

REPORT OF EXECUTIVE CABINET

GENERAL REPORT

1. The Executive Cabinet has met twice on 28 May and 25 June 2009 since the last ordinary Council meeting in April 2009. This report summarises briefly the principal items debated and decisions reached at each meeting.

MEETING HELD ON 28 MAY 2009

Performance Monitoring Report – Fourth Quarter of 2008/09

2. The Executive Cabinet received and noted a report of the Assistant Chief Executive (Policy and Performance) which set out and reviewed the Authority's performance during the fourth quarter of 2008/09 ending on 31 March 2009 both in respect of the 36 key projects included in the refreshed 2008/09 Corporate Strategy and against the National Indicators for which the Council is responsible.
3. The report reveals an overall commendable performance on the delivery of the Corporate Strategy key projects, with 35 projects being either completed, progressing on or ahead of schedule or scheduled to commence later in the year. We noted that only the refurbishment of the Covered Market project was behind schedule, but were informed that, following the resolution of past issues, completion of the project should be imminent.
4. The report also reveals a good performance on the national indicators, with 12 out of 17 indicators having matched or exceeded their targets. Action plans have been adopted in respect of the 5 indicators where the target performance has not been reached.

Chorley Partnership Draft Annual Report for 2008/09

5. The Executive Cabinet was presented with the Chorley Partnership's end of year performance report for 2008/09. The report reviews the Partnership's activities and performance throughout the last financial year, highlighting the progress of the LSP sponsored projects and their contribution to the achievement of the Sustainable Community Strategy. The report also comments on the Council's performance against the first year of the Local Area Agreement.
6. We discussed in particular the correlation between the rise in the number of violent crime incidents (albeit a small number) and domestic incidents, together with the rise in the number of hospital admissions for alcohol related harm. The Executive Members agreed that these two issues, in particular, should be addressed more thoroughly.

Overview and Scrutiny Inquiry into Streetscene Issues

7. We received and considered a report of the Corporate Director (Neighbourhoods) on a suggested response to the findings and recommendations of the Overview and Scrutiny Task Group following its recent inquiry into the activities of the Streetscene Section of the Neighbourhoods Directorate.
8. The Transformation Action Plan developed in response to the recent Value for Money review of the Directorate contains a number of processes aimed to support the implementation of many of the Overview and Scrutiny inquiry recommendations. These proposals include the formulation of schedules for the cleaning and emptying of litter bins and the mapping and numbering of assets on the Geographical Information System.

9. We thanked the Overview and Scrutiny Task Group for its inquiry report and accepted each of the 25 recommendations contained in the report. We also endorsed the comments within the Corporate Director's report clarifying the appropriate action that has been, or will be instigated under the Transformation Action Plan as the Executive's response to the Task Group's recommendations.

Regulatory Enforcement and Sanctions Act 2008

10. The Executive Cabinet received and noted a report of the Corporate Director (Neighbourhoods) which summarised the main provisions of the new Regulatory Enforcement and Sanctions Act 2008 and its implications for the Council's enforcement functions.
11. The Act aims to establish a risk based approach to enforcement and creates a new agency to monitor the mechanisms put in place by local authorities to regulate enforcement action (the Local Better Regulation Office) which will report directly to the Secretary of State. The Council's Service Manager (Environment) has been nominated as Chorley Council's key point of contact on enforcement issues.
12. The Act also establishes a Primary Authority scheme, under which a business operating in two or more local authority areas can request a single authority to act on its behalf for specified regulatory enforcement matters such as food safety, health and safety at work and environmental enforcement activity. Any authority wishing to pursue enforcement action against a business within an area where a Primary Authority arrangement exists will need to consult the appropriate Primary Authority before taking action.
13. Local authorities will also be required to review by December 2009 its application of current legislation and bye-laws to ensure that any business within the European Community wishing to trade in the locality is not prejudiced.

Business Directorate Value for Money Review – Final Report

14. The Assistant Chief Executive (Business Transformation) presented the Executive Cabinet with a report which commented on the findings, conclusions and recommendations contained within the report of the recent value for money review of the Council's Business Directorate.
15. The purpose of the internal review was to assess the Directorate's effectiveness in the delivery of quality services and value for money and to produce recommendations on how the service can be improved.
16. The review concludes that while the Directorate has been found generally to offer good value for money, there are areas where improvements can be pursued.
17. The report contains a series of recommendations that have been used as the basis of a transformation plan to drive the suggested improvements in order to make the services provided by the Directorate more effective and efficient.
18. We accepted the findings of the Value for Money review and approved its recommendations for development and implementation.

