

**MINUTES OF: THE CABINET**

**Date of Meeting: Wednesday 17<sup>th</sup> June 2009**

**Present: Councillor Swain (in the Chair)  
Councillors Challinor, Essex, Gledhill, Graham, Smith, P. Steen and Swain**

**In Attendance: Mrs H Lockwood, Chief Executive  
(Officers) Mr P Devonald, Interim Head of Legal and Democratic Services  
Mr S Jackson, Head of Regeneration  
Mrs L Murphy, Head of People and Policy  
Mr P Seddon, Head of Finance  
Mr M Riley, Communities Manager  
Mr A Harding, Senior Planning Officer  
Mr J Foster, Operations Manager  
Mrs J Cook, Committee Officer**

**Also Present: Councillors Robertson, Aldred, Lamb, Cheetham,  
Sandiford, Farrington, Nuttall, A. Barnes, Crawforth and  
Evans  
County Councillor Winder  
Mr G Hood, Rossendale Leisure Trust  
7 members of the public and press**

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**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. MINUTES**

**Resolved:**

That the Minutes of the meeting of the Cabinet held on 15<sup>th</sup> April 2009 be agreed and signed by the Chair as a correct record.

**3. URGENT ITEM OF BUSINESS**

The Leader of the Council reported that there were no urgent items of business.

**4. DECLARATIONS OF INTEREST**

Members of the Committee were asked to consider whether they had an interest in any matters to be discussed at the meeting.

Councillor P. Steen declared a personal and prejudicial interest in item number G1, Residual Highways Agreement, by virtue that he was a Lancashire County Councillor.

Councillor Smith declared a personal and prejudicial interest in item number G1, Residual Highways Agreement, by virtue that he was a Lancashire County Councillor.

## **5. PUBLIC QUESTION TIME**

Members of the public raised questions and points to which the Leader of the Council and Portfolio Holder for Leisure responded. The issues raised are summarised below:

- Financial support for Rossendale Leisure Trust.
- Investment in Ski Rossendale
- Financial Out-turn issues

## **6. DEVELOPMENT OF THE CORPORATE PLAN 2009-2012**

The Portfolio Holder for Finance and Resources outlined details of the Corporate Plan which is produced by the Council each year and identifies where the Council intends to direct its attention and resources to achieve its stated priorities and outcomes. The Corporate Plan will no longer incorporate the Best Value Performance Indicators, as these are no longer a Government requirement. The Plan would, however, include a review of the Council's performance based on Local Performance Indicators and those National Indicators to which the Council has signed up to.

In considering the report the following matters were discussed:-

- More mention of the Portfolio Holder for Leisure within the Corporate Plan.
- The use of plain English was noted.

### **Decision Made:**

1. That the proposed format and structure of the Council's Corporate Plan 2009-2012 be agreed.
2. That the Priority Member Leads proposed be agreed.
3. That the detail of the Corporate Plan 2009-2012 be agreed at the appropriate Council meeting.

### **Reason for Decision:**

To clearly demonstrate to the Council's stakeholders where the Council intends to direct time, effort and resources in order to achieve its priorities, and the priorities shared with other organisations through the Borough's Local Strategic Partnership.

### **Alternative Options Considered and Rejected:**

None.

## **7. ROSSENDALE AGAINST RECESSION**

The Portfolio Holder for Finance and Resources outlined the report which requested endorsement from Member to establish a multi-agency 'Rossendale Against Recession' Group to develop an action plan and to co-ordinate multi-agency activity regarding combating the recession. The report provided Members with a briefing note regarding the three support packages in place nationally, all of which would form part of the options available through the proposed multi-agency action plan. The report also proposed the suspension of enforcement restrictions on the Council's car parks across the Borough to encourage and bolster the local economy.

In considering the report, the following matters were discussed:

- The importance of supporting residents and businesses throughout the recession period.
- Schemes to assist residents and businesses would be up and running quickly.
- Discussion on the suspension of car parking enforcement.

