

Executive Cabinet

Minutes of meeting held on Thursday, 22 February 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 and Communications Technology), 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: Councillors Kenneth Ball, Dennis Edgerley, Anthony Gee, Daniel Gee, Adrian Lowe, Ralph Snape and Mrs Stella Walsh

07.EC.08 DECLARATIONS OF ANY INTERESTS

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

07.EC.09 MINUTES

The minutes of the meeting of the Executive Cabinet held on 11 January 2007 were confirmed as a correct record for signature by the Chair.

07.EC.10 PROVISION OF OVERVIEW AND SCRUTINY TRAINING SESSIONS

The Director of Customer, Democratic and Legal Services submitted a report seeking approval to the delivery of overview and scrutiny training sessions for Members and Officers in June 2007.

One of the key actions identified in the Overview and Scrutiny Improvement Plan sought the provision of appropriate training on overview and scrutiny matters, which had also been included in the Member Development Programme for 2007/08, following an analysis of individual Members' training needs.

Following consideration of initial proposals submitted by three local government training organisations, the Members were recommended to accept the offer from the Improvement and Development Agency, working in conjunction with the Centre for Public Scrutiny, to deliver training session for Councillors and Officers on general overview and scrutiny issues, Chairing Overview and Scrutiny bodies and financial scrutiny. The cost of the training programme would be able to be financed from the Member Development budget.

Decision made:

That approval be given to the provision of overview and training sessions for Members and Officers by the Improvement and Development Agency in June 2007.

Reason for decision:

The training sessions will satisfy one of the key issues identified in the Overview and Scrutiny Improvement Plan and one of the priorities in the Member Development Programme.

Alternative option(s) considered and rejected:

None.

07.EC.11 GENERAL FUND REVENUE BUDGET AND COUNCIL TAX, 2007/08 - UPDATE

The Executive Cabinet considered a report of the Executive Leader putting forward proposals for the General Fund Revenue Budget and Council Tax levels for 2007/08 with a view to the Executive Cabinet's recommendations being considered by the Council on 27 February 2007.

The report contained the representations received in response to the consultation on the draft budget proposals, which would need to be assessed before the determination of the Executive Cabinet's final recommendations. The report highlighted the key concerns that had been expressed by respondents and the Overview and Scrutiny Committee. A letter recently received from the Southern Divisional Commander of Lancashire Constabulary was circulated at the meeting.

The report indicated that, since the publication of the draft consultation budget, a number of adjustments had been made to the continuation budget, based on updated information. These adjustments would allow scope for further expenditure up to £39,000 without altering the overall expected position for 2007/08 and the objective to achieve a freeze in the Borough Council's element of the Council Tax.

The Executive Cabinet's responses to the comments and questions posed by the Overview and Scrutiny bodies would be reported direct to the next Council meeting.

A number of non-Executive Members present at the meeting expressed, in particular, their opposition to the proposal to replace the annual Civic Dinner by a Mayoral Civic Sunday event at a reduced cost. In reply, the Executive Leader indicated that no firm decisions had been taken on the form of event that could be organised within the reduced budget provision.

Decision made:

(1) That the report and responses to the draft consultation General Fund Revenue budget for 2007/08 be noted.

(2) That the Council be recommended to approve the revised budget proposals for 2007/08 as outlined in the submitted report, including provision for the following additional proposals:

<u>Proposal</u>	<u>Additional Budget Provision Required</u>
	£
Reinstatement of Urban Designer post in the Development and Regeneration Directorate.	Cost neutral – Post to be funded from identified savings
Withdrawal of proposals to charge for rodent control services.	10,000
Publication of a scaled down, more cost effective Year Book and diary	2,000

Reinstatement of the Council's contribution to the costs of the Lancashire County Council's Welfare Rights Officer service in Chorley for 2007/08 only. 5,000

Provision in the 2007/08 base budget for costs to be incurred in the restructure of the Customer, Democratic and Legal Services Directorate. 22,000

Reason for recommendations:

In order to achieve a balanced General Fund Revenue Budget for 2007/08 that will direct resources into key corporate priorities and address the concerns identified in the consultative exercise.

Alternative option(s) considered and rejected:

None.

07.EC.12 MAXIMISING OPPORTUNITIES IN THE LOCAL GOVERNMENT WHITE PAPER - IMPROVING TWO-TIER WORKING IN LANCASHIRE

The Executive Cabinet received a report of the Chief Executive updating Members on action that had been instigated to improve two-tier working in Lancashire since the Officers report to the Executive Cabinet in December 2006 on the implications of the provisions contained in the new Local Government White Paper.

