

# EXECUTIVE CABINET

## Public Minutes of meeting held on Thursday, 8 September 2005

**Present:** Councillor J Wilson (Executive Leader in the Chair), Councillor Edgerley (Deputy Leader of the Council) and Councillors Ball, Brown, A Gee, D Gee, Lennox and A Lowe

**Also in attendance:** Councillors Bell, Malpas and Walker

### 05.EC.97 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Hoyle and R Snape

### 05.EC.98 DECLARATIONS OF ANY INTERESTS

No declarations of interest were made at the meeting.

### 05.EC.99 MINUTES

The public minutes of the meeting of the Executive Cabinet held on 30 June 2005 were confirmed as a correct record for signature by the Executive Leader.

### 05.EC.100 OVERVIEW AND SCRUTINY ANNUAL REPORT 2004/05

The Executive Cabinet considered the Overview and Scrutiny Annual Report for 2004/05, which had been approved by the Overview and Scrutiny Committee.

The Chairman of the Overview and Scrutiny Committee (Councillor Walker) referred to the areas of work and scrutiny inquiries undertaken by the Committee and the three Overview and Scrutiny Panels during the last municipal year. He also reported that the Committee had requested that they be given the opportunity to scrutinise draft policy and strategy documents before they are agreed for consultation purposes.

The Executive Member for Customers, Policy and Performance (Councillor Edgerley) referred to the Overview and Scrutiny Self Assessment Workshop event for Members of the Council and Chief Officers to be held on 20 October 2005, which would facilitate the production of an Overview and Scrutiny Improvement Plan and he requested the participation of members of the Executive Cabinet in the event.

#### Decision made:

1. **That the Overview and Scrutiny Annual Report for 2004/05 be noted.**
2. **That all draft policy and strategy documents be submitted to the Overview and Scrutiny Committee for scrutiny before they are agreed for consultation purposes.**

#### Reasons for Decision:

The report provided details of the work undertaken under the Council's Overview and Scrutiny Role.

### **Alternative Options considered and rejected**

None

### **05.EC.101 REVENUE BUDGET 2005/06 - MONITORING**

The Director of Finance submitted a report on the current position in respect of the current year's budgets and efficiency savings for the General Fund and Housing Revenue Account.

#### **Decisions made:**

- 1. That the report be noted.**
- 2. That approval be given to the freezing of additional expenditure financed from the Contingency Fund except by approval by the Executive Cabinet.**

#### **Reasons for Decisions:**

To ensure a balanced budget position at the end of the municipal year.

#### **Alternative Options considered and rejected:**

None

### **05.EC.102 CAPITAL BUDGET 2005/06 - MONITORING**

This item was withdrawn for consideration at the meeting. A monitoring report on capital expenditure will be submitted to the next meeting of the Executive Cabinet on 29 September 2005.

### **05.EC.103 INTERNAL AUDIT ANNUAL REPORT 2004/05**

The Director of Finance submitted a report which summarised the work of the Internal Audit Service during 2004/05, appraised the performance of the Service and provided an assessment of the adequacy and effectiveness of the control systems within the Authority

#### **Decision made:**

**That the Internal Audit Annual Report be noted**

#### **Reasons for Decision:**

To acknowledge

- The work undertaken by the Internal Audit Section during the 2004/5 financial year, to provide assurance on the adequacy of the Council's system of internal control;
- Internal Audit's opinion that the Council, in general, continues to operate within a sound control environment;
- the Internal Audit Service's overall achievements and performance during 2004/5.

#### **Alternative Options considered and rejected:**

None

#### **05.EC.104 DRAFT CORPORATE STRATEGY 2006/07 - 2008/09**

The Head of Corporate and Policy Services submitted a report on the current draft Corporate Strategy for the period 2006/07 to 2008/09, which redefined the Council's purpose and priorities for the next three years.

**Decision made:**

**That the draft Corporate Strategy be approved for consultation purposes**

**Reasons for Decision:**

To obtain approval for the draft Consultation Strategy which can be used for consultation with Councillors, staff and other stakeholders.

