

MINUTES OF	EXECUTIVE CABINET
MEETING DATE	Thursday, 23 October 2014
MEMBERS PRESENT:	Councillor (Chair), Councillor Peter Wilson (Vice-Chair) and Councillors Beverley Murray, Graham Dunn, Adrian Lowe and Paul Walmsley
MEMBER RESPONSIBLE:	Councillors Steve Holgate and Danny Gee
COUNCIL CHAMPIONS:	Councillors June Molyneaux, Jean Cronshaw and Julia Berry
OFFICERS:	Gary Hall (Chief Executive), Lesley-Ann Fenton (Director of Customer and Advice Services), Chris Moister (Head of Governance), Simon Clark (Head of Health, Environment and Neighbourhoods), Jamie Dixon (Head of Streetscene & Leisure Contracts), Asim Khan (Head of Customer, ICT and Transactional Services), Rebecca Huddleston (Head of Policy (Communications)) and Dianne Scambler (Democratic and Member Services)
APOLOGIES:	Councillor Alistair Bradley
OTHER MEMBERS:	Councillors Charlie Bromilow, Mike Handley, Marion Lowe, Matthew Lynch, Alistair Morwood, Mick Muncaster and John Walker

14.EC.65 Minutes of meeting Thursday, 28 August 2014 of Executive Cabinet

RESOLVED – The minutes of the meeting of the Executive Cabinet held on 28 August 2014 be confirmed as a correct record and signed by the Executive Leader.

14.EC.66 Declarations of Any Interests

There were no declarations of any interests.

14.EC.67 Public Questions

The Deputy 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.68 Chorley's Economic Development Strategy Refresh 2014

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

The report updated Members on the Council's refreshed Economic Development Strategy and summarised the main changes. Following a four week consultation period the Strategy would be subject to minor amendments before its formal adoption delegated to the Executive Leader and Executive Member (Economic Development and Partnerships).

The refreshed strategy identified new actions to continue the delivery of the Inward Investment Action Plan and the Town Centre Action Plan which were two of the administrations five priority themes.

It also provided a strategic framework to develop the Chorley economy within the context of an updated evidence base, challenges, priorities and funding opportunities and funding opportunities at local, sub-regional, national levels and beyond.

The draft Strategy will be circulated to all key partners and stakeholders for a four week consultation in November. Feedback from this process will be used to finalise the Strategy.

Decision:

- 1. That the refreshed Economic Development Strategy set out in Appendix A be adopted.**
- 2. Delegated authority be granted to the Executive Leader and Executive Member for Economic Development and Partnerships for final approval following any changes made through the consultation process.**

Reasons for decision: To ensure that the priorities and actions contained within the refreshed Strategy are clearly aligned to current issue and strengths facing the borough.

Alternative options considered and rejected: None

14.EC.69 Trial Reopening of Market Street

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

The trial re-opening of Market Street had been identified, along with other initiatives, by the Town Centre Team to kick-start the Town Centre. The scheme was opened in November 2013 and had operated successfully without issue for the past 10 months.

Traffic Speed monitoring surveys had been carried out by Lancashire County Council and the results were contained within the report. The average speed over the week was less than 10mph and 97% of all vehicles are travelling at less than 15mph. Other surveys included Traffic Cut Through monitoring and Air Quality readings.

Feedback from all representatives on the Town Team was that they are fully in favour of keeping the trial scheme in its current format and Lancashire County Council were recommending permanent adoption in its current format.

Decision:

To recommend that Lancashire County Council formalises the trial reopening of Market Street as a permanent arrangement.

Reasons for decision: The scheme has helped to revitalise the top end of Market Street and Chorley Town Centre, by providing additional parking which has attracted more shoppers and boosted trade in the area.

Alternative options considered and rejected:

1. To revert back to closing Market Street to traffic between 11am and 4pm as with the remaining pedestrianised area. Due to the overwhelming success of the trial this was not considered to be an option worth further consideration.
2. To revise the trial scheme. No elements of the scheme have been problematic or caused issue so this was not considered to be an option.

14.EC.70 Review of Open Space Byelaws - Consultation

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

As the byelaws relating to the use of Council owned spaces has not been reviewed since 2004, it was thought appropriate to review and consult on any changes to the byelaws to ensure that they are up to date, reflect changes in use and include all site owned by the Council.

To ensure that the byelaws are available for comment and input from a wide range of stakeholders a consultation will be undertaken using a questionnaire over an 8 week period from 10 November 2014 to 5 January 2015.