The Executive Cabinet had, at its meeting in December 2006, authorised the Borough Council to lead discussions with the Lancashire County Council and other Lancashire Authorities on a bid to improve two-tier working in Chorley.

The report indicated that bids for Unitary status had been submitted by Preston County Council and Lancaster Council, together with a joint bid by Burnley and Pendle Councils.

The report also enclosed a copy of the document which had been developed jointly by District and County partners across Lancashire, which set out the vision and long-term aspirations of the Authorities to improve the delivery of services to communities and how the vision could be realised through improved collaboration and joint co-ordination of services.

Decisions made:

- (1) That the Council continues discussions with Lancashire and other District Councils with a view to progressing the Improving Two-Tier Proposal.**
- (2) That Chorley Council's Director of Policy and Performance chairs a meeting of Officers across Lancashire to progress the proposals.**
- (3) That the Council submit a bid to North West Improvement Network's Communities of Interest programme for resources to support the development of the proposals.**
- (4) That the Executive Leader regularly updates the Executive Cabinet and the Council on the progress of the bid and the potential implications for the Council.**

Reason for Decision:

In order to maximise the opportunities offered by the provisions of the White Paper for the benefit of local residents and service delivery.

Alternative Option(s) considered and rejected:

None.

07.EC.13 ETHNIC MINORITIES CONSULTATIVE COMMITTEE

The Executive Cabinet received, for information, the minutes of the meeting of the Ethnic Minorities Consultative Committee held on 24 February 2007.

The Members noted the initiatives and activities being provided or supported by the Committee and the positive commitment of its members to improve cohesion and respect amongst the varied sectors of the community.

Decision made:

That the minutes of the Ethnic Minorities Consultative Committee, as now presented, be noted.

07.EC.14 CHORLEY COMMUNITY CHARTER

The Chief Executive presented a report seeking endorsement of the content of a proposed Community Charter for Chorley, a draft of which was attached to the report.

The Charter had evolved from recent ongoing work with the faith community in Chorley which aimed to build relationships with, and between, the various faith groups in order to promote understanding and tolerance between the Borough's communities. All residents and Members of the Council would be encouraged to sign up to the Charter which promoted community cohesion and the right of every person to be respected and valued.

Decision made:

That the Community Charter for Chorley, as now presented, be approved and adopted.

Reason for decision:

Endorsement of the Charter will allow the commencement of a programme of activity to launch and promote the Charter.

Alternative option(s) considered and rejected:

None.

07.EC.15 TIMETABLE OF MEETINGS 2007/08

The Director of Customer, Democratic and Legal Services submitted a report seeking the Executive Cabinet's endorsement of the draft calendar of meetings for the 2007/08 Municipal Year from the Annual Meeting in May 2007.

The Deputy Leader of the Council pointed out that the Council at its projected meeting on 26 February 2008, would need to determine the General Fund revenue budget for 2008/09, in addition to other normal Council business. The Deputy Leader suggested that the Council might wish to consider reserving the February meeting solely to consider the budget proposals and adding a further Council meeting in early March to consider other remaining items.

Decision made:

That the Council be recommended to approve the timetable of meetings to be held during 2007/08 Municipal Year, as now presented, but revised, if necessary, to include an additional meeting in early March 2008 on the recommendation of the Group Leaders following their meeting on 26 February 2007.

Reason for recommendation:

The timetable determines the arrangements for meetings of the Council, Committees and various other Council bodies during the forthcoming Municipal Year.

Alternative option(s) considered and rejected:

None.

07.EC.16 THIRD QUARTERLY PERFORMANCE REPORT, 2006/07 - MONITORING REPORT

The Director of Policy and Performance presented a report monitoring the Council's performance during the third quarter period of 2006/07 against the key projects identified in the Council's Corporate Strategy and the Council's Best Value Performance Indicators (BVPs).

The performance report confirmed that, generally, the organisation was continuing to perform well and service performance levels remained high.

The overall performance in the key Corporate Strategy projects continued to be good, with the majority of projects performing as planned. Only two Corporate Strategy performance targets had not been achieved during the quarter and action plans had been put in place to enhance performance in those areas. Similarly, performance measured against the BVPs had improved since the second quarter monitoring, with 71% of indicators meeting target. Again, action plans had been introduced to improve performance in the areas where targets had been missed by more than 5%.

The Council would now focus on setting new targets in the next quarter in preparation for the forthcoming round of business improvement planning and performance round tables.

Decision made:

That the report be noted.