**Alternative options considered and rejected:**

None

#### **05.EC.105 CUSTOMER ACCESS AND FOCUS BEST VALUE INSPECTION**

The Group Director submitted a report on the outcome of the recent Best Value Inspection on the Council's approach to Customer Access and Focus, which incorporated a copy of the Inspection Report published by the Audit Commission in August 2005. The report indicated that "the Council is assessed as having a three star approach to customer access and focus that has excellent prospects for improvement".

The Executive Member for Customers, Policy and Performance (Councillor Edgerley) referred to the reference in the Inspection Report to "the way the customer focus was embedded in the culture of the Council" and paid tribute to the Council's employees for providing an excellent customer orientated service.

**Decision made:**

- 1. That the excellent results from the Best Value Inspection on Customer Access and Focus be noted.**
- 2. That in pursuance of the recommendations in paragraph 10 of the Inspection Report, the Community Overview and Scrutiny Panel be requested to "analyse what approach to area forums would be best for the Borough based on a clear assessment of the effectiveness of current local groups and the best way to integrate them", during the scrutiny inquiry into public participation in the Council's decision-making process.**

**Reasons for Decision:**

The Council has been formally awarded top marks in the Audit Commission Best Value Inspection on Customer Access and Focus. This is the highest award that the Inspectors can give in an inspection and puts us at the top nationally in the whole of local government for this key priority area.

**Alternative options considered and rejected:**

None

#### **05.EC.106 BEST VALUE PERFORMANCE INDICATORS - UPDATE**

The Head of Corporate and Policy Services submitted a monitoring report on the performance against the Council's Best Value Performance Indicators for the current Municipal Year up to 30 June 2005.

**Decision made:**

**That the report be noted**

**Reasons for decision:**

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

**Alternative options considered and rejected**

None

#### **05.EC.107 KEY PERFORMANCE INDICATORS - UPDATE**

The Head of Corporate and Policy Services submitted a monitoring report on the performance against the Council's Key Performance Indicators for the current Municipal Year up to 30 June 2005.

**Decision made:**

**That the report be noted**

**Reasons for decision:**

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

**Alternative options considered and rejected**

None

#### **05.EC.108 AMENDMENT TO CONSTITUTION - DELEGATED AUTHORITY TO THE HEAD OF HOUSING SERVICES**

The Head of Housing Services submitted a report seeking amendments to the Scheme of Delegation to allow him to deal with issues under the Right to Buy Legislation

**Decision made:**

**That the Council be recommended to give approval to the amendment of the Executive Functions in Appendix 2, Part D of the Council's Constitution to allow the Head of Housing Services:-**

- **To consent on behalf of the Council to the addition of family members onto Right to Buy applications were they were either not**

included originally or they do not fulfil the 12 month residency requirement.

- **To act on the behalf of the Council in respect of offers/requests received under the Right of First Refusal.**

**Reasons for decision:**

The Right to Buy function now resides fully within the Housing Services Unit and therefore all decisions made with regard to it should be made within the Housing Services Unit.

**Alternative options considered and rejected**

Individual applications would have to be referred to Executive Cabinet for consideration.

**05.EC.109 ASTLEY PARK - APPOINTMENT OF CONSULTANTS**

The Head of Economic Regeneration submitted a report seeking approval to the re-appointment of Chris Burnett Associates and Allen Todd Architects as the lead consultants on the Astley Park Restoration Project.

**Decision made:**

- 1. That Chris Burnett Associates and Allen Todd Architects be appointed as lead consultants on the restoration of Astley Park.**
- 2. That the Council enter into a contract with the professional team to deliver the project as set out in the Heritage Lottery Fund grant.**

**Reasons for Decision:**

Over the last few years the Council have used Chris Burnett Associates – Landscape Consultants as the lead consultants and Allen Todd Architects as the Architectural advisors at Stage 1 and Stage 2 of the bid process. They were appointed in 2000 following interviews and tender selection process to put together the Stage 1 bid. This included Surveys, Master plan and Outline Business Plan. They were re-appointed in May 2004 to put together the Stage 2 application which was approved in March this year.