Structure Changes to Neighbourhoods Directorate to accommodate integration of the Licensing function

19. The Executive Cabinet considered a confidential report of the Corporate Director (Neighbourhoods) on proposed structural changes to her Directorate following the integration of the Council's licensing function within the Directorate.

20. The Council's licensing function can be separated into the following two distinct operations:
- a quasi-judicial administrative process to validate and issue licence applications; and
 - an enforcement operation to ensure that licensable activities comply with legislative requirements and that the conditions of licence are adhered to.
21. The new structure seeks to separate the functions to allow the administrative element to be operated as part of the Neighbourhoods Directorate's Business Improvement Team and the operational enforcement element to fall within the Public Protection Section of the Directorate. If adopted, this will entail a fundamental change in the operation and management of the current Licensing Team.
22. In addition, the report recommends the refinement of the structure of the Neighbourhoods Quality Team to enable a more coherent integration of the responsibilities for private sector housing standards and general statutory nuisance and pollution work into the new neighbourhoods working arrangements.
23. We accepted the report and agreed its proposals to revise the staffing structure of the Neighbourhoods Directorate in order to make the best use of resources and ensure effective service delivery as the basis for consultation with staff and trade unions.

MEETING HELD ON 25 JUNE 2009

Sustainable Communities Act, 2007 – Implications for Chorley

24. The Corporate Director (Business) presented the Executive Cabinet with a report on the provisions of the Sustainable Communities Act, 2007 and its implications and opportunities for Chorley.
25. The Act provides an opportunity for local authorities to gain new powers in order to promote the sustainability of local communities. While there is no limit to the type of proposals an authority can put forward, they must not replicate existing powers and be aimed at improving the social, environmental and economic well-being of their area.
26. Any proposals which local authorities wish to submit to Central Government, via the Local Government Association, need to be submitted by 31 July 2009.
27. The Executive Cabinet welcome this opportunity to pursue policy changes that will benefit the Borough. After taking account of the current economic climate and other factors, we have selected and agreed to pursue the following three proposals:
- that Business Rates should be retained by the local authority to be spent on local priorities;
 - an amendment to Planning Policy Statement No 3 to exclude gardens from the definition of brownfield land;
 - that local authorities should be represented on public bodies (eg Primary Care Trusts).
28. The Council will need to consult the Citizens Panel on the three options to seek residents' opinions before any proposals are lodged with the Government.

Overview and Scrutiny Inquiry into Chorley Community Housing

29. During the latter half of 2008, an Overview and Scrutiny Task Group conducted a scrutiny inquiry principally to examine whether the obligations made by Chorley Community Housing under the terms of its contract were being delivered to tenants.

30. The Task Group's report of its inquiry findings and consequent recommendations was submitted to a meeting of the Executive Cabinet in January 2009 and we considered a report of the Corporate Director (Business) setting out suggested responses to each of the Task Group's 13 recommendations. We welcomed and accepted the suggested commentary, which outlined the actions and measures that have either directly been taken or are proposed for the future, as our response to the inquiry recommendations.

Section 106 Agreements – Involvement of Parish Councils

31. We received and considered a report of the Corporate Director (Business), firstly, reviewing the processes for the drawing up of Section 106 Agreements and, in particular, how Parish Council's involvement could be strengthened; and secondly, proposing the creation of a Play and Recreation Fund to boost the provision of facilities throughout the Borough.
32. Parish Councils have, in the past, expressed a wish for greater input into the Section 106 process and, particularly, the contents of the agreement. The report suggested that a procedure could be introduced whereby Parish Councils' views on prospective Section 106 Agreements should be requested as part of the statutory consultation exercise on planning applications.
33. The Council's current policy requires a contribution from the developers of each new dwelling towards play and recreation, but as these contributions do not generally benefit the rural areas where there is limited development, the report suggested the introduction of a policy under which contributions made under Section 106 Agreements on developments below 15 properties could be used for the provision and maintenance of play and recreation facilities on a Borough-wide basis and not limited to a particular locality. In addition, a twice yearly bidding process could be established, under which Chorley Council, Parish Councils and other appropriate community groups could be invited to submit relevant recreational schemes for consideration by the Executive Cabinet for funding purposes.
34. The Executive Cabinet endorsed the proposals outlined in the Director's report for discussion and consultation purposes at the next Borough/Parish Liaison meeting on 15 July 2009. Provided no major significant issues are raised at this Liaison meeting, the Corporate Director has been authorised to approve the recommended consultation process.

