed by the Trust:**

- **the accessibility of the projected site for the new hospital to serve Central and West Lancashire;**
- **the planned timetable for the provision of the new hospital units which will delay construction until 2011;**
- **consideration of the possible development of a new mental health hospital unit on a suitable site in Chorley Borough; and**
- **concern at plans to delay additional funding for the maintenance of the service currently provided by the Crisis Intervention Team.**

**Reason for decision**

The response to the consultation on planned changes to the provision of services to mentally ill persons is aimed at ensuring that the Borough Council's views and suggestions for the delivery of the best possible service is communicated to the Lancashire Joint Primary Care Trust.

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

None.

**06.EC.94 OVERVIEW AND SCRUTINY WORK PROGRAMME, 2006/07**

The Executive Cabinet received a report of the Chief Executive enclosing the proposed Overview and Scrutiny Work Programme for 2006/07 which identified the proposed areas of work to be undertaken by the Overview and Scrutiny Committee and its two associate Panels during the municipal year.

A revised work programme was circulated at meeting which reflected the Overview and Scrutiny Committee's endorsement of the programme and its prioritisation of the planned scrutiny inquiries to be undertaken by the Committee and the Panels.

**Decision made:**

**That the Overview and Scrutiny Work Programme for 2006/07, as now presented, be noted.**

**Reason for decision:**

To ensure the Overview and Scrutiny Work Programme is linked to the outcomes, measures and targets in the Corporate Strategy. This will ensure that the scrutiny topics relate to the Council's priorities and can provide added value to the delivery of services.

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

None.

(Councillor Perks declared a prejudicial interest in one of the proposed Category 'C' schemes (ie Music Café Project) included in the following item of business. He remained in the meeting, but took no part in the discussion or voting on the item).

**06.EC.95 CAPITAL PROGRAMME, 2005/06 - OUTTURN**

The Executive Cabinet considered a report on the provisional outturn figures for the 2005/06 Capital Programme, indicating the measures the Council proposed to institute to rectify the identified overspends.

The report also put forward for consideration a revised Capital Programme for 2006/07, together with the recommendations of the Capital Programme Board on a number of new projects suggested for inclusion in the Programme as Category B or as reserve list Category 'C' schemes for consideration when resources became available.

In response to queries raised at the meeting concerning the projected overspend on the Town Hall disabled access and refurbishment scheme, the Executive Leader reported that Consultants had been engaged to examine both the reasons for the overspend and the feasibility of the Council being able to recover part of the excess costs.

**Decisions made:**

**(1) That the Council be recommended:**

- (a) to note the provisional outturn of the 2005/06 Capital Programme;**
- (b) to approve the reduced Capital Programme for 2006/07, totalling £12,160,320, as presented in Appendix 3 to the submitted report, and the financing arrangements therefor;**
- (c) to approve the reduction of the Housing Revenue Account budget for 2006/07 by £264,330, as a result of the overspend in 2005/06;**
- (d) to approve the following recommendations of the Capital Programme Board:**

**New Capital Schemes and Projects**

- (e) That the following new schemes be placed on the reserve list (Category C) for future consideration when resources become available:**
  - 1. Integration software.**
  - 2. Union Street/Market Street/St Thomas' Road Mini Roundabouts and zebra crossings.**
  - 3. APP/Civica Housing Assessment Module.**
- (f) That the following new schemes be placed in Category B of the 2006/07 Capital Programme:**
  - 1. Euxton Villa Football Club**



2. **Music Café Project**
3. **Gillibrand Street Site Assembly**
4. **Affordable Housing Project**
5. **Website Refresh**
6. **Migration to OS Master Map**
7. **eDevelopment and Building Control Project**
8. **Pedestrian improvements to Southport Road and St Thomas's Road**
9. **Section 106 Funded – Various Highway Improvements linked to Gillibrand Estate and Southlands High School**
10. **Various Traffic Calming/Local Road Safety Schemes**
11. **Litter/Dog Waste/On-street recycling bins**

- (2) **That a report of the findings of the Consultants upon the conclusion of their inquiry into the overspend on the Town Hall refurbishment project be presented to a future Executive Cabinet meeting.**

**Reasons for decisions:**

The financing of the 2005/06 Capital Programme, as presented, avoids the use of borrowing to finance General Fund schemes in part by maximising the use of external contributions such as Section 106 commuted sums. Borrowing has been restricted to financing the HRA schemes to avoid an adverse impact on the General Fund reserve budget.

The Capital Programme for 2006/07 needs to be updated to take account of slippage and other changes.

The expansion of Category 'C' schemes brings forward new projects for consideration for inclusion in a future Capital Programme.

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

Prudential borrowing to finance HRA schemes in 2005/06 could be avoided by using restricted capital receipts. This has been rejected because those receipts are required to finance the General Fund Housing Investment Programme from 2006/07 onwards.

**06.EC.96 REVENUE OUTTURN, 2005/06**

The Executive Cabinet received a report of the Director of Finance on the provisional outturn figures for both the General Fund and Housing Revenue Account, including the Building Maintenance direct service, for the financial year 2005/06.

The report confirmed that, overall, the General Fund budget targets had been achieved, with initial forecasts of overspends having been dealt with and anticipated levels of working balances maintained.

The report also sought authority for the slippage of £77,400 allocated for five identified schemes to the 2006/07 revenue budget, which would allow a further unallocated £83,600 to be utilised for the creation of two equalised reserve accounts for recycling contract bonus payments and net financing costs.

Additional income from Council housing rents as a result of reduced Council house sales had helped to offset the overspend on repairs within the Housing Revenue Account.

The final accounts for 2005/06 incorporating a more detailed review of the Council's financial position would be submitted to the Accounts Committee in advance of presentation to the Executive Cabinet.

**Decisions made:**

- (1) That the report be noted.
- (2) That approval be given to:
  - (a) the slippage of £77,400 to 2006/07 to fund the five identified schemes; and
  - (b) the creation of specific equalisation reserves of £43,600 and £40,000 in respect of recycling contract bonus payments and net financing costs respectively.

**Reason for decision:**

In order to comply with appropriate reporting arrangements and to ensure that appropriate financial reserves are created.

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

None.

(Councillor Malpas declared a prejudicial interest in the following item of business and left the meeting during the consideration and voting on the item).

**06.EC.97 REVENUE BUDGET, 2006/07 - MONITORING**

The Executive Cabinet received a report of the Director of Finance monitoring the current financial position of the Council in comparison against the budgetary and efficiency savings targets for 2006/07 in respect of the General Fund and the Housing Revenue Account.

The report confirmed that progress had been made towards the achievement of the corporate savings target of £278,000 and the efficiency savings target of £60,000. Further savings would be pursued and the Executive Cabinet were advised to restrict the allocation of further expenditure against the remaining contingency fund until the corporate savings target had been met.

**Decisions made:**

- (1) That the report be noted.
- (2) That no additional expenditure be financed from the contingency fund at this stage without the express permission of the Executive Leader.
- (3) That approval be given to the use of £12,000 from the £112,000 set aside in an Innovation Fund for promotional projects in the town centre.
- (4) That approval be given to (i) the provisional Post Ballot Budget for Stock Transfer, subject to there being a positive vote and further clarification; and (ii) an application for the requisite Section 25 consent.

**Reason for decisions:**

To ensure that the Council's budgetary targets are achieved.

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

None.

#### **06.EC.98 TENDER FOR THE RENEWAL OF COUNCIL INSURANCES**

The Director of Finance submitted a report advising the Executive Cabinet of the results of the recent tender exercise for the supply of insurance services.

The previous long-term agreement with the Council's principal insurers, Zurich Municipal, had terminated on 31 March 2006. Following a lengthy and rigorous assessment process, the previous Executive Leader had authorised the re-appointment of Zurich Municipal.

It had been concluded that it would be inappropriate for the Council to pursue the self insurance option, which would allow the release back to revenue of £147,000 allocated for the self insurance route.

**Decision made:**

**That the report and appointment of Zurich Municipal as the Council's insurers be noted.**

#### **06.EC.99 EXTERNAL FUNDING STRATEGY FOR 2006 AND BEYOND**

The Director of Finance presented a report reviewing the Authority's policy on the pursuance of external funding and seeking endorsement of a new funding strategy for 2006 and beyond for consultation purposes.

Since the appointment of a dedicated Funding Officer in 2002, the Council had been successful in attracting grant offers totalling almost £750,000 which had assisted various public, private and voluntary sector organisations throughout the Borough.

The new draft funding strategy, however, envisaged a wider perspective with fewer, more targeted funding applications for projects to be developed in partnership with two or more organisations. Whilst the Council's officers would continue to advise and assist local organisations to undertake their own research the Funding Officer would be able to devote more capacity to strategic issues.

**Decision made:**

**That the draft External Funding Strategy for 2006 and beyond be approved for wider consultation with partner organisations.**

**Reason for decision:**

The Council wishes to adopt a strategic and outward looking approach to securing external funding for the Borough. The strategy will be shared with partner organisations to assess the level of support for such an approach.

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

None.

#### **06.EC.100 QUARTERLY PERFORMANCE INDICATORS, 2005/06 - END OF YEAR MONITORING REPORT**

The Executive Cabinet received and considered a statistical report prepared by the Head of Corporate and Policy Services monitoring the Council's performance during the year ended 31 March 2006 against the following key indicators:

- Best Value Key Performance Indicators (KPIs) (National indicators measured against definitions issued by the Office of the Deputy Prime Minister);
- Corporate KPIs (Indicators used to monitor the Corporate Plan);
- Local KPIs (Locally defined indicators used to monitor performance).

The report clarified that, overall, the Council's performance in its achievement of key targets was good, but pointed to a number of areas which required to be improved. In this context, the Chief Executive circulated at the meeting a projected action plan of measures aimed at increasing the level of customer satisfaction in the shorter and longer term.

**Decisions made:**

- (1) **That the monitoring report be noted.**
- (2) **That the Action Plan of measures to raise customer satisfaction levels be approved for implementation.**

**Reasons for decision:**

The monitoring of the Council's performance against national performance indicators is necessary to ensure effective performance management within the Authority.

Customer satisfaction will form a major element of the revised Comprehensive Performance Assessment regime.

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

None.

**06.EC.101 STATEMENT OF COMMUNITY INVOLVEMENT - INSPECTOR'S REPORT AND ADOPTION**

The Director of Development and Regeneration submitted a report seeking the Executive Cabinet's endorsement of the Statement of Community Involvement, following its amendment to take account of the Inspector's comments and recommendations.

The Authority was required to produce the Statement, which set out the various ways and means of ensuring the engagement and involvement of organisations and the local community in the preparation of the Local Development Framework and in considering planning applications.

The draft Statement had undergone two consultation stages before its submission to the Secretary of State on September 2005. The Inspector had required only minor amendments to the document which were clarified in the Director's report.

The Statement had been endorsed by the Local Development Framework and Community Strategy Working Group at its last meeting on 19 June 2006.

**Decision made:**

That the Statement of Community Involvement be approved and adopted.

**Reason for decision:**

The Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce a Statement of Community Involvement, as part of the Local Development Framework. The Inspector's Report on this Statement is binding upon the Council.

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

None.

**06.EC.102 HOUSEHOLDER DESIGN GUIDANCE SUPPLEMENTARY PLANNING DOCUMENT**

The Director of Development and Regeneration presented a report seeking endorsement of the new draft Householder Design Guidance Supplementary Planning Guidance, which was intended to replace the current House Extension Guidelines.

The new guidance was intended to offer advice on the extension of residential dwellings, as well as replacement dwellings and garden extensions in the countryside. The guidance was also intended to promote a higher standard of design, and to assist the integration and consistent delivery of design objectives within Development and Local Plan policies.

**Decision made:**

**That the Council be recommended to approve the draft Householder Design Supplementary Planning Guidance document for consultation and community involvement purposes, subject to delegated authority being granted to the Director of Development and Regeneration to agree any minor technical or illustrative amendments.**

**Reason for decision:**

The production and implementation of the guidance will assist the strategic objective to develop the distinctive character and feel of Chorley as a good place to live.

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

The retention of the House Extensions Design Guide is not considered to be a sustainable option.

**06.EC.103 CENTRAL LANCASHIRE CITY - LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY - JOINT ISSUES AND OPTIONS PAPER**

The Executive Cabinet considered a report of the Director of Development and Regeneration recommending approval of an attached joint Issues and Options document for consultation purposes.

The Issues and Options paper had been produced by a joint Working Group of Officers from Chorley, Preston and South Ribble Councils. The document aimed to identify the key strategic spatial planning issues affecting the Central Lancashire City region and to encourage debate on the identified and other options for addressing defined issues. It was envisaged that the process would evolve into the production of a Core Strategy to set out the vision, objectives and spatial strategy for the Central Lancashire area.

The Issues and Options paper had been considered at a joint meeting of the three Authorities' Local Development Framework Member Working Groups and the final consultation document would reflect the views expressed at the meeting.

**Decision made:**

**That the Council be recommended to approve the Central Lancashire City Core Strategy Issues and Options paper for consultation purposes, subject to any major changes proposed by either Preston or South Ribble Councils being approved by an Executive Member, and the Director of Development and Regeneration being granted delegated authority to agree any minor revisions of a factual or technical nature.**

**Reason for decision:**

To ensure that the paper is fully supported by all three Councils and is properly presented for consultation purposes.

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

The production of an individual Core Strategy for Chorley would limit the scope to solve issues and miss the economies of scale associated with combined working.

(The Executive Leader (Councillor P Goldsworthy) left the meeting at this point and the Deputy Leader of the Council (Councillor Mrs P Case) assumed the Chair for the remainder of the meeting).

**06.EC.104 BUCHANAN STREET, CHORLEY - ENVIRONMENTAL IMPROVEMENT SCHEME**

The Executive Cabinet considered a report of the Director of Streetscene, Neighbourhoods and Environment containing recommendations for the acquisition, disposal and management of land in the vicinity of Buchanan Street, Chorley.

The report recommended the pursuance of compulsory purchase procedures in respect of two identified parcels of land, which, if successful, would allow the execution of an environmental improvement scheme as a means of combating anti-social behaviour occurrences in the area.

The Executive Member for Resources reminded the Executive Cabinet of the potential cost implications of the suggested schemes, indicating that the proposals would require to be subjected to a cost/benefit analysis before firm decisions were taken.

**Decisions made:**

- (1) **That approval in principle at this stage be given to:**
  - (a) **the Council acquiring the land marked F and E on the plan attached to the submitted report either by negotiation or compulsorily under Section 226(1)(a) of the Town and Country Planning Act 1990 for the purpose of undertaking the improvement scheme detailed in the report on terms to be approved by the Executive Leader;**
  - (b) **the Council declaring parcel A as shown on the plan attached to the submitted report as surplus to its requirements for disposal to adjacent residents on terms to be approved by the Executive Member for Resources; and**
  - (c) **parcels A, C, E and F being developed and managed in accordance with proposals prepared by the Director of Development and Regeneration following consultation with local residents.**
- (2) **That the Executive Members for Streetscene, Neighbourhoods & Environment and Resources be granted delegated power to consider the**

**financial implications of the above proposals and determine whether or not to proceed with the respective schemes.**

**Reason for decision:**

To enable a full cost analysis to be undertaken of the plans for the Council to acquire, manage and dispose of land in the vicinity of Buchanan Street, Chorley as part of a project to both improve the local environment and amenities and to reduce the incidence of anti-social behaviour.

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

There would be no realistic opportunities to improve the current situation if no action was taken.

**06.EC.105 TERMINATION OF LANCASHIRE HIGHWAYS PARTNERSHIP - FINANCIAL AND LEGAL IMPLICATIONS**

The Executive Cabinet received a report of the Director of Streetscene, Neighbourhoods and Environment on the progress on completing arrangements upon the termination of the Lancashire Highways Partnership on 30 June 2006 that would ensure the continuation of services after the transfer of functions.