07.EC.17 COMPREHENSIVE PERFORMANCE ASSESSMENT SERVICE PERFORMANCE TOOLKIT, 2005/06

The Executive Cabinet considered a report of the Director of Policy and Performance which enclosed a copy of the Comprehensive Performance Assessment (CPA) Performance Information Toolkit for Chorley recently published by the Audit Commission.

The Audit Commission had produced in August 2006 a toolkit which examined the Council's 2004/05 performance information and set the Authority's level of improvement and relative positioning nationally in terms of that basket of indicators. The new toolkit published in December 2006 had been updated to examine the Council's 2005/06 performance in the same manner.

The Audit Commission's revised toolkit revealed that 71% of BVPIs had improved in 2005/06 when compared with 2002/03 (the date used for the last CPA categorisation). When compared to an improvement average of 55.3% for all District Councils, it was clearly illustrated that Chorley continued to perform extremely well comparatively. In addition, 57% of Chorley Council's indicators fell into the top quartile in 2005/06, compared to an average 30% for other 'fair' rated Authorities and a 34% average for 'excellent' Councils.

The Members accepted that the toolkit would be a powerful tool in the Council's commitment to continuous improvement and quest for 'excellent' status. In that respect, the Council was working on a possible application for a reassessment of its CPA ranking in October 2007.

Decision made:

That the report be noted and welcomed.

07.EC.18 HOUSEHOLDER DESIGN GUIDANCE SUPPLEMENTARY PLANNING DOCUMENT

The Executive Cabinet considered a report of the Director of Development and Regeneration recommending adoption of the revised Householder Design Guidance Supplementary Planning Document.

The guidance document, which had been compiled after taking account of the responses to the recent consultation exercise on the draft guidelines, aimed to provide design guidance to people contemplating residential alterations and extensions and to assist consistency in the determination of planning applications.

Decision made:

That, subject to delegated authority being granted to the Director of Development and Regeneration to agree any necessary minor textual amendments to the document, the Householder Design Guidance Supplementary Planning Document, as now presented, be approved and adopted.

Reason for decision:

Approval of the Supplementary Planning Guidance Document will ensure the delivery of positive guidance to promote high quality design in the Borough.

Alternative option(s) considered and rejected:

Adoption of the document could be delayed to allow further consultation or the document could be withdrawn.

07.EC.19 SUSTAINABLE RESOURCES- PREFERRED OPTIONS DOCUMENT

The Executive Cabinet received a report of the Director of Development and Regeneration seeking endorsement, for consultation purposes, to the draft Preferred Options Document on Sustainable Resources.

The Document, which would form part of the Local Development Framework, set out alternative options for measures to ensure both the incorporation of sustainable resources into developments and renewable energy. The Document had been revised to include alternative options following consultations with the Government Office for the North West.

Decision made:

That, subject to delegated authority being granted to the Director of Development and Regeneration to agree any necessary minor textual amendments to the document, the draft Preferred Options Document on Sustainable Resources, as now presented, be approved for consultation and community involvement purposes.

Reasons for decision:

1. The document will fulfil one of the Council's Corporate Strategy commitments.
2. The implementation of the plan will have a positive environmental impact, it will help those vulnerable to fuel costs and will help give local businesses a competitive advantage in the growth area of renewable technologies.
3. The plan will enhance Chorley's reputation as a forward acting Borough.

Alternative option(s) considered and rejected:

The process of preparing a Sustainable Resources document could have been abandoned, but the Council considers this to be such an important policy area, which local research has shown has great potential to help address climate change, that the document should be pursued.

07.EC.20 CONSULTATION ON CHANGES TO PLANNING OBLIGATIONS- A PLANNING GAIN SUPPLEMENT

The Executive Cabinet considered a report of the Director of Development and Regeneration seeking the Council's response to a consultation from the Department for Communities and Local Government on planned changes to Planning Obligations (ie Section 106 agreements or planning contributions and Highways Act Section 278 monies for road improvements).

The Government proposed to introduce a Planning Gain Supplement (PGS), a levy that would be applied to virtually all residential and non-residential developments. A total of 70% of the PGS would be returned to the local authority area from which the money was generated, with the remaining 30% being allocated regionally to provide for strategic infrastructure. It was envisaged that the use of Planning Obligations would be reduced to relate solely to site specific issues, such as 'direct impact mitigation' and affordable housing, but further consultation would be required on the detailed criteria to be used to define the range of Planning Obligations.

