

# Executive Cabinet

## Minutes of meeting held on Thursday, 28 May 2009

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

**Also in attendance:**

**Lead Members:** Councillors Harold Heaton (Lead Member (Development Control))

**Other Members:** Councillors Mike Devaney, Dennis Edgerley, Anthony Gee, Laura Lennox, Adrian Lowe, June Molyneaux, Mick Muncaster, Debra Platt, Geoffrey Russell and Ralph Snape.

### 09.EC.34 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Rosemary Russell (Lead Member for Health and Older People).

### 09.EC.35 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest by any of the Executive Members in any of the meeting's agenda items.

### 09.EC.36 MINUTES

The minutes of the meeting of the Executive Cabinet held on 26 March 2009 were confirmed as a correct record for signature by the Executive Leader.

### 09.EC.37 PUBLIC QUESTIONS

The Executive Leader reported that there had been no requests from any member of the public to speak at the meeting.

### 09.EC.38 PERFORMANCE MONITORING REPORT - FOURTH QUARTER OF 2008/09

The Executive Cabinet considered a report of the Assistant Chief Executive (Policy and Performance) which set out and reviewed the Authority's performance both in respect of the 36 key projects included in the refreshed 2008/09 Corporate Strategy and against the new National Indicators for which the Council was responsible, during the fourth quarter of 2008/09 ending on 31 March 2009.

The report revealed an overall commendable performance on the delivery of the Corporate Strategy key projects, with 35 projects being either completed, progressing on or ahead of schedule or scheduled to commence later in the year. Only the refurbishment of the Covered Market project was behind schedule, but the resolution of past issues was expected to ensure the delivery of the project before the end of June 2009. In relation to this project, a Member requested the Officers to re-examine the location of the used cigarette receptacles near the Market entrances.

The report also revealed a good performance in respect of the national indicators that could be measured, with 12 out of 17 indicators having matched or exceeded their

targets. Action plans had been compiled and adopted in respect of the 5 indicators where the target performance had not been reached.

Data comparing Chorley's performance with other similar authorities would be presented to future meetings.

**Decision made:**

**That the report be noted.**

**09.EC.39 CHORLEY PARTNERSHIP DRAFT ANNUAL REPORT FOR 2008/9**

The Executive Cabinet received a report of the Assistant Chief Executive (Policy and Performance) presenting the Chorley Partnership's end of year performance report for 2008/09.

The report reviewed the Partnership's activities and performance throughout 2008/09, commenting particularly on the progress and implications of the LSP sponsored projects and how they were contributing to the achievement of the Sustainable Community Strategy. The report also reviewed the Council's performance against the first year of the Local Area Agreement.

The Assistant Chief Executive's report highlighted a number of key issues discussed in the Annual Report, pointing out, for example, that the number of business start-ups had exceeded the target number, despite the economic downturn and that the number of teenage pregnancies had fallen by a further 10% since the previous year.

While the overall crime rate had reduced by 2.2% over the past 12 months, the number of violent crime incidents had risen, albeit by a small number and some related to domestic incidents. In this context, the Members agreed that it would be beneficial for domestic crime statistics to be reported periodically to the Executive Cabinet. Concern was also expressed at the rise in the number of hospital admissions for alcohol related harm. Members agreed that these two issues, in particular, would need to be addressed more thoroughly.

**Decision made:**

**That the report be noted.**

**09.EC.40 EXECUTIVE'S RESPONSE TO OVERVIEW AND SCRUTINY INQUIRY INTO STREETSCENE ISSUES**

Following the Executive Cabinet's receipt at its meeting on 8 January 2009 of the findings and recommendations of the Overview and Scrutiny Task Group on its inquiry into the activities of the Streetscene Section of the Neighbourhoods Directorate, the Corporate Director (Neighbourhoods) submitted a report on a suggested response to the inquiry report.

The Corporate Director's report reminded Members of the Transformation Action Plan developed in response to the recent Value for Money review of the Directorate. The Action Plan contained a number of processes which would support the implementation of the Overview and Scrutiny report, through, for example, the formulation of schedules for the cleaning and emptying of litter bins; and the mapping and numbering of assets (including litter bin locations) on the Geographical Information System.

In addition, the operational teams within the Streetscene function were being re-aligned to support the new Neighbourhood Working agenda. The teams would be

reviewing the current operations for all streetscene activities (including mowing, litter collection and street sweeping) with the aim of establishing more efficient and effective arrangements for each neighbourhood area.

The Corporate Director's report outlined each of the Overview and Scrutiny Task Group's 25 specific recommendations and contained a suggested response to each recommendation which referred to the appropriate action that had been, or would be, instigated under the Transformation Action Plan.

**Decisions made:**

**(1) That the recommendations of the Overview and Scrutiny Task Group having conducted the inquiry into Streetscene issues, as outlined in the submitted report, be received and endorsed.**

**(2) That the Executive Cabinet's thanks to the Overview and Scrutiny Task Group for its inquiry report be placed on record.**

**Reason for decision:**

To ensure the delivery and implementation of the recommendations of the Overview and Scrutiny Task Group.

