

Executive Cabinet

Minutes of meeting held on Thursday, 3 December 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)) and Rosie Russell (Lead Member (Health and Older People)).

Other Members: Councillors Ken Ball, Julia Berry, Henry Counce, Dennis Edgerley, Anthony Gee, Laura Lennox, Adrian Lowe, June Molyneaux, Mick Muncaster, Debra Platt, Geoffrey Russell, Ralph Snape, Stella Walsh and Peter Wilson.

09.EC.109 DECLARATIONS OF ANY INTERESTS

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

09.EC.110 MINUTES OF LAST MEETING

The minutes of the meeting of the Executive Cabinet held on 12 November 2009 were confirmed as a correct record for signature by the Executive Leader.

09.EC.111 PUBLIC QUESTIONS

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

09.EC.112 REPORT OF THE JOINT OVERVIEW AND SCRUTINY TASK GROUP ON AFFORDABLE HOUSING

The Executive Cabinet received and considered a report of the findings and recommendations of the Joint Overview and Scrutiny Task Group that had been set up by the Chorley, Preston and South Ribble Councils to consider issues around the provision and access to affordable housing for both rent and sale.

The joint inquiry had been instigated in response to concerns that the delivery of affordable housing would be unable to meet the needs of expanding communities and the Task Group had examined the measures that could be taken to overcome current barriers to the delivery of affordable homes.

The report contained a number of recommendations for consideration by the three Authorities, together with an action list showing the current status of the recommendations contained in the Affordable Housing Service Improvement Plan approved by the Executive Cabinet in June 2009. The Executive Member (Business) intimated that, whilst a number of the recommended actions had already been initiated, a few of the proposed measures still remained to be addressed.

The Chair of the Overview and Scrutiny Committee (Councillor Dennis Edgerley) highlighted the challenges that had protracted the completion of the inquiry, which should be borne in mind whenever other joint inquiries were contemplated.

Decision made:

That the findings and recommendations of the Joint Overview and Scrutiny Task Group be received and that the Executive's response to the recommendations be determined at a future meeting.

Reason for decision:

The decision will allow the Executive the opportunity to assess the inquiry's findings and recommendations before firm decisions on implementation are reached.

Alternative option(s) considered and rejected:

None.

09.EC.113 OVERVIEW AND SCRUTINY COMMITTEE

During the discussion on the above item, the Chair of the Overview and Scrutiny Committee (Councillor Dennis Edgerley) advised the meeting that the Committee, at its last meeting on 1 December 2009 during its review of the Safer Chorley and South Ribble Partnership's Responsible Authorities Group, had requested the Executive Cabinet to consider expanding the capacity of the Chorley Women's Refuge.

09.EC.114 PRIVATE SECTOR HOUSING ASSISTANCE POLICY, 2010 - 2012

The Assistant Chief Executive (Policy and Performance) presented a report seeking endorsement of a revised Private Sector Housing Assistance Policy for consultation purposes. It was planned to implement the policy in March 2010 as a replacement of the Housing Renewal Grant policy.

The revised policy had been compiled around the following main strands of assistance:

- Disabled Facilities Grant – mandatory grants intended to provide specialist adaptations to meet the care and mobility needs of disabled persons;
- Decent Homes Assistance – a discretionary form of assistance aimed at helping vulnerable households on low income to undertake repairs and improvements to bring their home up to the Decent Homes Standard;
- Energy Efficiency Assistance – the eligibility criteria is to be adjusted to ensure that the grant assistance is targeted to the maximum number of households in greatest need within priority areas.

The report highlighted the customer eligibility criteria and eligible works relating to each strand of assistance, together with the corresponding customer service standards.

The new policy also introduced the ability to offer Home Improvement Loans to householders as an alternative method of providing assistance as a means of maximising the grant finance resource.

Chorley's progress against the policy's targets would be monitored by the Private Sector Housing Stock Condition Survey, the outcome of which was anticipated by the middle of 2010.

Decision made:

That the Private Sector Housing Assistance Policy, as now submitted, be approved in principle for consultation, with a view to its introduction in March 2010 following a further report to the Executive Cabinet.