The report recommended an arrangement whereby the Lancashire County Council would provide highways information to the Borough Council for Land Charges Searches, with the costs of the service being passed on to the search applicant.

The first draft of the residual agreement between the County Council and District Councils had been received, but it was clear that agreement would need significant amendment before it was acceptable to District Councils. Chorley Council had been tasked with seeking the revision of the draft agreement.

**Decisions made:**

- (1) That the Deputy Director of Legal Services be authorised to increase Local Land Charges Search fees to reflect any increase in charges from the Highways Authority, in consultation with the Executive Member for Customer, Democratic and Legal Services.**
- (2) That the Director of Streetscene, Neighbourhoods and Environment be authorised to conclude negotiations on the residual agreement with Lancashire County Council in consultation with the Executive Member for Streetscene, Neighbourhoods and Environment.**
- (3) That the Council places on record its appreciation of the commitment and services rendered to the Authority by the Highways and Traffic Management staff who will transfer to the Lancashire County Council upon the termination of the Lancashire Highways Partnership.**

**Reason for decision:**

Further negotiations between the Lancashire County Council and the District Councils are essential to ensure the completion of a residual agreement that will best facilitate the continuation of highway services.

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

The option of establishing an in-house capability to deal with highway search questions entails a degree of risk in terms of both cost and liability.

**06.EC.106 EXCLUSION OF PRESS AND PUBLIC****Decision made:**

**That the press and public be excluded from the meeting for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.**

(With the exception of the Chief Executive, Director of Finance and the Director of Human Resources, the Council Officers present left the meeting this stage).

**06.EC.107 STEPS TO BECOMING AN EXCELLENT COUNCIL - DRAFT RESTRUCTURE OF POLICY AND PERFORMANCE DIRECTORATE**

The Executive Cabinet considered a report of the Chief Executive on proposals to restructure the Policy and Performance Directorate.

The Members were reminded that the Directorate would be expected to play a critical role in the Council's plans to improve its services and achieve a higher Comprehensive Performance Assessment rating, particularly in ensuring delivery of the Corporate Strategy and in the areas of partnership working, performance management and communications/public relations.

The proposals, if endorsed, will be subjected to a four week consultation period with affected staff and trade unions, and the outcome of the consultations reported to the next Executive Cabinet meeting.

**Decision made:**

**That the proposals to revise the staffing structure for the new Policy and Performance Directorate, as outlined in the submitted report, be approved for consultation with staff and trade unions.**

**Reason for decision:**

The proposals are aimed at providing a 'fit for purpose' structure for the Policy and Performance Directorate which would deliver good value for public money.

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

None.

Executive Leader



| Report of   | Meeting           | Date           |
|---|-------------------|----------------|
| Executive Director – Corporate & Customer and the Director of Finance (Introduced by the Executive Member for Resources, Councillor G Morgan) | Executive Cabinet | 24 August 2006 |

## **CAPITAL PROGRAMME MONITORING 2006/07**

### **PURPOSE OF REPORT**

- To update members on the progress of the 2006/07 Capital Programme, and to seek member support and approval for a number of recommendations from the Capital Programme Board.

### **CORPORATE PRIORITIES**

- The schemes within the Capital Programme contribute to the achievement of all the Councils corporate priorities.

### **RISK ISSUES**

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

|            |   |                  |  |
|------------|---|------------------|--|
| Strategy   | ✓ | Information      |  |
| Reputation | ✓ | Regulatory/Legal |  |
| Financial  | ✓ | Operational      |  |
| People     |   | Other            |  |

- The Capital Programme sets out the council strategic investment plans and if these are not delivered it will not fully achieve its strategic objectives, running the risk of damaging the Councils reputation.
- The Capital Programme also carries a significant financial risk. This is in terms of ensuring value for money, maximising resources available, and managing the performance to ensure the least possible impact on the revenue account.
- The estimated financing of the programme in 2006/07 takes into account capital receipts from the sales of assets that have not yet been received. Should they not be received some schemes within the programme may need to be frozen or the level of external borrowing increased.

### **BACKGROUND**

- This report follows the same format as the Capital Monitoring reports in 2005/06, which details the performance of the capital programme followed by recommendations from the Capital Programme Board.
- On the 29<sup>th</sup> June 2006 Executive Cabinet approved the 2006/07 capital programme budget of £12,160,320.

**HOW ARE WE PERFORMING?**

- 9. The Capital Programme Board has been established now for 15 months, and has made good progress ensuring a more controlled and successful delivery of the programme.
- 10. Chorley Council’s approach to project management is a well thought of method within the North West. In May we hosted a North West eGovernment Group event, which involved a presentation on how we approach project management here in Chorley. Recently the North West Centre of Excellence also chose our project management toolkit, to promote as being best practice for managing projects.

**(A) Key Performance Indicators**

- 11. High level monitoring of the Capital Programme is carried out through 4 Performance Indicators, which have been described in previous Executive Cabinet reports. Table 1 lists these and shows targets and current performance.

| <b>Performance Indicator</b>   | <b>Target 2006/07</b> | <b>Performance August 2006</b> |
|--|-----------------------|--------------------------------|
|  | %                     | %                              |
| 1. The % of the Capital Programme budget actually spent.                                 | 90                    | 49                             |
| 2. The % of projects using the toolkit.  | 70                    | 59                             |
| 3. The % of successful projects.   | 90                    | 0                              |
| 4. The % of capital schemes intended to be completed during the year actually completed. | 85                    | 0                              |

**Table 1 - Capital Programme 2006/07 - Key Performance Indicators**

- 12. The performance of the first two targets is already very promising and ahead of schedule.
- 13. The percentage of the budget actually spent is ahead of target, but this is mainly due to a recent £4.5 million payment in respect of the Eaves Green Link Road.
- 14. The percentage of projects using the toolkit is already ahead of the 2005/06 year-end result of 34%.
- 15. The Project Support Officer is working with project managers to increase the number of schemes using the project management toolkit, starting with the largest projects in terms of cost, timescale, and risk, as these schemes will benefit the most from being managed and controlled more effectively.
- 16. The percentage of successful projects can only be measured on schemes that both use the toolkit, and that have been completed. As no schemes have yet been completed this year, there is currently no data for these measures. This is not uncommon for this time of year.

**(C) Capital Monitoring 2006/07**

- 17. The latest Capital Programme forecast for 2006/07 shows an increase in the programme of £1,921,100 to £14,081,420. Table 2 below summarises the changes.

| Executive Cabinet Date | Details                            | £          | Note |
|------------------------|------------------------------------|------------|------|
| 29/06/06               | Approved Capital Programme<br>Plus | 12,160,320 |      |
|                        | Slippage from 2005/06              | 100,620    | A    |
|                        | Other changes                      | 1,820,480  | B    |
| 24/08/06               | Revised Capital Programme          | 14,081,420 |      |

**Table 2 - Capital Programme 2006/07 - Total Capital Spending**

Note A: A scheme by scheme analysis of the expenditure slipped from last year is shown in appendix 1.

Note B: A scheme by scheme analysis of the 'other changes' is given in appendix 1, with brief explanations of the changes given in appendix 2.

#### **(D) Capital Receipts Monitoring**

18. Appendix 3 gives a high level summary of the capital receipts expected and achieved to date this year. As detailed in the risks above, the financing of the programme depends on these receipts being achieved.
19. The Right To Buy (RTB) sales are on target, however there are issues with the sale of some assets which were expected to be achieved last year.
20. The Capital Programme Board is monitoring the progress of the sales of assets, and where necessary are putting measures into place, in an effort to ensure they are received within this financial year as required.

#### **PROGRAMME BOARD RECOMENDATIONS**

21. Set out below are a summary of requests received at the last two meetings of the Capital Programme Board on the 21<sup>st</sup> and 31<sup>st</sup> July 2006, and in each case the Boards recommendations. These are listed under the two headings of 'Exception Reports' and 'New Schemes and Projects'.

#### **Exception Reports**

22. All exception reports relate to schemes, which were overspent at the end of 2005/06.

##### **(A) Access to Home Working**

23. A retrospective exception report was submitted by the Director of ICT Services requesting an additional £14,254 of LGOL grant funding in order to widen the scope of the scheme. The original scope was to enable remote access to the Council's network and applications, however the additional funding would also provide a fully featured home working solution for Revenues and Benefits. No additional Council funding will be required.
24. Board Recommendations - To approve a £14,254 increase in budget to be financed from LGOL grant funding.

##### **(B) Chorley Cemetery Extension**

- 25. This scheme was overspent by £5,380 at the end of 2005/06 as a result of slippage being accounted for before the final salary recharge. The exception report by the Interim Streetscene Manager recommended reducing this year’s budget by the amount of last year’s overspend.
- 26. Board Recommendations – To reduce this year’s budget by £5,380 to cover the overspend in 2005/06.

(C) New & Replacement Litter & Dog Waste Bins

- 27. This scheme was overspent by £2,766 at the end of 2005/06. This was due to a number of incidents of bins being damaged by vehicles and vandalised toward the end of the year. This meant that replacement bins and emergency repairs were required.
- 28. Boards Recommendations – To reduce this year’s budget by £2,766 to account for last years overspend.

**New Schemes and Projects**

- 29. A business cases for a new project was submitted to the Board for consideration. This has been uploaded onto the Loop and can be found here, <http://theloop/section.asp?sectionType=list&catid=12334>, under ‘New Projects for Consideration’.

| Project                | Priority | Outcome    | Estimated Budget |
|------------------------|----------|------------|------------------|
| PIMSS Asset Management | Place    | 5.1<br>5.2 | £25,000          |

**Table 3 - Summary of new scheme recommended for inclusion into Category C**

- 30. The Board recommends that the new project listed in Table 3 be included as a category 'C' scheme and as such on the reserve list for future consideration when resources become available.

**Allocation of the Regional Housing Capital Grant**

- 31. The Board reviewed the options for the allocation of the £493,000 Regional Housing Capital Grant. They agreed that the first priority should be to use the grant to replace the £150,000 Housing Revenue Account revenue contribution to capital. The Board felt that more information was required on other priorities such as affordable housing and additional disabled facilities grants before recommendations can be made regarding the allocation of the remaining grant.
- 32. The board therefore recommends that £150,000 of the regional housing capital grant be used to replace the HRA revenue contribution to capital.

**COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES**

- 33. There are no Human Resources implications to this report.

**RECOMMENDATION(S)**

- 34. That the revised Capital Programme for 2006/067 in the sum of £14,081,420 be approved.

35. That the following recommendations of the Capital Programme Board be approved:

Exception Reports

- a. To approve a £14,254 increase in the 2005/06 Access to Home Working budget to be financed from LGOL grant funding.
- b. To reduce this year's 'Chorley Cemetery Extension' budget by £5,380 to cover the overspend in 2005/06.
- c. To reduce this year's 'Litter/Dog Waste/On-street recycling bins' budget by £2,766 to account for last years overspend.

New Capital Schemes and Projects

- d. That the PIMSS Asset Management scheme be placed on the reserve list (category C) for future consideration when resources become available:
- e. That £150,000 of the regional housing capital grant be used to replace the HRA revenue contribution to capital.

**REASONS FOR RECOMMENDATION(S)  
(If the recommendations are accepted)**

- 36. To revise the 2006/07 Capital Programme.
- 37. To approve considered recommendations for schemes which are either overspending or require additional resources.
- 38. To bring forward a new scheme which members may consider for inclusion in the future Capital Programme.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 39. None.

PAUL MORRIS  
EXECUTIVE DIRECTOR – CORPORATE & CUSTOMER

GARY HALL  
DIRECTOR OF FINANCE

There are no background papers to this report.

| Report Author    | Ext  | Date           | Doc ID                    |
|------------------|------|----------------|---------------------------|
| Rebecca Ostapski | 5779 | 02 August 2006 | CPB Cabinet Report Aug 06 |

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Capital Programme - 2006/07

| Scheme  | 2006/07<br>Current<br>Estimate<br>£ | Slippage<br>from<br>2005/06<br>£ | Other<br>Changes<br>£ | 2006/07<br>Revised<br>Estimate<br>£ | External<br>Funding<br>£ | CBC<br>Funding<br>£ |
|---|-------------------------------------|----------------------------------|-----------------------|-------------------------------------|--------------------------|---------------------|
| <b><u>Strategy Group</u></b>                            |                                     |                                  |                       |                                     |                          |                     |
| <b><u>Policy &amp; Performance</u></b>                  |                                     |                                  |                       |                                     |                          |                     |
| Project Management Support Capitalisation               | 40,000                              |                                  |                       | 40,000                              |                          | 40,000              |
| External Funding Pot                                    | 50,000                              |                                  | (30,000)              | 20,000                              |                          | 20,000              |
| - Euxton Villa Football Club                            |                                     |                                  | 10,000                | 10,000                              |                          | 10,000              |
| - Music Café Project                                    |                                     |                                  | 20,000                | 20,000                              |                          | 20,000              |
| Contribution to Pitch Drainage Bishop Rawsthorne School | 19,950                              |                                  |                       | 19,950                              | 19,950                   | 0                   |
| Website Refresh   |                                     |                                  | 50,000                | 50,000                              |                          | 50,000              |
| <b>Policy &amp; Performance Total</b>                   | <b>109,950</b>                      | <b>0</b>                         | <b>50,000</b>         | <b>159,950</b>                      | <b>19,950</b>            | <b>140,000</b>      |
| <b>Strategy Group Total</b>                             | <b>109,950</b>                      | <b>0</b>                         | <b>50,000</b>         | <b>159,950</b>                      | <b>19,950</b>            | <b>140,000</b>      |
| <b><u>Corporate &amp; Customer Challenge Group</u></b>  |                                     |                                  |                       |                                     |                          |                     |
| <b><u>Finance</u></b>                                   |                                     |                                  |                       |                                     |                          |                     |
| e-Claims travel and subsistence                         | 6,000                               |                                  |                       | 6,000                               |                          | 6,000               |
| Capitalised Restructuring Costs                         | 33,700                              |                                  |                       | 33,700                              |                          | 33,700              |
| <b>Finance Total</b>                                    | <b>39,700</b>                       | <b>0</b>                         | <b>0</b>              | <b>39,700</b>                       | <b>0</b>                 | <b>39,700</b>       |
| <b><u>Human Resources</u></b>                           |                                     |                                  |                       |                                     |                          |                     |
| e-Enabling HR systems - Training                        | 30,000                              |                                  |                       | 30,000                              |                          | 30,000              |
| <b>Human Resources Total</b>                            | <b>30,000</b>                       | <b>0</b>                         | <b>0</b>              | <b>30,000</b>                       | <b>0</b>                 | <b>30,000</b>       |

