

# Executive Cabinet

## Minutes of meeting held on Thursday, 29 March 2007

**Present:** Councillor Mrs Pat Case (Deputy Leader of the Council in the Chair) 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 Communication Technology), Alan Cain (Lead Member for Human Resources), Mrs Marie Gray (Lead Member for Town Centre), Geoffrey Russell (Lead Member for Finance) and Mrs Iris Smith (Lead Member for Licensing)

**Other Members:** Councillors Kenneth Ball, Dennis Edgerley, Anthony Gee, Daniel Gee, Ralph Snape and Mrs Stella Walsh

### 07.EC.29 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of the Executive Leader (Councillor P Goldsworthy).

### 07.EC.30 DECLARATIONS OF ANY INTERESTS

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

### 07.EC.31 MINUTES

The minutes of the meeting of the Executive Cabinet held on 23 February 2007 were confirmed as a correct record for signature by the Chair.

### 07.EC.32 PUBLIC QUESTIONS

There had been no requests from members of the public to raise at the meeting any questions on the agenda items.

### 07.EC.33 CONTACT CENTRE EFFICIENCIES AND PARTNERSHIP WITH LANCASHIRE COUNTY COUNCIL - CORPORATE AND CUSTOMER OVERVIEW AND SCRUTINY PANEL INQUIRY

The Executive Cabinet received the final report of the Corporate and Customer Overview and Scrutiny Panel's Inquiry into the Lancashire Shared Services Contact Centre.

The Inquiry had been conducted by two Sub-Groups of the Panel with separate remits to examine (i) the contribution of the Contact Centre to the achievement of the Council's efficiency agenda; and (ii) the effectiveness of the partnership arrangements with the Lancashire County Council and other District Councils in ensuring the delivery of a high quality customer service. While the innovative partnership project had already achieved measurable efficiencies, the Overview and Scrutiny Panel had, after taking account of all the evidence gathered during the Inquiry, made a number of recommendations aimed principally at maximising the efficiencies within the Contact

Centre, particularly through the introduction of the Customer Relationship Management system, and improving both the effectiveness of partnership arrangements and customers' access to services at the Centre.

The Chair of the Overview and Scrutiny Committee (Councillor D Edgerley) reported that the Committee had, at its meeting on 27 March, endorsed the report subject to one minor correction. The Chair of the Corporate and Customer Overview and Scrutiny Panel also commended the report's findings and recommendations for approval and adoption by the Executive Cabinet.

It was accepted that the volume of recorded calls taken on 'General Environmental Issues' warranted an examination of the nature and type of calls, with a view to any identified problems being addressed.

**Decision made:**

That the Corporate and Customer Overview and Scrutiny Panel's report on its scrutiny inquiry into the Shared Services Contact Centre (Efficiencies and Partnership with Lancashire County Council), and the recommendations contained in the report, be noted for further consideration at a future meeting of the Executive Cabinet.

**Reason for decision:**

In order to allow the Executive Cabinet sufficient time to consider the operational and financial implications of the report's findings and recommendations.

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

The rejection of the report's findings.

**07.EC.34 "GETTING INVOLVED IN SHAPING THE FUTURE OF YOUR NEIGHBOURHOOD" - RESPONSE TO LANCASHIRE COUNTY COUNCIL'S CONSULTATION PAPER**

The Chief Executive submitted a report on a consultation paper issued by the Lancashire County Council entitled "Getting Involved in Shaping the future of your Neighbourhood".

The consultation document set out the County Council's proposals for getting people at a local level involved in the Authority's functions and ways of operation, with the ultimate aim of local residents accepting a degree of ownership and management of local services and facilities.

A draft letter from the Chief Executive in response to the consultation was attached to the report. The proposed response, on behalf of the Borough Council and the Local Strategic Partnership, welcomed the plans as a sound framework for future joint working within neighbourhoods to encourage the engagement of local communities, but highlighted a number of key issues that would require resolution before the neighbourhood approach could be implemented successfully.

**Decision made:**

That the Chief Executive's response to the Lancashire County Council's consultation on engaging communities and neighbourhoods be approved.

**Reason for decision:**

To ensure that the Council's views on the plans to strengthen neighbourhood engagement are made known to the County Council.

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

None.

**07.EC.35 CIVIC EVENTS WORKING GROUP**

The Executive Cabinet received and considered the minutes and recommendations of the recently appointed Civic Events Working Group from its meeting on 12 March 2007.

