

Executive Cabinet

Minutes of meeting held on Thursday, 25 June 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: Councillor Harold Heaton (Lead Member (Development Control))

Other Members: Councillors Ken Ball, Julia Berry, Alan Cullens, Dennis Edgerley, Anthony Gee, Catherine Hoyle, June Molyneaux, Mick Muncaster, Geoffrey Russell, Iris Smith, Ralph Snape and Peter Wilson

09.EC.45 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Debra Platt and Rosemary Russell.

09.EC.46 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.47 MINUTES OF LAST MEETING

The minutes of the meeting of the Executive Cabinet held on 28 May 2009 were confirmed as a correct record for signature by the Executive Leader.

09.EC.48 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.49 SUSTAINABLE COMMUNITIES ACT, 2007 - IMPLICATIONS FOR CHORLEY

The Corporate Director (Business) presented a report on the provisions of the Sustainable Communities Act, 2007 and its implications and opportunities for Chorley.

The report highlighted the opportunities the Act provided for local authorities to gain new powers in order to promote the sustainability of local communities. While there was no limit to the type of proposals an authority could put forward, powers should not be replicated and should be aimed at improving the social, environmental and economic well-being of their area.

Local authorities were required to submit proposals to Central Government, via the Local Government Association, by 31 July 2009.

The Executive Cabinet welcomed the opportunity to pursue policy changes aimed at benefiting the Borough. After taking account of the current economic climate and other factors, three proposals had been selected for pursuance with the Government. The Council would need to consult the Citizens Panel on the three options to seek residents' opinions before any proposals were lodged with the Government.

Decision made:

That the report be noted and that approval be given to consultation with the community on the following three options:

- **Business Rates** – that Business Rates should be retained by the local authority to be spent on local priorities.
- **Garden Development** – that Planning Policy Statement No 3 be amended to exclude gardens from the definition of brownfield land.
- **Governance** – support of local authority representation on public bodies (eg Primary Care Trusts).

Reason for decision:

The selected proposals will, if realised, enhance the services the Council provides to the community.

Alternative option(s) considered and rejected:

None.

09.EC.50 EXECUTIVE'S RESPONSE TO OVERVIEW AND SCRUTINY INQUIRY INTO CHORLEY COMMUNITY HOUSING

The Executive Cabinet considered a report of the Corporate Director (Business) which set out suggested responses to each of the 13 recommendations contained in the report of the findings of the Overview and Scrutiny Task Group's inquiry into Chorley Community Housing (CCH).

The inquiry had examined whether the obligations made by CCH under the terms of its contract were being delivered to tenants. The Task Group's report and recommendations had been presented initially to the Executive Cabinet in January 2009.

The Executive Cabinet welcomed and accepted the report's commentary which clarified the actions and measures that had either already been instigated or were proposed for action in the future.

Decision made:

That the Executive's response to the recommendations contained in the report of the findings of the Overview and Scrutiny Task Group following its inquiry into Chorley Community Housing, as outlined in the submitted report of the Corporate Director (Business), be endorsed for implementation.

Reason for decision:

Implementation of the action and measures as set out in the Overview and Scrutiny Group's report on its findings of the review into Chorley Community Housing is aimed at improving the service to tenants.

Alternative option(s) considered and rejected:

None.

09.EC.51 SECTION 106 AGREEMENTS - INVOLVEMENT OF PARISH COUNCILS

The Executive Cabinet considered a report of the Corporate Director (Business), firstly, reviewing the processes for the drawing up of Section 106 Agreements and, in particular, how Parish Council's involvement could be strengthened; and secondly, proposing the creation of a Play and Recreation Fund to boost the provision of facilities throughout the Borough.

Parish Councils had, in the past, expressed a wish for greater input into the Section 106 process and, particularly, the contents of agreements. The report suggested that a procedure could be introduced whereby Parish Councils' views on prospective Section 106 Agreements should be requested as part of the statutory consultation exercise on planning applications.

The Council's current policy required a contribution from the developers of each new dwelling towards play and recreation, but as these contributions did not generally benefit the rural areas where there was limited development, the report suggested the introduction of a policy under which contributions made under Section 106 Agreements on developments below 15 properties could be used for the provision and maintenance of play and recreation facilities on a Borough-wide basis and not limited to a particular locality. In addition, a twice yearly bidding process could be established, under which Chorley Council, Parish Councils and other appropriate community groups could be invited to submit relevant recreational schemes for ultimate consideration by the Executive Cabinet for funding purposes. In this context, reference was made to the fact that some areas of the Borough were unparished and it was accepted that the Council would need to agree a mechanism that would ensure that all areas of the Borough would be consulted and allowed the opportunity to put forward appropriate schemes for assessment.