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

None.

**09.EC.41 REGULATORY ENFORCEMENT AND SANCTIONS ACT 2008**

The Corporate Director (Neighbourhoods) submitted a report which summarised the main provisions of the new Regulatory Enforcement and Sanctions Act, 2008 and its implications for the Council's enforcement functions.

The Act aimed to establish a link based approach to enforcement and created a new agency to monitor the mechanisms put in place by local authorities to regulate enforcement action, the Local Better Regulation Office, which would report directly to the Secretary of State for Business Enterprise and Regulatory Reform. The Council's Service Manager (Environment) would be nominated as Chorley Council's Key Point of Contact on enforcement issues, as required by the new agency.

The Act also created a Primary Authority scheme, under which a business operating in two or more local authority areas could request a single authority to act on its behalf for specified regulatory enforcement matters such as food safety, health and safety at work and environmental enforcement activity. This would require any authority wishing to pursue enforcement action against a business within a Primary Authority arrangement to consult the Primary Authority before taking action.

The Act also required local authorities to undertake a review by December 2009 of its application of current legislation and Bye-laws to ensure that any business within the European Community wishing to trade in the locality was not prejudiced.

The Corporate Director confirmed the provision for the costs of undertaking the role of a Primary Authority to be recovered, but intimated that the Council would need to ensure that sufficient administrative support was available in the event of Chorley Council being requested to act as a Primary Authority.

**Decision made:**

**That the report be noted.**

#### **09.EC.42 BUSINESS DIRECTORATE VALUE FOR MONEY REVIEW - FINAL REPORT**

The Assistant Chief Executive (Business Transformation) presented a report which commented on the findings, conclusions and recommendations contained within the recent value for money review of the Council's Business Directorate.

The internal review had been undertaken to assess the Directorate's effectiveness in the delivery of quality services and value for money and to produce recommendations on how the service could be improved. The report clarified the factors and scoring criteria that had applied during the review.

The review had concluded that, while the Directorate was found generally to offer good value for money, there were areas where improvements could be pursued. A series of recommendations indicated in the final report had formed the basis of a transformation plan to drive the suggested improvements. The plan had, in fact, already resulted in a Directorate restructure which had achieved a saving of £125,000.

A copy of the final report document had been made available in the Members' Room and on the Council's website.

##### **Decision made:**

**That the report be noted and that the recommendations contained within the findings report of the Value for Money review of the Business Directorate to make the services more effective and efficient be approved for development and implementation.**

##### **Reason for decision:**

The Value for Money review is an integral part of the Council's drive to improve services across the Council and implementation of the recommendations will enable the services to be effective and efficient.

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

None.

#### **09.EC.43 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.**

#### **09.EC.44 STRUCTURE CHANGES TO ACCOMMODATE INTEGRATION OF THE LICENSING FUNCTION INTO NEIGHBOURHOODS DIRECTORATE**

The Executive Cabinet considered a report of the Corporate Director (Neighbourhoods) proposing structural changes within the Neighbourhoods Directorate following the integration of the Council's licensing functions within the Directorate.

The report drew attention to the differing strands of licensing activities and functions for which the Council had responsibility, highlighting the number of licensable activities where responsibility was currently split across Council Directorates. For example, the licensing of hackney carriage and private hire vehicles and premises for the sale of alcohol and use for gambling and gaming machines was administered by the recently transferred Licensing Team, whereas street trading, animal boarding and pet shop activities fell within the Neighbourhoods Directorate's responsibility.

The report also clarified the following two distinct operations of the licensing function:

- a quasi-judicial administrative process to validate and issue licence applications; and
- an enforcement operation to ensure that licensable activities complied with legislative requirements and that the conditions of licences were adhered to.

The new structure sought to separate the functions to allow the administrative element to be operated as part of the Neighbourhoods Directorate's Business Improvement Team and the operational enforcement element to fall within the Public Protection Section of the Directorate. This would entail a projected fundamental change in the operation and management of the Licensing Team.

In addition, the report recommended the refinement of the structure of the Neighbourhood Quality Team to enable a more coherent integration of the responsibilities for private sector housing standards and general statutory nuisance and pollution work into the new neighbourhood working arrangements.

Details of the proposed structural changes, which were aimed at avoiding unnecessary duplication of inspection processes, improving working methods and achieving budgetary savings, were shown in appendices to the submitted report.

#### **Decision made:**

**That the proposals outlined in the submitted report to revise the staffing structure of the Neighbourhoods Directorate in order to make the best use of resources following the integration of the Council's licensing function into the Directorate and ensure the best delivery of housing standards and statutory nuisance services be approved for consultation purposes.**

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

1. To ensure the best use of resources and strengthen the Council's licensing enforcement function through integration into a Public Protection Team.
2. To provide a coherent Neighbourhood Quality Team structure which best fits the Council's neighbourhood working agenda.

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

The transfer of the existing Licensing Team into the Neighbourhoods Directorate as a stand alone unit was considered but rejected on the grounds that better use of resources and synergies with other enforcement activities could be achieved.

Executive Leader

