

**MINUTES OF**

**EXECUTIVE CABINET**

**MEETING DATE**

**Thursday, 28 August 2014**

**MEMBERS PRESENT:**

Councillor Alistair Bradley (Chair), Councillor Peter Wilson (Vice-Chair) and Councillors Beverley Murray, Graham Dunn and Adrian Lowe

**MEMBER RESPONSIBLE:**

Councillors Terry Brown, Hasina Khan and Danny Gee

**COUNCIL CHAMPIONS:**

Councillors June Molyneaux, Julia Berry and Alan Whittaker

**OFFICERS:**

Lesley-Ann Fenton (Director of Customer and Advice Services), Jamie Carson (Director of Public Protection, Streetscene and Community), Chris Moister (Head of Governance), Susan Guinness (Head of Shared Financial Services), Simon Clark (Head of Health, Environment and Neighbourhoods), Rebecca Huddleston (Performance Improvement Manager), Andrew Daniels (Communications Manager), Mark Chambers (Principal Management Accountant), Lindsey Blackstock (Parks and Open Spaces Officer) and Ruth Rimmington (Democratic and Member Services Officer)

**APOLOGIES:**

Councillor Paul Walmsley

**OTHER MEMBERS:**

Councillors Henry Counce, John Dalton, David Dickinson, Doreen Dickinson, Mike Handley, Keith Iddon, Matthew Lynch and John Walker

20 members of the public

**14.EC.49 Minutes of meeting Thursday, 26 June 2014 of Executive Cabinet**

**RESOLVED - The minutes of the meeting of the Executive Cabinet held on 26 June 2014 be confirmed as a correct record and signed by the Executive Leader.**

**14.EC.50 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 Peter Wilson declared a non-pecuniary interest in item 8: Revenue and Capital Budget Monitoring 2014/15: Report 1 (End of June 2014). Councillor Alistair Bradley declared a non-pecuniary interest in items 15 and 16: Ranglett's Recreation Ground.

#### **14.EC.51 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.

#### **14.EC.52 Croston Flood Risk Management Scheme Update**

As there were members of the public present for this item the Chair agreed to take this item of business first.

The report of the Director of Public Protection, Streetscene and Community was presented by the Executive Member (Resources), Councillor Peter Wilson.

Following the previous meeting on in June the Council had written to partners and central government to seek further contributions towards the scheme. Unless agreement on how to fund the £1.1M was reached and confirmed by November 2014, the scheme would not go ahead and the funding already secured would be allocated to other schemes.

A reply had been received from the Secretary of State for the Environment, Food and Rural Affairs confirming that no further funding would be made available for the scheme. A reply from LCC had also been received together with a commitment to provide £80K of additional funding subject to budget approval. Together with the £266K previously committed to the scheme, this would bring LCC's total contribution to £346K and would reduce the funding gap to £1.02M.

Several Councillors voiced concerns about the financial impact of a levy on the residents of Croston. It was noted that it was an unsatisfactory situation, but one that needed to be resolved to ensure the scheme went ahead. The Lower Yarrow Flood Action Group had been instrumental in the improvements already made in the area.

The Executive Leader explained that the Council would continue to proactively seek contributions from other partners and central government in order to bridge the gap. The wish was for authorities to contribute in proportion to their responsibilities.

Members discussed the amount of the potential levy for residents of Croston, over 25 years for a Band D property would be £32 per year. A suggestion was made that areas upstream of Croston could also be asked to contribute.

The Executive Leader assured Members and residents that the resolution of the issue was an important priority for the Council.

#### **Decision:**

- 1. The update provided in the report was noted.**
- 2. That the Council continue to proactively seek contributions from other partners and central government in order to bridge the gap.**
- 3. To recommend to Full Council that Chorley Council contribute £600,000 to the project, in the event of partners and central government funding not bridging the gap.**
- 4. That the Council consults with Croston Parish Council and all Croston residents regarding the possible introduction of a local levy, or equivalent**

**recharge, to fund the remaining £500K, in the event of partners and central government funding not bridging the gap.**

**Reasons for decision:** To support the proposed flood risk management scheme for Croston and to seek approval for an approach to raise a £1.1M funding contribution.