Decision made:

(1) That the process for consultation on planning applications and associated Section 106 Agreements, together with the establishment of a Play and Recreation Fund, be endorsed for discussion and consultation at the next Borough/Parish Liaison meeting on 15 July 2009.

(2) That, provided no issues of major significance are raised at the Borough/Parish Liaison meeting, the Corporate Director (Business) be authorised to approve the recommended consultation process.

Reasons for decisions:

(i) There is significant value that can be gained for the community in identifying needs and priorities for all areas. However, this has to be tempered with the development industry's ability to fund any benefits and the ability of the Council to require certain benefits to be provided.

(ii) The involvement of the Parish Councils in the Section 106 process will ensure that the needs of the local community can be identified and any money can be distributed effectively.

Alternative option(s) considered and rejected:

None.

09.EC.52 CAPITAL PROGRAMME - PROVISIONAL OUTTURN FOR 2008/09 AND MONITORING PROGRAMME FOR 2009/10 AND ONWARDS

The Executive Cabinet received a report of the Assistant Chief Executive (Business Transformation) which set out (i) the provisional outturn for the Council's Capital Programme for 2008/09; and (ii) a progress report on the 2009/10 Capital Programme.

The provisional outturn for 2008/09 had been projected as £5,235,092, a reduction of £3,347,528 on the budget approved in January 2009, caused primarily by the slippage of expenditure to 2009/10. An appendix to the submitted report set out the projected method of funding the programme in order to achieve a reduction in the level of prudential borrowing in 2008/09 by £1.539m.

Other appendices to the report presented the revised Capital Programme budgets for 2009/10 and 2010/11. The proposed programme for 2009/10 had been increased to £9,672,620 as a result principally of a £3.601m slippage of expenditure from 2008/09 and an increase in the Regional Housing Pot capital grant allocated to the Council in 2009/10.

Appendices to the report gave a detailed analysis of the provisional outturn for 2008/09 and outlined the proposed financing arrangements for the revised 2009/10 programme.

Decision made:

That the Council be recommended:

- (a) to note the provisional outturn for 2008/09 Capital Programme totalling £5,235,092;**
- (b) to approve the financing of the 2008/09 Capital Programme as set out in Appendix 1 of the submitted report;**
- (c) to approve the revised Capital Programme for 2009/10 totalling £9,672,620 to take account of slippage from 2008/09, increased resources and other increases.**

Reason for decision:

In order to grant formal approval to the financing of the 2008/09 capital programme and to update the capital programme for 2009/10 to take account of both expenditure committed during 2008/09 but not incurred by 31 March 2009 and additional resources, such as the Regional Housing Pot capital grant.

Alternative option(s) considered and rejected:

None.

09.EC.53 REVENUE BUDGET, 2008/09 - OUTTURN

The Executive Cabinet received a report of the Assistant Chief Executive (Business Transformation) setting out the provisional outturn for the Council's 2008/09 General Fund revenue budget.

The report revealed that all of the efficiency savings targets for 2008/09 had been achieved, together with an overall underspend of £20,000 (excluding concessionary travel costs). The total of the predicted overspend on concessionary travel expenditure, to be funded from working balances, had been reduced to £135,000.

The General Fund level of working balances as at 31 March 2009 totalled £1.601m, an increase of £51,000 on the balances forecast in the medium term financial strategy in March 2009. This had been achieved as a result of both the revenue underspend and the reduction in the originally projected overspend on concessionary travel costs.

The Assistant Chief Executive highlighted a number of relevant factors that had contributed to the current financial position and the Members requested a re-examination of the structure of car parking fees.

Decision made:

That the report be noted.

09.EC.54 POSSIBLE CHANGES TO THE ADMINISTRATION OF CONCESSIONARY TRAVEL

The Executive Cabinet received and considered a report of the Assistant Chief Executive (Business Transformation) seeking Members' views on a Government consultation on proposals to amend the administration of the Concessionary Travel Scheme.

A number of problems and anomalies with the current administrative arrangements had become apparent and the Government had identified a number of options aimed at improving the efficiency and sustainability of the system. The options for change to the statutory minimum concession included:

- retention of the current system (leaving the administration largely with District Councils);
- moving responsibility to upper tier authorities only;
- centralising administration completely;
- moving responsibility to a regional level, which would require primary legislation.