The appointment of Chris Burnett Associates and his team would reduce the time needed before development commenced on site as they have detailed knowledge of the park and the buildings and the issues which relate to them

**Alternative Options considered and rejected:**

To go out to tender, interview and appoint new consultants

**05.EC.110 CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - AUTHORISATIONS AND DELEGATIONS**

The Head of Environmental Services submitted a report seeking amendments to the Scheme of Delegation to allow him to deal with enforcement issues under the Clean Neighbourhoods and Environment Act 2005.

**Decision made:**

**That the Council be recommended to give approval to the amendment of the Executive Functions in Appendix 2, Part D of the Council's Constitution to allow the Head of Environmental Services to discharge the following functions pursuant to Sections 3 and 4 of the Clean Neighbourhoods and Environment Act 2005:-**

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

**Reasons for decision:**

To permit the Head of Environmental Services to use the discretionary powers of the Clean Neighbourhoods and Environment Act 2005 which came in force from 7 June 2005.

**Alternative options considered and rejected**

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

**05.EC.111 TOWARDS DELIVERING THE DRUGS STRATEGY WITHIN LANCASHIRE**

The Head of Corporate and Policy Services submitted a report on a request received from the Lancashire Drug Action Team for funding towards the countywide Enhanced Arrest Referral Scheme for the three year period 2005/06 to 2007/08.

**Decision made:**

**That approval be given to a contribution of £5,000 being made to the Enhanced Arrest Referral Scheme for the current year, to be funded from within existing cash budgets and that the Lancashire Drug Action Team be requested to submit further information on the operation of the scheme prior to consideration being given to the provision of funding for 2006/07 and 2007/08.**

**Reasons for decision:**

All District Councils within the County have been requested to contribute to the Enhanced Arrest Referral Scheme and the Lancashire Constabulary have indicated that the scheme will be withdrawn from areas that are not able to financially support it. Further information on the scheme has been requested prior to consideration being given to funding for future years.

**Alternative options considered and rejected:**

To fully fund the Scheme for three financial years.

To refuse the application for funding.

#### **05.EC.112 LANCASHIRE HIGHWAYS PARTNERSHIP**

With the consent of the Executive Leader to the consideration of this urgent item, the Head of Public Space Services submitted a report on the decision taken by the Lancashire County Council Cabinet to carry out consultations with District Councils on the termination of the Lancashire Highways Partnership.

The report indicated that the County Council Cabinet intended to consider the results of consultations at its next meeting on 6 October 2005 and officers were currently seeking to clarify with the County Council, its intentions for staff transfers and the on-going arrangements for the delivery of client and contractor highway functions subsequent to the termination of the Partnership by the built-in end date of 30 June 2006, if it takes place.

The Chief Executive reported that this issue had been discussed at a meeting of the Lancashire District Council Chief Executives held that week, from which it was apparent that all of the District Councils were opposed to the decision taken by the County Council Cabinet without any discussions been held with District Council's on the current operation of the Partnership.

The Executive Member for Traffic and Transportation (Councillor D Gee), other Members of the Executive Cabinet and Councillor Bell all expressed their opposition to the decision and their concerns in respect of the future management of highway functions (e.g traffic calming schemes) within Chorley.

#### **Decision made:**

- 1. That the report be noted**
- 2.. That the decision taken by the County Council Cabinet be opposed.**
- 3. That officers be authorised to enter into discussions with County Council officers on the County Council's proposal.**
- 4. That a further report be submitted to the Executive Cabinet meeting on 29 September 2005 for consideration of a formal response to the County Council.**
- 5. That the Lancashire County Council Cabinet be requested to delay any decision on this issue for a period of four months to allow meaningful consultations with District Councils.**

#### **Reasons for decision:**

To allow additional time for consultations with District Council's on the Highways Partnership.

#### **Alternative options considered and rejected:**

None

Executive Leader