Reasons for decision:

1. The proposed policy is designed to offer a mechanism to provide housing assistance to customers in private housing in a way that maximises the effective use of resources in targeting customers in most need.
2. The policy integrates the various strands of housing assistance and enables the Council to provide a more coherent approach to improving housing conditions across the borough.
3. The policy offers Value for Money in line with the Council's methodology/principles, for example by the recycling of funds using Home Improvement Loans.
4. The updated policy reflects current legislation and Government policies.

Alternative option(s) considered and rejected:

1. An option to focus the Decent Homes Assistance budget and Energy Efficiency Assistance budget on certain wards or areas was considered, but, without robust information about the private sector stock conditions, this option was disregarded.
2. An option not to update the policy was discarded because the existing policy is out of date and is no longer fit for purpose.

09.EC.115 SECTION 106 AGREEMENTS FOR OPEN SPACE - INVOLVEMENT OF PARISH AND TOWN COUNCILS

The Corporate Director (Business) submitted a report on the outcome of the consultation with Parish and Town Councils on the use of Section 106 contributions for the allocation of funds within the Play and Recreation Fund.

While conflicting views had been expressed during the consultation, the Executive Cabinet were recommended to support the adoption of a policy under which all Parish and Town Councils would be able to bid for a share of the Fund to finance appropriate schemes. This would ensure all areas, and not just the areas in which the larger development schemes generating Section 106 contributions were located, could benefit potentially from the Fund.

The ultimate decisions on the allocation of the Play and Recreation Fund resources could be taken by the Executive Cabinet following evaluation of all bids from Parish and Town Councils and the Borough Council.

Decision made:

That Parish and Town Councils, together with appropriate community groups, be formally invited to submit bids for funding of projects to be funded from the Play and Recreation Fund created by Section 106 contributions, to be considered by the Executive Cabinet alongside bids from the Borough Council.

Reason for decision:

The involvement of Parish and Town Councils in the Section 106 process and the establishment of a suitable fund will ensure that the needs of the local community can be identified and contributions effectively distributed.

Alternative option(s) considered and rejected:

One Parish Council considered that Section 106 contributions should be used for play and recreation schemes within the area from which they were generated.

09.EC.116 ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES - PROPOSALS FOR CHORLEY TOWN CENTRE AND ASTLEY PARK

The Corporate Director (Neighbourhoods) presented a report recommending the imposition of a Designated Public Places Order under Section 13 of the Criminal Justice and Police Act, 2001 in respect of the area identified on the accompanying plan as "Chorley Town Centre and Astley Park".

The recommendation had been supported by the Responsible Authorities Group of the Safer Chorley and South Ribble Partnership as a tool by which to combat nuisances associated with anti-social behaviour, disorder, and problems caused by drunken adults. The Order would not impose a ban on alcohol consumption, but would empower Police Officers and Police Community Support Officers to require individuals to surrender the alcohol and any opened or sealed containers in appropriate circumstances. The powers were to be used solely to address nuisance, annoyance or disorder by adults associated with alcohol.

A suggestion was put forward that the Authority should consider the designation of the town centre, identified parts of Astley Park and recreation areas in the Borough as alcohol free zones. In response, the Executive Member (Neighbourhoods) indicated that, while he was reluctant to support a blanket ban on the consumption of alcohol as proposed, the possible extension of the Designated Public Places Order to cover the Coronation Recreation Ground could be considered along with other responses to the consultation exercise.

Decisions made:

- 1. That the outlined proposals to make a Designated Public Places Order under Section 13 of the Criminal Justice and Police Act 2001 in respect of the area identified as Chorley Town Centre and Astley Park on the plan appended to the submitted report be approved for consultation purposes.**
- 2. That the suggested extension of the Designated Public Places Order to include the Coronation Recreation Ground be considered and determined along with other responses to the consultation.**
- 3. That, provided evidence is supported and the proposals are endorsed by the Responsible Authorities Group of the Safer Chorley and South Ribble Partnership, the Executive Member (Neighbourhoods) be delegated authority to determine the implementation of the Designated Public Places Order.**

Reasons for decisions:

- 1. The Order is tailored specifically to address the problems that are prevalent within the identified area and also caters for issues of displacement as a result of the Order.**
- 2. Other means to prevent drunkenness and unruly behaviour at this location have been tried and, whilst there have been some successes; sustainability over the long term is difficult to maintain. The introduction of a DPPO will add another prevention and enforcement tool that should also help improve public confidence and perceptions over the long term.**

Alternative option(s) considered and rejected:

1. Whilst the use of CCTV has shown to reduce the levels of crime, including violent crime in the town centre, any consideration of increasing the already extended hours of operation or expansion of the system would be very expensive and not proportionate to the levels of activity.
2. Any permanent Police or Police Community Support Officer presence would not be cost effective or proportionate in relation to the levels of activity.

