

# Executive Cabinet

## Minutes of meeting held on Thursday, 21 March 2013

**Present:** Councillor Peter Wilson (Deputy Leader in the Chair) and Councillors Beverley Murray, Terry Brown, Dennis Edgerley and Adrian Lowe

**Also in attendance**

**Lead Members:** Councillors Julia Berry, Matthew Crow, Danny Gee and Marion Lowe

**Other Members:** Councillors Henry Caunce, John Dalton, Alison Hansford, Harold Heaton, Paul Leadbetter, Greg Morgan, June Molyneaux and Geoffrey Russell

**Officers:** Gary Hall (Chief Executive), Jamie Carson (Director of People and Places), Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Chris Moister (Head of Governance), Simon Clark (Head of Health, Environment & Neighbourhoods), Michael Coogan (Strategic Housing Officer), Jamie Dixon (Head of Streetscene & Leisure Contracts), Sarah James (Partnerships Manager), Kath Knowles (Housing Manager (Strategy)), Chris Sinnott (Head of Policy and Communications) and Dianne Scambler (Democratic and Member Services Office)

**Members of the public:** Three

### 13.EC.28 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Alistair Bradley – Executive Leader.

### 13.EC.29 MINUTES

**RESOLVED – That the minutes of the Executive Cabinet held on 31 February be confirmed as a correct record for signed by the Deputy Leader.**

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

**No declarations of any interests were received.**

### 13.EC.31 PUBLIC QUESTIONS

The deputy Leader reported that there had been a request from one member of the public to speak on the agenda item relating to the Chorley Council Young People Engagement Programme.

The question was read out by Matthew Hansford and the detail is set out below:

What is the need for another Chorley Youth Council when there is already one in place that liaises and meets with Lancashire County Council County Cabinet Members and attends Chorley Council meetings?

The Executive Member for People responded by saying that the proposals were intended to enhance the engagement of young people and was not an attempt to either replace or duplicate existing mechanisms already in place. By using a variety of different communication methods it was hoped that more young people would engage in the process.

### 13.EC.32 CHORLEY COUNCIL YOUNG PEOPLE ENGAGEMENT PROGRAMME

The Chair brought this item forward on the agenda as it related to the question that had been raised by a member of the public.

The Executive Member for People presented the report on the proposal to roll out an innovative programme of work to enhance the engagement of young people in the workings of Chorley Council, including a programme of meetings, an ambassador scheme and an annual Chorley Council Young People's conference.

The Council's Corporate Strategy for the Council included a project to establish a Chorley Council Youth Council with the purpose of this project being to enhance the levels of engagement between young people and Chorley Council.

Whilst there were some concerns that the programme would be a duplication of the Youth Parliament scheme that already existed for the young people of Chorley, evidenced by the public question and voiced at the meeting by some non-Executive Members, reassurance was given that the proposals outlined in the report were intended to work alongside, and compliment, other forms of engagement with young people in Chorley. The use of social media within the programme would also help to engage young people in the rural areas of the borough.

**Decision made**

**Approval granted for the establishment of a programme of meetings, an ambassador scheme and an annual Chorley Council Young People's conference.**

**Reason(s) for decision**

To enhance levels of engagement between young people and Chorley Council

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

Various options were considered including a different mix of contact with young people, for example, more meetings, less use of social media, more large scale events etc.. – rejected in favour of the proposals set out in the report.

**13.EC.33 INTRODUCTION OF A CAPITAL GRANT SCHEME FOR EXISTING BUSINESSES - CHORLEY BUSINESS INVESTMENT FOR GROWTH**

The Executive Member for Resources, Policy and Performance presented a report that set out the details for the introduction of a new capital grant scheme for existing businesses in Chorley from April 2013

Chorley Council currently provides a diverse range of support services to local businesses to deliver its key commitment of 'Developing a Strong Local Economy'. This grant scheme would complement existing Council, and partners, grant schemes and would provide financial support towards capital investments for businesses with a vision for growth and job creation.