The Group, set up to co-ordinate the arrangements for certain major civic events, had made a number of recommendations, regarding the arrangements for the visit in 2007 of delegates from Szekesfehervar, the Mayoral Evening on 18 May 2007, the Freedom of the Borough event on 9 June 2007 and the commemoration of the 25<sup>th</sup> anniversary of the Falklands conflict.

**Decision made:**

That, subject to Recommendation (2) of Minute 4 relating to the Mayoral Evening on 18 May 2007 being amended to read as follows, the recommendations of the Civic Events Working Group, be approved and adopted:

'That the evening include buffet refreshments and a maximum of 65 guests be invited, to include Civic dignitaries and members of the Mayor's family at the Mayor's discretion.'

**Reason for decision:**

To ensure that the major civic events in 2007 are organised and regulated in accordance with the Council's policies and budgetary constraints.

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

None.

**07.EC.36 BEST VALUE RESIDENTS' SURVEY, 2006**

The Executive Cabinet received and considered a report of the Director of Policy and Performance appraising the findings of the triennial Best Value Survey of residents conducted in 2006 on behalf of the Council by MORI IPSOS North in accordance with Audit Commission requirements.

The survey questions had fallen into the following three main categories:

- ***The Council's performance in a number of service areas subject to Best Value performance indicators.***
- The quality of local services which do not make up Best Value performance indicators.
- The perceived quality of life within local communities.

The survey's findings has revealed a reduction in the level of residents' overall general satisfaction with the Council's services since 2003, which accorded with national

trends. The major satisfaction variances had occurred in the areas of waste collection, museums and galleries, and theatres and concert halls, but residents' satisfaction with the Council's complaints handling procedures had increased. The reduction in satisfaction levels was, in fact, anomalous with the statistics that showed residents' acceptance that services had improved over the past three years. This conflict was accredited to the public's aspirations and expectations of the level of public services being raised.

The report also contained a series of recommended actions for the Authority's Directorates to instigate measures to ensure that future services were designed and delivered in a manner that would address the identified concerns and meet residents' expectations.

The Executive Cabinet was also advised that a future report would concentrate on the factors resulting in the demographic and geographical variations evident in the survey's findings and recommend action plans to focus resources on the areas in most need of improvement.

**Decision made:**

That the report be noted and that the series of identified actions be approved for implementation.

**Reason for decision:**

To allow the information contained in the results of the best value survey to be put to effective use in beginning to understand and address the issues raised by the survey and where appropriate using the results to inform service design and delivery and our interactions with residents and customers.

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

None.

**07.EC.37 TRANSPORT AND SERVICES ACCESSIBILITY PLAN OF CHORLEY BOROUGH**

The Executive Cabinet considered a report of the Director of Development and Regeneration seeking endorsement of the Transport and Accessibility Plan for Chorley, which had been instigated by the Lancashire County Council as a pathfinder project within the Lancashire Local Transport Plan for 2006 – 2010.

The plan focused primarily on public transport provision and its role in enabling the local community to access key services, particularly residents who did not have the use of a car. The Plan concentrated on the non-car modes of transport and the key services that could be accessed by those means.

The Plan recommended a series of improvements to both transport and service provision that could be implemented through a targeted programme of actions.

**Decisions made:**

(1) That the Transport and Services Accessibility Plan for Chorley be approved, subject to the Director of Development and Regeneration being granted delegated authority to make minor textual amendments to the Plan.

(2) That an action plan be produced to guide implementation of the Plan's recommendations.

**Reason for decisions:**

The Plan alone is insufficient to ensure implementation of its recommendations.

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

None.

**07.EC.38 REVISED LOCAL DEVELOPMENT SCHEME, 2007- 2010**

The Director of Development and Regeneration presented a report seeking approval to the proposed timetable to accompany the revised Local Development Scheme for the Local Development Framework to run from 2007 – 2010 and delegated power to amend the existing Scheme to reflect recent changes.

The Council was required to produce a Local Development Scheme each year, including a timetable of significant dates, or 'milestones', when the relevant documents would be produced. The proposed timetable for the revised Scheme was set out in an appendix to the report.

The timetable had been compiled on the most realistic basis as possible, whilst taking account of the intention to align timetables in the separate strategies of Chorley, South Ribble and Preston and the envisaged delays in the issue of the Regional Spatial Strategy for the North West.

**Decisions made:**

- (1) That, subject to the amendments outlined by the Director of Development and Regeneration, approval be given to the timetable for the draft Local Development Scheme, as now presented.
- (2) That the Director of Development and Regeneration be granted delegated authority to finalise the detailed draft Local Development Scheme.
- (3) That, in the event of the Government Office for the North West or the Planning Inspectorate recommending changes to the draft Scheme, the alterations be effected without further reference to the Executive Cabinet.