Members expressed concern at the meeting that the introduction of the Planning Gain Supplement would reduce the level of monies the Council could expect to receive from Section 106 Agreements and, consequently, would restrict the level of community benefits that could otherwise be achieved. It was contended that the proposed changes to Planning Obligations would eliminate the Authority's flexibility to use Section 106 monies to meet local needs and Councillors considered that monies generated from local developments should be re-invested to fund locally based improvement schemes.

Decision made:

That the report be noted and that the replies to the Department for Communities and Local Government's consultation questionnaire on proposed changes to Planning Obligations, as outlined in the appendix to the submitted report, form the basis of the Council's response to the consultation, together with a covering letter expressing the Authority's concerns about the Planning Gain Supplement proposals and taking on board the Members' comments articulated at the meeting.

Reason for decision:

To ensure that the opportunity is taken to make clear to the Government that there are fundamental concerns regarding the implementation of the proposed Planning Gain Supplement and the scaled back Planning Obligations.

Alternative option(s) considered and rejected:

None.

07.EC.21 CHILDREN'S PLAY INITIATIVES PORTFOLIO BID - BIG LOTTERY

The Director of Leisure and Cultural Services presented a report seeking the Executive Cabinet's endorsement of a portfolio bid for Big Lottery funding of a number of children's play initiatives.

The Executive Cabinet had, at its meeting in March 2006, authorised the development of a play strategy by the Play Partnership in advance of the compilation of a funding bid from the Big Lottery Fund's Children's Play Initiative. Subsequently, a Final Assessment Panel had evaluated a number of potential project bids, from which five were short-listed. The Assessment Panel then selected and recommended three schemes for inclusion in the initial funding bid.

The portfolio proposals included the 'Get Up and Play' Play Rangers scheme to employ four part-time Play Rangers to work across the Borough; an 'Able to Play' designated worker to facilitate actions to address young people's concerns about play; and a lighting scheme on Coronation Recreation Ground.

Decisions made:

(1) That approval be given to the three Childrens Play projects, outlined in the submitted report, being put forward as the Chorley 'Able to Play' portfolio bid under the Big Lottery Play Initiatives Fund in advance of the third round bidding deadline in March 2007.

(2) That, in the event of the rejection of any of the projects within the initial portfolio, the responsibility for further consideration of the remaining projects, and agreement on a second portfolio submission, be delegated to the appointed Final Assessment Panel comprising the Executive Member for Streetscene, Neighbourhoods and Environment, the Executive Member for Health, Leisure and Well-Being and nominated representatives from Chorley Local Strategic Partnership and Chorley Play Partnership.

(3) That delegated authority be granted to the Director of Finance to sign off any funding offer made.

07.EC.22 GILLIBRAND DEVELOPMENT AGREEMENT

The Executive Cabinet considered a report of the Director of Development and Regeneration and the Director of Leisure and Cultural Services seeking the Members' approval to the negotiation of an amendment to the Gillibrand Development Agreement.

As the originally identified site was not suitable to accommodate the type of Community Centre to be constructed, it had been necessary to consider alternative sites for the Centre. After taking account of the volume of objections raised to an alternative site A off Burgh Wood Way, a widespread consultation had been

undertaken on the respective merits of Site A and Site B located between Gillibrand Gardens and Ennerdale Road.

The report commented on the respective merits and disadvantages of both potential sites, but indicated that 75% of households polled favoured the development of Site B. The Community Centre, if located on Site B, would be more central to the wider community and closer to CCTV facilities. The location of the Centre on Site B would be dependent on the submission and processing of a planning application for the development.

A member of the public attended the meeting to submit a question requesting to be advised of the intended procedures in the event of planning permission being refused for Site B. In response, the Executive Member for Economic Development and Regeneration indicated that, in this eventuality, the Council would need to undergo a further round of consultation on other available options.

Decisions made:

(1) That authority be granted to the Council's Officers to negotiate amendments to the Gillibrand Development Agreement in order to allow the changing of the play provision and the re-siting of the Community Centre to Site B identified in the submitted plan.

(2) That a planning application be sought for these proposals.

Reason for decision:

In order to enable the play provision and Community Centre proposals to be implemented.

Alternative option(s) considered and rejected:

None.

07.EC.23 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 with the budgetary and efficiency savings targets for 2006/07 in respect of the General Fund and the Housing Revenue Account.

The Members were pleased to note that the overall corporate savings target of £338,000 from management of the establishment and efficiency savings had been achieved and that the forecasted overspend on the General Fund had been reduced from £67,000 to £12,000.

With regard to the Housing Revenue Account, the report indicated that, owing to predicted changes during the year, the forecast balance at the end of the 2006/07 financial year was expected to fall to £899,000.

Decision made:

That the report be noted.