The report presented an overview of the scheme and Members asked questions around the eligibility criteria, and application and approval process.

**Decision made**

**To note the report and approval granted for the introduction of the Chorley BIG scheme.**

**Reason(s) for decision**

1. To support businesses and encourage and enable local businesses to invest in growth activities, helping to create jobs, high commercial space and strong and sustainable local supply chains.
2. An eligibility criteria, application and approval process that is designed to be business friendly with a straight forward and timely application process whilst enabling the Authority to apply due diligence and transparency to applications to ensure sound grant decisions are made.

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

The following options were considered:

1. Do nothing – rejected as this would not support the economic growth.
2. Variations of intervention levels, percentage contributions and payment terms – rejected as this may present barriers to applications and reduce the appeal of BIG.
3. Provide funding as a mix of grant and loan – rejected as the focus is to enable additional growth in Chorley at a time when lending is constrained, and for the applicant to be able to use the BIG funding to leverage additional loan, grant of equity funding that they require to deliver their plans.

### **13.EC.34 EXCEPTIONAL HARDSHIP POLICY (OUTSIDE THE COUNCIL TAX SUPPORT SCHEME)**

The Executive Member for Resources, Policy and Performance presented a report seeking approval for an Exceptional Hardship Policy that set out the way in which Chorley Council would deal with requests for a reduction in Council Tax liability under Section 13A (1) (c) of the Local Government Finance Act 1992.

The Council Tax legislation had been amended under Section 76 of the Local Government Act 2003, effective from April 2004, to allow discretion to reduce the amount a Council Tax payer is liable to pay to nil, by way of allowing a discretionary discount or exemption in ad-hoc cases.

The granting of the hardship relief is wholly discretionary and it was considered that a reduction or remission of council tax on grounds of hardship would be by exception rather than the rule. The cost of granting relief in such cases would be borne 100% by the Council.

Any requests for Council Tax liability reductions for Council Tax support customers would continue to be dealt with under the Discretionary Hardship Policy within the Council Tax Support Scheme.

#### **Decision made**

**Approval granted for the implementation of the Exceptional Hardship Policy.**

#### **Reason(s) for the decision**

1. In January 2013, the amended Corporate Debt Recovery policy was approved, the Council Tax Support scheme (CTS) and, as part of the CTS scheme a Discretionary Hardship Policy within the CTS scheme was approved which is for Tax Payers who are receiving CTS but who are still suffering exceptional hardship.
2. As a separate issue, Section 13A (1)(c) of the Local Government Finance Association 1192 (under the section Billing Authority's power to reduce amount of tax payable) also states that we can also reduce, to such extent as the billing authority thinks fit, the amount of tax payable for any tax payer. This means that any tax payer could ask for a reduction in liability whether they receive CTS or not. This is not a new rule, but Chorley does not currently have a policy in place for dealing with requests for a reduction in liability under this discretionary power.

#### **Alternative options considered and rejected.**

To have no policy in place – rejected as any applications would still need to be considered because it is set in legislation that customers can ask for us to use our discretionary powers to reduce liability where necessary.

### **13.EC.35 ADOPTION OF A DISCRETIONARY HOUSING PAYMENTS POLICY**

A report was presented by the Executive Member for Resources, Policy and Performance for the approval of the revised Discretionary Housing Payment Policy which had been amended to meet the requirements of new Department for Work and Pensions guidance.

The Council receives an amount of money from the Government each year to award Discretionary Housing Benefit to residents of Chorley who are in receipt of Housing Benefit to meet additional housing costs that the customer may have. These costs may be weekly housing costs or one-off housing costs.

The awards of Discretionary Housing Payments are made at the discretion of the Council subject to rules contained within the Discretionary Financial Assistance Regulations 2001 and the Council Discretionary Housing Payments Policy. The regulations gave details of the qualifying criteria of when payments can and cannot be made and the Councils policy provided details of the aims of the scheme and items to be taken into consideration when considering a request for an award. The awards made were subject to a cash limit of 2.5 times the government funding with the liability for any payments made above the Government funding falling to the Council and the Government contribution and maximum amount that could be awarded for 2013/14 was contained within the report.