09.EC.117 CORPORATE DEBT MANAGEMENT AND RECOVERY POLICY

The Assistant Chief Executive (Business Transformation) submitted a report presenting for endorsement an updated and revised Corporate Debt Management and Recovery Policy.

The policy had been formulated following a recent review by the Internal Audit Section of the Council's debt management across all debt streams. The policy had been designed to address concerns at the wide variation in the ways that debts were pursued and managed across the authority and the failure to make the best use of management information and data sharing. The new policy aimed to reflect recent economic changes, deliver measurable service improvements and adhere to good practice.

Decision made:

That the Corporate Debt Management and Recovery Policy, as now presented, be approved and adopted.

Reason for decision:

The updated policy will provide an overarching framework for debt management procedures and practices, ensuring that a consistent and professional approach is taken when pursuing debts owed to the Council that takes account of all debtors' circumstances.

Alternative option(s) considered and rejected:

None.

09.EC.118 VALUE FOR MONEY REVIEW OF THE CORPORATE SUPPORT SERVICES - DETERMINATION OF RESPONSE TO FINAL REPORT

The Executive Cabinet received and considered a report of the Corporate Director (People) presenting the findings and recommendations of the Value for Money review of the various elements of the Council's Corporate Support Services, as part of the Authority's programme of service reviews.

The review had been undertaken to assess the support services effectiveness in delivering high quality services with the most efficient use of resources and working methods.

The review had concluded that, in general, the corporate support services provided good value for money, but the findings had identified a number of improvements and service revisions that had the potential to streamline the use of resources and provide better value for money for Council Tax payers.

A number of Councillors present at the meeting raised associated issues, particularly in relation to the marketing and current use of the Lancastrian Room; the costs of the Mayoralty; and the planned review of the Council's Year Book and Diary. In response, the Executive Leader accepts the suggestions that the Member Support

Working Group examine options for the publication of information currently available in the Year Book and Diary and that further reports be prepared on the role and function of the Lancastrian Room and issues surrounding the Mayoralty function, for consideration by the Executive Cabinet.

Decision made:

That the report and findings of the Value for Money Review of the Council's Corporate Support Services be noted and that the recommendations contained in the respective findings reports for the Office of the Chief Executive, and the Human Resources and Organisational Development; Information and Communications Technology; Policy and Performance; and Corporate Governance (Civic Services, Legal Services and Democratic Services) Directorates be approved for development and implementation.

Reason for decision:

The proposals and potential improvements aim to make the corporate support services more efficient and cost effective.

Alternative option(s) considered and rejected:

None.

09.EC.119 EXCLUSION OF THE PUBLIC AND PRESS

Decision made:

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

09.EC.120 SOUTH LANCASHIRE HOME IMPROVEMENT AGENCY

The Assistant Chief Executive (Policy and Performance) presented a confidential report reviewing the performance and costs associated with the South Lancashire Home Improvement Agency and outlining options for the operation of the services falling within the responsibility of the Agency upon the expiry of the current contractual arrangements on 31 March 2010.

The current partnership administering the Agency comprised of Anchor Staying Put, Lancashire County Council, Chorley and South Ribble Councils and Central Lancashire PCT. The purpose of the agency was to provide a one-stop shop for Chorley and South Ribble residents to access housing grants and advice. Officers from the respective Housing Renewal Teams of the two Borough Councils had been seconded to the Agency.

Recent reviews of the service that raised doubts that the Agency was providing value for money and there was no evidence that the Agency was attracting additional funding to the Borough as expected. The report, therefore, recommended the instigation of procedures to re-establish an in-house Home Improvement Agency.