### **Decision Made:**

1. Members endorsed the development and formation of a multi-agency action plan through a special purpose vehicle ('Rossendale Against Recession' Group) to combat the effects of the recession.
2. Members agreed to the endorsement of a Mortgage Rescue Scheme for Rossendale with Council staff providing administrative support.
3. Members agreed to support the use of LABGIS funding to assist in the delivery of the promotional and marketing aspects of the multi-agency action plan and where necessary the provision of an independent Mortgage Counselling Service to support the Mortgage Rescue Scheme.
4. Members approved the suspension of enforcement restrictions on the Council's car parks across the Borough from 1<sup>st</sup> September 2009.

### **Reason for Decision:**

To assist Rossendale residents in combating the likely effects of a recession and to provide support to homeowners by developing a multi-agency action plan.

### **Alternative Options Considered and Rejected:**

None.

## **8. PERFORMANCE REWARD GRANT PROTOCOL**

The Portfolio Holder for Communities and Neighbourhoods outlined a report which sought agreement from Members on the County Council Protocol for the distribution of the Performance Reward Grant. The Performance Reward Grant is money payable by central government for the achievement of the first set of the Local Area Agreement 2006-2009 targets and was estimated to be in the region of £1,000,000.

In considering the report the following matters were discussed:-

- Demand for funding from groups within the Borough.

### **Decisions Made:**

1. The Cabinet agreed to the principles of the County Council Protocol for the distribution of the Performance Reward Grant.
2. The Cabinet agreed to the Performance Reward Grant allocation process as detailed in Section 5 and Appendix 2 of the Committee Report.

### **Reason for Decision:**

The Performance Reward Grant will help to reduce inequalities and achieve the outcomes in our Sustainable Community Strategy. It is important that the Council is engaged with the Local Strategic Partnership when it makes recommendations on what the grant is spent on.

### **Alternative Options Considered and Rejected:**

None.

## **9. OPERATIONS TEAM HEALTH AND SAFETY UPDATE**

The Portfolio Holder for Environmental Services outlined the report which provided background information in relation to the Health and Safety Executive inspection. The report outlined issues identified by the inspection and the actions required to remediate these issues.

In considering the report, the following matters were discussed:

- Importance of health and safety for public and staff.
- Issues regarding collection points in rural areas.

### **Decision Made:**

1. The Cabinet agreed to a rolling programme for the implementation of the Health and Safety action plan, following a series of Member involvement workshops

where ward Members can participate in delivering and understanding any recommendations proposed in their wards.

2. The Cabinet agreed to delegate any action arising from these workshops to the Chief Executive and Portfolio Holder for Environmental Services, subject to an agreed community consultation process, and for a timescale of workshops to be communicated to Members.

**Reason for Decision:**

To ensure that the Council complies with issues raised by the Health and Safety Executive to mitigate the risks for refuse operatives and for members of the public.

**Alternative Options Considered and Rejected:**

None.

**10. RENEWAL OF RESIDUAL HIGHWAYS AGREEMENT/STREET SERVICES AGREEMENT**

The Portfolio Holder for Environmental Services outlined a report to the Cabinet which detailed the requirement to renew the Residual Highways Agreement with Lancashire County Council. The agreement requires renewal every three years.

In considering the report, the following matters were discussed:

- Original contract negotiations.
- Grass cutting and the Overview and Scrutiny Task and Finish Group.
- Early involvement in partnership pilot schemes.

**Decision Made:**

1. That the Portfolio Holder for Environmental Services would hold an urgent meeting with the Director of Highways at Lancashire County Council to discuss the agreement.
2. That authority would be delegated to the Portfolio Holder for the Environment in consultation with the Chief Executive to sign off the agreement.

**Reason for Decision:**

To ensure that the Council has legal authority in place to work on the highways, to the requirements of the Traffic Management Act 2004.

**Alternative Options Considered and Rejected:**

None.

## 11. DOG FOULING

The Portfolio Holder for Environmental Services outlined a report which provided a response to the Dog Fouling Task and Finish Group and Cabinet recommendations as agreed on 15<sup>th</sup> April 2009.

In considering the report, the following matters were discussed:

- Training of Enforcement Officers and legal issues.
- Overview and Scrutiny Task and Finish Group.
- Use of noticeboards to promote requirement to pick up dog mess.
- Times of day that Enforcement Officers should be available (early morning, late night).