| Scheme  | 2006/07<br>Current<br>Estimate<br>£ | Slippage<br>from<br>2005/06<br>£ | Other<br>Changes<br>£ | 2006/07<br>Revised<br>Estimate<br>£ | External<br>Funding<br>£ | CBC<br>Funding<br>£ |
|---|-------------------------------------|----------------------------------|-----------------------|-------------------------------------|--------------------------|---------------------|
| <b><u>ICT Services</u></b>                            |                                     |                                  |                       |                                     |                          |                     |
| IT Support (incl. salary capitalisation)              | 30,000                              |                                  |                       | 30,000                              |                          | 30,000              |
| PDG Scheme - Migration to OS Master Map               |                                     |                                  | 29,260                | 29,260                              | 29,260                   | 0                   |
| Telephony   | 42,100                              |                                  |                       | 42,100                              |                          | 42,100              |
| Single business account                               | 13,500                              |                                  |                       | 13,500                              |                          | 13,500              |
| <b>ICT Services Total</b>                             | <b>85,600</b>                       | <b>0</b>                         | <b>29,260</b>         | <b>114,860</b>                      | <b>29,260</b>            | <b>85,600</b>       |
| <b><u>Property Services</u></b>                       |                                     |                                  |                       |                                     |                          |                     |
| Planned Maintenance of Fixed Assets                   | 200,000                             |                                  |                       | 200,000                             |                          | 200,000             |
| Union Street Offices Heating and Ventilation          | 25,000                              |                                  |                       | 25,000                              |                          | 25,000              |
| Invest in Success - Gillibrand Scheme                 | 757,300                             |                                  |                       | 757,300                             |                          | 757,300             |
| Gillibrand Street Site Assembly                       |                                     |                                  | 370,000               | 370,000                             | 370,000                  | 0                   |
| Affordable Housing Project (Site Assembly)            |                                     |                                  | 980,000               | 980,000                             | 980,000                  | 0                   |
| <b>Property Services Total</b>                        | <b>982,300</b>                      | <b>0</b>                         | <b>1,350,000</b>      | <b>2,332,300</b>                    | <b>1,350,000</b>         | <b>982,300</b>      |
| <b>Corporate &amp; Customer Challenge Group Total</b> | <b>1,137,600</b>                    | <b>0</b>                         | <b>1,379,260</b>      | <b>2,516,860</b>                    | <b>1,379,260</b>         | <b>1,137,600</b>    |



| Scheme  | 2006/07<br>Current<br>Estimate<br>£ | Slippage<br>from<br>2005/06<br>£ | Other<br>Changes<br>£ | 2006/07<br>Revised<br>Estimate<br>£ | External<br>Funding<br>£ | CBC<br>Funding<br>£ |
|---|-------------------------------------|----------------------------------|-----------------------|-------------------------------------|--------------------------|---------------------|
| <b><u>Environment &amp; Community Challenge Group</u></b> |                                     |                                  |                       |                                     |                          |                     |
| <b><u>Development &amp; Regeneration</u></b>              |                                     |                                  |                       |                                     |                          |                     |
| A   | 1,663,970                           | 28,110                           |                       | 1,692,080                           | 1,364,630                | 327,450             |
| A   | 300,000                             |                                  |                       | 300,000                             | 180,000                  | 120,000             |
| A   | 353,660                             |                                  | (290,000)             | 63,660                              |                          | 63,660              |
| A   |                                     |                                  | 150,000               | 150,000                             |                          | 150,000             |
| A   |                                     |                                  | 130,000               | 130,000                             |                          | 130,000             |
| A   |                                     |                                  | 10,000                | 10,000                              |                          | 10,000              |
| A   | 4,300,000                           |                                  | 219,650               | 4,519,650                           | 4,519,650                | 0                   |
| A   | 20,000                              |                                  |                       | 20,000                              |                          | 20,000              |
| A   | 123,370                             |                                  | (123,370)             | 0                                   | 0                        | 0                   |
| A   | 103,220                             |                                  | 152,000               | 152,000                             | 152,000                  | 0                   |
| A   | 15,000                              |                                  |                       | 103,220                             |                          | 103,220             |
| B   | 101,670                             |                                  |                       | 15,000                              |                          | 15,000              |
| B   |                                     |                                  |                       | 101,670                             |                          | 101,670             |
| B   | 7,500                               |                                  |                       | 7,500                               | 7,500                    | 0                   |
|   | <b>6,988,390</b>                    | <b>28,110</b>                    | <b>248,280</b>        | <b>7,264,780</b>                    | <b>6,223,780</b>         | <b>1,041,000</b>    |
| <b><u>Housing Services</u></b>                            |                                     |                                  |                       |                                     |                          |                     |
| A   | 1,789,670                           | 34,730                           | (1,824,400)           | 0                                   | 0                        | 0                   |
| A   |                                     |                                  | 253,170               | 253,170                             | 253,170                  | 0                   |
| A   |                                     |                                  | 770,000               | 770,000                             | 770,000                  | 0                   |
| A   |                                     |                                  | 21,500                | 21,500                              | 21,500                   | 0                   |
| A   |                                     |                                  | 1,000                 | 1,000                               | 1,000                    | 0                   |
| A   |                                     |                                  | 250,000               | 250,000                             | 250,000                  | 0                   |
| A   |                                     |                                  | 300,000               | 300,000                             | 300,000                  | 0                   |
| A   |                                     |                                  | 81,000                | 81,000                              | 81,000                   | 0                   |
| A   |                                     |                                  | 34,730                | 34,730                              |                          | 34,730              |
| A   |                                     |                                  | 113,000               | 113,000                             | 113,000                  | 0                   |
|   | <b>1,789,670</b>                    | <b>34,730</b>                    | <b>0</b>              | <b>1,824,400</b>                    | <b>1,789,670</b>         | <b>34,730</b>       |

| Scheme  | 2006/07<br>Current<br>Estimate<br>£ | Slippage<br>from<br>2005/06<br>£ | Other<br>Changes<br>£ | 2006/07<br>Revised<br>Estimate<br>£ | External<br>Funding<br>£ | CBC<br>Funding<br>£ |
|---|-------------------------------------|----------------------------------|-----------------------|-------------------------------------|--------------------------|---------------------|
| <b><u>Leisure &amp; Cultural Services</u></b>                   |                                     |                                  |                       |                                     |                          |                     |
| A Leisure Centres DDA Works                                     | 139,650                             | 7,350                            |                       | 147,000                             |                          | 147,000             |
| A Leisure Centres Capital Investment                            | 1,355,250                           | 12,540                           |                       | 1,367,790                           |                          | 1,367,790           |
| A Duxbury Park Golf Course capital investment                   | 92,920                              |                                  |                       | 92,920                              |                          | 92,920              |
| B YVP Extension Flood Alleviation                               | 2,500                               |                                  |                       | 2,500                               |                          | 2,500               |
| <b>Leisure &amp; Cultural Services Total</b>                    | <b>1,590,320</b>                    | <b>19,890</b>                    | <b>0</b>              | <b>1,610,210</b>                    | <b>0</b>                 | <b>1,610,210</b>    |
| <b><u>Streetscene, Neighbourhoods &amp; Environment</u></b>     |                                     |                                  |                       |                                     |                          |                     |
| A Extension to Chorley Cemetery (new burial area)               | 10,000                              |                                  |                       | 10,000                              |                          | 10,000              |
| A Kerbside Recycling Schemes                                    | 112,490                             |                                  |                       | 112,490                             |                          | 112,490             |
| A Fleet Management System                                       |                                     | 3,970                            |                       | 3,970                               |                          | 3,970               |
| A Tesco superstore cycle path (S106 funded)                     |                                     | 13,920                           |                       | 13,920                              | 13,920                   | 0                   |
| B Traffic Calming   | 128,000                             |                                  | (48,000)              | 80,000                              |                          | 80,000              |
| B - Pedestrian improvements Southport Rd/St Thomas's Rd         | 151,380                             |                                  | 30,000                | 30,000                              | 151,380                  | 30,000              |
| B - Various traffic calming/local road safety schemes           |                                     |                                  | 18,000                | 18,000                              | 100,000                  | 18,000              |
| B Transport Improvements (S106 funded)                          |                                     |                                  | 100,000               | 151,380                             | 151,380                  | 0                   |
| B Highway improvements - Gillibrand estate/Southlands           | 43,470                              |                                  |                       | 100,000                             | 100,000                  | 0                   |
| B Parks and Play Areas Refurbishment                            | 30,000                              |                                  |                       | 43,470                              |                          | 43,470              |
| B Chorley Play Facilities (S106 funded)                         | 50,780                              |                                  |                       | 30,000                              | 30,000                   | 0                   |
| B Euxton Play Facilities (S106 funded) - Mile Stone Meadow      | 1,100                               |                                  |                       | 50,780                              | 50,780                   | 0                   |
| B Euxton Play Facilities (S106 funded) - Balshaw Lane           |                                     |                                  |                       | 1,100                               | 1,100                    | 0                   |
| B Litter/Dog Waste/On-street recycling bins                     |                                     |                                  | 42,940                | 42,940                              | 42,940                   | 0                   |
| B PSS Planting Schemes  | 3,500                               |                                  |                       | 3,500                               |                          | 3,500               |
| B PSS Computerised Cemetery records                             | 13,670                              |                                  |                       | 13,670                              |                          | 13,670              |
| <b>Streetscene, Neighbourhoods &amp; Environment Total</b>      | <b>544,390</b>                      | <b>17,890</b>                    | <b>142,940</b>        | <b>705,220</b>                      | <b>390,120</b>           | <b>315,100</b>      |
| <b><i>Environment &amp; Community Challenge Group Total</i></b> |                                     |                                  |                       |                                     |                          |                     |
|   | <b>10,912,770</b>                   | <b>100,620</b>                   | <b>391,220</b>        | <b>11,404,610</b>                   | <b>8,403,570</b>         | <b>3,001,040</b>    |
| <b>Capital Programme Total</b>                                  |                                     |                                  |                       |                                     |                          |                     |
|   | <b>12,160,320</b>                   | <b>100,620</b>                   | <b>1,820,480</b>      | <b>14,081,420</b>                   | <b>9,802,780</b>         | <b>4,278,640</b>    |

| Scheme   | 2006/07<br>Current<br>Estimate<br>£ | Slippage<br>from<br>2005/06<br>£ | Other<br>Changes<br>£ | 2006/07<br>Revised<br>Estimate<br>£ | External<br>Funding<br>£ | CBC<br>Funding<br>£ |
|--|-------------------------------------|----------------------------------|-----------------------|-------------------------------------|--------------------------|---------------------|
| <b><u>Financing the Capital Programme</u></b>            |                                     |                                  |                       |                                     |                          |                     |
| Prudential Borrowing                                     | 1,673,590                           | 34,620                           |                       | 1,708,210                           |                          | 1,708,210           |
| Unrestricted Capital Receipts                            | 1,895,370                           |                                  |                       | 1,895,370                           |                          | 1,895,370           |
| Housing Investment Programme Restricted Capital Receipts | 473,660                             | 34,730                           |                       | 508,390                             |                          | 508,390             |
| Revenue Budget - Specific Revenue Reserves or Budgets    | 116,670                             |                                  | 50,000                | 166,670                             |                          | 166,670             |
| Ext. Contributions - Developers                          | 4,560,710                           | 13,920                           | 1,669,650             | 6,244,280                           | 6,244,280                |                     |
| Ext. Contributions - Lottery Bodies                      | 1,347,280                           | 17,350                           |                       | 1,364,630                           | 1,364,630                |                     |
| Government Grants - Planning Delivery Grant              | 123,370                             |                                  | 57,890                | 181,260                             | 181,260                  |                     |
| Government Grants - Disabled Facilities Grants           | 180,000                             |                                  |                       | 180,000                             | 180,000                  |                     |
| Government Grants - Major Repairs Allowance              | 1,789,670                           |                                  |                       | 1,789,670                           | 1,789,670                |                     |
| Government Grants - DEFRA                                |                                     |                                  | 42,940                | 42,940                              | 42,940                   |                     |
| <b>TOTAL CAPITAL FINANCING</b>                           | <b>12,160,320</b>                   | <b>100,620</b>                   | <b>1,820,480</b>      | <b>14,081,420</b>                   | <b>9,802,780</b>         | <b>4,278,640</b>    |

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Other Changes August 2006/07

| Other Changes<br>£ | Reallocation<br>£ | From<br>Reserve List<br>£ | Externally<br>Funded<br>£ | Comments  |
|--------------------|-------------------|---------------------------|---------------------------|---|
| (30,000)           | (30,000)          |                           |                           | See below   |
| 10,000             | 10,000            |                           |                           | Allocation of External Funding Pot as approved by Executive Cabinet on the 29/06/06           |
| 20,000             | 20,000            |                           |                           | Allocation of External Funding Pot as approved by Executive Cabinet on the 29/06/06           |
| 50,000             |                   | 50,000                    |                           | To be funded from the eWorkforce reserve, as approved by Executive Cabinet on the 29/06/06    |
| <b>50,000</b>      | <b>0</b>          | <b>50,000</b>             | <b>0</b>                  |   |
| <b>50,000</b>      | <b>0</b>          | <b>50,000</b>             | <b>0</b>                  |   |
| 29,260             | 29,260            |                           |                           | Allocation of the Planning Delivery Grant as approved by Executive Cabinet on the 29/06/06    |
| <b>29,260</b>      | <b>29,260</b>     | <b>0</b>                  | <b>0</b>                  |   |
| 370,000            |                   |                           | 370,000                   | New scheme funded by back to back agreements as approved by Executive Cabinet on the 29/06/06 |
| 980,000            |                   |                           | 980,000                   | New scheme funded by back to back agreements as approved by Executive Cabinet on the 29/06/06 |
| <b>1,350,000</b>   | <b>0</b>          | <b>0</b>                  | <b>1,350,000</b>          |   |

## Scheme

Strategy GroupPolicy & Performance

External Funding Pot

- Euxton Villa Football Club

- Music Café Project

Website Refresh

**Policy & Performance Total****Strategy Group Total**Corporate & Customer Challenge GroupICT Services

PDG Funded Scheme - Migration to OS Master Map

**ICT Services Total**Property Services

Gillibrand Street Site Assembly

Affordable Housing Project (Site Assembly)

**Property Services Total**

**Scheme**  
**Corporate & Customer Challenge Group Total**

**Environment & Community Challenge Group**

**Development & Regeneration**

|  |           |           |  |         |  |  |
|--|-----------|-----------|--|---------|--|--|
| Housing Renewal                                |           |           |  |         |  | See below  |
| - Home Repair Grants                           | (290,000) | (290,000) |  |         |  | Allocation of the Housing Renewal budget   |
| - Energy Grants                                | 150,000   | 150,000   |  |         |  | Allocation of the Housing Renewal budget   |
| - Handyperson Scheme                           | 130,000   | 130,000   |  |         |  | Allocation of the Housing Renewal budget   |
| Eaves Green Link Road (S106 funded)            | 10,000    | 10,000    |  |         |  | Cumulative interest earned on S106 commuted sum, paid to LCC to implement Link Road scheme |
| Planning Delivery Grant-funded capital schemes | 219,650   |           |  | 219,650 |  | See below + Migration to Master Map  |
| - e-Development and Building Control Project   | (123,370) | (123,370) |  |         |  | Allocation of the Planning Delivery Grant as approved by Executive Cabinet on the 29/06/06 |

**Development & Regeneration Total**

**Housing Services**

|   |             |             |  |  |  |                   |
|---|-------------|-------------|--|--|--|-------------------|
| Housing Investment Programme (Council Dwellings)  |             |             |  |  |  |                   |
| - Heating Systems                                 | (1,824,400) | (1,824,400) |  |  |  | See below         |
| - Replacement Windows & Doors                     | 253,170     | 253,170     |  |  |  | Allocation of HIP |
| - Community Safety - Lifeline Alarms              | 770,000     | 770,000     |  |  |  | Allocation of HIP |
| - Estate Improvements - Hillside Crescent         | 21,500      | 21,500      |  |  |  | Allocation of HIP |
| - Adaptations for Disabled                        | 1,000       | 1,000       |  |  |  | Allocation of HIP |
| - Major Void Works                                | 250,000     | 250,000     |  |  |  | Allocation of HIP |
| - Fascias and Soffits                             | 300,000     | 300,000     |  |  |  | Allocation of HIP |
| - Cotswold House CCTV                             | 81,000      | 81,000      |  |  |  | Allocation of HIP |
| - Capitalised Salaries - to reallocate to schemes | 34,730      | 34,730      |  |  |  | Allocation of HIP |