The current consultation excluded changes to the current funding arrangements, which was to form a separate consultation exercise as part of the next comprehensive spending review in 2011.

The Executive Cabinet accepted that the key issue surrounding the concessionary travel scheme remained to be one of funding and endorsed the view that a centrally funded and administered scheme was potentially the best option.

Decision made:

That the suggested response to the Government's consultation on proposals to amend the administration of the concessionary travel scheme, as contained in Appendix A to the submitted report, be endorsed.

Reason for decision:

To ensure that the Council's expressed views and aspirations on the future administration of the concessionary travel scheme are conveyed to the Government.

Alternative option(s) considered and rejected:

None.

09.EC.55 EXCLUSION OF THE PUBLIC AND PRESS

Decision made:

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

09.EC.56 AFFORDABLE HOUSING TASK GROUP - SERVICE IMPROVEMENT PLAN

The Corporate Director (Business) gave a short presentation and submitted a confidential report seeking approval of an Action Plan for the delivery of affordable housing drawn up by the Affordable Housing Task Group.

The Task Group had been appointed in the light of the impact of the economic recession to examine how affordable housing could be increased and delivered more quickly and to ensure that all available funding and resources were accessed. The Council had, in fact, received an increased funding allocation of £1.2m from the Government's Regional Housing Pot, which could be utilised to stimulate appropriate initiatives.

The Executive Committee welcomed and approved the Action Plan devised by the Task Group as outlined in the Director's report, which identified 11 projects and initiatives aiming to provide a greater number of affordable housing units by more flexible and innovative methods over a planned programme.

The Members accepted that the success and ultimate delivery of the Action Plan would be dependent on the effective collaboration between respective partners. In addition, the Council's Officers were requested to examine means of reducing the problem created by local Estate Agents' reluctance to deal with potential tenants in receipt of housing benefits.

Decisions made:

- (1) That the Affordable Housing Action Plan, as outlined in the Appendix to the submitted report, be approved for implementation.**
- (2) That the establishment of a temporary Empty Homes Officer post be approved, subject to a review of staff resources and the costs of the post being contained within budget.**

Reason for decisions:

Implementation of the projects in the Action Plan should help to deliver the Corporate Strategy objective of developing the character and feel of Chorley as a great place to live, by delivering more affordable housing and assisting in the provision of a range of housing tenures that address community requirements.

Alternative option(s) considered and rejected:

To continue with existing arrangements and mechanisms, particularly in the current economic climate, will not be sufficient to meet targets and achieve the required delivery of affordable housing to meet demand within the Borough.

09.EC.57 OFF-STREET PARKING - ENFORCEMENT

The Corporate Director (Neighbourhoods) circulated at the meeting a confidential report seeking the Executive Cabinet's decision on the future arrangements to apply in

respect of the provision of “off-street” parking enforcement services in Chorley when the current arrangements with Lancashire County Council for the enforcement of “on-street” and “off-street” parking expire in September 2009. The present integrated arrangements would cease on 5 September when the County Council would retain the “on-street” parking enforcement function and District Councils would become responsible for “off-street” parking enforcement services.

A number of options for the provision of enforcement services had been examined and costed through Team Lancashire, details of which were contained within the submitted report. The Executive Cabinet had been asked to determine whether the Council should continue its partnership with the County Council for “off-street” parking enforcement or whether the Council should consider an alternative short term contract arrangement, pending the exploration of a longer term solution with other Lancashire Districts, after taking account of all pertinent factors, including estimated comparative costs.

The Director’s report concluded that pursuance of the short term contract was likely to be the most cost effective and beneficial arrangement, generating savings of up to £0.25m across the County as a whole. The option would entail the engagement of a contractor to provide back office services (ie administration of penalty notice challenges and debt recovery) and a separate contractor to provide front-line enforcement and cash collection services.

Decision made:

That approval be given to the procurement of a short term contract to provide “off-street” car parking enforcement services in order to enable Officers to explore a longer term solution to the provision of this service, subject to a sufficient number of other authorities committing to the scheme.

Reasons for decision:

To ensure that the Council has a robust enforcement capability with regard to “off-street” parking in the short term.

To allow sufficient time for a wider procurement exercise to be undertaken, including the exploration of shared service arrangements with other Lancashire Districts.

Alternative option(s) considered and rejected:

Retention of the current arrangements with the County Council would incur greater costs and would perpetuate the indistinct separation of responsibilities for “on-street” and “off-street” parking enforcement.

Executive Leader