Decisions made:

- 1. That approval be given to the examination and instigation of proceedings to establish an in-house Home Improvement Agency offering Disabled Facility Grants, Home Repair Assistance and Energy Efficiency Grants/Advice.**

2. **That a further report detailing the staffing structure required to operate the service from April 2010 be prepared and submitted to an early meeting of the Executive Cabinet.**

Reasons for decisions:

The proposals are aimed at providing a better value for money and effective advice service that will ensure optimum efficiency through linkage to the Council's Customer Contact Centre.

Alternative option(s) considered and rejected:

Continuation of the existing contract; the re-tendering of the current service; the discontinuation of the services offered by the Home Improvement Agency.

09.EC.121 PROPERTY SERVICES CONTRACT

The Assistant Chief Executive (Business Transformation) circulated a confidential report seeking the Executive Cabinet's agreement to terms recommended for the conclusion of an on-going commercial dispute between the Council and Liberata, the company responsible for the management and maintenance of the Council's property assets.

The dispute centred principally on the interpretation of "planned maintenance" in the context of the contractual arrangements, which had resulted in the Council withholding some payments since the beginning of the contract in July 2007. Following protracted negotiations between the two parties, terms to settle the dispute had been tentatively agreed, which would, if accepted, result in an additional sum being incurred in the current financial year.

Decision made:

1. **That the proposed terms outlined in the submitted report aimed at settling the contractual dispute between the Council and Liberata be agreed.**
2. **That delegated authority be granted to the Assistant Chief Executive (Business Transformation), as the authority's Section 151 Officer, to conclude the negotiations, provided the costs remain within the Council's current budget for asset maintenance.**

Reason for decision:

The recommended settlement terms are intended to terminate the Council's on-going contractual dispute with Liberata.

Alternative option(s) considered and rejected:

None.

09.EC.122 VALUE FOR MONEY REVIEW OF THE CORPORATE SUPPORT SERVICES - RESTRUCTURE PROPOSALS

The Executive Cabinet received a report of the Assistant Chief Executive (Business Transformation) on proposals to amend the staffing structures and establishment of the various Sections that had been examined during the recent Value for Money review of the corporate support services.

Following an evaluation of the economy and efficiency aspects of the review, a number of prospective amendments to the establishment of the respective Sections had been identified. The measures aimed to reduce costs in areas where Chorley's costs were greater than other authorities, avoid duplication of tasks and increase the efficiency of a number of working practices. The proposals would entail a reduction of 6.8 full time equivalent posts, with a consequential substantial overall saving.

A number of associated issues were raised by Members present at the meeting, particularly in relation to the Communications Section, and it was highlighted that the plans to reduce the staffing in the Democratic Services Section was dependent upon the number of meetings serviced by the Section being reduced.

Decisions made:

- 1. That the proposed amendments to the current structures and establishments of the Directorates and Sections examined during the Value for Money review of the Corporate Support Services, as now outlined in the submitted report, be approved for consultation purposes.**
- 2. That the Executive Member (Resources) be granted delegated authority to consider the consultation responses and determine the proposals, provided there are no significant changes to the current proposals.**

Reason for decision:

The revised structures and establishments have been devised to take account of and address issues identified in the Value for Money review of the corporate support services and the senior management restructure.

Alternative option(s) considered and rejected:

None.

09.EC.123 SENIOR MANAGEMENT RESTRUCTURE - TO CONSIDER PROPOSALS IN THE LIGHT OF FEEDBACK FROM CONSULTATION PROCESS

The Chief Executive circulated a report on the outcome of the consultation with staff and Unison on the proposals to revise the senior management structure of the Council as agreed in principle at the last Executive Cabinet meeting on 12 November 2009.

As a result of the consultation exercise, a number of alterations affecting posts within the respective Directorates had been recommended.

Decisions made:

- 1. That the proposed new senior management structure for the Council, as set out in Appendix 3 to the submitted report, be approved and adopted.**
- 2. That all Officers in deleted posts who are at risk of redundancy be given the opportunity to apply for the newly created posts as potential suitable alternative employment.**
- 3. That appointments to the three new Director posts be made by the respective Appointments Panel on 11 December 2009, with interviews for the Service Head posts taking place prior to Christmas.**

Reason for decision:

The structure agreed in principle at the last Executive Cabinet meeting needs to be revised in order to reflect changes evolving from the consultation on the restructure plans.

Alternative option(s) considered and rejected:

None.

Executive Leader