**Alternative options considered and rejected:** Not to contribute any funding. This would mean that the scheme would be unlikely to proceed, the £4.5M funding would be allocated to another scheme, and Croston residents would not benefit from improved flood protection.

#### **14.EC.53 Report of the Overview and Scrutiny Task Group - CCTV Provision and Infrastructure Review**

The report of the Overview and Scrutiny Task Group was presented by the Chair of the Overview and Scrutiny Committee, Councillor John Walker.

Under the requirement to undertake scrutiny of crime and disorder matters, the Overview and Scrutiny Committee had considered a report on the current Chorley CCTV service, existing infrastructure and information about CCTV systems in other authorities where systems had been reduced or decommissioned.

In undertaking the review of provision, the Task Group engaged with both partners and customers to ensure that all perspectives were considered and to ensure the scrutiny was balanced. The system was perceived as being highly valued by the community and an effective tool used in the prevention of crime and disorder.

**Decision: The report of the Overview and Scrutiny Task Group was received and accepted for consideration, with a view to the response to the recommendations being reported to a future meeting.**

**Reasons for decision:** None.

**Alternative options considered and rejected:** None.

#### **14.EC.54 Health and Wellbeing - Response to the Overview and Scrutiny Task Group on health impact assessments**

The report of the Director of Public Protection, Streetscene and Community was presented by the Executive Leader and Executive Member (Economic Development and Partnerships), Councillor Alistair Bradley.

The Executive Cabinet had received a report in February 2014 from the Overview and Scrutiny Committee relating to a task group inquiry into whether the Council's health impact assessment toolkit was fit for purpose.

The work of the task group had been based around the application of the Council's health impact assessment to the draft Play and Open Spaces Strategy. The task group had made seven recommendations.

A review of the toolkit had since been undertaken and the assessment criteria in relation to health and wellbeing had been amended to reflect the priorities of both the

Lancashire Health and Wellbeing Board and the local Health and Wellbeing Partnership.

The assessment was now made against the criteria: Starting Well, Living Well and Aging Well. This considered the impact of the policy/service against these criteria and provided a whole life approach to public health priorities.

It was recognised that many areas of the Councils business were partnership based. Where new policies or services were being considered the impact assessment should include some reference to this and ensure that partner actions or input was properly considered as part of the assessment. Where the Council was able to, officers were starting to undertake assessments in conjunction with partners, for example, with Lancashire County Council (Public Health) and South Ribble Borough Council in terms of the Local Development Framework.

A programme of Member and Officer training and update sessions would be provided including a member learning hour and this would be included in the officers organisational development programme.

**Decision:**

- 1. The recommendations made by the Overview and Scrutiny Committee Task Group into Health Impact Assessments were accepted.**
- 2. The actions taken by officers in relation to the recommendations made by the Overview and Scrutiny Committee were endorsed.**

**Reasons for decision:** To support the improvement and development of the Councils integrated impact assessment toolkit.

**Alternative options considered and rejected:** None.

**14.EC.55 Central Lancashire Biodiversity and Nature Conservation Supplementary Planning Document (SPD)**

The report of the Chief Executive was presented by the Executive Leader and Executive Member (Economic Development and Partnerships), Councillor Alistair Bradley.

The Central Lancashire authorities were producing a Biodiversity and Nature Conservation SPD. The report explained the purposes and objectives of the Biodiversity and Nature Conservation SPD, summarised its contents, and set out the broad timetable for consultation and adoption.

The National Planning Policy Framework and the local planning policies referred to the concept of ecological networks. Ecological networks were links between sites of biodiversity importance. Lancashire County Council had produced ecological network mapping for Lancashire to cover woodland and scrub, grassland, and wetland and heath habitats. The SPD provided information on how to consider planning applications had an impact on ecological networks in the Central Lancashire context.

**Decision:**

- 1. The draft Biodiversity and Nature Conservation SPD, as detailed in Appendix 1, was endorsed and approved for consultation for a six week period between September and October.**

**2. Delegated authority was granted to the Chief Executive to approve minor changes and amendments prior to the consultation.**

**Reasons for decision:** To ensure that guidance is produced to provide advice on how the biodiversity and nature conservation policies, as set out in the Core Strategy and the Chorley, Preston and South Ribble emerging Local Plans, are to be implemented.