Members raised questions around one-off payments for rents on up to two homes and support for the immediate family of the armed forces.

**Decision made**

**Approval of the amendments to the Discretionary Housing Policy be granted.**

**Reason(s) for the decision**

To update the Discretionary Housing Payment Policy (last updated May 2006) to reflect new guidance from the Department for Work and Pensions regarding what items Discretionary Housing Payments can meet and update the Council's priorities regarding who should receive Discretionary Housing Payments.

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

None

**13.EC.36 CORE FUNDING 2013/14**

The Executive Member for People presented a report which outlined the Core Funding allocation for 2013/14. Although there were no direct allocations for rural based organisations, many of the groups supported provided services all across the borough.

**Decision made**

**Approval to grant the recommendations in Appendix A, subject to agreeing and signing contracts and or grants with the organisations.**

**Reason(s) for the decision**

To provide local voluntary, community and faith sector organisations with Core Funding for 2013/14, to enable them to deliver services in the borough which contribute towards the delivery of the sustainable Community Strategy.

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

Not to award Core Funding Grants in 2013/14

**13.EC.37 CONTRACT FOR PROVISION OF GENERALIST DEBT ADVICE AND SUPPORT SERVICES IN CHORLEY**

The Executive Member for People presented a report to grant the contract for the provision of generalist advice and support services in Chorley to Lancashire West Citizens Advice Bureaux (CAB) to commence on 1 April 2013, in line with specified performance monitoring requirements.

#### **Decision made**

**Approval of the contract for provision of generalist debt advice and support services be awarded to Lancashire West Citizens Advice Bureaux**

#### **Reason(s) for the decision**

1. Awarding a contract for generalist debt advice and support services to the CAB will ensure that this service is maintained for the residents of Chorley and delivered by an organisation with evidence for providing good value for money.
2. Last year the Lancashire West Citizen's Advice Bureaux demonstrated excellent performance in contract monitoring and to date has delivered 918 advice appointments, well exceeding their target of 702. They provided generalist advice to 3952 clients, also exceeding their year to date target of 3750 (though a number of contact types including telephone and walk in). They have achieved over £8,000,000 of financial benefits for clients through take up and debts rescheduled.

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

Not to allocate this contract to CAB – rejected as this would mean a lengthy tendering process to identify a suitable alternative provider. This would be counter-productive given that Chorley Council have developed a good working relationship with the CAB who would have been delivering this crucial service successfully to Chorley for a number of years and shown to be providing good value for money.

### **13.EC.38 UPDATE - CHORLEY REMEMBERS HLF PROJECT**

The Executive Member for People presented a report that provided an update on the Chorley Remembers Heritage Lottery Fund (HLF) project.

Following the success of the Chorley Pals Memorial statue, the Trustees of the Chorley Pals memorial had secured HLF funding for a Remembrance project in Chorley. The project had four strands that involved Chorley Council assets, enhancement to the Chorley Cenotaph, remedial works to the Memorial Arch at the Park Road entrance to Astley Park, expansion and enhancement of the Memorial Room at Astley Hall and enhancements to the Chorley Pals Memorial statue.

Chorley Council and Chorley Remembers had been working closely to deliver these four elements of the project and the report provided update and progress to date.

Visitor attendance at the relocated Chorley Remembers Exhibition would be monitored closely and reviewed after two years to assess if the exhibition was correctly sited.

#### **Decision made**

1. **That progress to date be noted and approval granted of the Council's continued involvement as detailed in the report.**
2. **Approval granted for £36,082.77 to be allocated from the £250K 2013-13 capital budget for Astley Park to fund the remedial work to the arch including the repair and restoration of the main gates, side gates and cobbled area.**

#### **Reason(s) for the decision**

To provide an update on the Chorley Remembers HLF project, to note the progress to date and approve the further actions detailed in the report for the elements of the project that involve Chorley Council assets.