**Housing Services Total**

**Streetscene, Neighbourhoods & Environment**

Traffic Calming

| Other Changes<br>£ | Reallocation<br>£ | From Reserve List<br>£ | Externally Funded<br>£ | Comments  |
|--------------------|-------------------|------------------------|------------------------|-----------|
| 1,379,260          | 29,260            | 0                      | 1,350,000              |           |
| (290,000)          | (290,000)         |                        |                        |           |
| 150,000            | 150,000           |                        |                        |           |
| 130,000            | 130,000           |                        |                        |           |
| 10,000             | 10,000            |                        |                        |           |
| 219,650            |                   |                        | 219,650                |           |
| (123,370)          | (123,370)         |                        |                        |           |
| 152,000            | 94,110            |                        | 57,890                 |           |
| <b>248,280</b>     | <b>(29,260)</b>   | <b>0</b>               | <b>277,540</b>         |           |
| (1,824,400)        | (1,824,400)       |                        |                        |           |
| 253,170            | 253,170           |                        |                        |           |
| 770,000            | 770,000           |                        |                        |           |
| 21,500             | 21,500            |                        |                        |           |
| 1,000              | 1,000             |                        |                        |           |
| 250,000            | 250,000           |                        |                        |           |
| 300,000            | 300,000           |                        |                        |           |
| 81,000             | 81,000            |                        |                        |           |
| 34,730             | 34,730            |                        |                        |           |
| 113,000            | 113,000           |                        |                        |           |
| <b>0</b>           | <b>0</b>          | <b>0</b>               | <b>0</b>               |           |
| (48,000)           | (48,000)          |                        |                        | See below |

| Other Changes<br>£ | Reallocation<br>£ | From Reserve List<br>£ | Externally Funded<br>£ | Comments  |
|--------------------|-------------------|------------------------|------------------------|---|
| 30,000             | 30,000            |                        |                        | Allocation of the Traffic Calming budget as approved by Executive Cabinet on the 29/06/06 |
| 18,000             | 18,000            |                        |                        | Allocation of the Traffic Calming budget as approved by Executive Cabinet on the 29/06/06 |
| 100,000            |                   |                        | 100,000                | Funded from S106 money as approved by Executive Cabinet on the 29/06/06                   |
| 42,940             |                   |                        | 42,940                 | Funded from an external DEFRA grant as approved by Executive Cabinet on the 29/06/06      |
| <b>142,940</b>     | <b>0</b>          | <b>0</b>               | <b>142,940</b>         |   |
| <b>391,220</b>     | <b>(29,260)</b>   | <b>0</b>               | <b>420,480</b>         |   |
| <b>1,820,480</b>   | <b>0</b>          | <b>50,000</b>          | <b>1,770,480</b>       |   |
| 50,000             |                   | 50,000                 |                        | From eWorkforce Reserve   |
| 1,669,650          |                   |                        | 1,669,650              | S106 contributions and land assembly 'back to back' agreements                            |
| 57,890             |                   |                        | 57,890                 |   |
| 42,940             |                   |                        | 42,940                 |   |
| <b>1,820,480</b>   | <b>0</b>          | <b>50,000</b>          | <b>1,770,480</b>       |   |

**Scheme**

- Pedestrian improvements Southport Rd/St Thomas's Rd
- Various traffic calming/local road safety schemes
- Highway improvements - Gillibrand estate/Southlands
- Litter/Dog Waste/On-street recycling bins

**Streetscene, Neighbourhoods & Environment Total**

**Environment & Community Challenge Group Total**

**Capital Programme Total**

**Effect on Financing**

- Revenue Budget - Specific Revenue Reserves or Budgets
- Ext. Contributions - Developers
- Government Grants - Planning Delivery Grant
- Government Grants - DEFRA

**TOTAL EFFECT ON FINANCING**

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Monitoring of Usable Capital Receipts 2006/07

|  | Unrestricted<br>Receipts<br>£ | HIP Restricted<br>Receipts<br>£ | Total Usable<br>Receipts<br>£ |
|--|-------------------------------|---------------------------------|-------------------------------|
| Balance brought forward 1 April 2006     | 101,866                       | 1,035,910                       | 1,137,776                     |
| Received to date                         | 184,404                       | 151,367                         | 335,771                       |
| Total Usable Receipts in hand            | <u>286,270</u>                | <u>1,187,277</u>                | <u>1,473,547</u>              |
| Required for capital financing           | (1,895,370)                   | (508,390)                       | (2,403,760)                   |
| Sub total                                | <u>(1,609,100)</u>            | <u>678,887</u>                  | <u>(930,213)</u>              |
| Usable Receipts due in remainder of year | 1,609,100                     | 120,503                         | 1,729,603                     |
| <b>Estimated balance 31 March 2007</b>   | <b><u>0</u></b>               | <b><u>799,390</u></b>           | <b><u>799,390</u></b>         |

**Note:**

The 'HIP Restricted Receipts' are available for capital expenditure in respect of the housing function of the authority only. They are a proportion of RTB sales available under the transitional arrangements for the pooling of housing capital receipts, which apply from 2004/05 to 2006/07. Such restricted receipts can be carried forward for use in later years. The use of these restricted receipts has already been taken account of in the 2006/07 to 2008/09 capital programme.

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| Report of   | Meeting           | Date           |
|---|-------------------|----------------|
| Director of Finance<br>(Introduced by the Executive Member for Resources Councillor G Morgan) | Executive Cabinet | 24 August 2006 |

**REVENUE BUDGET MONITORING 2006/07  
- REPORT 2 (END OF JUNE 2006)**

**PURPOSE OF REPORT**

- This paper sets out the current financial position of the Council as compared against the budgets and efficiency savings targets it set itself for 2006/07 for the General Fund and the Housing Revenue Account.

**CORPORATE PRIORITIES**

- This report does not directly relate to the corporate priorities.

**RISK ISSUES**

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

|            |   |                  |   |
|------------|---|------------------|---|
| Strategy   | ✓ | Information      |   |
| Reputation | ✓ | Regulatory/Legal |   |
| Financial  | ✓ | Operational      | ✓ |
| People     |   | Other            |   |

- Actions to manage the budget have the potential to impact on all of the above risk categories.

**BACKGROUND**

- The Council's budget for 2006/07 included real cash savings targets of £278,000 from the management of the establishment and a further £60,000 of savings to come from efficiency and procurement related activities.

**CURRENT FORECAST POSITION**

- The appendix 1 shows the summary forecast position for the Council based upon actual spending in the first quarter of the financial year, adjusted for future spending based upon assumptions regarding vacancies and service delivery. No individual service unit figures are attached. These are available for inspection in the Members Room.
- In my last report I advised on the projected outturn which forecast an overspend of £82,000, The current projection has improved slightly and is now for an over spend of £66,000 after using the £100,000 in the council's contingency budget to reduce the



anticipated budget gap. At this stage no specific allocations have been made from the contingency budget.

8. The latest forecast shows how the position has changed. The significant movements since my last report are shown in the table below, further details are contained in the service unit analysis available in the members room:

**Table 1 – Significant Variations since the last monitoring report**

|  | £'000 |
|--|-------|
| Additional salary savings in forecast                                | (48)  |
| Loss of income in Development & Regeneration                         | 25    |
| Savings in Development & Regeneration recovery plan                  | (25)  |
| Target Bonuses for recycling contract                                | 16    |
| Use of equalisation reserve for target bonuses                       | (26)  |
| Increase in NNDR costs for Streetscene, Neighbourhoods & Environment | 15    |
| Benefits payments  | 25    |
| Other minor forecasts  | 2     |
| Net change since October report                                      | (16)  |

9. As part of our continuing drive to identify savings that contribute towards our annual targets, a further £48,000 has been identified relating to the management of our establishment. These savings have arisen in a number of directorates, and further savings should be identified over the coming months. This now brings the total savings identified to £223k against a target for the year of £278k.
10. The most significant change being reported this month is the reduction in income within the Development & Regeneration directorate. The £25k shown in the table above is further broken down as Building Control Plan Fees £9k and Building Control Inspection Fees £20k partially offset by Planning Application Fees increased income of £4k.
11. In response to this projected loss of income the Director for Development & Regeneration is undertaking a study to determine how this can be balanced with cost savings. Initial indications are that by not filling existing vacant posts until October and savings from supplies and services budgets will enable the service to recover this position.
12. I have included in the table above the savings in the recovery plan based on assurances from the Director of Regeneration & Planning that they are achievable as they are mainly arrived at from not filling existing vacant positions.
13. In addition to identifying savings needed to offset the loss of income, the Director for Development & Regeneration has also instigated a review by her team of the major income streams for the directorate to determine if there are any other areas where income budgets are unlikely to be achieved. As soon as information is provided on this I will report it to the Executive Cabinet.
14. The forecast for target bonus payments relating to the recycling contract has risen again this month as a result of increased performance. However, the impact is reduced as a result of bringing in an amount from the equalisation reserve established at the end of 2005/06 financial year designed to smooth the effect of variances arising from the recycling contract. In the previous monitoring report the increased cost was reported, but no account was taken of the use of reserves. This report now shows the effect of using the reserve specifically designed for this purpose.

15. The annual assessment of rateable value for council assets has increased within the Streetscene, Neighbourhood & Environment directorate beyond the level assumed in the budget. The result is that £15k of additional costs has been incurred on NNDR split amongst the following assets:
- Bengal Street Depot £8k
  - Car Parks £3k
  - Chorley Cemetery £3k
  - Yarrow Bridge Depot £1k
16. In previous reports to the Executive Cabinet I have advised of the volatility of a number of budgets. One such budget that has the potential to impact significantly on our year-end position is the budget for housing benefit payments. At this stage in the year it is impossible to accurately predict the level of overspend on the budget, as the very nature of the expenditure is that it is demand driven. That said based on previous years experience I feel it is prudent at this stage to advise members of a potential overspend of approximately £25k at the end of the first quarter.
17. There are some steps that can be taken to reduce this level of overspend including reviewing the level of the provision for bad debts on overpayments. This review is normally conducted at the end of each financial year and takes into account the success of our recovery procedures in ensuring overpayments are repaid to the council. Taking into account such factors I have currently included an estimate of £25k as an overspend, but should information come to light that requires this figure to be amended, I will report back to the cabinet at that time.
18. Another area previously reported to members as requiring close monitoring has been the concessionary travel budget. Following changes in the statutory requirements placed on the council, the cash budget this year has increased to £514k from £217k in 2005/06. At the moment there has been insufficient information received to determine if the increased budget will adequately cover the increased costs arising from the enhanced scheme. The budget will be kept under constant review, and members informed as soon as any significant variations from budget are known.

## **HOUSING REVENUE ACCOUNT**

### **BACKGROUND**

19. The forecast for the HRA at the end of 2005/06 was for balances to be at £534k, however the actual outturn position resulted in a higher than expected contribution to balances taking them to £592k.
20. Last month I reported additional costs of £53k are expected to be incurred on the HRA in respect of Job Evaluation. This position has not changed.
21. However, the current income forecast has now been increased by £69k based on current year to date receipts. This is mainly due to a continued low level of council house sales.
22. The result of these two anticipated variations is that HRA balances are expected to be in the region of £683k at the end of the year.

### **SUMMARY**

23. Progress continues to be made towards the Corporate Savings Target of £278,000 for the year. Further savings will be made as the year progresses and more vacancies occur.

24. There are a number of areas that will be monitored closely as the year progresses, these are:
- Contribution to Corporate Savings and Efficiency Targets
  - Agency Staff costs
  - Income streams from Development & Regeneration and associated recovery plan
  - Increased refuse collection costs
  - Concessionary travel and benefit costs
25. No action is proposed at this stage in the year even though further savings are still required. If later in the year the situation requires it, then further steps may be necessary and I will advise Members should I feel action is appropriate.

**COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES**

26. There are no financial implications attached to this report.

**RECOMMENDATIONS**

27. Executive Cabinet are asked to:
- a) Note the contents of the report.

**REASONS FOR RECOMMENDATIONS  
(If the recommendations are accepted)**

28. To ensure the Council’s budgetary targets are achieved.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

29. None

GARY HALL  
DIRECTOR OF FINANCE

There are no background papers to this report.

| Report Author     | Ext  | Date      | Doc ID          |
|-------------------|------|-----------|-----------------|
| Phil Eskdale-lord | 5483 | July 2006 | ADMINREP/REPORT |

