

# Executive Cabinet

## Minutes of meeting held on Thursday, 11 January 2007

**Present:** Councillor Peter Goldsworthy (Executive Leader in the Chair), Councillor Mrs Pat Case (Deputy Leader of the Council) and Councillors Eric Bell, Alan Cullens, Peter Malpas, 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), Francis Culshaw (Lead Member for Housing), David Dickinson (Lead Member for Parish Councils), Mrs Marie Gray (Lead Member for Town Centre), Harold Heaton (Lead Member for Development Control), 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 present:** Councillors Dennis Edgerley, Anthony Gee, Daniel Gee and Ralph Snape

### 07.EC.01 DIRECTOR OF HUMAN RESOURCES

The Executive Leader welcomed Ms Lorraine Charlesworth, who was attending her first Executive Cabinet meeting since her recent appointment as Director of Human Resources.

### 07.EC.02 DECLARATIONS OF ANY INTERESTS

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

### 07.EC.03 MINUTES

The minutes of the meeting of the Executive Cabinet held on 7 December 2006 were confirmed as a correct record for signature by the Executive Cabinet.

### 07.EC.04 OVERVIEW AND SCRUTINY IMPROVEMENT PLAN - UPDATE

The Chair of the Overview and Scrutiny Committee (Councillor D Edgerley) presented an updated version of the Overview and Scrutiny Improvement Plan, which had been approved by the Overview and Scrutiny Committee and the Executive Cabinet in March 2006.

The Improvement Plan had emerged from a Members' self-evaluation workshop and identified 13 actions aimed at improving the delivery of the Council's overview and scrutiny function. The updated Plan illustrated the progress that had been achieved on each of the planned actions.

In particular, the Chair of the Overview and Scrutiny Committee drew attention to the following measures that had been instigated in response to a number of action points:

- Proposals were being developed with the Improvement and Development Agency for the implementation of three training workshops in mid-2007 to cover (i) general overview and scrutiny issues, including the implications of the Local Government White Paper (ii) chairing overview and scrutiny bodies; and (iii) financial scrutiny.

- The Council's Overview and Scrutiny structure and toolkit would be reviewed to ensure that they remain 'fit for purpose' and in line with best practice.
- Greater public involvement in overview and scrutiny would be encouraged through articles in the Chorley Borough News and publicity at the Community Forum meetings.

**Decision made:**

**That the updated Overview and Scrutiny Improvement Plan, as now presented, be welcomed.**

**Reason for decision:**

The planned initiatives and actions outlined in the updated Improvement Plan will strengthen the overview and scrutiny regime and Members' role within the structure.

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

None.

**07.EC.05 FORWARD PLAN**

The Council's Forward Plan for the four months period from 1 January to 30 April 2007 was submitted for the information and comment of the Executive Cabinet. The Plan set out the details of the key decisions which the Executive Cabinet, individual Executive Members or Officers were expected to take during the four months period.

The Members were reminded that the Forward Plan had been made more inclusive and transparent and identified more precisely the dates of anticipated decisions.

**Decision made:**

**That the Council's Forward Plan for the four months period 1 January to 30 April 2007, as now presented, be noted.**

**07.EC.06 REVISED SANCTION AND PROSECUTION POLICY - HOUSING BENEFIT AND COUNCIL TAX BENEFIT**

The Executive Cabinet considered a report of the Director of Finance recommending a number of changes to the Housing/Council Tax Benefit Sanction and Prosecution Policy, introduced in March 2001 to define the general principles to be applied when considering sanctions and prosecution action in cases where Housing Benefit and/or Council Tax Benefit had been fraudulently overpaid.

Currently, all cases where either a sanction or prosecution was recommended was referred to the Director of Finance for a decision. A review of the policy had been undertaken, however, in order to streamline the process and reflect a more appropriate delegation of decision making powers.

**Decision made:**

**That the Housing Benefit and Council Tax Sanction and Prosecution Policy be reviewed to take account of the following changes:**

**Cases where Chorley Council takes the 'lead' in the investigation:**

**In instances where the recommendation of the Compliance Manager is to offer a sanction as an alternative to prosecution, the decision be delegated to the Revenues and Benefits Manager.**

**In instances where the recommendation by the Compliance Manager is to commence criminal proceedings, the decision remain with the Director of Finance.**

**Cases where the Department for Work and Pensions takes the 'lead' in the investigation:**

**In instances where a recommendation is made by the DWP's Fraud Sector Manager, the decision as to whether Chorley Council should participate in a joint sanction or joint prosecution be delegated to the Compliance Manager.**

**Reason for decision:**

The changes to the Sanction and Prosecution Policy will generate process efficiencies and will reflect the custom and practice that had been developed in respect of joint investigations with the Department for Work and Pensions.

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

None.

(Councillors A Cain, D Edgerley and Mrs M Gray, who were present at the meeting, declared a prejudicial interest in the following agenda item by virtue of their membership of the Chorley Community Housing Shadow Board. The Councillors each left the meeting during consideration of the item and took no part in the discussions on the matter).

**07.EC.07 HOUSING RENTS AND CHARGES FOR 2007/08**

The Executive Cabinet considered a report of the Director of Finance seeking approval to the level of Council house rents and other associated charges to be applied for 2007/08 with effect from 2 April 2007, after taking account of all relevant factors.

The report recommended an average Council house rent increase of 4.99%, and other associated service charge increases, in line with Government guidelines and the rents restructuring formula.

The proposed increase in the heating charges for sheltered accommodation had been recommended in order to reflect substantial rises in energy costs in 2006 and were, in fact, below the actual percentage fuel cost increases.

The Executive Cabinet was advised that Council house tenants had been consulted on the planned increases in December 2006 and that the proposals had been reported to Chorley Community Housing's (CCH) Finance Committee in the light of the anticipated transfer of the Council's housing stock to CCH on 26 March 2007.

**Decisions made:**

**That approval be given to:**

- 1. an average Council house rent increase of 4.99% in respect of the Council's 2,923 Council houses (excluding Cotswold House), in line with the rent restructuring formula;**

2. a 4.1% increase in the existing sheltered accommodation and general needs environmental charges and to the second tranche of unpooling of the service charges;
3. increases in the Warden support service and Tunstall or Lifeline alarm charges to be consistent with changes to the level of the 'Supporting People Grant';
4. the removal of the remaining 'protection' from payment of the full support charge from 81 tenants following the expiry of the 'phasing in' period;
5. the abolition of the charges for the use of cookers and fridges in sheltered accommodation;
6. an increase of 50% in the heating charges levied on 85 sheltered properties;
7. a 5% increase in garage rents.

**Reasons for decisions:**

The proposals comply with the Government's guidance on rents and service charges and are consistent with the Business Plan of Chorley Community Housing.

Decisions on agreed increases to be introduced from April 2007 require to be taken in advance of the expected transfer of the Council's housing stock to Chorley Community Housing within the statutory deadlines for the issue of notices to tenants.

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

None.

Executive Leader