

# Executive Cabinet

## Minutes of meeting held on Thursday, 24 November 2011

**Present:** Councillor Peter Goldsworthy (Executive Leader in the Chair), Councillor Ken Ball (Deputy Leader of the Council) and Councillors Eric Bell, Alan Cullens, Kevin Joyce and John Walker

**Also in attendance:**

**Lead Members:** Councillors Harold Heaton, Rosie Russell and Stella Walsh

**Other Members:** Councillors Anthony Gee, Paul Leadbetter, Adrian Lowe, Marion Lowe, June Molyneaux and Peter Wilson

### 11.EC.44 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Greg Morgan (Executive Member Policy and Performance) and Henry Counce.

### 11.EC.45 MINUTES

**RESOLVED - The minutes of the meeting of the Executive Cabinet held on 20 October 2011 were confirmed as a correct record for signature by the Executive Leader.**

### 11.EC.46 DECLARATIONS OF ANY INTERESTS

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct Councillor Eric Bell declared a personal interest in respect of item 9: Allotments Update.

### 11.EC.47 PUBLIC QUESTIONS

The Executive Leader reported that there had been no requests from members of the public to speak on any of the meeting's agenda items.

### 11.EC.48 FUNDING THE INDEPENDENT DOMESTIC VIOLENCE ADVOCACY (IDVA) SERVICE

The Chair of the Overview and Scrutiny Committee, Councillor Adrian Lowe, presented a report outlining the results of the Committee's scrutiny of the Independent Domestic Violence Advocacy Service for Chorley and South Ribble.

The purpose of the scrutiny was to understand the value of the service to residents of Chorley and South Ribble and to look at future delivery of the service. The Committee had heard from a number of partners from the Community Safety Partnership.

The Committee found that the IDVA service was highly valued not only in supporting victims of domestic abuse but also in preventing repeat cases. In doing so it was of benefit to all partners and would, in the long term, mean savings within each organisation.

There was no clear commitment on funding from partners. Members felt that one organisation should take the lead by making a financial commitment and then work with the other partners through the Community Safety Partnership to urge them to contribute and ensure the continuation of the IDVA service. The Committee felt Chorley Council should take that lead.

Whilst ideally the Committee wanted to see the service mainstreamed, they would like the Cabinet to make a three year commitment to part fund the IDVA service subject to an annual review of the service.

Members discussed the value of the service and supported the recommendations.

#### **Decision made**

- 1. To consider making some provision for funding for the Independent Domestic Violence Advocacy Service for Chorley and South Ribble in the 2012/13 budget and that Chorley lead the way in seeking funding from the other key partners who benefit from the service, namely the Police, South Ribble Borough Council, Lancashire County Council, the PCT and CCH and other social landlords.**
- 2. To consider a three year commitment to fund the service from March 2012 to March 2015 (with annual review) during the budget process, and that a similar commitment be sought from other partners through the Community Safety Partnership.**

#### **Reason for decision**

To ensure that the IDVA service continued to be available to victims of domestic violence from across Chorley and South Ribble once the area based grant came to an end in March 2012 and to encourage other partners to contribute towards the funding over the next three years.

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

If funding cannot be sourced, the IDVA service was likely to cease in the Chorley area leaving victims without the support network provided by the service – and this might well lead to an increase in the number of domestic violence cases.

### **11.EC.49 PLANNING REVIEW - FEES**

The Executive Member for Partnerships and Planning presented a report requesting approval to amend and introduce new changes to the planning fee schedule.

The majority of the fee proposals related to commercial developers and those relating to householders were optional services. This meant that the impact on Chorley residents would be minimal.

#### **Decision made**

**The proposed changes and additions to the planning fee model be approved for implementation from 1 January 2012.**

#### **Reason for decision**

To improve and extend the services provided to customers whilst covering some of the outstanding costs.

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

To not extend the services to customers which some other authorities are currently providing.

### **11.EC.50 SAFEGUARDING POLICY - REVIEW AND UPDATE**

The Executive Member for People presented a report advising of a review of the Councils child protection policy and arrangements for dealing with safeguarding issues that might arise through contact with children and young people.

