

Executive Cabinet

Minutes of meeting held on Thursday, 21 November 2013

Present: Councillor Alistair Bradley (Executive Leader in the Chair), Councillor Peter Wilson (Deputy Leader of the Council) and Councillors Beverley Murray, Terry Brown, Dennis Edgerley and Adrian Lowe

Also in attendance

Lead Members: Councillors June Molyneaux, Danny Gee, Jean Cronshaw and Matthew Crow

Other Members: Councillors Eric Bell, Henry Counce, John Dalton, Alison Hansford, Harold Heaton, Keith Iddon, Paul Leadbetter, Marion Lowe and John Walker

Officers: Gary Hall (Chief Executive), Jamie Carson (Director of People and Places), Chris Moister (Head of Governance), Simon Clark (Head of Health, Environment and Neighbourhoods), Chris Sinnott (Head of Policy and Communications), Jennifer Moore (Head of Planning), Mark Chambers (Principal Management Accountant), Lesley Miller (Environment and Neighbourhood Manager) and Ruth Rimmington (Democratic and Member Services Officer)

Members of the public: None.

13.EC.103 APOLOGIES FOR ABSENCE

No apologies for absence were submitted.

13.EC.104 MINUTES

RESOLVED - The minutes of the meeting of the Executive Cabinet held on 24 October 2013 be confirmed as a correct record and signed by the Executive Leader.

13.EC.105 DECLARATIONS OF ANY INTERESTS

No Members declared an interest in respect of items on the agenda.

13.EC.106 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.

13.EC.107 REVENUE AND CAPITAL BUDGET MONITORING 2013/14 REPORT 2 (END OF SEPTEMBER 2013)

The Executive Member for Resources, Policy and Performance presented the report.

The projected revenue outturn currently showed a forecast underspend of £78k against budget. The £40k virement previously reported from revenue to fund capital works at Bengal Street had been reversed due to the envisaged revenue savings having been re-phased to 2014/15 and the availability of alternative capital resources.

In year underspends from within Customer, ICT and Transactional Services had been redirected to fund £150k of the upfront costs of ERVS this financial year.

There was a forecast capital expenditure in year of £4.276m, proposed re-phasing of £8.307m into future years and £391k falling out of the programme.

The Council expected to make overall target savings of £200k in 2013/14 from management of the establishment. A total saving of £150k had been achieved in the first half of the year.

Further savings should be made as the year progressed and more vacancies occurred but if the remaining target was not achieved, budget efficiencies would be identified elsewhere to ensure the target for the year was achieved.

The Council's Medium Term Financial Strategy proposed that working balances were to be maintained at a level no lower than £2.0m due to the financial risks facing the Council. The current forecast to the end of September showed that the General Fund balance would be £2.102m.

Members discussed the improvements to Cotswold House and supported the continued improvements. The Executive Leader noted the importance of completing the improvements in a phased manner to retain continuity for the residents of Cotswold House.

Members noted that the Credit Union was exceeding the set targets for the number of customers borrowing. The Credit Union was looking into new areas of loans and to improve their online presence.

Decision made

- 1. That the forecast position for the 2013/14 revenue budget and capital investment programme be noted.**
- 2. That the forecast position on the Council's reserves be noted.**
- 3. Request Council approve the use of funds held on the Council's balance sheet, in the Council's role as trustee of The Avondale Library Trust, to contribute £ 24k to the Home Start Children's Play Area.**
- 4. Request Council approve the transfer of £50k from the Hut Lane earmarked reserve to the Local Development Framework reserve to cover the additional budget requirement in 2013/14 as detailed in paragraph 36.**
- 5. Request Council approve an £80k budget transfer of Council resources – carried over from the former Regional Housing Pot and currently within the disabled adaptations capital programme – to fund improvements at Cotswold House.**
- 6. Request Council approve the proposed re-profiling of the Capital Programme to better reflect delivery in 2013/14.**

Reason(s) for decision

To ensure the Council's budgetary targets are achieved.

Alternative option(s) considered and rejected

None.

13.EC.108 CHORLEY PARTNERSHIP PERFORMANCE MONITORING QUARTER TWO 2013/14

The Executive Member for Resources, Policy and Performance presented the report which followed the new format of partnership performance reports.

It set out the priorities and performance of the Chorley Partnership for the second quarter of 2013/2014, the priorities of the partnership groups and how successfully they have been delivering against those priorities. This was a move away from using performance indicators towards providing some contextual information regarding the work that had been delivered and what impact and outcomes this had achieved.

Overall progress against priorities was excellent, of the eighteen priorities identified across the partnership, fifteen were rated as green, one was amber and two were rated as not started.

Decision made

That the report be noted.

Reason(s) for decision

To facilitate the on-going analysis and management of the Chorley Partnership's performance.

Alternative option(s) considered and rejected

None.

13.EC.109 CHORLEY COUNCIL PERFORMANCE MONITORING QUARTER TWO 2013/14

The Executive Member for Resources, Policy and Performance presented the report which set out performance against the Corporate Strategy and key performance indicators for the second quarter of 2013/14.