APPENDIX 1

General Fund Revenue Budget Monitoring 2006/07

Forecast Outturn as at June 2007

|  | (1)                 | (2)              | (3)                  | (4)                                      | (5)                                   | (6)                 | (7)                 | (8)              | (9)          |
|--|---------------------|------------------|----------------------|--|---------------------------------------|---------------------|---------------------|------------------|--------------|
|  | Original Budget     | Agreed Changes   | Original Cash Budget | Contribution to Corp. Savings (Staffing) | Contribution to Corp. Savings (Other) | Current Cash Budget | Forecast Outturn    | Variance         | Variance     |
|  | £                   | £                | £                    | £  | £                                     | £                   | £                   | £                | %            |
| Chief Executive's Office                         | 966,090             |                  | 966,090              | (85,120)                                 | (1,370)                               | 879,600             | 874,000             | (5,600)          | -0.64%       |
| Customer, Democratic & Legal Services            | 2,105,500           | 21,000           | 2,126,500            | (740)                                    | (5,000)                               | 2,120,760           | 2,161,000           | 40,240           | 1.90%        |
| Development & Regeneration                       | 890,980             |                  | 890,980              | (30,000)                                 |                                       | 860,980             | 860,963             | (17)             | 0.00%        |
| Finance  | 1,481,750           |                  | 1,481,750            | (32,030)                                 | (72,110)                              | 1,377,610           | 1,378,000           | 390              | 0.03%        |
| Human Resources                                  | 697,140             |                  | 697,140              |  | (250)                                 | 696,890             | 699,000             | 2,110            | 0.30%        |
| Information & Communication Technology Services  | 939,560             | 19,000           | 958,560              | (19,000)                                 |                                       | 939,560             | 940,000             | 440              | 0.05%        |
| Leisure & Cultural Services                      | 1,197,010           |                  | 1,197,010            |  | (370)                                 | 1,196,640           | 1,197,010           | 370              | 0.03%        |
| Policy & Performance                             | 534,680             |                  | 534,680              | (4,590)                                  |                                       | 530,090             | 530,000             | (90)             | -0.02%       |
| Property Services                                | 35,010              | 28,000           | 63,010               |  |                                       | 63,010              | 71,891              | 8,881            | 14.09%       |
| Streetscene, Neighbourhoods & Environment        | 4,696,680           | 9,400            | 4,706,080            | (51,480)                                 | (220)                                 | 4,654,380           | 4,739,000           | 84,620           | 1.82%        |
| Budgets Excluded from Finance Unit Monitoring:   |                     |                  |                      |  |                                       |                     |                     |                  |              |
| Benefit Payments                                 | (381,050)           |                  | (381,050)            |  |                                       | (381,050)           | (356,050)           | 25,000           | -6.56%       |
| Concessionary Fares                              | 513,250             |                  | 513,250              |  |                                       | 513,250             | 513,250             | -                | 0.00%        |
| Pensions Account                                 | 212,730             |                  | 212,730              |  |                                       | 212,730             | 212,730             | -                | 0.00%        |
| Less   |                     |                  |                      |  |                                       |                     |                     |                  |              |
| <b>Corporate Savings Targets</b>                 |                     | (60,000)         | (60,000)             |  | 79,320                                | 19,320              | -                   | (19,320)         | -100.00%     |
| Efficiency/Other Savings                         |                     | (278,050)        | (278,050)            | 222,960                                  |                                       | (55,090)            | -                   | 55,090           | -100.00%     |
| Management of Establishment                      |                     |                  |                      |  |                                       |                     |                     |                  |              |
| <b>Total Service Expenditure</b>                 | <b>13,889,330</b>   | <b>(260,650)</b> | <b>13,628,680</b>    | <b>-</b>                                 | <b>-</b>                              | <b>13,628,680</b>   | <b>13,820,794</b>   | <b>192,114</b>   | <b>1.4%</b>  |
| <b>Non Service Expenditure</b>                   |                     |                  |                      |  |                                       |                     |                     |                  |              |
| Contingency Fund                                 | 100,000             |                  | 100,000              |  |                                       | 100,000             | -                   | (100,000)        | 0.0%         |
| Contingency - Salary Related Savings             | (278,050)           | 278,050          | -                    |  |                                       | -                   | -                   | -                | 0.0%         |
| Contingency - Procurement Savings                | (35,000)            | 35,000           | -                    |  |                                       | -                   | -                   | -                | 0.0%         |
| Contingency - Gershon Savings                    | (25,000)            | 25,000           | -                    |  |                                       | -                   | -                   | -                | 0.0%         |
| Notional Capital Charges                         | 1,168,670           |                  | 1,168,670            |  |                                       | 1,168,670           | 1,168,670           | -                | 0.0%         |
| Revenue Contribution to Capital                  | -                   |                  | -                    |  |                                       | -                   | -                   | -                | 0.0%         |
| Net Financing Transactions                       | 219,210             |                  | 219,210              |  |                                       | 219,210             | 219,210             | -                | 0.0%         |
| Parish Precepts                                  | 535,399             |                  | 535,399              |  |                                       | 535,399             | 535,399             | -                | 0.0%         |
| <b>Total Non Service Expenditure</b>             | <b>1,685,229</b>    | <b>338,050</b>   | <b>2,023,279</b>     | <b>-</b>                                 | <b>-</b>                              | <b>2,023,279</b>    | <b>1,923,279</b>    | <b>(100,000)</b> | <b>-4.9%</b> |
| <b>Financed By</b>                               |                     |                  |                      |  |                                       |                     |                     |                  |              |
| Council Tax                                      | (6,495,201)         |                  | (6,495,201)          |  |                                       | (6,495,201)         | (6,495,201)         | -                | 0.0%         |
| Aggregate External Finance                       | (7,743,127)         |                  | (7,743,127)          |  |                                       | (7,743,127)         | (7,743,127)         | -                | 0.0%         |
| Collection Fund Surplus                          | (48,561)            |                  | (48,561)             |  |                                       | (48,561)            | (48,561)            | -                | 0.0%         |
| Use of Earmarked Reserves                        | (1,287,670)         | (77,400)         | (1,365,070)          |  |                                       | (1,365,070)         | (1,391,070)         | (26,000)         | -1.9%        |
| Use of General Balances                          | -                   |                  | -                    |  |                                       | -                   | -                   | -                | 0.0%         |
| <b>Total Financing</b>                           | <b>(15,574,559)</b> | <b>(77,400)</b>  | <b>(15,651,959)</b>  | <b>-</b>                                 | <b>-</b>                              | <b>(15,651,959)</b> | <b>(15,677,959)</b> | <b>(26,000)</b>  | <b>-0.2%</b> |
| <b>Net Expenditure</b>                           | <b>-</b>            | <b>-</b>         | <b>-</b>             | <b>-</b>                                 | <b>-</b>                              | <b>-</b>            | <b>66,114</b>       | <b>66,114</b>    | <b>0.49%</b> |
| <b>General Balances Summary Position</b>         |                     | <b>Budget</b>    | <b>Forecast</b>      |  |                                       |                     |                     |                  |              |
| General Fund Balance at 1.4.05                   |                     | £ 750,000        | £ 1,000,000          |  |                                       |                     |                     |                  |              |
| Variations agreed utilising General Fund Balance |                     | -                | -                    |  |                                       |                     |                     |                  |              |
| Forecast (Over)/Under Spend                      |                     | -                | (66,114)             |  |                                       |                     |                     |                  |              |
| <b>Forecast General Fund Balance at 31.3.06</b>  |                     | <b>750,000</b>   | <b>933,886</b>       |  |                                       |                     |                     |                  |              |

**SERVICE LEVEL BUDGET MONITORING 2006/2007****HOUSING REVENUE ACCOUNT**

JUNE 2006

£'000

**ORIGINAL SURPLUS (-) / DEFICIT (+) FOR YEAR****(75)****BALANCE AS AT 1.4.06****(592)****Add Adjustments for In year cash movements**

Slippage from 2005/2006

Virements for other Services

Transfer from contingency

Cabinet approved decisions

Delegated Authority decisions

**ADJUSTED HRA BALANCES EXPECTED at 31.3.07****(667)****FORECAST****EXPENDITURE**

Job Evaluation Costs

53

Expenditure under(-) or over (+) current cash budget

53

**INCOME**

Rents

(40)

Garages

(4)

Other Charges

(25)

Income under (+)/ over (-) achieved

(69)

**FORECAST BALANCES AS AT 31.3.07****(683)****Key Assumptions****Key Issues/Variables**

Repairs and Maint expenditure

Management and Maint Expenditure

**Key Actions**

Control of above





| Report of   | Meeting           | Date                         |
|---|-------------------|------------------------------|
| Director of Human Resources<br>(Introduced by the Executive Member for Customer, Democratic and Legal Services<br>(Councillor J Walker) | Executive Cabinet | 24 <sup>th</sup> August 2006 |

**LEARNING AND DEVELOPMENT STRATEGY**

**PURPOSE OF REPORT**

- Further to the recent pre-assessment meeting with North West Employers Organisation, the Member Development Steering Group has undertaken a review of the Learning and Development Strategy in terms of members. The report is to gain the agreement from Executive Cabinet of revisions to the content and actions contained within the Learning and Development Strategy and to provide an update on the progress that has been made with member development since the creation of the Member Development Steering Group in May 2005.

**CORPORATE PRIORITIES**

- The report impacts on our corporate objective – ‘Ensure Chorley Borough Council is a performing organisation’

**RISK ISSUES**

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

|            |   |                  |  |
|------------|---|------------------|--|
| Strategy   | √ | Information      |  |
| Reputation |   | Regulatory/Legal |  |
| Financial  |   | Operational      |  |
| People     | √ | Other            |  |

- There are risks associated with the strategy in terms of the need to have an agreed strategic direction for the learning and development of our members.

**BACKGROUND**

- The Learning and Development Strategy was developed in 2004 to be implemented during the period 2005 – 2008. The strategy encompasses both staff and members in terms of the strategic direction for the development of knowledge, skills, behaviours and capacity required to support the delivery of council services.
- The Strategy was developed in association with the Human Resources Strategy 2004 - 2007.



**LEARNING AND DEVELOPMENT STRATEGY**

6. Further to the pre-assessment meeting with the North West Employers assessor, the Member Development Steering Group has undertaken an evaluation of the Learning and Development Strategy in relation to member development. The outcome of this exercise was that a number of actions required a revision and additions needed to be made to the implementation plan.

6.1 In particular, after reviewing the implementation plan, the Member Development Steering Group identified that all actions in relation to member development had been completed since the strategy was produced. Specifically these were TD009, TD013, TD014, TD019a, TD019b, TD021. The group therefore decided that it was necessary to establish some further challenging targets and actions to further develop member development arrangements. These are shown below (see page 18 amendments)

6.2 Details of the proposed revisions are shown in the following table:

| Page | Proposed amendment   |
|------|--|
| 2    | Amend 3 <sup>rd</sup> point under 'Approach' to read 'Create a strategy to enable us to achieve and maintain that vision'.<br>Include an illustration to demonstrate the connection between the member Training Needs Analysis exercise and how it links to the delivery of organisational objectives.   |
| 5    | Include an illustration to demonstrate the connection between the member Training Needs Analysis exercise and how it links to the delivery of organisational objectives.   |
| 6    | To incorporate reference to 'Directorate Briefings' as a learning method   |
| 7    | Incorporate reference to the 'Member Development Framework' in connection with living the ATLAST values.   |
| 8    | In the table under 'Councillors>Strategy' replace 'training' in the first and fourth bullet point with 'learning and development'.<br>In bullet point three make reference to the Corporate strategy and Community strategy  |
| 9    | Under 'Strategic thinking and Commercial Awareness' replace 'training' with learning and development'  |
| 12   | Under 'Councillors' move the top bullet point to the bottom under the final bullet point.  |
| 18   | Add the following actions onto the Implementation Plan: <ul style="list-style-type: none"> <li>➤ O&amp;S – Create a structured programme of learning to support the ongoing development and improvement of the O&amp;S function</li> <li>➤ Implement a regular learning hour for Members</li> <li>➤ Increased member engagement in learning</li> <li>➤ Maintain learning and development standards in line with the North West Employers Charter Standards</li> <li>➤ Aspire to improved learning and development activity in line with Level 2 Charter standards (currently being developed)</li> <li>➤ Introduce formal mentoring through participation on the IDeA National Mentoring Programme</li> <li>➤ Participate in regional and sub-regional funded/non funded programmes where appropriate for the authority (eg NWIN Lancashire Leadership Programme)</li> <li>➤ Utilise capacity related funding where appropriate</li> <li>➤ Continual improvement and benchmarking of learning and development activity for members through external agencies and other local authorities</li> <li>➤ Develop evaluation of member learning and development</li> </ul> |

**COMMENTS OF THE DIRECTOR OF FINANCE**

8. Not required for this report.

**COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES**

9. Not required for this report.

**RECOMMENDATION(S)**

10. That Executive Cabinet approve the proposed amendments to the Learning and Development Strategy as described in 6.2 above.

**REASONS FOR DECISION**

11. The proposed amendments as described reflect the significant improvements to member development over the last 18 months and contain additional actions now required to maintain the achievements made to date and continually develop them further. This will contribute to the ongoing development of the capacity of our members in relation to our strategic objectives.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

12. None.

ANGELA WOLSTENCROFT  
DIRECTOR OF HUMAN RESOURCES

There are no background papers to this report.

| <b>Report Author</b> | <b>Ext</b> | <b>Date</b>                 | <b>Doc ID</b>   |
|----------------------|------------|-----------------------------|-----------------|
| Sue Baxendale        | 5371       | 9 <sup>th</sup> August 2006 | ADMINREP/REPORT |

| <b>Background Papers</b>                    |             |             |                            |
|---|-------------|-------------|----------------------------|
| <b>Document</b>                             | <b>Date</b> | <b>File</b> | <b>Place of Inspection</b> |
| Learning and Development Strategy 2005-2008 |             |             |                            |

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# Chorley Council

## Learning and Development Strategy 2005 - 2008



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## ‘Creating a Learning Culture’

“The business case for learning  
could not be more solid.

Learning leads to changes in individual capabilities  
which, if properly aligned with business objectives,  
will lead to improved performance.

To ask what inspires performance is,  
to ask what inspires learning.

**The same factors will be at work.”**

## 1. INTRODUCTION

In November 2003 Chorley Borough Council was inspected by the Audit Commission as part of the Governments Comprehensive Performance Assessment process. At the time of this inspection, and in the final report that followed in January 2004, learning and development at the authority was described as follows:

- ..'it is not recognised as a learning organisation'.
- 'the development of a skilled and effective workforce is inhibited by the lack of strategic approach...'
- 'Training for council members is under-developed'
- '...take-up by individual members has been inconsistent'
- 'Arrangements for managing training and development are inconsistent'
- '...current processes relating to provision of training lack transparency and staff are unclear about how decisions on training needs are made'

It is not just in response to this feedback that we have created this strategy. People are an organisations most valuable asset and it is through learning and developing that people can impact enormously on an organisations success, and for Chorley this is our staff and our Councillors.

We have therefore created this document for Chorley Borough Council with one key thought in mind.....YOU and your Learning.

- whatever Political Group you are in and whatever your role
- whether or not you manage people or resources
- whether you wish to progress your career or remain in your current role
- whatever your job is in Chorley Borough Council

Ultimately, its about YOU as part of Chorley Borough Council, as a member of a Political Group or Unit, and especially about YOU as an individual!

Chorley Borough Council values its staff as being the greatest asset it has and recognises that they play a vital role in meeting the ever increasing demands on the services we provide and achieving organisational success. In order to meet those demands, we all need to be equipped with the right knowledge and skills, at all levels, to help us deliver improved services, greater efficiency and better customer focus.

Much work is already being done to lay the foundations for learning and development in the future. However, more will need to be done for us to be able to say with confidence that learning is making a positive and clear contribution to our organisational performance.

It will take the efforts and input of everyone to achieve this.

This strategy document is one of the first steps towards achieving our aim

**REMEMBER – THIS IS FOR YOU AND ABOUT YOUR LEARNING!**



## Aim

Our aim was to create a clear strategy which outlines the development of learning in the future for the authority.

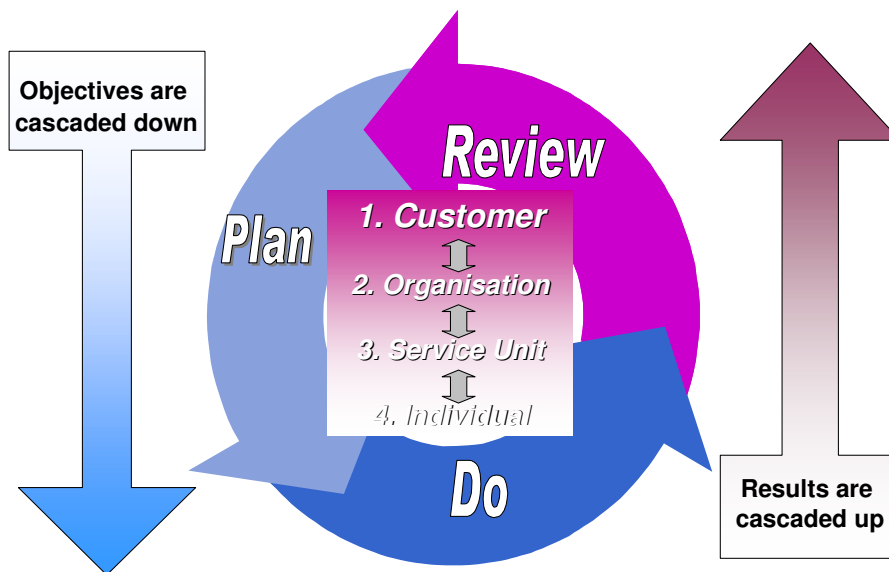
## Approach

Our approach was to :

- Assess where we currently are
- Create a vision of where we want to be
- Create a strategy to enable us to achieve that vision

We wanted to use an established and respected model to base our strategy on and we found that the Gerard Egan Model A in Organisational and Leadership Effectiveness (fig.1) provided us with this.