The Councils current Policy was drafted in 2009 and the arrangements for dealing with safeguarding issues had altered due to senior management restructures in late 2010.

The review resulted in minor alterations to policy and procedure as set out in the report.

A future Members Learning Hour would be arranged to provide detailed information on the policy and procedures as well as Members responsibilities with regard to safeguarding. Training for frontline staff would be provided to ensure they were fully conversant with their responsibilities and understood the procedures for raising safeguarding concerns arising from their work activities.

**Decision made**

- 1. The review of the Council's safeguarding policy and arrangements be noted.**
- 2. The revised policy document (attached at Appendix A of the report) be approved.**

**Reason for decision**

To ensure the Council's safeguarding arrangements were up to date and reflected the responsibility on everyone to ensure the protection of children and young people.

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

None.

**11.EC.51 UPDATE ON LONDON 2012 PROGRESS IN CHORLEY**

The Executive Member for People introduced a report which highlighted current progress of initiatives and work to promote and link Chorley to the London 2012 Olympic and Paralympics Games.

The report included an update on the implications for the Olympic Torch Relay passing through Chorley centre, Euxton and Croston. The Council had the responsibility for facilitating the Olympic Torch's safe arrival; ensuring the Olympic Torch Relay Route was dressed for the occasion; encouraging local people to get involved including lining the route and liaising with local partner agencies, such as the police, to enable the Olympic Torch to pass through the borough.

In response to queries from Members a further report would be presented outlining the detailed costs of this.

**Decision made**

- 1. The current progress against the action plan previously reported to Members be noted.**
- 2. A budget provision of £40,000 be made to support the activities and initiatives planned for the Torch Relay and Olympiad period.**

**Reasons for decision**

To ensure that the work of the Council and its supporting partners took full advantage of the opportunity's that London 2012 brought for Chorley residents and business.

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

To do nothing more and stop current activity regarding the Olympics and links into other opportunity's.

**11.EC.52 ALLOTMENTS UPDATE REPORT**

(Councillor Eric Bell declared a personal interest in this item).

The Executive Member for People presented a report updating Members on progress with The Common, Adlington element of the allotments project.

The Common was one of three sites identified to be taken forward for development of new allotments.

Initial consultation with 37 neighbouring properties was undertaken in May 2011. Further consultation was carried out as part of the planning application for the provision of a car park on the site. Opposition had been expressed by local ward councillors, Adlington Town Council, and residents including a 52 signature petition and 179 letters of objection.

Other local potential sites had been identified, including Harrison Road. All of the sites presented further issues including access, ecological impact and/or did not offer good value for money.

#### **Decision made**

- 1. To defer delivery of allotments at The Common, Adlington.**
- 2. To withdraw the planning application for on site car parking.**
- 3. Officers to identify alternative sites in the Borough for allotment plots.**

#### **Reasons for decision**

Following consultation and submission of the planning application there had opposition from local residents, the Town Council and ward councillors, including a signed petition.

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

No other options considered.

### **11.EC.53 WASTE CONTRACT UPDATE**

The Executive Member for Places introduced a report updating Members on the performance of the waste contract and made recommendations on how the Council introduced food waste collections. LCC no longer required separate food waste collections from all properties as part of the current cost sharing agreement.

Veolia had continued to meet their monthly performance targets and Chorley achieved a recycling rate of 48.55% in 2010/11, which was the best in Lancashire.

It was proposed to start collections of co-mingled food and garden waste from all properties with a brown bin from March 2012. Other than initial publicity costs, there were no additional costs for vehicles or containers. As the Farington Waste Technology Park (WTP) only passed the acceptance tests for food waste in September it was prudent to wait until after the winter period before fully introducing comingled food and garden waste collections. Introducing the new changes in March 2012, at the start of the growing season, would ensure that residents had significant amounts of garden waste to mix their food waste with and the service was unlikely to be disrupted by severe winter weather.