Performance was assessed based on the delivery of key projects, against the measures in the 2012/13 – 2015/16 Corporate Strategy and key service delivery measures. Overall performance of key projects was excellent, with the majority of the projects complete, on track or scheduled to start in quarter 3.

One project, develop a youth ambassador scheme, had been rated amber due to issues relating to timescales in delivering initial actions however work was now underway to bring this project back on track. This scheme had a wider remit than one bearing the same name which was run by Runshaw College.

Overall performance of the Corporate Strategy and key service measures remained strong. 73% of the Corporate Strategy measures and 71% of the key service measures were performing above target, within the 5% tolerance or had been presented for base lining purposes.

The Corporate Strategy measures performing below target were; the percentage of 16-18 year olds who are not in education, employment or training (NEET), the percentage of domestic violence detections and the percentage of customers dissatisfied with the way they were treated by the council. Action plans had been developed to outline what action would be taken to improve performance.

In response to a query it was noted that a jobs and careers fair hosted by the Council earlier that day had been a success. Pupils from five Chorley high schools attended the event in the morning and in the afternoon it was open to the public. The free event brought together large employers from across the borough along with volunteering and advice services as well as key players in further education and apprenticeships. This was just one of the ways the Council was tackling the issues of NEETs.

Members discussed the target in relation to domestic violence and noted that the target was aspirational, but it had been achieved previously. Mechanisms were in place to make sure that officers followed the correct procedures to ensure that the chances of achieving detection were positive. The Council would be led by the Police on this.

The key service delivery measures performing below target were: the time taken to process Housing benefit/Council Tax benefit new claims and change events, and the percentage of major planning applications determined within 13 weeks. The performance achieved for October and November would improve the statistic on the percentage of major planning applications. Action plans had been included within the report to outline what actions were being taken to improve performance.

Decision made

That the report be noted.

Reason(s) for decision

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

Alternative option(s) considered and rejected

None.

13.EC.110 SPORTS VILLAGE FEASIBILITY STUDY - REVIEW

The Executive Member for People advised that a review of the 2007 Sports Village Feasibility Study had been undertaken which included actions proposed for the future.

The review highlighted that sports clubs/organisations that have land want to keep it and enhance it, rather than pool resources in one site and clubs that were looking to lease land did not require the land to be on a single site.

Members noted that there was an appetite amongst clubs, organisations and schools to work in partnership, on a site by site basis, to enhance the sporting offer in the Borough and that external funding for a large single site project was extremely limited.

The review had opened up a number of opportunities for the Council to work with stakeholders on individual projects/developments. These would continue and reports would be brought to Executive Cabinet if any of them progress.

Decision made

- 1. That the review of the feasibility study be noted, and that there was no prospect of a Sports Village, as originally envisaged, being delivered at this point in time.**
- 2. That various early discussions were taking place with partners to develop sports facilities in the Borough and that officers would bring reports to Executive Cabinet, as appropriate, when any decisions were required that involve the Council's input, e.g. funding, land etc.**

Reason(s) for decision

Although there are no plans to initiate a Sports Village project, as originally envisaged, there are opportunities to work with a variety of partners to enhance the sporting offer in the Borough. At this stage Executive Cabinet are asked to note these potential developments and that if any of them progress, and require the Council's input, separate reports will be brought to the Executive.

Alternative option(s) considered and rejected

One option would have been not to revisit the Sports Village feasibility study. Members agreed, at the policy setting Council meeting, that the review of the previous study would be a corporate project.

13.EC.111 PRIVATE RENTED SECTOR HOUSING - POLICY FOR ENFORCEMENT OF STANDARDS

The Executive Member for Places advised that Neighbourhood Environmental Health Officers had begun a proactive inspection programme to assess, and where necessary, take action to improve standards of accommodation in Chorley's private rented sector housing stock.

The proactive approach arose out of an Overview and Scrutiny report on the issue in April 2012. The resource to undertake a proactive programme was identified and work had started to build a database of private rented sector properties and commence inspections. In addition, the Overview and Scrutiny report recommended that a policy be developed to support the proactive programme to ensure consistency

of approach and to allow all stakeholders to understand the Councils proactive approach.

Members noted that the policy identified a number of sources of intelligence and information in relation to Chorley's private rented sector housing stock and, in particular, the engagement and support of tenants was seen as a key component. However, a pilot survey of properties in an area known to contain a high density of private rented sector properties yielded a very poor response from tenants. Further work with the Councils Communications Team, local housing charities and the Councils Housing Options Team would be undertaken to engage with tenants in the sector. Members were requested to make officers aware of properties they knew were privately rented through their role as a Councillor.

It was noted that measures which would improve the overall standard of private sector housing had far reaching benefits, for both the tenant and also surrounding community. Working in partnership with private landlords was key as the lower end of the private rented sector provided a valuable supply of housing for customers who could not access social housing for a variety of reasons and who otherwise would be homeless. Improving the standard of the housing with full landlord consent would be the ideal scenario, with enforcement action as the last resort where appropriate.