07.EC.24 HOUSING REVENUE ACCOUNT BUDGET, 2007/08

The Executive Cabinet, at its meeting in January 2007, had approved changes to Council House rents and service charges in anticipation of the transfer of the housing stock to Chorley Community Housing.

The Director of Finance presented a further report putting forward for approval a Housing Revenue Account of income and expenditure for 2007/08 in the eventuality of the stock transfer being delayed or abandoned. The HRA budget proposals, as presented, forecast a year end surplus of £1,455,000.

The report also sought the Executive Cabinet's approval to changes to the charges to be levied for homelessness accommodation at Cotswold House to become effective from 2 April 2007. Pending resolution of issues surrounding the funding to enable the refurbishment of Cotswold House or reconstruction, the facility would remain in the ownership of the Borough Council, but would be run by Chorley Community Housing.

Decisions made:

(1) That approval be given to the provisional Housing Revenue Account budget for 2007/08, as set out in Appendix B to the submitted report.

(2) That approval be given to the implementation of the revised charges for accommodation at Cotswold House, Chorley, as set out in Appendix A to the submitted report.

Reason for Decisions:

The Council is statutorily required to have in place an annual Housing Revenue Account budget with which to manage its housing stock. It is, therefore, necessary to approve the provisional budget in case of any delays being incurred in respect of the completion of the transfer of the housing stock.

Alternative option(s) considered and rejected:

None.

07.EC.25 CAPITAL PROGRAMME 2006/07 - MONITORING

The Executive Director – Corporate and Customer and the Director of Finance presented a joint report monitoring the performance of the 2006/07 Capital Programme and containing recommendations of the Corporate Improvements Board (the former Capital and Efficiency Board).

The report recommended changes to the 2006/07 Capital Programme, the effect of which was to reduce the programme from £16,695,400 to £13,767,340, as a result of the suggested slippage of £2,402,730 to 2007/08 and other changes totalling £535,330.

The recommended slippage of expenditure on a number of schemes to 2007/08 was detailed in Appendix A to the submitted report, with other changes to schemes explained in Appendix B. Appendix C to the report summarised both the capital receipts achieved to date and the anticipated receipts.

Decisions made:

That the Council be recommended:

(1) to approve the revised Capital Programme for 2006/07 in the sum of £13,767,340;

(2) to agree the addition of the slippage from 2006/07 of £2,402,730 to the approved Capital Programme for 2007/08 to 2009/10.

Reason for decisions:

To effect appropriate revisions to the 2006/07 Capital Programme.

Alternative option(s) considered and rejected:

None.

07.EC.26 INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) STRATEGY

The Director of Information and Communications Technology submitted a report seeking approval of the new revised ICT Strategy.

The Strategy planned the development of all ICT and associated services delivered by the Directorate and defined the roles and strategic contributions of the Directorate in the distinct areas of Customer Services, Systems Development and Integration and Graphical Information System/Local Land and Property Gazetteer. The Strategy was aimed to assist the Council's drive to improve the accessibility, efficiency and quality of services and would contribute significantly to the delivery of the Council's corporate objectives through ICT workstreams and support of the work of other Directorates.

Decision made:

That the revised Information and Communications Technology Strategy, as now presented, be approved and adopted.

Reason for decision:

The ICT Strategy provides a corporate vision for the strategic development and application of ICT, focused on the provision of an infrastructure and services that will underpin the delivery of the Council's corporate objectives.

Alternative option(s) considered and rejected:

None.

07.EC.27 EXCLUSION OF THE PUBLIC AND PRESS

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.

07.EC.28 CUSTOMER, DEMOCRATIC AND LEGAL SERVICES DIRECTORATE - RESTRUCTURE

The Director of Customer, Democratic and Legal Services presented a confidential report on proposals to restructure his Directorate.

The proposals had been compiled in the light of the need to address a number of managerial and operational issues and were aimed at providing a firm base for a more 'fit for purpose' Directorate.

Decisions made:

- (1) That the proposals to revise the staffing structure of the Customer, Democratic and Legal Services Directorate, as outlined in the submitted report, be approved for consultation with staff and trade unions.
- (2) That the final structure be determined at a future meeting of the Executive Cabinet, following consideration of responses to the consultation.
- (3) That a subsequent review of the functions of the Democratic Services Section be undertaken.

Reason for decisions:

The proposals are aimed at providing a 'fit for purpose' structure of the Customer, Democratic and Legal Services Directorate.

Alternative option(s) considered and rejected:

A variety of options had been considered in the development of the proposals.

Executive Leader