**Reason for recommendations:**

The Council must set up a realistic timetable, with adequate time being allowed for the statutory consultations. It is also important to ensure that, if there is a delay by other agencies outside of the Council's control, milestones are not missed.

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

None.

**07.EC.39 PLANNING AND COMPULSORY PURCHASE ACT 2004: EXTENSION OF "SAVED" POLICIES BEYOND THREE YEARS**

The Director of Development and Regeneration submitted a report requesting delegated authority to extend the role of existing adopted planning policies beyond September 2007. Under the provisions of the Planning and Compulsory Purchase Act 2004, the Council's adopted planning policy documents within the Local Plan would

expire on 27 September 2007, unless the Secretary of State consents to the extension of the policies beyond that date. It had been envisaged that the new planning system would have been operative by that date, but few authorities had so far successfully adopted new planning policies.

It was, therefore, essential to ensure that the Borough was covered by appropriate policies, tailored to the needs of Chorley, beyond September 2007, against which development proposals would be judged. The report suggested a mechanism for the Council to seek the Government's sanction to retain the majority of the policies contained within the Borough Local Plan, as listed in the appendices to the report.

**Decision made:**

That the report be noted and that the Director of Development and Regeneration be granted delegated authority to request the Secretary of State for Communities and Local Government to save the majority of policies contained within the Chorley Borough Local Plan Review, pending the implementation of the new planning system.

**Reason for decision:**

To ensure that there are adequate planning policies available to ensure that development within Chorley contributes positively to the future of the Borough.

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

The Council could decline to make a submission, in which case the Government Office for the North West could still decide which policies should be saved. However, this risks a number of up to date policies being missed.

**07.EC.40 ACTION PLANS FOR EVERY CHILD MATTERS, CHOOSING HEALTH AND IMPROVING THE QUALITY OF LIFE FOR OLDER PEOPLE**

The Executive Cabinet received and considered a report of the Director of Leisure and Cultural Services recommended approval of Action Plans to progress the Council's work in respect of the Every Child Matters, Choosing Health and Improving the Quality of Life for Older People agendas.

The three work areas had been identified as priority areas within both the Community Strategy and the Council's Corporate Strategy and the action plans produced for each of the three themed areas set out the key projects from 2006/07.

Recent legislation covering the three work areas, along with other initiatives, such as the development of Local Strategic Partnerships and Local Area Agreements, had extended local authorities involvement in the three work areas beyond their traditional role.

The three Action Plans were intended to assist the Council in prioritising requests for further investment and involvement in those work areas and facilitating consultation with the Council's partners to ensure that the targeted resources are used most effectively.

**Decision made:**

That the three Action Plans relating to Every Child Matters, Choosing Health and Improving the Quality of Life for Older People, as shown in Appendices A, B and C to the submitted report, be approved and adopted.

**Reason for decision:**

The Action Plans will allow the Council to co-ordinate better and prioritise its work in the three relevant work areas.

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

Failure to produce the Action Plans could result in the Council under performing in the three relevant areas and being unable to prioritise resources effectively.

**07.EC.41 ASTLEY PARK UPDATE**

The Executive Cabinet received and considered a report of the Director of Leisure and Cultural Services updating Members on the progress of the works to regenerate and enhance Astley Park.

The Members noted that management responsibility for the delivery of the project had been transferred from the Development and Regeneration Directorate to the Leisure and Cultural Services Directorate, with the consequent transfer of Executive Member portfolio responsibility to the Executive Member for Health, Leisure and Well-being.

A wide ranging review of the capital and revenue implications of the project was currently being undertaken in advance of a future report to the Executive Cabinet.

The Executive Cabinet's instructions were sought on the retention or otherwise, of the Pets Corner facility in the Park, after taking account of the results of the public survey conducted by external consultants which revealed significant support for the inclusion of a pets corner within the project. The Members agreed that, if the facility was retained in the project, further detailed design plans for the pets corner project would need to be presented to the Executive Cabinet.

**Decision made:**

That the report be noted and that the pets corner element of the project be retained and progressed.

**Reason for decision:**

The retention of the pets corner in the project accords with the public's expressed wishes and efficient monitoring of the scheme will ensure its delivery on time and within budget.

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

None.