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

Not to approve the progress and further actions outlined in the report.

**13.EC.39 NEIGHBOURHOOD PRIORITIES**

The Executive Member for Places presented a report which outlined the 24 neighbourhood priorities that had been put forward at the recent neighbourhood area meetings and to agree a budget where appropriate.

It was recognised that there was diverse range of priorities and that some will require further consultation to fully understand and determine community needs. Some priorities had similarities across neighbourhoods and some fall within programmes of work planned for 2013/14.

**Decision made**

**Approval of the 24 priorities and actions outlined in Appendix 1 of the report**

**Reason(s) for the decision**

To progress the priorities determined by the neighbourhood area representatives for the benefit of the communities within their respective neighbourhood areas.

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

None

**13.EC.40 DRAFT SELECT MOVE COMMON ALLOCATIONS POLICY**

The Executive Member for Homes and Business presented a report that sought permission to consult on the new draft Select Move Commons Allocation Policy following a review by the Select Move Steering Group.

The policy had been re-written in order to respond to the Localism Act 2011 and to meet the aims of the partners. Localism allowed more freedom to determine which groups of people don't qualify to join the housing register and changes had been made to reflect this.

Members asked questions in relation the qualification of emergency circumstances, for example, incidences of domestic violence, and those banding categories that had been added to assist those households under and over occupying gain priority with a review to mitigating welfare reform changes.

It was considered that the changes would ensure a higher percentage of Chorley properties are allocated to Chorley households, and more assistance will be available for households affected by welfare reform.

**Decision made**

- 1. Approval for the Select Move partnership to consult on the draft Select Move Common Allocations Policy**
- 2. That any minor changes to the policy prior to the consultation be delegated for approval to the Executive Member for Homes and Business**

**Reason(s) for the decision**

To respond to changes in legislation whilst fulfilling Chorley Council's Part V1 statutory duties and maximising the allocation of Chorley properties to households with a local connection to the borough.

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

None

**13.EC.41 HOME ENERGY CONSERVATION ACT (HECA) REPORT 2013**

The Executive Member for Homes and Business presented a report on the Council's requirements in respect of the Home Energy Conservation Act (HECA), to advise on HECA- related activity carried out to date, and to set out the proposed HECA-related activity for the next two years.

The report had previously been approved by the Executive Leader, Executive Member for Economic Development and Governance, effective from 23 February 2013 and was being submitted to the Executive Cabinet for information.

**Decision made**

**To note the report.**

**Reason(s) for the decision**

By accepting the HECA report the Council has ensured that it is meeting its statutory obligations to publish such a report by 31 March 2013.

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

None

**13.EC.42 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED – To exclude the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Schedule 12A to the Local Government Act 1972**

**13.EC.43 BENGAL STREET DEPOT: PROPOSED SHARING OF SITE**

The Executive Member for Resources, Policy and Performance presented a confidential report on the proposed sharing of the Bengal Street Depot by a registered charity Recycling Lives.

**Decision made**

- 1. Approval in principal to share the Bengal Street Depot site and to pursue negotiations and to enter into the appropriate legal agreements with Recycling Lives to lease the agreed areas of the site.**
- 2. That the Executive Member for Resources, Policy and Performance be granted delegated authority to approve terms for the letting of part of the Bengal Street Depot and Offices to be in line with the figures in the report.**

**Reason(s) for decision**

- 1. The proposal best meets the Corporate Priorities of the Council. It brings investment into the Borough and provides employment opportunities to the residents. The charity will address issues relating to homelessness and education. It will also provide vocational skills to enable the long term unemployed to return to work.**
- 2. By agreeing the split site, the Council can retain the use of the depot and will not be put to the expense of identifying and improving a new site for that use.**

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

There have been no other firm offers for this site. As such the only other option is to continue marketing which is not appropriate given the benefits of the proposal.