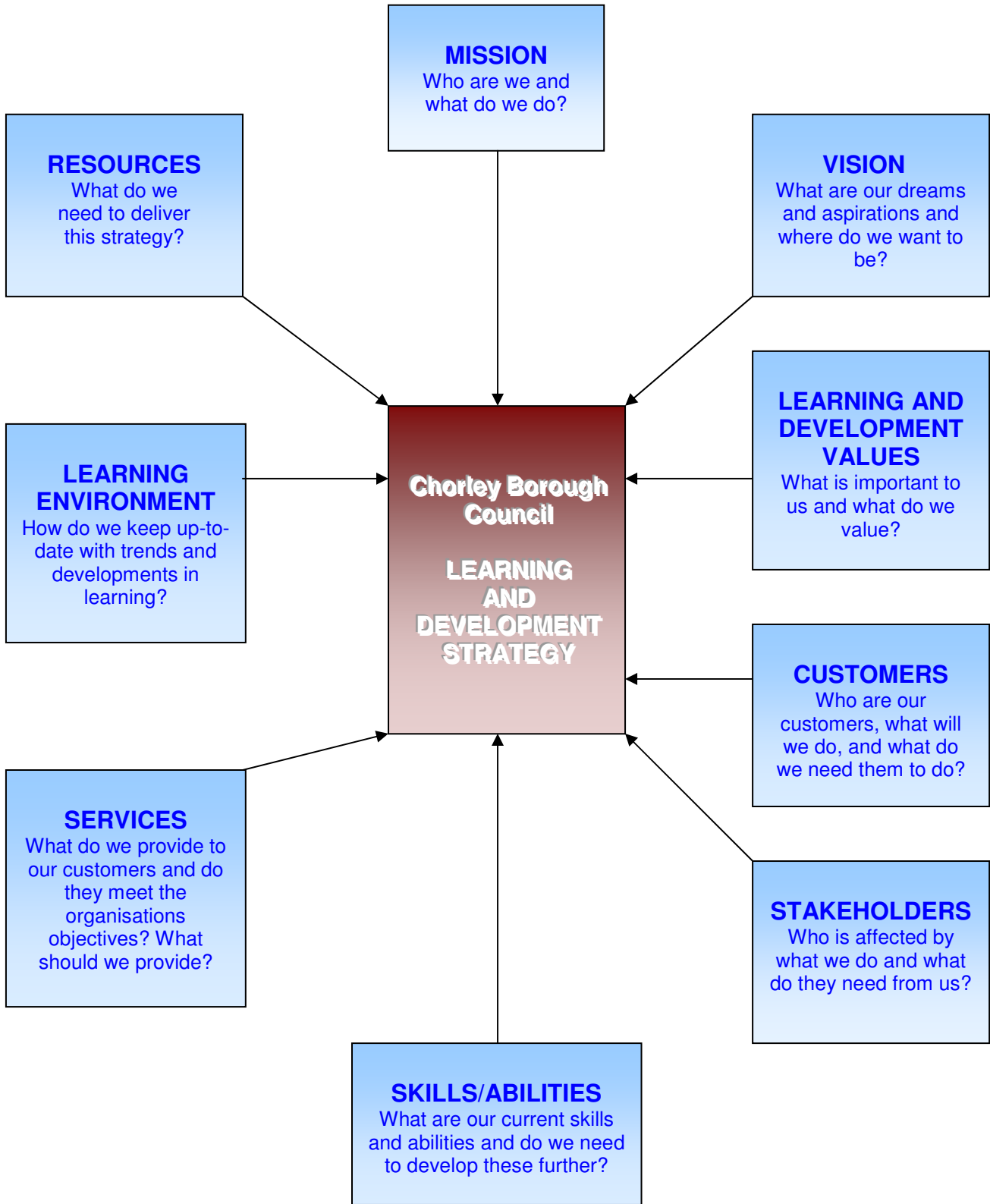
However, after further work we found that an adaptation of this model was more suited to our needs. We also wanted to align the strategy to the way we manage our individual and organisational performance by using our Organisational Performance Model:



To ensure this strategy has real value to the organisation and YOU, we have consulted with the following groups:

- Councillors
- Officers
- Trade Union Representatives
- Management and Senior Management Team

Fig.1



*Adapted from the "Organisational and Leadership Effectiveness Model"  
(The Skilled Helper, Gerard Egan 1993)*

## 2. MISSION

In order to decide on our mission we had to evaluate where we think we currently are. This will give us a base line from which we can move forward. We also needed to focus on the feedback regarding our weaknesses as identified in our Comprehensive Performance Assessment. We do acknowledge that there are 'pockets' of good practice across the authority which we need to build on in order to have a more clear and consistent picture of existing good practice and how we can share this.

Our evaluation focussed on four key levels where Learning and Development occurs. Our assessment of the current situation is:

- **Councillors**

No clear link has existed between organisational priorities and the development of our Councillors. Learning and Development has been unstructured and is organised as a result of needs being collated for a minority of our Councillors. Learning opportunities do not incorporate Corporate events currently available for Officers. Learning focuses on 'tasks' and 'roles' but not on skills.

There is no formal evaluation process in place, although some evaluation occurs informally.

- **Organisational**

No clear link has existed between Organisational priorities and the Corporate Programmes we currently deliver (ie ILM, ECDL, H&S).

There is no formal evaluation process in place, although some evaluation occurs informally.

- **Unit**

No clear formal link has existed between Unit Business Plans and Learning and Development solutions that are currently delivered. Learning and Development in this area has usually been reactive and ad-hoc. However, there is evidence to suggest that some Units have a good awareness of their needs in terms of delivering their objectives and utilise a range of different methods informally within the Unit.

There is no formal evaluation process in place, although some evaluation occurs informally.

- **Individual**

Individual learning and development is very much focussed on Continuous Professional Development (CPD). Learning and Development is very 'task' focussed and often has technical and legal implications. It is also usually reactive and ad-hoc.

There is no formal evaluation process in place, although some evaluation occurs informally.

In the past, the trend in the Public Sector has been to use conferences and tutor led courses as a method to obtain knowledge and skills in relation to job roles. This is not always the most appropriate learning method, and is not always the most cost-effective in terms of the impact on the individual. However, we mustn't lose sight that in some cases it is, especially in relation to very specific technical training.

We therefore aim to provide structure, variety and meaning to Learning and Development for Councillors (through individual Training Needs Analysis), the Organisation (through vision and aspirations from our Corporate Management team, The Corporate Plan, The Community Plan), Units (through Business Planning) and Individuals (through Individual Performance Management).

| Level               | Planning<br>(Setting Objectives)  | Doing<br>(Monitoring)  | Reviewing<br>(Measuring) |
|---------------------|---|--|--------------------------|
| <b>Organisation</b> | Community Plan<br>Mission<br>Vision/Aspirations<br>Corporate Plan<br><br>↓<br><i>are broken down into</i> | Organisational Key Performance Indicators, Statutory Indicators, Best Value Indicators, etc.<br><br>↑<br><i>help achieve</i> | Performance Plus         |
| <b>Service Unit</b> | Service Unit Business Plans<br><br>↓<br><i>are broken down into</i>                                       | Service Unit Key Performance Indicators, Statutory Indicators, Management Indicators, etc.<br><br>↑<br><i>help achieve</i>   | Balance Scorecard        |
| <b>Individual</b>   | Individual Objectives   | Individual Targets monitored via One to Ones   | Performance Review       |

Our mission going forward is:

*'to clarify and strengthen the links between learning and development and corporate priorities. This will be through a structured development programme for Councillors, Corporate Initiatives, Unit and Individual development programmes, and to create a culture which supports and encourages ongoing learning'*

**3. VISION**

The current situation in terms of learning and development at Chorley Borough Council is that:

- We have a ‘training’ not a ‘learning’ culture
- We are training ‘course’ focussed
- We see ‘Training’ as the only solution to our learning and development needs
- We currently provide a ‘one fits all’ approach to training and need to move to being a more people focussed training service.

It is acknowledged that the more traditional ways of learning, such as training are not always the most effective, although we must not lose sight that courses have a part to play, especially with regard to maintaining technical skills. As part of the plan to modernise local government, we need to expand the range and variety of methods we use to suit individuals and support and encourage learning using the most effective method to meet that need. These methods may include:

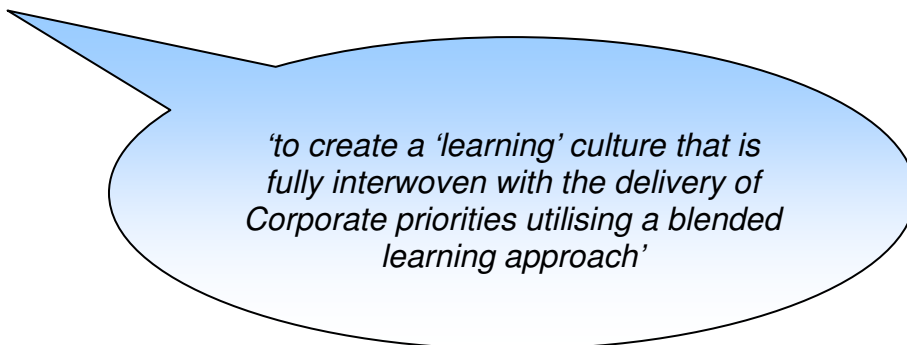
| <b>Blended Learning Approaches</b>     |                                      |                                |
|--|--------------------------------------|--------------------------------|
| A. Obtaining Best Practice Information | F. Project Work                      | K. Coaching from others        |
| B. Job Shadowing                       | G. Talking through issues            | L. Attending meetings          |
| C. Learning from Colleagues            | H. Continual Feedback                | M. Training Courses            |
| D. Action Learning                     | I. Utilising Knowledge from Internet | N. Professional Training       |
| E. Self study                          | J. Coaching from manager             | O. Computer Based / E-learning |

This is what we call ‘Blended Learning’

We also need to ensure that needs are clearly identified and agreed via our Performance management process to ensure that they are clearly linked to the overall aims and priorities of the organisation.

We aim to provide Councillors and Officers with the skills and tools to enable them to achieve their objectives and ultimately Corporate Objectives. Designing competency based learning and development opportunities, initially for staff) using a blended learning approach will assist this.

Our vision is:



## 4. VALUES

We have a passion for enabling learning. Learning should be accessible to all and should have value to Councillors, the Organisation, Units and Individuals.

We live the 'ATLAST' values through the Competency Framework for staff. These values are:

- I will always do what I say
- I will take responsibility
- I will learn from my mistakes
- I will act on facts
- I will strive for excellence
- I will treat people fairly

We ensure equality by making learning opportunities fair, open and accessible for all Councillors and Officers

We follow an ethical Code of Conduct following professional (CIPD) best practice

We aspire to the standards of the Investors in People (IIP) Award, and will use these standards as a benchmarking tool. We also aspire to the standards laid out in the North West Employers Organisation Charter for Elected Member Development which we have signed up to.

**5. CUSTOMERS**

You are our customers - Councillors and Officers of the authority. We aim to provide our service to you by acting in an advisory capacity utilising a consultative approach.

| CUSTOMERS           | CURRENT   | STRATEGY   |
|---------------------|---|--|
| <b>Councillors</b>  | Respond to (and organise) training to meet the needs of a minority of Councillors. Training needs are identified via group TNA.                               | <ul style="list-style-type: none"> <li>➤ Individual member Training Needs Analysis as a basis to create an informed annual plan of training through a structured programme of training for Councillors.</li> <li>➤ Respond to findings in CPA through the Corporate Improvement Plan.</li> <li>➤ Synergy to be created between Corporate Improvement Plan, Community Plan and Organisational Performance Management process.</li> <li>➤ Increase engagement on training with Councillors.</li> </ul>   |
| <b>Organisation</b> | Support and deliver current corporate initiatives that have been identified at that level.  | <ul style="list-style-type: none"> <li>➤ Corporate needs are identified through:               <ul style="list-style-type: none"> <li>- Corporate Improvement Plan</li> <li>- Community Development Plan</li> <li>- Best Value Performance Indicators</li> <li>- Optima/Improve4u feedback</li> <li>- Government Initiatives</li> </ul> </li> <li>➤ To respond to these needs in an advisory and consultative capacity.</li> <li>➤ To provide or arrange solutions to meet identified needs</li> </ul> |
| <b>Unit</b>         | Respond to (and approve) unit requests to meet ad-hoc unit specific needs.  | <ul style="list-style-type: none"> <li>➤ Needs are identified during Business Planning and are generated through the Organisational Performance Management process.</li> <li>➤ To respond to these needs in an advisory and consultative capacity.</li> <li>➤ Units plan and arrange suitable solutions.</li> </ul>  |
| <b>Individual</b>   | Respond to (and approve) individual requests that are not always identified through the Performance Management process. These are usually reactive and ad-hoc | <ul style="list-style-type: none"> <li>➤ Needs are identified through the Organisational Performance Management process.</li> <li>➤ We respond to these needs in an advisory and consultative capacity.</li> <li>➤ Individuals have ownership of their needs and are responsible for arranging appropriate solutions</li> </ul>  |

## 6. SKILLS AND ABILITIES

In order for us to deliver this strategy, it is essential that within the training team we have the right knowledge, skills, and processes in place to support the authority and make the strategy work.

We have analysed our current knowledge, skills, and processes and have identified areas that will need to be development:

### **Competencies Current Strengths – Training Team**

- Self Awareness and Self Management
- Developing Self and Others
- Interpersonal Skills and Communication
- Team Working and Leadership
- Change Focus and Innovation

Technical training expertise is maintained by continual professional development meeting CIPD standards and status. Other development activity is ongoing to include MSc in People and Organisational Development.

### **Competencies Development required to achieve strategy - Training Team**

- **Strategic Thinking and Commercial Awareness**  
More awareness of LG initiatives required  
More awareness of the training requirements for Councillors
- **Achieving Results**  
Need to develop technical expertise in e-processes in order to produce good M.I. reports
- **Service Focus**  
Need to develop technical expertise in e-processes to provide easier access to training services  
Need to develop technical expertise in e-learning and blended learning approaches
- **Planning and Organising**  
Need to develop technical expertise in e-processes in order to release time from Admin

### **Competencies Development required to achieve strategy - Other Unit**

- **Achieving Results**  
DTP need to develop technical expertise in producing learning materials and Guide Books
- **Service Focus**  
DTP need to be trained in using whatever e-learning tools are purchased



**7. SERVICES**

We have identified the range of services we provide as follows:

| SERVICES   | CURRENT   | STRATEGY   |
|--|---|--|
| <b><i>Corporate Induction</i></b>                              | Folder based and owned by the individual – currently under review.<br><br>Corporate Health and Safety delivered through a newly established framework of training.<br><br>IT training delivered through established tutor-led courses | E-enabled process which has corporate health and safety and IT training integrated into the process  |
| <b><i>Structured Development Programme for Councillors</i></b> | Annual analysis of needs identified usually for a minority of Councillors. Annual plan produced.  | Structured approach to Induction, H&S and IT which integrates with officer programmes. Creation of an informed Development Programme for Councillors with increased Councillor engagement. Mentoring to be used for new and returning Councillors. |
| <b><i>Corporate Training</i></b>                               | Structured training not in place. Training delivery is in response to needs identified, including:<br><br>- ILM<br>- Project Management<br>- Recruitment and Selection<br>- Performance Management<br>- Customer Focus                | Structured Development Programme linked to the Competency Framework using blended learning solutions encompassing the five levels  |
| <b><i>Internal consultation</i></b>                            | Is ad-hoc and when customers request it   | To market our services to assist Councillor and Officer development  |
| <b><i>Coaching</i></b>   | Is ad-hoc and when customers request it   | To market and utilise Councillor, Organisation, Unit and Individual coaching as a development tool and promote Action Learning.  |

Communication of our range of services will be via the Chorley Borough Council intranet which will be updated quarterly, and support by comprehensive and ‘user-friendly’ policies and processes.

Emerging needs will be identified through the Performance Management process, changes in local Government priorities, new Government initiatives and legislation.

## **8. LEARNING ENVIRONMENT**

To keep ourselves abreast with trends and developments in learning and the public sector arena we:

- Network and build alliances with other authorities and consider partnership working
- Obtain information through ODPM, NWEQ, IDeA, LGA and other Public Sector organisations
- Respond to changes and updates in legislation
- Liaise and obtain information and developments from our Trade Union Representatives and other represented bodies
- Obtain information from Management and Senior Management Team members
- Technical updates through training and HR publications and CIPD bulletins
- Networking with other HR professionals (through events such as the CIPD annual exhibition and CIPD regional events)
- Researching latest developments and best practice in the private sector

Information obtained through these channels will be considered as part of the ongoing development of the training function. Key issues affecting learning within Chorley will be communicated appropriately.

## 9. STAKEHOLDERS

Our stakeholders are our customers - Councillors, Officers, Trade Unions, who ultimately impact on the residents and businesses within the Borough of Chorley.

We consult with our customers and encourage 2-way participation and communication on Learning and Development issues.