The deferral of separate food waste collections from properties without gardens followed the results of the trials collecting food waste separately from terraced properties undertaken by South Ribble Borough Council and Preston City Council. The participation rate was 35% for South Ribble and 40% for Preston City Council. As participation rates were lower when compared to properties with gardens the cost per tonne of food waste collected was significantly more expensive for these property types. Pendle Council suspended their separate food waste in October 2011 to 7,000 terraced properties partly because of the high cost of collection.

Officers clarified that residents retained the option to dispose of food waste in their domestic bin.

### **Decision made**

1. To introduce food waste collections to those properties (37,500) with a garden waste collection (brown bin) in March 2012.
2. To defer separate food waste collections from properties without gardens (8,500) are for the duration of the contract (2019) which would save £70,000 per year.

### **Reason for decision**

1. By starting co-mingled food and garden waste collections to properties with gardens in March 2012 the reputational risk to the Council would be reduced compared to starting these collections now when garden waste tonnages diminish over the winter months. There was the possibility we could experience disruption to collections if there was another period of severe winter weather. There were no additional costs, apart from initial publicity, in providing comingled food and garden waste collections and it had the potential to increase the recycling rate.
2. Lancashire County Council had indicated that separate food waste collections are no longer a requirement of the current cost sharing agreement. Therefore, by deferring food waste collections from properties without gardens for the remaining seven years of the contract the council would save £70,000 per annum (plus RPIX).

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

1. To introduce co-mingled food and garden waste collections now. There is the possibility of disruption due to severe weather and operational issues at Farington WTP over the winter months. It would seem prudent to delay the introduction of co-mingled food and garden waste collections until spring (March 2012) to ensure the scheme has a successful start.
2. Lancashire County Council do not require diversion all food waste for composting. Leaving some food waste in the residual waste will assist with energy generation at Farington WTP.

## **11.EC.54 SECOND QUARTER COUNCIL PERFORMANCE REPORT 2011/2012**

The Chief Executive introduced a report setting out the performance of the Council against the delivery of the Corporate Strategy and key performance indicators during the second quarter of 2011/2012, 1 July to 30 September 2011.

Overall performance of key projects remained good, with the vast majority of the projects either completed, or on track. The timescales to deliver the project to refresh the Council's website had slipped for several reasons. However, the live site was expected to go live in quarter 4.

Overall performance on the key measures in the Corporate Strategy and key performance indicators was strong, with 83% of the Corporate Strategy measures performing above target or within the 5% tolerance. Two key performance indicators within the Corporate Strategy were below target: % of health checks resulting in a referral and the % of 16-18 year olds who are not in education, Employment or training (NEET).

The health checks service team were planning to take the health checks into communities and work with employers going forward. On the NEET indicator the figures followed a national trend, but the Council was looking at ways to reverse this trend.

One of the key service delivery measures was below target, namely the number of families owed a statutory duty in temporary accommodation. In this case, an action plan had been developed to outline what action would be taken to improve performance.

**Decision made**

**To note the report.**

**Reason for decision**

To facilitate the ongoing analysis and management of the Council's performance in delivering the Corporate Strategy.

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

None.

**11.EC.55 SECOND QUARTER CHORLEY PARTNERSHIP PERFORMANCE REPORT 2011/2012**

The Chief Executive presented a report updating Members on the performance of the Chorley Partnership during the second quarter of 2011/2012, from 1 July to 30 September 2011.

Performance was assessed on the delivery of partnership projects, against measures in the delivery plan and key service delivery measures. Performance in achieving the key performance targets remained good, although overall crime in quarter two had increased by 3% compared to this period last year, the year to date figure showed a reduction of 4.6%. Accidental Dwelling Fires figures were lower than anticipated.

Generally performance on the key projects / priorities in the Chorley Partnership delivery plan was strong, with 89% rated green as was performance on the key projects of the Chorley Partnership, with all five of the projects currently rated 'green'.

Concerns were raised about the impact of cuts within the Police force on levels of crime in Chorley going forward.

**Decision made**

**To note the report.**

**Reason for decision**

To facilitate the ongoing analysis and management of the Chorley Partnership's performance and delivery of funded projects.