**Alternative options considered and rejected:** None.

**14.EC.56 Revenue and Capital Budget Monitoring 2014/15: Report 1 (End of June 2014)**

*(Councillor Peter Wilson declared a non-pecuniary interest in the recommendation relating to the Adlington Play and Recreation budget but stayed in the meeting)*

The report of the Chief Executive was presented by the Executive Member (Resources), Councillor Peter Wilson.

The report set out the provisional revenue and capital outturn figures for the Council as compared against the budgets and efficiency savings targets set for the financial year 2014/15.

The projected revenue outturn currently showed a forecast underspend of £88,000 against budget (excluding additional net income from Market Walk). No action was required at this stage in the year.

The latest forecast excluded any variation to projected expenditure on investment items added to the budget in 2014/15. These projects were forecast to fully expend in 2014/15 and should there be any balances remaining at year end this would be transferred into specific reserves and matched to expenditure in future years.

The forecast of capital expenditure in 2014/15 was £13.014m. This figure included £6.650m to finance the Chorley East Health Centre.

The Council expected to make overall target savings of £130k in 2014/15 from management of the establishment. Savings of £100k had already been achieved for the year, with the remaining balance expected to be achieved over the coming months.

The Council's Medium Term Financial Strategy proposed that working balances were maintained at a level no lower than £2.0m due to the financial risks facing the Council. The current forecast to the end of June showed that the General Fund balance could be around £2.277m.

Members noted that the budgeted net rental income from the Market Walk in 2014/15 was £543k. The latest forecasts estimated that the Council would receive an additional £453k. This was due to the letting of two vacant units, savings to operational costs and reduced costs of financing the acquisition.

Of the additional income forecast it was proposed to use £190k to fund design, planning and feasibility costs in relation to the extension to Market Walk and to transfer £100k to finance further investment in the Town Centre through the Town Centre Grants Programme to continue the Council's support of new local businesses through the award of shop front and shop floor grants.

Members noted the Business Rates Retention (BRR) scheme had been introduced in April 2013. It provided a direct link between business rates growth or decline, and the amount of money the council had to spend on local people and local services. The Council was able to keep a proportion of business rates revenue, as well as growth generated on that revenue, within their local area. Conversely any decline in Business Rates revenue levels reduced the income received by the Council.

The latest information of income yield – net of costs for reliefs, cost of collection, bad debt and estimated appeals – was a small increase in Chorley's share of retained rates of £9k. At this stage the monitoring of performance against budgeted estimates for the local retention of business rates was subject to change due to the volatility of variables such as the outcome of outstanding appeals. These latest estimates indicate the Council was meeting expectations included in the budget however further fluctuations would be closely monitored and any significant variances reported in the next monitoring report.

**Decision:**

- 1. The full year forecast position for the 2014/15 revenue budget and capital investment programme was noted.**
- 2. To request Council approval to transfer £100k of additional income from Market Walk to invest in the Town Centre Grants Programme and that any surplus additional income, currently forecast to be around £163k, be divided on a 80:20 basis between two reserves: the equalisation reserve to smooth any fall in forecast income from Market Walk in future years; and the change management reserve which would assist in funding future organisational change.**
- 3. The forecast position on the Council's reserves was noted.**
- 4. To request Council approve a £30k increase to the Adlington Play and Recreation budget in the capital programme, funded from Section 106 contributions.**
- 5. To request Council approve the proposed re-profiling of the Capital Programme to better reflect delivery in 2014/15.**

**Reasons for decision:** To ensure the Council's budgetary targets are achieved.

**Alternative options considered and rejected:** None.

**14.EC.57 Chorley Council Performance Monitoring - First Quarter 2014/15**

The report of the Chief Executive was presented by the Executive Member (Resources), Councillor Peter Wilson.

This report set out performance against the Corporate Strategy, and key performance indicators for 1 April to 30 June 2014. Performance was assessed based on the delivery of key projects, against the measures in the 2013/14 – 2016/17 Corporate Strategy and key service delivery measures.

Overall performance of key projects was excellent, with all of the projects either complete, on track or scheduled to start later in the year. Overall performance on the Corporate Strategy indicators and key service delivery measures was good. 63% of the Corporate Strategy indicators and 70% of the key service measures were performing above target or within the 5% tolerance.