The Government had recently received the Communities and Local Government Select Committee Report into the private rented housing sector. The overall perspective of that report was that increased supply in the private rented housing sector was to be welcomed. There were a number of issues that the Government indicated might be introduced which could, in due course, be relevant to the proposed policy. The proposed policy would therefore be subject to review.

Decision made

Approve the policy document at Appendix 1 relating to the proactive inspection of private rented sector housing.

Reason(s) for decision

A local private rented sector housing standards inspection policy will ensure a consistent approach to developing a proactive inspection programme and allow all stakeholders to understand the Councils approach.

Alternative option(s) considered and rejected

It would be possible to operate a proactive inspection programme with no underlying policy and rely solely on legislative and national guidance. However developing a local policy ensures our approach is tailored to local needs and available resources whilst recognising national and legislative guidance.

13.EC.112 CHORLEY LOCAL PLAN 2012-2026 - INSPECTOR'S PARTIAL REPORT

The Executive Member for LDF and Planning informed Members of the progress of the Chorley Local Plan 2012-2026.

The report highlighted some of the main changes that had been considered necessary by the Inspector, following the examination hearing, to make the Chorley Local Plan sound.

The Council was currently awaiting the results of a Central Lancashire Gypsy and Traveller and Travelling Showpeople study which would be consulted on in January 2014.

A reconvened Examination would consider the results of this study and this was currently programmed to be held in April 2014. Should the Inspector consider further modifications necessary these would be consulted upon following the Examination

allowing a final report to be produced in August and the Local Plan to be adopted in September 2014.

The Inspector stated in her partial report that because of the very advanced stage in the examination process that the main modifications had reached, significant weight should be attached to all policies and proposals of the Plan that were amended accordingly.

The Park Hall/Camelot site had not been allocated, but the Inspector had stated that as it is a previously developed site, it could come forward as a windfall site in the Green Belt, provided that any proposal for its redevelopment satisfied other relevant policies of the Plan. The Inspector had also proposed an extension to the boundary of the Park Hall/Camelot previously developed site.

On areas of separation the Inspector changed the Policy to "Areas of Separation are also designated Green Belt" from Here development will be restricted, including all forms of development considered appropriate in the Green Belt. The two Areas of Separation as shown on the Policies Map are between Chorley and Euxton and Chorley and Whittle-le-Woods.

The Council had not included an allowance for slippage or for windfall sites (sites that come forward over the plan period that have not yet been identified) in the submitted Local Plan. However, during the examination hearings the Inspector suggested that the Council take account of slippage, suggesting initially that an allowance of up to 20% would normally be considered. She also suggested that a windfall allowance could be included. Further evidence was submitted and based upon this evidence the Inspector had accepted that the following was appropriate in the Chorley context:

- A slippage rate of 5% on large allocated housing sites
- A slippage rate of 20% on the small non-allocated existing housing commitments (sites that have planning permission, but which have not been allocated)
- A windfall allowance of 451 dwellings over the plan period

In addition, the Inspector recommended that the Council review/amend Policy HS2: Phasing of Housing Development to make it more 'flexible' and highlight that the schedule was purely indicative only. This was considered necessary as its approach reflected an outdated plan, manage and monitor approach to planning policy and not the positive approach of the Framework that sought to boost significantly the supply of housing.

It was noted that the site at Cowling Mill had not been allocated as it fell within Flood zone 3.

Members discussed the windfall allowance and

Decision made

- 1. Approval granted to accept the Inspector's modifications and to vary the plan accordingly.**
- 2. That it is now a significant material consideration for Development Management purposes when determining applications be noted.**
- 3. That the removal of Policy HW8: Hot Food Takeaways and the commencement of a review of the Access to Healthy Food SPD be specifically noted.**

Reason(s) for decision

To allow the Chorley Local Plan 2012-2026 Partial Report to be used for Development Management Purposes.

Alternative option(s) considered and rejected

None.

13.EC.113 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 Paragraph 3 of Schedule 12A to the Local Government Act 1972.

13.EC.114 APPROVAL FOR THE CONTRACT AWARD PROCEDURE AND EVALUATION CRITERIA FOR CAR PARK ENFORCEMENT AND CASH COLLECTION

The Executive Member for Resources, Policy and Performance presented the report which sought approval for the award procedure and evaluation criteria for the contract for the supply of enforcement and cash collection on Council owned pay and display car parks.

Decision made

1. **Approval granted to the joint procurement of this contract with other Lancashire District Councils.**
2. **The tender to be advertised on the Chest e-tendering system using an open invitation to contractors who will be required to complete a prequalification questionnaire (PQQ).**
3. **Those contractors who successfully pass the PQQ stage to be invited to tender.**
4. **Tenders to be evaluated to establish the most economically advantageous tender. The tender evaluation criteria are likely to be 70% cost, 30% quality subject to agreement of the other Districts involved in the joint procurement exercise.**

Reason(s) for decision

Under the Council's Contract Procedure Rules approval by the Executive Cabinet of contract award procedure and evaluation criteria for tenders greater than £75,000 in value is required.

Alternative option(s) considered and rejected

To not agree contract award procedure and evaluation criteria would fail to comply with the Council Procurement rules.

Executive Leader