

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