Revenue Budget, 2008/09 – Provisional Outturn

35. The Executive Cabinet received a report of the Assistant Chief Executive (Business Transformation) on the provisional outturn for the Council's 2008/09 General Fund revenue budget.
36. We were pleased to note that all of the efficiency savings targets have been achieved and that the revenue outturn for 2008/09 has revealed an overall underspend of £20,000 (excluding concessionary travel costs). The total of the predicted overspend on concessionary travel expenditure, to be funded from working balances, has been reduced to £135,000.
37. The General Fund level of working balances as at 31 March 2009 totals £1.601m, an increase of £51,000 on the balances forecast in the medium term financial strategy in March 2009. This has been achieved as a result of both the revenue underspend and the reduction in the originally projected overspend in concessionary travel costs.
38. The Assistant Chief Executive highlighted a number of relevant factors that had contributed to the current financial position and we agreed to consider a re-examination of the structure of car parking fees.

Possible Changes to the Administration of the Concessionary Travel Scheme

39. The Executive Cabinet received and considered a report of the Assistant Chief Executive (Business Transformation) seeking our views and response to a Government consultation on proposals to amend the administration of the Concessionary Travel Scheme.
40. A number of problems and anomalies with the current administrative arrangements have become apparent and the Government has identified a number of options aimed at improving the efficiency and sustainability of the system. The options for change to the statutory minimum concession include:
 - retention of the current system (leaving the administration largely with District Councils);
 - moving responsibility to upper tier authorities only;
 - centralising administration completely;
 - moving responsibility to a regional level, which would require primary legislation.
41. The current consultation excludes changes to the current funding arrangements, which is to form a separate consultation exercise as part of the next comprehensive spending review in 2011.
42. The Executive Cabinet accept that the key issue surrounding the concessionary travel scheme remains one of funding and endorse the view that a centrally funded and administered scheme is potentially the best option. We have, therefore, approved the content of the response outlined in the submitted report which advocates this view.

Affordable Housing Task Group – Service Improvement Plan

43. The Corporate Director (Business) gave a short presentation and submitted a confidential report seeking approval of an Action Plan for the delivery of affordable housing drawn up by the Affordable Housing Task Group.
44. The Task Group was appointed in the light of the impact of the economic recession to examine how affordable housing could be increased and delivered more quickly and to ensure that all available funding and resources were accessed. The Council has, in fact, received an increased funding allocation of £1.2m from the Government's Regional Housing Pot, which can be utilised to stimulate appropriate initiatives.
45. The Executive Committee welcomed and approved the Action Plan devised by the Task Group as outlined in the Director's report, which identifies 11 projects and initiatives aiming to provide a greater number of affordable housing units by more flexible and innovative methods over a planned programme.
46. We have also authorised the establishment of a temporary Empty Homes Officer to be responsible for taking forward the key Empty Homes Project with the objective of bringing empty properties back into use, subject to either the post being filled from existing staff resources or its costs being contained within budget.

Off-Street Parking – Enforcement

47. The Corporate Director (Neighbourhoods) circulated at the meeting a confidential report seeking the Executive Cabinet's decision on the future arrangements to apply in respect of the provision of "off-street" parking enforcement services in Chorley when current arrangements with the Lancashire County Council for the enforcement of "on-street" and "off-street" parking expire in September 2009. The present integrated arrangements will cease on 5 September when the County Council will retain the "on-street" parking enforcement

function and District Councils will become responsible for “off-street” parking enforcement services.

48. A number of options for the provision of enforcement services have been examined and costed through Team Lancashire, details of which were contained within the submitted report. The Executive Cabinet was asked to determine whether the Council should continue its partnership with the County Council for “off-street” parking enforcement or whether we should consider an alternative short term contract arrangement, pending the exploration of a longer term solution with other Lancashire Districts, after taking account of all pertinent factors, including estimated comparative costs.
49. The Director’s report concludes that pursuance of the short term contract is likely to be the most cost effective and beneficial arrangement, generating savings of up to £0.25m across the County as a whole. This option will entail the engagement of a contractor to provide back office services (ie administration of penalty notice challenges and debt recovery) and a separate contractor to provide front-line enforcement and cash collection services.
50. The Executive Cabinet accepted the recommendations and have approved the procurement of a short term contract to provide “off-street” parking enforcement services in Chorley, subject to sufficient other authorities committing to the scheme, in order to enable Officers to explore a longer term solution for the provision of the service.

Recommendation

51. The Council is recommended to note this report.

COUNCILLOR P GOLDSWORTHY
Executive Leader

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There are no background papers to this report.