The Corporate Strategy measures performing below target were; the percentage of domestic violence detections, the number of long term empty properties in the borough, 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.

The key service delivery measures performing below target were the time taken to process all new claims and change events for Housing and Council Tax benefit, the percentage of major planning applications determined within 13 weeks and minor applications within 8 weeks. Action plans were included within the report that outlined what actions were being taken to improve performance.

Members noted that the number of long term empty properties would continue to be monitored on a monthly basis and if there was a further increase action would be taken to advise owners how they could market their property for sale and or obtain loans from financial institutions, including Credit Unions.

**Decision: The report was noted.**

**Reasons for decision:** To facilitate the on-going analysis and management of the Council's performance in delivering the Corporate Strategy.

**Alternative options considered and rejected:** None.

#### **14.EC.58 External Communications and Media Protocol**

The report of the Chief Executive was presented by the Executive Member (Resources), Councillor Peter Wilson.

The external communications and media protocol set out the council's approach to undertaking external communications, in the written press and broadcast media as well as online.

The protocol was used to guide the council in approaching external communications and to set out who is involved at different stages and in different circumstances.

**Decision: The external communications and media protocol (set out at appendix A) was approved.**

**Reasons for decision:** The protocol sets out clearly and transparently the council's approach to external communications. It supports the council in complying with the Code of Recommended Practice for Local Authority Publicity, and clearly sets out the roles and the responsibilities in undertaking external communications.

**Alternative options considered and rejected:**

1. To not refresh the existing media protocol. This was rejected as an option because it did not clearly apply to external communications carried out through social media and would not continue to be a relevant or useful tool.
2. To refresh the protocol but not seek Executive approval. This was rejected because it was not in the spirit of openness and transparency.

## **14.EC.59 Play, Open Spaces and Playing Pitch Strategy**

The report of the Director of Public Protection, Streetscene and Community was presented by the Executive Member (Community Services), Councillor Bev Murray.

The Play, Open Space and Playing Pitch Strategy provided a five year action plan to protect, manage, enhance and secure sites and identify deficiencies and future priorities.

Consultation took place with a wide range of stakeholders from 11 November 2013 until 14 February 2014. A total of 45 responses were received from a range of stakeholders including the Football Association, Chorley Allotments Society, Sports Clubs, schools as well as local ward and parish Councillors and residents.

Following approval of the proposed actions in response to the consultation the strategy would be revised and formally adopted. The strategy would be implemented from 2014-19 and therefore the year one – five actions would be re-phased (year one to commence starting 2014-15). The action plan was subject to funding being available and further consultation / planning permission (as required) and this would influence timescales and delivery of the action plan. Therefore, some actions might need to be revised and reprogrammed accordingly.

A budget of £50K had been included in the capital programme to fund year one actions within the strategy. This would be allocated to the play area schemes listed within the action plan. Developer contributions and Council funding for year two-five actions needed to be considered further. Council funding required in future years would be put forward as budget growth items in the Council's capital programme.

The strategy provided a framework to inform future investment and development of open space across Chorley. However, should there be a separate business case for an individual scheme not currently identified within the strategy; the Council would retain the flexibility to consider such schemes on a case by case basis.

Following the Overview and Scrutiny Task Group report, considered earlier on the agenda, an updated IIA had been produced (attached at Appendix 3). As well as applying the IAA to the overall strategy it also needed to be applied at a more detailed level e.g. individual play and open space schemes. Therefore, individual IIA's would be applied to each of the actions within the strategy (where relevant) prior to implementation. This would ensure that all of the actions had a clear focus on maximising health and well-being outcomes.

The Chair of the Overview and Scrutiny Committee asked several questions of the Executive Member for Community Services relating to the allocation of funding, prioritisation of the Osborne Drive play area and the planned future provision of only 2 new play areas but 6 new football pitches. He also raised the completion of Integrated Impact Assessments, future allotment provision and partnership working with Cuerden Valley.