**07.EC.42 APPROVAL OF 2007/08 CORE FUNDING AWARDS IN EXCESS OF £5000**

The Executive Cabinet considered a report of the Head of Leisure and Cultural Services seeking the Members' instructions on applications for grant assistance in excess of £5,000 from the Council's Core Fund budget provision in 2007/08. The Executive Member for Health, Leisure and Well-Being would be considering under his delegated powers, the requests for grants less £5,000 to a number of non-profit making organisations.

**Decisions made:**

That approval be given to the making of the following Core Fund grants in excess of £5,000, subject to the Director of Leisure and Cultural Services agreeing and signing off a Core Funding Agreement, with each organisation:

- Chorley and South Ribble Shopmobility – grant of £10,150;
- The Lifestyle Centre, Chorley – grant of £2,385, plus £3,700 towards accommodation costs, via internal transfers
- South Lancashire Arts Partnership – grant of £6,795, subject to the organisation providing an analysis of activity across Chorley, South Ribble and West Lancashire districts and details of the funding from each district.
- Chorley and District Sports Forum – grant of £5,435, subject to the Forum agreeing an appropriate methodology for assessing talented individuals' applications and a fixed budget for the year with the Director of Leisure and Cultural Services, and meeting with the Executive Member for Health, Leisure and Well-Being and the Director of Leisure and Cultural Services to review the remit of the Forum to give priority to the development of the Sport and Physical Activity Alliance.
- Chorley, South Ribble and District Citizens' Advice Bureau – grant of £65,600 (to be paid in two six monthly payments, in advance), plus £17,250 to cover accommodation costs, subject to the Bureau providing the same level of service during 2007/08 as they did in 2006/07 as a minimum, and maintaining the Community Legal Service Quality Mark.

**Reason for decision:**

The grant assistance to key local organisations will enable them to continue with their work, which contributes towards the achievement of the Council's strategic objectives.

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

Not to award the Core Fund grants in 2007/08.

**07.EC.43 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 Improvement Board.

The report recommended changes to the 2006/07 Capital Programme Board, the effect of which was to reduce the programme from £13,767,340 to £12,234,570, as a result of the suggested slippage of £1,623,890 to 2007/08 and other changes totalling £181,120.

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.

**Recommendation made:**

That the Council be recommended:

(1) To approve the revised Capital Programme for 2006/07 in the sum of £12,324,570;

(2) To approve the recommendation of the Corporate Improvement Board to endorse the delivery of the Music Café project by the South Lancashire Arts Partnership at the



Chorley Community Centre, instead of the originally proposed venue of Chorley Interchange.

**Reason for recommendation:**

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

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

None.

## **07.EC.44 IMPLEMENTATION OF SMOKEFREE LEGISLATION**

The Executive Cabinet reconsidered a report of the Director of Streetscene, Neighbourhoods and Environment drawing attention to the likely impact of the Health Act 2006 which introduced the legal framework to make enclosed workplaces and public spaces smoke free from 1 July 2007, and proposing measures to assist the enforcement of the legislation.

It was expected that a significant number of people would wish to stop smoking as a direct result of the new law. The Council would, therefore, need to work in partnership with health professionals to signpost those persons to appropriate counselling services and it was intended that trained volunteer staff would provide a "brief intervention" service within the Council. The report also recommended the temporary appointment of a Smokefree Enforcement Officer to undertake enforcement work within the Council and to help ensure that the public buildings and places affected by the legislation are compliant with the law. The cost of the temporary post would be funded by a £42,000 Government grant towards the Council's initial implementation and enforcement costs in 2007/08.

In response to a Member's enquiry, the Director indicated that the primary legislation allowed exemptions from its prohibitive provisions for only a few defined size and type of premises.

**Decision/recommendation made:**

(1) That approval be given to the creation of a temporary post of Smokefree Enforcement Officer on salary scale SO1, effective up to 31 March 2008.

(2) That the Council be recommended to amend the Council's Constitution by (i) the addition of the implementation of appropriate provisions of the Health Act 2006 to the Council's functions outlined in Appendix 2; and (ii) the extension of the Director of Streetscene, Neighbourhoods and Environment's delegated powers to implement appropriate provisions of the Act, including the appointment of duly authorised Officers to undertake enforcement activity.

**Reason for decision/recommendation:**

To ensure that the Council is properly equipped and effectively resourced to deliver the implementation of the new smoke free legislation.

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

None.

#### **07.EC.45 CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - FOULING OF LAND BY DOGS ORDER**

The Director of Streetscene, Neighbourhoods and Environment presented a further report on the adoption of powers created by the Clean Neighbourhoods and Environment Act 2005, following the introduction of regulations to deal with dog fouling, which replaced regulations issued under the Dogs (Fouling of Land) Act 1996.