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

None.

**11.EC.56 CAPITAL PROGRAMME MONITORING 2011/12 - 2013/14**

The Chief Executive introduced a report updating the Capital Programmes for financial years 2011/12 to 2013/14 to take account of rephasing of expenditure and other budget changes.

The meeting of Council in September approved revisions to the 2011/12 to 2013/14 Capital Programme, to increase the current estimate to £10,220,550.

The principal changes to the programme were the increase to the Disabled Facilities Grant budget to reflect estimated grant receivable in 2012/13 and 2013/14 and the increase to the Play and Recreation Fund budget financed by developers' contributions receivable during 2011/12.

It was proposed that the three-year Capital Programme should be increased by a net total of £89,040, which increased the total to £10,309,590. Of the £89,040 increase, £34,700 was to be financed with additional external contributions, £39,340 was to be financed with revenue budget virements already approved by Council in September and £15,000 additional revenue budget virements requested in the revenue budget

monitoring report. Rephasing of £40,000 of the 2012/13 ICT budget for Citrix was also approved in September and this would be financed by borrowing in 2011/12 rather in 2012/13.

**Decision made**

**That the Council be recommended to approve the changes to the Capital Programme for 2011/12 to 2013/14 as presented in Appendix 1.**

**Reason for decision**

It was necessary to update the capital programme figures for 2011/12 to 2013/14 to add ICT projects previously approved by Council and Executive Cabinet; to transfer £18,000 of the budget for Planned Improvements to Fixed Assets to the budget for ICT enhancements; to confirm use of part of the uncommitted Housing Renewal budget; and to reflect changes to the resources estimated to be available to finance the programme.

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

None.

**11.EC.57 REVENUE BUDGET MONITORING 2011/12, REPORT 2 (END OF SEPTEMBER 2011)**

The Chief Executive introduced a report setting out the current financial position of the Council as compared against the budgets and efficiency savings targets it set itself for the financial year 2011/12.

The Council expected to make overall target savings of £358,000 in 2011/12 from management of the establishment, a reduced pension rate from the draft budget, and review of the Car Leasing scheme. A total of £309,000 had already been achieved, leaving £49,000 remaining for this target to be achieved for the year.

The overall projected outturn currently showed a forecast underspend of around £391,000 against the budget. There were a number of areas that would be monitored closely as the year progressed, including contributions to corporate savings and efficiency targets, major income streams (in particular car parking fees, planning/building control fees, and markets rents) and Housing and Council Tax Benefits.

Members noted that the Council was currently involved in a number of current and potential planning appeals and the full costs and implications would not be known for some time. In light of the current forecast outturn position and level of balances it was prudent to set aside a sum of money in the current year to mitigate against potential costs arising from planning appeals.

In response to a query it was confirmed that the estimated income from parking fees was currently on track.

**Decision made**

- 1. To note the report.**
- 2. Council be recommended to set aside a sum of £150,000 from current year general revenue fund savings to meet potential planning appeal costs.**

**Reasons for decision**

To ensure the Council's budgetary targets were achieved.

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

None.

## **11.EC.58 GRANT OF A LEASE - LAND AT BALSHAW LANE, EUXTON**

The Executive Member for People introduced a report seeking approval for the terms agreed for the grant of a 25 year lease to Euxton Parish Council on land at Balshaw Lane, Euxton for the creation of a skate park.

The Council owned land at Balshaw Lane Euxton. The land currently provided car parking, amenity open space and access to Yarrow Valley Country Park. A consultation exercise carried out by Euxton Parish Council identified a lack of leisure facilities and activities for young people in the village of Euxton. As a result, further public consultation was carried out and it had been suggested that a skate park would meet the needs of young people in Euxton.

Terms had been proposed, and accepted for the grant of a 25 year lease to enable the creation of a skate park by Euxton Parish Council.