## **13.EC.44 98 - 102 MARKET STREET: REFURBISHMENT**

The Executive Member for Resources, Policy and Performance presented a confidential report that sought to proceed to put out to tender works to renovate 98-102, Market Street, Chorley, to create three retail units with frontage onto Market Street, Chorley and to create a statutory car park area to the rear of the premises.

### **Decision made**

- 1. Approval of the refurbishment of 98-102 Market Street into three retail units in accordance with the proposal set out in Appendix A**
- 2. That delegated authority be granted to the Executive Member for Resources, Policy and Performance to agree the suggested scoring matrix in the procurement exercise and based on that matrix to agree the award of the works to the successful tenderer.**
- 3. Approval of the creation of a statutory car park on the area to the rear of 98-102 Market Street, Chorley (identified on the plan at Appendix B), to have free 30 minutes parking in bays adjacent to Gillibrand Street, Chorley, with delegated authority being given to the Executive Member for Resources, Policy and Performance to approve the final scheme.**

### **Reason(s) for the decision**

The proposal to create three retail units on this location properly balances the need to invest in the town centre against planning for future changes to the town centre area.

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

1. Partnering with a private sector organisation was considered and it was decided not to pursue this further. One of the aims for purchasing and investing in this site was for the Council to take control of the location and be in a position to actively promote the establishment of businesses through flexibility on rents. It also enables the Council to control who tenant the premises to promote a mix of retail offer in the town.
2. Renovation as a single retail unit was discounted. There had been no firm interest in this site as a single unit (that is its current offer) despite it being empty for in excess of 10 years and marketed for sale for a significant part of that period.
3. Housing. This was discounted at an early stage. The site had been marketed for some time and the Council had not had any interest from residential property developers. The actual cost of renovation for the buildings to a residential standard would have been prohibitive. The area was also zoned for retail/office use. The site is on a main link road between the current retail hub in the Booths/Market Walks area and the proposed Asda development which suggests retail should be retained.
4. The use as office space was considered and rejected. There are a number of vacant office space in the Town Centre which suggests there is no demand for this type of use.

## **13.EC.45 CAPITAL CONTRIBUTION TOWARDS THE COSTS OF THE CONVERSION FOR AFFORDABLE HOUSING AT ST GEORGE'S ST CHORLEY**

The Executive Member for Homes and Business presented a confidential report on a capital contribution towards the costs of the conversion for affordable housing of 12-14 St Georges Street, Chorley (formerly Harry's Bar) into 8X1 bedroomed flats for rent.

### **Decision made**



**Approval granted for the capital contribution of £271,679 towards the cost of Progress Housing Group providing 8X1 bedroomed flats for Affordable rent.**

**Reason for decision**

The new development will help to improve and regenerate an area of the town centre and will provide eight much needed affordable homes for single people and couples. The new units will assist in meeting the affordable housing target of 100 new homes per annum.

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

The property has been empty for a number of years and if the Council does not contribute towards the cost of conversion of this building it is likely to remain empty for some time to come.

**13.EC.46 CAPITAL CONTRIBUTION FOR THE PROVISION OF AFFORDABLE HOUSING (6 X 1BED FLATS AT HALLIWELL ST CHORLEY )**

The Executive Member for Homes and Business presented a confidential report for the approval of a capital contribution towards the costs for affordable housing of 12-16 Halliwell Street into 6X1 bedroomed flats for rent.

The development of the site and payment of the grant would be on condition of Adactus' bid for Empty Homes funding from the Homes and Communities Agency being successful. The Council's capital contribution would assist in making the bid attractive to the HCA in terms of value for money.

**Decision made**

**Approval granted for the capital contribution of £153,000 towards the cost of Adactus Housing Group providing 6X1 bedroomed flats for Affordable Rents.**

**Reason for decision**

The new development would help to improve and regenerate an area of the town centre and would provide six much needed affordable homes for single people and couples. The new units will assist in meeting the affordable housing target of 100 new homes per annum.

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

The property has been empty for some time and if the Council does not contribute towards the cost of conversion of this building it is likely to remain empty for some time.

Executive Leader