### **Decision:**

- 1. The Play, Open Space and Playing Pitch Strategy was approved.**
- 2. The list of actions in response to the consultation was approved and would be incorporated into the final Play, Open Space and Playing Pitch Strategy.**



**Reasons for decision:** To seek approval of the Play, Open Space and Playing Pitch Strategy following consultation.

**Alternative options considered and rejected:** None.

#### **14.EC.60 Response to the Overview and Scrutiny Task Group on Select Move**

The report of the Director of Customer and Advice Services was presented by the Executive Member (Customer and Advice Services), Councillor Graham Dunn.

The Overview and Scrutiny Task Group for Select Move had looked at the Select Move Choice Based Lettings scheme and to investigate and evidence if the scheme was meeting customer needs and expectations. This included exploring the processes around application and allocations, and also the standard of the homes allocated. A variety of methods had been used and stakeholders, partners and also customers were consulted.

Overall, the Task Group found that the scheme was fit-for-purpose and that the evidence collected demonstrated that the scheme was meeting the needs of the customers.

There were some areas for improvements identified and the Task Group had proposed 15 recommendations, which it was felt would improve the present policies and procedures to better serve the residents of Chorley.

Councillor Dunn requested Members raise any select move issues with either himself, the Director of Customer and Advice Services or the Head of Housing. The Council would influence Registered Providers to implement the recommendations made relating to their services.

**Decision: The response included within the report was endorsed.**

**Reasons for decision:** To inform Overview and Scrutiny Committee of the Executive's response to the recommendations made by the Overview and Scrutiny Inquiry on Select Move.

**Alternative options considered and rejected:** None.

#### **14.EC.61 Exclusion of the Public and Press**

**The press and public were excluded for the following items of business on the ground that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.**

#### **14.EC.62 Ranglett's Recreation Ground Phase 1 Procurement**

*(Councillor Alistair Bradley declared a non-pecuniary interest in this item but remained in the meeting)*

The report of the Director of Public Protection, Streetscene and Community was presented by the Executive Member (Resources), Councillor Peter Wilson.

**Decision: Delegated authority was granted to the Executive Member for Resources to approve the decision to appoint a contractor.**

**Reasons for decision:** The construction programme does not allow for the delaying of the contractor appointment until the 28 October Executive Cabinet.

**Alternative options considered and rejected:** Delaying the appointment of the contractor by a month until the Executive Cabinet at the end of October was considered. The construction programme does not allow this delay therefore this option was disregarded.

#### **14.EC.63 Ranglett's Recreation Ground Phase 2 Procurement**

*(Councillor Alistair Bradley declared a non-pecuniary interest in this item but remained in the meeting)*

The report of the Director of Public Protection, Streetscene and Community was presented by the Executive Member (Resources), Councillor Peter Wilson.

**Decision: Approval granted to the proposed procurement approach with an open single stage process using the North West Chest, the evaluation criteria set out and a public vote to allow the appointment of a design and build contractor to deliver Rangletts' Recreation Ground (Phase 2).**

**Reasons for decision:**

1. The single stage process will include the return of a Pre-Qualification Questionnaire (PQQ) which will request information on organisation profile, grounds for exclusion, insurance, financial standing, health and safety and technical capacity to be evaluated on a pass /fail basis.
2. The short listing of 3 contractors by the tender evaluation team using the evaluation criteria set out will ensure that the designs prepared by all 3 shortlisted tenderers are suitable for the site and deliver high quality play facilities with lots of play value for all the ages being catered for.
3. The involvement of the local children in the final selection process will result in the facilities meeting the expectations of the local community and local people taking a greater level of ownership of the play area and subsequently looking after it better in the long term.

**Alternative options considered and rejected:**

1. The use of the ESPO Framework was considered. However use of this Framework would preclude the involvement of the local children in the decision making. As it considered that the involvement of local children is essential if the play area is to be well cared for in the long term, this approach has been rejected.
2. A two stage process was also considered, however the programme does not allow additional time required to run a two stage process therefore this approach was also rejected.

#### **14.EC.64 Update on Lease for Duxbury Park Golf Course**

The report of the Director of Public Protection, Streetscene and Community was presented by the Executive Member (Community Services), Councillor Bev Murray.

**Decision:** The recommendations within the report were approved.

**Reasons for decision:** To ensure the Council has a lease in place for this asset.

**Alternative options considered and rejected:** No alternative options were considered.

Chair

Date