Decision:

That the Council's Open Space Byelaws be reviewed following the consultation detailed within the report.

Reasons for decision: It is over 10 years since the byelaws were reviewed and given the changes in open space during this period it is now appropriate to review them.

Alternative options considered and rejected: Not to review the byelaws.

14.EC.71 Anti Social Behaviour - Community trigger and additional tools and powers

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

The report advised Members of the introduction of new tools and powers to deal with anti-social behaviour (ASB) under the Anti-Social Behaviour Crime and Policing Act 2014 and sought approval for the adoption of proposed 'community triggers' when a review of an anti-social behaviour case was being sought by victims of ASB.

The purpose of the community trigger provision is to provide recourse to victims who believe that the relevant agencies have failed to deal with their case properly, using a community risk assessment approach.

Trigger levels have been agreed across the Lancashire County footprint in order to ensure consistent approach and ease on the administrative burden on agencies and authorities that operate on a wider area than district councils. The proposed trigger levels are in accordance with Home Office guidance and were set out within the report.

The Act also provides a number of new tools and powers that were summarised, and the report sought approval for the granting of delegated authority to be granted to the appropriate officers to ensure that these new powers are available to use.

Decisions:

1. **Adoption of the community trigger thresholds as detailed in paragraph 12 of the report.**
2. **Delegate authority was granted to the Director of Public Protection, Streetscene and Community in consultation with the appropriate Executive Member to adjust the community trigger thresholds following any future review by the Lancashire Community Safety Partnership.**
3. **To recommend to Full Council that the appropriate delegations be granted to the Director of Public Protection, Streetscene and Community to exercise new powers available to district councils and to the Head of Governance to delete from the constitution references to redundant powers which have been superseded by the Anti-Social behaviour, Crime and Policing Act 2014.**
4. **Delegated authority was granted to the Director of Public Protection, Streetscene and Community in consultation with the appropriate Executive Member for the reasons detailed in paragraph 7 of the report.**

Reasons for the decision: To ensure that the Council has the appropriate delegations and authorisations in place to utilise the tools and powers available to them to deal with anti-social behaviour.

Alternative options considered and rejected: None

14.EC.72 Executive Cabinet response to Overview and Scrutiny recommendations on CCTV Infrastructure

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

The Executive Cabinet had received a report in August 2014 from the Overview and Scrutiny Committee relating to a task group inquiry that had investigated the Council's CCTV service, including the appropriateness of operation and the state of infrastructure.

The task group had made six recommendations that included a phased capital works programme to upgrade the current CCTV infrastructure.

In particular the investigation had focussed on the impact that the provision of CCTV had in relation to public reassurance and the deterrence, prevention and detection of crime.

Investment in the CCTV infrastructure would ensure that the system is updated, utilises current digital technology and reduces the revenue budget demand on repair and maintenance.

The restructure undertaken in Health Environment and Neighbourhoods during late 2013 had reviewed the operator levels required to provide the CCTV monitoring and support service during periods of high volume activity. The task group had undertaken a further review in light of police data and analysis of crime and disorder and determined the operator levels to be appropriate. Whilst the Executive Cabinet noted and understood the recommendation to maintain current staffing levels within the CCTV suite they were unable to provide a guarantee that staffing level would not change in the future, particularly given that technology is improving all the time.

The Chair, thanked the Task Group for the work that had been undertaken on this review.

Decision:

- 1. The recommendations made by the Overview and Scrutiny Committee Task Group on the CCTV Infrastructure in Chorley were accepted.**
- 2. To recommend to Full Council that a capital budget of £250,000 be established to fund the capital works over a period of three years.**
- 3. Delegated authority was granted to the Director of Public Protection, Streetscene and Community in consultation with the Executive Member for Public Protection to develop and commence the procurement programme to select a suitable contractor to deliver the infrastructure upgrade programme.**

Reasons for decision: To ensure the current CCTV infrastructure is upgraded and fit for purpose and that the hours of operation and staffing levels are appropriate to the service demands.

Alternative options considered and rejected: The report details a number of infrastructure options which will be rejected dependant on the Executive Cabinets preferred option.

(The Executive Member (Public Protection), Councillor Paul Walmsley left the meeting)

14.EC.73 Astley Park Destination Play Area

The Vice Chair of Executive Cabinet, Councillor Peter Wilson AGREED that the following additional agenda item could be considered as a matter of urgency - In order that the Astley Park Destination Play Area is delivered in time for spring next year, work needs to commence prior to Christmas 2014.