The report recommended the introduction of a new Order to prohibit the fouling of land by dogs to replace the current Order and the setting of the default fixed penalty notice charge. The proposed Order had been advertised in the local press and an appendix to the submitted report listed the 20 generally supportive responses that had been received.

##### **Decision/Recommendations made:**

(1) That approval be given to the making of an Order entitled "The Fouling of Land by Dogs (Chorley Council Area) Order 2007" to become effective on 1 May 2007.

(2) That the default fixed penalty notice charge be set at £75.00, with an early payment charge of £50.00 being allowed if payment is received within 10 days of receipt of the fixed penalty notice.

(3) That the Council be recommended to approve the amendment of the Council's Constitution to extend the Director of Streetscene, Neighbourhoods and Environment's delegated powers as linked in Appendix 2 in order to allow the proper authorisation of Officers to undertake enforcement work against persons suspected of committing offences under the terms of the new proposed Order and relevant sections of the Clean Neighbourhoods and Environment Act 2005.

##### **Reason for decisions/recommendations:**

The proposals will enable the continuation of dog waste control measures and ensure that Officers are appropriately authorised.

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

None.

#### **07.EC.46 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 grounds that they involve 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.

#### **07.EC.47 STAFFING CHANGES FOLLOWING THE RETIREMENT OF THE EXECUTIVE DIRECTOR - ENVIRONMENT AND COMMUNITY**

The Executive Cabinet considered a report of the Chief Executive recommending a number of staffing changes in her Office and alterations to the Directors reporting procedures as a consequence of the imminent retirement and subsequent disestablishment of the post of Executive Director (Environment and Community).

The staffing proposals had the potential to generate annual savings of £5,000.

**Decisions made:**

(1) That, following the retirement of the Executive Director (Environment and Community), the Directors currently reporting to that post (ie Director of Development and Regeneration, Director of Leisure and Cultural Services and Director of Streetscene, Neighbourhoods and Environment) report directly to the Chief Executive.

(2) That the posts numbered SG/CE/123/0486 in the Chief Executive's Office be disestablished and the following posts be created:

- Office Assistant/Personal Assistant (Scale 6/SO1)
- Support Assistant (Scale 2/3)

(3) That consultations take place with affected staff and Trade Unions and the Executive Leader be granted delegated power to agree the final establishment changes following consideration of consultation feedback.

(4) That the designation of the current Director of Policy and Performance be changed to Director of Policy and Performance (Assistant Chief Executive).

**Reason for decision:**

The changes will ensure that the Council is best placed to deliver the full range of corporate projects set out in the Corporate Strategy.

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

None

**07.EC.48 WASTE AND RECYCLING COLLECTION CONTRACT**

The Executive Cabinet received a report from the Director of Streetscene, Neighbourhoods and Environment on the action being taken to procure a new waste and recycling collection contract upon the termination of the existing contract with Cleanaway/Veolia on 31 March 2009.

The Director had commenced the tendering process for a new contract that would consolidate the considerable achievements of the current contract and increase customer satisfaction and recycling levels.

A Procurement Group, comprising Members, Officers and waste management and vehicle specialists, had been established, and the Lancashire Waste Partnership had secured Government funding for appointed consultants to produce a procurement model for all partner authorities, with Chorley having been selected as the pilot authority.

The report commented on the several issues that would need to be addressed during the procurement process and included a planned procurement programme that would entail extensive consultations with Members and residents, with particular reference to containers and collection methods.

**Decision made:**

That the report be noted.

**07.EC.49 CUSTOMER, DEMOCRATIC AND LEGAL SERVICES DIRECTORATE -  
RESPONSES TO CONSULTATION ON RESTRUCTURE PROPOSALS**

The Director of Customer, Democratic and Legal Services submitted a report recommending the delegation of authority to two Executive Members to consider the staff responses to the proposals for the restructure of his Directorate agreed for consultation purposes at the last Executive Cabinet meeting, and to determine the final structure. This would enable a decision on the new structure to be made before the next Cabinet meeting in the new Municipal Year following the expiry of the contractual consultation period.

**Decision made:**

That the Executive Leader and the Executive Member for Customer, Democratic and Legal Services be granted delegated authority to respond to the restructure proposals for the Customer, Democratic and Legal Services Directorate, in the light of consultation responses submitted, with the proviso that any material changes to the original proposals will be reported back to the Executive Cabinet.

**Reason for decision:**

To enable contractual requirements to be met and to ensure that a decision on the way forward can be made without undue delay.

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

None.

Executive Leader