### **Decision made**

- 1. To approve terms provisionally agreed for a Lease of land at Balshaw Lane Euxton to Euxton Parish Council for the provision of a skate park.**
- 2. To authorise Liberata Property Services to instruct the Head of Governance (Legal Services) to proceed with the drafting of the Lease, with the Lease to be signed once the Parish Council had secured full funding for the project.**

### **Reason for decision**

1. To enable the delivery and continued provision of recreational facilities for the people of Chorley.
2. The site was ideally located to provide the facilities for the young people of Euxton and in doing so met an identified need for recreational activity.
3. The location was easily accessible to residents of Chorley as it was on a main road with existing car parking facilities and a bus stop adjacent to allow access via public transport.
4. The site was in a good location away from residential properties but safe and protected for young people to use.

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

If the site were not made available to the Parish Council, they would have to search for an alternative site, which might not provide as well in terms of location and accessibility.

## **11.EC.59 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED - That the press and public be excluded from the meeting for the following items of business on the ground that it involved 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.**

## **11.EC.60 RESULTS OF A JOINT INSURANCE PROCUREMENT EXERCISE IN CONJUNCTION WITH SOUTH RIBBLE BOROUGH COUNCIL**

At the June meeting of the Executive Cabinet Members approved a joint procurement exercise, in conjunction with South Ribble Borough Council, for the renewal of the current insurance covers in place at both Councils under existing Long Term Agreements (LTAs) that were due to expire on 31/12/2011.

Members also approved the contract award procedure and tender evaluation criteria and agreed that South Ribble Borough Council would act as the lead body for the joint procurement and conduct the exercise in compliance with its Contract Procedure Rules and Procurement Guidance.



The joint exercise had now been undertaken and a detailed Tender Evaluation Report had been provided by the Councils' common insurance brokers.

**Decision made**

**To agree that Risk Management Partners (RMP), Zurich Municipal (ZM) and ACE European Group Limited be appointed to provide insurance cover for the respective classes of insurance noted in the report.**

**Reason for decision**

The following objectives have been achieved by the joint tender exercise:

- Obtaining volume discounts from insurers by providing them with a larger overall offer.
- Sharing procurement costs by arranging one tender exercise rather than two.
- Rationalising the current insurance portfolios thereby providing ongoing administrative efficiencies.

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

Prior to undertaking the joint procurement exercise some research into alternatives to the traditional tender approach were undertaken, for example the possibility of joining some form of consortium.

During the appointment process for the insurance brokers to both Councils the opportunity was taken to question all 3 candidates on their views as to the alternatives on offer. All were quite dismissive about those alternatives, including consortia due to their fledgling nature and also that procurement savings from this route would probably be modest. The consensus was to arrange a joint tender for new LTA's commencing 1/1/2012.

**11.EC.61 PLANNING REVIEW AND RESTRUCTURE REPORT**

The Director of Planning, Partnerships and Policy presented a report detailing the results of an in-depth review of the planning service which had been carried out during the last six months.

The review had already resulted in numerous process improvements in the service, which could be measured through improved performance in planning processing times and more improvements were planned.

In addition to these improvements the review identified areas where the service could be improved and strengthened through restructuring.

**Decision made**

- 1. The proposed structure, as detailed in the report, be approved for consultation.**
- 2. To delegate authority for approval of the final structure to the Executive Member for Partnerships and Planning.**

**Reason for decision**

1. The Council was constantly striving to improve services to the customer and to maximise the use of new technology to achieve efficiencies and service improvements.
2. The demands upon the planning service fluctuate. However, it was recognised in the sub region that the demands upon Chorley's service was currently significant and likely to continue in the foreseeable future. With this in mind the report sought to put in place a structure that was fit for purpose to meet future pressures placed upon the Council.

3. As a consequence, the restructure enabled all services currently provided to continue, however some would transfer to other service areas. It also moved further towards generic posts to provide greater flexibility and cover within the service, while also achieving savings of £57,774 staffing and £20k from IT and process changes. A total of £77,744.

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

Consideration was given to out sourcing work and/or developing shared services with neighbouring authorities. However, given this was a high profile front line service, it was felt that the Council would want to maintain full control over delivery.

Executive Leader