We all have a part to play with learning. Our roles and responsibilities are described below:

### **Councillors:**

- Have a responsibility for their own learning and development
- Complete an annual Training Needs Analysis
- Training and Development to be a regular agenda item with in political groups
- Participate in one-to-one discussions with the Training Manager on matters relating to individual development needs
- Support the work and activities of the Member Development Steering Group
- Apply learning to their role as Councillor

### **Management Team:**

- Decides on and provides direction on Corporate Initiatives
- Supports the Learning and Development Strategy and associated processes
- Reviews and provides feedback on the Annual Corporate Training Plan, and Member Development Programme
- Consults with the Training team on all learning and development issues at Organisational level

### **Senior Management Group:**

- Communicates direction and priorities of the Organisation that have a learning impact
- Ensure that all staff within their Unit have an annual appraisal and a six month follow-up review in line with the Training Calendar as part of the Performance Management process.
- Undertake Performance appraisals and reviews with their direct reports in line with the Performance Management process
- Ensure that Personal Development Plans are directly linked to the delivery of the Units Business Plan.
- Encourage their direct reports to 'put learning into practice'
- Consults with the Training team and all learning and development issues at Unit level

### **Middle and First Line Managers/Team Leaders:**

- Ensure that their direct reports have an annual appraisal and a six month follow-up review in line with the Training Calendar as part of the Performance Management process.
- Undertake Performance appraisals and reviews in line with the Performance management process
- Ensure that Personal Development Plans are directly linked to the delivery of the Units Business Plan.
- Encourage their direct reports to learn and to 'put learning into practice'.
- Consult with the Training team on all learning and development issues within their teams

### **All Staff:**

- Have a responsibility for their own learning and development
- Actively participate in the Performance Management process by

- Take ownership and lead on their own learning and development
- Apply their learning to the workplace

**Trade Union Representatives:**

- Support learning and development for staff
- Liaise with the Training function to promote learning opportunities with the union with support and input from the Union Learning reps

**10. RESOURCES**

In order for the strategy to be delivered, there are a number of resource implications that are the key to this document. These are identified below:

| RESOURCE                     | CURRENT   | STRATEGY  |
|------------------------------|---|---|
| <b>1. The Training Team</b>  | 2 x FTE's. Part-time administration support resourced from within the HR Unit   | 2 x FTE's with administration support   |
| <b>2. Learning Materials</b> | Limited range of materials such as surveys, reports, books, research, consultation etc  | Improve the range of materials to effectively support the delivery of products and services   |
| <b>3. Staff Capacity</b>     | Inconsistencies exist with prioritising and undertaking Performance Management  | Priority to be given to Performance Management process in order to deliver Corporate and Community priorities, meet government targets and improve services |
| <b>3. Idea's</b>             | Strategy created  | Implement strategy  |
| <b>4. Technology</b>         | Developing content to be e-enabled.<br><br>Training Services Phase 1:<br><br>- e Training Administration processes<br>- e Performance Management<br>- e Induction<br><br>Training Services Phase 2 :<br><br>- eLearning | IT capacity, appropriate software and internal and external expertise to support e-enabling training services as described                                  |
| <b>5. Finance</b>            | Councillor, Organisation, Unit and Individual training delivered with little structure usually within budget limits.  | Councillor, Organisation, Unit and Individual needs identified through a formal process which have impact and value, that fall within budget limits.        |

## **11. FROM STRATEGY TO ACTION**

This Training and Development Strategy sets down the strategy for the next three years.

It is designed to meet current and future needs of the Authority. Much of it reflects national trends in training and development, the HR Strategy and incorporate recommendations contained in:

- Audit Commission Report (November 2003)
- Corporate Improvement Plan, containing actions set to address the weaknesses from the CPA report (November 2003)

Policies, processes, support and guidance will be created to support the strategy which will be available via the Chorley Borough Council Intranet.

It is anticipated that an informed Training Plan for the Authority (encompassing Councillor and Officer needs) will be produced during the early stages of the implementation of this strategy. Following this, an annual Training Plan will be produced each subsequent year.

It is intended that this strategy will be reviewed and evaluated on an annual basis by an officer group, and through the Member Development Steering Group.

**12. LEARNING AND DEVELOPMENT STRATEGY - IMPLEMENTATION PLAN**

| 1       | 2   | 3   | 4                  | 5  | 6                     |
|---------|---|---|--------------------|--|-----------------------|
| Ref No. | Target (measure)  | Actions Planned   | By When            | By Whom  | Resource Implications |
| TD001   | First draft of Training and Development Strategy available for consultation | Create a Training and Development Strategy for the Authority  | April 05           | Training Manager                               |                       |
| TD002   | Training and Development Strategy agreed and passed by Executive Cabinet    | Approval is given to the Training and Development Strategy.<br>Extracts relating to the development of Councillors be reproduced in a Member Development Strategy | June 05<br>June 05 | Training Manager                               |                       |
| TD003   | Implementation of the Training and Development Strategy                     | Training and Development Strategy starts to become embedded   | Ongoing            | Training Manager/ Senior HR Advisor (Training) |                       |
| TD004   | Produce updated Training Policy   | Update current Training Policy  | June 05            | Senior HR Advisor (Training)                   |                       |
| TD005   | Implement Training Policy   | Corporate training activity is in line with the Training Policy   | Ongoing            | Senior HR Advisor (Training)                   |                       |
| TD006   | Create managing learning support material                                   | Provide guidance to managers on how to manage learning for their staff  | June 05            | Senior HR Advisor (Training)                   |                       |
| TD007   | Provide support to managers on how to manage learning                       | Roll out 'Managing Learning' to managers  | July 05            | Senior HR Advisor (Training)                   |                       |
| TD008   | To gain Investors in People (IIP) accreditation                             | Policies and processes are aligned with IIP standard  | June 06            | Training Manager                               |                       |

| 1       | 2  | 3   | 4                          | 5  | 6                                  |
|---------|--|---|----------------------------|--|------------------------------------|
| Ref No. | Target (measure)   | Actions Planned   | By When                    | By Whom  | Resource Implications              |
| TD009   | To gain North West Employers' Organisation (NWEO) Charter for Elected Member Development | Councillor development aligned with the NWEO Charter standards for Elected Member Development   | December 06                | Training Manager                               |                                    |
| TD010   | Performance Development Plans (PDP) completed:<br>- 80%<br>- 90%<br>- 100%               | All staff to have a PDP   | Nov 05<br>Mar 06<br>Aug 06 | Senior HR Advisor (Training)                   |                                    |
| TD011   | Produce and implement annual Corporate Training Plan                                     | <ul style="list-style-type: none"> <li>- Collate PDPs and Councillor training needs and analyse results</li> <li>- Develop competent knowledge and motivated staff and Councillors</li> </ul> | Annually                   | Senior HR Advisor (Training)/ Training Manager |                                    |
| TD012   | Develop competency based structured development programme, encompassing 5 levels         | Information contained in PDPs is used to create and prioritise learning needs   | March 05 and annually      | Senior HR Advisor (Training)                   |                                    |
| TD013   | Set up Member Development Steering Group   | Improved Councillor engagement. Member Development Steering Group to agree the Member Development Strategy  | May 05<br>Dec 05           | Training Manager                               |                                    |
| TD014   | Annual Councillor Development Plan produced  | Councillors to complete 1-2-1 training needs analysis annually  | Annually                   | Training Manager                               |                                    |
| TD015   | eEnable induction  | Update corporate induction and make available electronically  | Mar 06                     | Senior HR Advisor (Training)                   | Software/expertise to be bought in |
| TD016   | eEnable training administration and processes  | Update processes and make available electronically  | Dec 05                     | Senior HR Advisor (Training)                   | Software/expertise to be bought in |



| 1       | 2   | 3  | 4                   | 5  | 6                                  |
|---------|---|--|---------------------|--|------------------------------------|
| Ref No. | Target (measure)  | Actions Planned  | By When             | By Whom  | Resource Implications              |
| TD017   | Performance management process eEnabled   | Paper-based process to be available online   | Mar 06              | Senior HR Advisor (Training)                   | Software/expertise to be bought in |
| TD018   | eLearning available (as appropriate)  | Learning solutions to be accessible electronically                                     | Ongoing             | Training Manager/ Senior HR Advisor (Training) | Software/expertise to be bought in |
| TD019   | (a) New Councillors induction developed<br>(b) New Councillors are inducted within 3 months | New Councillors to receive a comprehensive and structured induction                    | March 06<br>Ongoing | Training Manager<br>Training Manager           |                                    |
| TD020   | New staff are inducted within 3 months  | New staff members to receive a comprehensive and structure induction                   | March 05            | Senior HR Advisor (Training)                   |                                    |
| TD021   | Performance management process developed for Councillors                                    | Develop performance management process for Councillors                                 | June 06             | Training Manager                               |                                    |
| TD022   | Government funded initiatives utilised  | Research and investigate opportunities to utilise government funding where appropriate | Ongoing             | Training Manager                               |                                    |



| Report of  | Meeting           | Date     |
|--|-------------------|----------|
| Chief Executive<br>(Introduced by the Executive Member for Customer, Democratic and Legal Services, Councillor J Walker) | Executive Cabinet | 24/08/06 |

## **PUBLIC QUESTIONS/SPEAKING AT COUNCIL MEETINGS - RECOMMENDATIONS**

### **PURPOSE OF REPORT**

- To set out recommendations for public speaking at Council meetings.

### **CORPORATE PRIORITIES**

- Opening up Council meetings to public speaking will help to address the Council's corporate priority of 'Ensuring Chorley Borough Council is a performing organisation'.

### **RISK ISSUES**

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

|            |   |                  |   |
|------------|---|------------------|---|
| Strategy   | 4 | Information      | 4 |
| Reputation | 4 | Regulatory/Legal |   |
| Financial  |   | Operational      |   |
| People     | 4 | Other            |   |

Risks have been evaluated in full.

### **BACKGROUND**

- At its meeting on 14 March 2006 the Community Overview and Scrutiny Panel put forward a number of recommendations in relation to public questions/speaking at Council meetings. Considerable research went into these recommendations including visits to a number of other councils to observe how public speaking works in practice.
- In addition the Development Control Committee has considered the recommendations in full at its meeting on 23 May 2006. The Committee supported the recommendations subject to the preparation and implementation of appropriate procedure rules to regulate the public participation in meetings.
- This report builds on work on this subject that has been undertaken to date and sets out the recommendations in detail.



**PUBLICITY**

7. Leaflets will be produced to publicise the opportunity for members of the public to submit questions/speak at appropriate meetings and general publicity will be given through the local media and the Council's newspaper. An on-line form will also be provided on the Council's web-site to enable members of the public to submit questions electronically if they so wish.

**PUBLIC ADDRESS/LOOP SYSTEM**

8. The provision of a PA/loop system in the Council Chamber/Committee Room in the Town Hall to meet disability discrimination requirements will need to be investigated by Officers and a further report submitted to the Executive Cabinet.

**COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES**

9. We will need to take into consideration any training needs required by elected members, or officers who may face questions from either members of the public or elected members.

**COMMENTS OF THE DIRECTOR OF FINANCE**

10. There are two aspects of potential cost associated with the report. The first relates to the provision of the Loop system which will have both capital and revenue implications. The Council's budget includes provision for capital works to its buildings and I would look initially to fund any scheme from this allocation once the costs are known, but it would mean another potential scheme being deferred. Virement would be sought from current cash budgets for any ongoing costs of the Loop system so that there is no net increase in the Council's budget. The other revenue costs associated with the implementation are for publicity costs which will be funded from current cash budgets.

**RECOMMENDATION(S)**

11. That the Executive Cabinet be requested to submit a recommendation to the next meeting of the Council on 19 September 2006 that the following text be added to the Council Procedure Rules set out in Part A, Appendix 3 of the Council's Constitution, to allow public questions/speaking at the appropriate meetings. In accordance with Paragraph 27.2 of the Council Procedure Rules, the recommendation will stand adjourned without further discussion to the next Ordinary Council meeting to be held on 31 October 2006.

**PUBLIC QUESTIONS/SPEAKING****(1) Council and Executive Cabinet Meetings**

- A maximum period of 3 minutes will be allowed for a question from a member of the public on an item on the agenda. A maximum period of 30 minutes to be allocated for public questions if necessary at each ordinary Council meeting (ie excluding the Annual Meeting).
- Questions should be submitted to the Democratic Services Section by midday, two working days prior to each Council meeting to allow time to prepare appropriate responses and investigate the issue if necessary.
- The question to be answered by the Executive Member with responsibility for the service area or whoever is most appropriate.
- On receiving a reply the member of the public will be allowed to ask one supplementary question.

- Members of the public will be able to stay for the rest of the meeting should they so wish but will not be able to speak on any other agenda item upon using their allocated 3 minutes.

**(2) Development Control Committee**

- One person to be allowed to address the Committee in favour of the officers recommendations on respective planning applications and one person to be allowed to speak against the officer's recommendations.
- Persons must give notice of their wish to address the Committee, to the Democratic Services Section by no later than midday, two working days before the day of the meeting.
- In the event of several people wishing to speak either in favour or against the recommendation, the respective group/s be requested to select one spokesperson to address the Committee.
- If a person wishes to speak either in favour or against an application without anyone wishing to present an opposing argument that person be allowed to address the Committee.
- Each person/group addressing the Committee be allowed a maximum of three minutes to speak.
- The Committees debate and consideration of the planning applications awaiting decision will only commence after all of the public addresses.

**(3) Overview and Scrutiny Committee/Panels**

- A maximum period of 3 minutes will be allowed for a question from a member of the public on an item on the agenda. A maximum period of 30 minutes to be allocated for public questions if necessary at each meeting of the Overview and Scrutiny Committee and its appropriate panels. This will provide an opportunity for members of the public to raise and ask questions on any issue falling within the remit of the Committee or panel.
- Questions must be submitted to the Democratic Services Section by no later than midday, two working days before the day of the meeting to allow time to prepare appropriate responses and investigate issues if necessary.

**REASONS FOR RECOMMENDATIONS**

12. The introduction of Public Speaking/Questions at various Council meetings will improve the level of public participation in the Council's decision making process.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

13. None.

DONNA HALL  
CHIEF EXECUTIVE

There are no background papers to this report.

| <b>Report Author</b> | <b>Ext</b> | <b>Date</b>   | <b>Doc ID</b>    |
|----------------------|------------|---------------|------------------|
| Donna Hall           | 5104       | 8 August 2006 | ADMINREP/93113LK |

| Report of  | Meeting           | Date            |
|--|-------------------|-----------------|
| Director of Streetscene,<br>Neighbourhoods and<br>Environment<br>(Introduced by the Executive<br>Member for Environment and<br>Community Safety, Cllr Eric Bell) | Executive Cabinet | 24 August 2006. |

## **CLEAN NEIGHBOURHOODS & ENVIRONMENT ACT 2005 (CNEA)**

### **PURPOSE OF REPORT**

- To approve the delegations and authorisations to the Director of Streetscene, Neighbourhoods and Environment (SNED) necessary for the enforcement of various sections of the Clean Neighbourhoods & Environment Act 2005 and to inform members.

### **CORPORATE PRIORITIES**

- This report is relevant to the corporate priority which seeks to develop the character and feel of Chorley as a good place to live.

### **RISK ISSUES**

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

|            |   |                  |   |
|------------|---|------------------|---|
| Strategy   |   | Information      |   |
| Reputation |   | Regulatory/Legal | 4 |
| Financial  | 4 | Operational      | 4 |
| People     |   | Other            |   |

- The risk/consequences of not adopting the provisions of The Clean Neighbourhoods and Environment Act 2005 ('CNEA') would be that SNED would be unable to perform the statutory functions of the council by investigating matters dealt with by the act.
- There are potential resource implications with adopting the provisions, however it is envisaged that in the short term this work can be absorbed within the Services existing staffing structure and budget. In the medium term the resource requirements will be considered in the reorganisation of the directorate.