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

The report sought approval to depart from the Council's contract procedure rules to allow for direct negotiation with Newground Landscape services for the delivery of a destination play area at Astley Park and to delegate the authority to appoint

Newground Landscape Services to deliver the Astley Park Destination Play Area to the Executive Member for Resources.

The Streetscene and Leisure Contracts Team have been working with Newground Landscape Services to develop design proposals for the play area after planning permission was granted in September 2014. To ensure that value for money is achieved, independent quantity surveyors have been appointed to audit the bills of quantities prepared for the job, ensuring that competitive quotes have been obtained for the supply of materials and that labour rates are competitive and is contained within the overall budget of £253,583.45.

The appointment of Newground Landscape Services was sought for a number of social benefits outlined within the report that would be delivered alongside the scheme.

Decision:

- 1. Approval granted for the Council to depart from the corporate contract procedure rules on the award of high value contracts to allow for direct negotiation with a nominated contractor, Newground Landscape Services.**
- 2. Delegated authority was granted to the Executive Member for Resources to appoint Newground Landscape Services to deliver the Astley Park Destination Play Area.**

Reasons for decision:

1. There is urgency in this matter. In order that the play area is delivered in time for spring next year, work needs to commence prior to Christmas 2014. If this matter was brought to Cabinet in November this timetable would not be met. Also approving the scheme before November will provide more time for local recruitment (via the Job Centre) before the Christmas period closedown.
2. Newground Landscape Services will work alongside independently appointed Quantity Surveyors and open book accounting will operate during construction of the scheme to ensure that value for money is achieved. Newground Landscape Services will deliver numerous social benefits during the construction of the scheme including arrangements of local works placements, creating training opportunities for clients of Brothers of Charity and pupils at Parklands High School. In addition the proposed construction programme does not allow for a full tender process to be undertaken enabling the scheme to be delivered in Spring 2015.

Alternative options considered and rejected: Undertaking a full tender exercise to obtain competitive quotes for the construction of the scheme. The proposed construction programme does not allow for the delay which this process would require therefore this option was disregarded.

14.EC.74 Exclusion of the Public and Press

The press and public were excluded the 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.75 Future management of Market Walk

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

Decision:

The recommendations within the report were approved.

Reasons for decision:

1. The Council is continually looking at options to address the budget deficit through either identifying savings or new ways to generate income. The work undertaken by Deloitte, particularly in relation to financial services and operational management functions can be discharged by officers of the Council. As these are services that can be charged back to the service charge or are costs to the Council by discharging the functions ourselves the council will be able to income and decrease expenditure.
2. The strategic management could be opened up to a procurement exercise. However, due to Deloitte's knowledge and experience of the centre which has been demonstrated over the last 12 months, and to enable a level of continuity it is proposed to seek a waiver to enable to enter into a new contract with Deloitte for strategic management advice specific to Market Walk. It is estimated the advice will cost no more than £12k per annum.
3. It is felt that this mix of delivering the financial and operational management in house, and continuing to outsource the strategic management advice would give the best balance of income generation and risk management.

Alternative options considered and rejected: At this point the Council could continue to outsource the management of Market Walk. Whilst continuing with the existing management agreement provides some continuity this is at best cost neutral for the council neither generating any significant savings or income. A tender exercise may lead to low level savings, but not to the extent that could be achieved through in house management.

14.EC.76 Universal Credit Delivery Partnership Agreement

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

Decision: Approval granted for Chorley Council to be a Delivery Partner in accordance with the Delivery Partnership Agreement detailed in Appendix 1 of the report.

Reasons for decision: All local authorities where Universal Credit is being rolled out have been approached by the Department of Works and Pensions to enter into a Delivery Partnership Agreement to the end of the 2014/15 financial year, to ensure that claimants of Universal Credit can readily obtain the support they need to access universal credit services. Council's signing up to the agreement is reimbursed for a range of services provided. As far as the Council are aware, all local authorities to date where the roll-out has occurred including neighbouring authorities have entered into a Delivery Partnership Agreement.

Alternative options considered and rejected: Universal Credit is a new central government policy which is now rolling out across the North West. The Council could refuse to enter into the agreement. However, this would not stop the roll-out of Universal Credit in Chorley and would impact negatively on Chorley claimants as there would be less support on offer to those claimants than Universal Credit claimants in neighbouring authorities.

Chair

Date