### **BACKGROUND**

- The Clean Neighbourhoods and Environment Bill was published on 8 December 2004 and received Royal Assent on 7 April 2005. The act is a result of DEFRA's review of the legislative framework for providing and maintaining a clean and safe local environment to accompany the Cross-Government report Living Places - Cleaner, Safer, Greener.

7. This is the second report on the sections of the act that are relevant to SNED, some sections provide new powers and others extend existing powers to new areas. Most of the measures in this report were commenced by orders of the Secretary of State this year. However the provisions relating to selling and repairing vehicles on a road and extension of the littering offence to all open places came into effect on 7 June 2005 and the Director of SNED has been authorised for those provisions.
8. There are some sections that have yet to be commenced or will be the subject of a later report which are:
- Repealing the provisions of the Dogs (Fouling of Land) Act 1996 and its replacement by a more comprehensive system of Dog Control Orders.
  - Termination of the Police responsibility for stray dogs.
  - Designation of alarm notification area for intruder alarms on property.
  - Controls on free distribution of printed matter.

**This report deals with the additional relevant sections of the act that have been commenced and:**

**1. Require authorisation of the Director of SNED.**

- Improving powers of entry for the silencing of audible intruder alarms.
- Power to require name and address for parking fixed penalties.
- Power to require name and address for abandoned vehicles.

**2. Require a decision from members to put them into effect.**

- Local discretion to fix the amount of certain fixed penalties. Fixed penalty offences are a simple way of discharging an offence if paid within 14 days – failure to pay would normally result in prosecution.

**3. Are administrative changes to legislation for which the Director of SNED is already authorised and are for Information.**

- Failure to give name and address for a fixed penalty offence for littering.
- Power to require name and address for noise offence.
- Litter and Street Litter Clearing Notices.
- Power to require name and address for graffiti and flyposting fixed penalties.
- Power to require owner of land to remove waste.
- Waste supplementary powers.
- Power to issue fixed penalty notice for noise from licenced premises.
- Defferal of duty to serve an abatement notice for noise.
- Removal of requirement to serve notices on certain abandoned vehicles.
- Including insects and artificial lighting within the Statutory Notice regime of s79 of the Environmental Protection Act 1990.

**PROVISIONS THAT REQUIRE AUTHORISATION OF THE DIRECTOR OF SNED**

9. Powers of Entry to Silence an Audible Intruder Alarm at Premises (Section 77 to 79 of CNEA)

Sections 77 to 79 of the act provide local authorities additional powers to deal with sounding intruder alarms causing likely annoyance. These powers are not linked to designated areas and the alarm must be sounding continuously for more than 20 minutes or intermittently for more than an hour. Once on the premises an authorised officer, with assistance if necessary, can take whatever steps are necessary to silence the alarm. This might include disabling an external alarm after serving a notice but would not include



picking a lock etc which would require a warrant from a justice of the peace. A property would have to be left in a secure state after such intervention and costs incurred may be recharged.

10. Power to Require Name and Address (section 7 CNEA “Nuisance Vehicle Fixed Penalties”)

Power to require name and address in respect of nuisance vehicle fixed penalty notices under section 6 of CNEA. Fine up to level 3 for failure of alleged offenders to give correct details.

11. Power to Require Name and Address (section 10 CNEA “Abandoning Vehicles”)

Power to require name and address in respect of abandoned vehicle fixed penalty notices under section 6 of CNEA. Fine up to level 3 for failure of alleged offenders to give correct details.

**PROVISIONS THAT REQUIRE A DECISION FROM MEMBERS**

12. The amount of most of the existing and new proposed fixed penalty charges can be set locally within a range, with a default charge should the Council decide not to make a local decision, some are however fixed centrally for England. The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2006 specify minimum penalty charges and the appropriate discounted rates for payment within 10 days.

13. Nuisance Vehicle Fixed Penalty Notice (Section 6 of CNEA)

(a) Section 6(1) - Selling Vehicles on a Road

The fixed penalty offence under the nuisance vehicle sections 6 to 9 of the act is set at a fixed charge of £100 and £60 for early payment within 10 days.

(b) Section 6(1) - Repairing Vehicles on a Road

The fixed penalty offence under the nuisance vehicle sections 6 to 9 of the act is set at a fixed charge of £100 and £60 for early payment within 10 days.

14. Abandoned Vehicle Fixed Penalty Notice (Introduced by Section 10 CNEA)

The fixed penalty offence introduced into the provisions of Section 2 of the Refuse Disposal (Amenity) Act 1978 is set at a fixed charge of £200 and £120 for early payment within 10 days.

15. Litter Offences in all Open Places Fixed Penalty Notice ( Introduced by Section 19 of CNEA)

The fixed penalty offence introduced into the provisions of Section 88 of the Environmental Protection Act 1990 can be set at a local level between £50 and £80 with the default at £75 and £50 for early payment within 10 days.

16. Litter Clearing Notices and Street Litter Control Notices (Introduced by Sections 20 and 21 of CNEA Respectively)

The fixed penalty offence introduced into the provisions of Section 94 of the Environmental Protection Act 1990 can be set at a local level between £75 and £110 with the default at £100 and £60 for early payment within 10 days.

17. Graffiti and Flyposting (Introduced by Section 28 CNEA)

The fixed penalty offence introduced by Section 43 of the Anti-social behaviour Act 2003 can be set at a local level between £50 and £80 with the default at £75 and £50 for early payment within 10 days.

18. Failure to Furnish Documentation (Waste Carriers Licence) (Introduced by Section 45 of CNEA)

The fixed penalty offence introduced into Section 34 of the Environmental Protection Act 1990 is set at £300 and £180 for early payment within 10 days.

19. Offences in Relation to Waste Receptacles (Type and Presentation for Collection of Household, Commercial and Industrial Waste) Introduced by Section 48 CNEA)

The fixed penalty offence introduced into Section 47 of the Environmental Protection Act 1990 can be set at a local level between £75 and £110 with the default at £100 and £60 for early payment within 10 days.

20. Failure to Furnish Documentation (Waste Transfer Notes – Produce Authority to Transport) Introduced by Section 38 CNEA)

The fixed penalty offence introduced into Section 5 of the Control of Pollution (Amendment) Act 1989 is set at £300 and £180 for early payment within 10 days.

21. Failure to Furnish Documentation (Waste Transfer Notes – Duty of Care) Introduced by Section 38 CNEA)

The fixed penalty offence introduced into Section 34 of the Environmental Protection Act 1990 is set at £300 and £180 for early payment within 10 days.

**PROVISIONS THAT ARE ADMINISTRATIVE CHANGES TO LEGISLATION FOR WHICH THE DIRECTOR OF SNED IS CURRENTLY AUTHOURISED AND ARE REPORTED HERE FOR INFORMATION ONLY**

22. Failure to Give Name and Address (section 19 CNEA “Litter Offence”)

Introduces an offence under section 88 of the Environmental Protection Act 1990 for failure to give name and address when requested to do so or gives inaccurate information. Fine up to level 3 for alleged offenders to give correct details.

23. Power to Require Name and Address (section 82 CNEA “Noise Offence”)

Power to require name and address in respect of noise offence fixed penalty notices under section 8 B of the Noise Act 1996. Fine of up to level 3 for failure of alleged offenders to give correct details

24. Litter Clearing Notices and Street Litter Control Notices (Introduced by section 20 and 21 of CNEA respectively)

Litter Control Areas are repealed but Litter Clearing Notices are introduced into section 92 of the Environmental Protection Act 1990. The notice can be served in relation to any land in the open air which is defaced with litter to the extent that it is detrimental to amenity. The notice is served on the occupier or owner if unoccupied and can require

litter or refuse to be cleared and, if likely to recur, specify steps to be taken to prevent it becoming so defaced. Litter clearing notices may not be served in relation to land which is a highway, Crown land, statutory undertakers, litter authority [ourselves and the County Council] and educational institutions. There is an appeals procedure and a fine not exceeding level 4 on summary conviction and the authority can carry out work in default and charge for reasonable costs.

Street Litter Control Notices are already in force but section 21 of CNEA extends their application to a vehicle or store or other moveable structure set at place on or verging a street. There is a fine not exceeding level 4 on summary conviction.

25. Power to Require Name and Address (section 29 CNEA "Graffiti and flyposting")

Power to require name and address in respect of graffiti and flyposting fixed penalty notices under section 43 B of the Antisocial Behaviour Act 2003. Fine up to level 3 for failure of alleged offenders to give correct details.

26. Power to Require Owner of Land to Remove Waste (Introduced by section 50 Of CNEA)

The power to serve a notice requiring the owner of land to remove waste is introduced into the provisions of section 59 of the Environmental Protection Act 1990. Notices can be served on the land owner where there is no occupier, or the occupier can not be found without incurring reasonable expense. Notices can also be served where the owner is not the occupier if a notice has been served on the occupier but has not been complied with or the notice has been quashed and reasonable removal costs can be claimed. There is a defence that the owner was not aware nor knowingly permitted the deposit.

27. Waste Supplementary enforcement powers (Introduced by section 53 of CNEA)

This section builds on the powers of collection authorities in section 108 of the Environment Act 1995, in relation to duties under section 59 of the Environmental Protection Act 1990, to investigate waste on land to any of their functions under Part ii (waste) of the act. The specific powers are:

- To enter premises;
- To bring an authorised officer, a constable and equipment;
- To examine and investigate as required;
- To direct that premises are undisturbed;
- To take measurements and photographs as necessary;
- To take samples or articles or substances found;
- To dismantle or test any substance or article;
- To take possession of these substances;
- To require a person to give information relevant to the investigation;
- To require production of relevant information and records;
- To require any person to assist the investigation; and any other power conferred by regulations.

The current maximum penalty for an offence under section 108 is £5,000.

28. Noise from Licensed Premises etc ( Introduced by section 84 of CNEA)

The fixed penalty offence introduced into the provisions of Section 8 of the Noise Act 1996 is set at £500 issued by a local authority authorised officer, there is no discount for early payment. Section 8 has not yet been used by Chorley Borough Council but this may change with the new licensing regime and has been included here for completeness.

29. Deferral of Duty to Serve an Abatement Notice (Introduced by section 86 of CNEA)

Section 86 of the act was introduced into the provisions of Section 80 of the Environmental Protection Act 1990 Subsection (2A) to enable the local authority to defer, for up to 7 days, the issue of an abatement notice in the case of a statutory nuisance under Section 79 (1)(g) (i.e. noise emitted from premises). This is to allow discussion leading to abatement to take place, such as shutting of doors and windows or fitting a silencer to a fan etc.

30. Removal of requirement to give notice where vehicle abandoned on road or a vehicle that ought to be destroyed (Introduced by section 11 of CNEA)

The power to remove a vehicle abandoned on a road or a vehicle elsewhere in the open air that ought to be destroyed, without serving notice, is introduced into the provisions of section 3 of the Refuse Disposal (Amenity) Act 1978. The power to destroy vehicles only fit for destruction immediately has been introduced section 4 of the Refuse Disposal (Amenity) Act 1978.

31. Including Insects and Artificial Lighting within Statutory Nuisance Regime (Introduced by Section 101 AND 102 of CNEA Respectively)

Insects and artificial light are now included in section 79 of the Environmental Protection Act 1990.

#### **COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES**

32. Whilst there will be some HR implications from the adoption of these new duties these are matters which can be resolved by training and retraining. Significant implications will be dealt with by the Director of Streetscene, Neighbourhoods and Environment during further phases of the SNED restructure proposals.

#### **COMMENTS OF THE DIRECTOR OF FINANCE**

33. The Director of Streetscene, Neighbourhoods and Environment has indicated that there will be some resource implications from the enforcement of new powers and duties. There will also be an effect within Legal Services. The level of these resources is not quantifiable at this time but will need to be reported at the point when the effects crystalize.

#### **COMMENTS OF THE DIRECTOR OF LEGAL SERVICES**

34. The adoption of the provisions of the Clean Neighbourhoods and Environment Act 2005, will enable local authorities to intervene in a wider range of issues in ways that were not previously open to them. The putting in place of a system of fixed penalty notices is a reflection of this. However, as has been pointed out in the report, failure to pay such penalties may well result in the Council seeking to pursue such non-payments through court action. Whilst it is not possible to predict at this stage the degree to which those served with fixed penalty notices may decide to default on payment, there could potentially be a resources issue if non-compliance with the fixed penalty system were to reach any significant degree.

**RECOMMENDATIONS**

35. It is recommended that:

**[Provisions that require the authorisation of the Director of SNED]**

i). The following Executive Functions be allocated to the Director of Streetscene, Neighbourhoods and Environment under Executive Arrangements made pursuant to Section 15 of the Local Government Act 2000 and be discharged by them under that Section:

The functions of:

- a) authorising the service of notices and the taking of consequential action, including carrying out work in default and the recovery of costs;
- b) issuing formal cautions;
- c) recommending to the Director of Legal Services the institution of legal proceedings; and
- d) authorising officers to exercise statutory powers of entry (including obtaining warrants),

**Pursuant to Sections 77 to 79 of The Clean Neighbourhoods and Environment Act 2005 (To silence intruder alarm) and to Section 7 of The Clean Neighbourhoods and Environment Act 2005 (Power to require name and address -nuisance vehicle fixed penalty) and Pursuant to Section 10 of The Clean Neighbourhoods and Environment Act 2005 (Power to require name and address - abandoned vehicle fixed penalty) and:**

ii).

That the following fixed penalty notice default and early payment charges are adopted:

| <b>Section and legislation</b>                       | <b>Description of offence</b>                             | <b>Recommended amount</b>       |
|--|---|---------------------------------|
| s 6(1) Clean Neighbourhoods and Environment Act 2005 | Selling vehicles on a road                                | Fixed £100, early payment £60   |
| s 6(1) Clean Neighbourhoods and Environment Act 2005 | Repairing vehicles on a road                              | Fixed £100, early payment £60   |
| s 2A Refuse Disposal (Amenity) Act 1978              | Abandoning a vehicle                                      | Fixed £200, early payment £120  |
| s 88(1) Environmental Protection Act 1990            | Litter  | Default £75, early payment £50  |
| s 94A(2) Environmental Protection Act 1990           | Street litter control notices and litter clearing notices | Default £100, early payment £60 |
| s 43 Anti-social Behaviour Act 2003                  | Graffiti and flyposting                                   | Default £75, early payment £50  |
| s 34 A(2) Environmental Protection Act 1990          | Failure to furnish documentation (waste carriers licence) | Fixed £300, early payment £180  |
| s 47ZA(2) Environmental Protection Act 1990          | Offences in relation to waste receptacles                 | Default £100, early payment £60 |
| s5B(2) Control of Pollution (Amendment) Act 1989     | Failure to produce authority (waste transfer notes)       | Fixed £300, early payment £180  |
| S 34A2 Environmental Protection Act 1990             | Failure to furnish documentation (waste transfer notes)   | Fixed £300, early payment £180  |

And:

**iii) that the administrative changes to legislation for which the Director is already authorised are noted.**

#### **REASONS FOR RECOMMENDATION(S)**

36. To permit the Director of Streetscene, Neighbourhoods and Environment to use the additional discretionary powers of the Clean Neighbourhoods and Environment Act 2005 which are the subject of this report and to approve the levels for fixed penalty notices specified in other legislation where local discretion exists.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

37. No alternatives were considered since these would not meet the Councils corporate priorities.

JOHN LECHMERE

DIRECTOR OF STREETSCENE, NEIGHBOURHOODS AND ENVIRONMENT

There are no background papers to this report.

| <b>Report Author</b> | <b>Ext</b> | <b>Date</b>  | <b>Doc ID</b>    |
|----------------------|------------|--------------|------------------|
| Dave Bradley         | 5728       | 13 July 2006 | ADMINREP/93051LM |

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