### **Decision Made:**

1. That the Council would produce a Rossendale Dog Fouling Policy to be adopted at a future Cabinet Meeting.
2. That the Dog Warden service would be reviewed and a partnership approach be considered to include neighbouring authorities.
3. That as soon as dog control orders were issued, a promotional campaign be conducted, to raise awareness of being a responsible dog owner.
4. That the 'Caught Doing it Right' campaign be integrated into the Pride in Rossendale initiative.

### **Reason for Decision:**

To ensure that the areas in Rossendale are kept clean, green and safe and to engage with dog owners to promote a sense of pride in Rossendale.

### **Alternative Options Considered and Rejected:**

None.

## 12. COMMUNITY TOILET SCHEME

The Portfolio Holder for Environmental Services outlined a report which updated Members on the request to Bacup Market traders to allow the public the use of their facilities and that a pilot Community Toilet Scheme is considered for Bacup.

The Portfolio Holder placed on record his thanks to Caroline's Café, The Maden Centre and the Market Traders for their participation in the pilot scheme.

In considering the report, the following matters were discussed:

- Public toilets throughout the Borough.

- Financial incentives for participating businesses and possible increase in line with cost of living.
- Inclusion of public toilets in supermarket planning applications.

**Decision Made:**

1. That the Policy Overview and Scrutiny Committee would be asked to oversee the development of a 'Public Toilet Strategy' for Rossendale which would explore the potential for a phased roll-out of a Community Toilet Scheme.
2. That the Policy Overview and Scrutiny Committee would refer the Strategy and any recommendations to the Cabinet in October 2009.
3. That the Council would continue to financially support those who are currently participating in the Bacup pilot, until such time as the Cabinet have adopted a 'Rossendale Public Toilet Strategy'.

**Reason for Decision:**

To ensure that Rossendale residents and visitors are able to use facilities throughout the Borough.

**Alternative Options Considered and Rejected:**

None.

**13. WRITE OFF OUTDATED HOUSING BENEFIT PAYMENTS**

The Portfolio Holder for Customer Services outlined a report which requested Member authority to write-off outdated debts from the Housing Benefit Sundry Debtor accounts, which were above the delegated limit of £2,000.

**Decision Made:**

The report was noted approval was given to write off outdated housing benefit overpayments which have been deemed irrecoverable.

**Reason for Decision:**

The debts recommended for write-off are old debts for which the recovery process has been exhausted. It is prudent to write off old, irrecoverable debts and to ensure that staff concentrate their efforts on cases where the process has not yet been exhausted.

**Alternative Options Considered and Rejected:**

None.

## **14. FINANCIAL MONITORING FOR 2008/09: FULL YEAR OUT-TURN**

The Portfolio Holder for Finance and Resources outlined a report which updated Members of the General Fund estimates, monitoring and draft out-turn for 2008/09, on the Capital Programme and Treasury matters.

In considering the report the following items were discussed:

- GHV Vat figures.

### **Decision Made**

3. That the contents of the report be noted.
4. That the net surplus on the 2008/09 net budget (£173k) less £104k be transferred to general reserves. Any further adjustments would be reported to the Audit Committee who would approve the Council's financial statements at their meeting on 30<sup>th</sup> June 2009.

### **Reason for Decision**

To facilitate the ongoing work to complete the accounts for the financial year.

### **Alternative Options Considered**

None.

## **15. 2009 LEISURE REVIEW**

The Portfolio Holder for Leisure outlined a report which updated Members on the 2009 Leisure Review and addressed the immediate action required to deliver Option H. The report also recommended further action required to deliver the 2009 Leisure Review.

In considering the report, the following items were discussed:-

- Investment in Ski Rossendale.
- General points regarding Leisure issues across the Borough.
- Free swimming.
- Clarification on 'Arts'.

### **Decision Made**

1. The contents of the report were noted and support was given to undertake the work to deliver Option H.
2. That the Cabinet agreed to make an advance by way of a loan to Rossendale Leisure Trust up to £400,000 in respect of the core funding already agreed.



3. That options be explored within the private sector to provide investment opportunities for Ski Rossendale.
4. That a Ski Rossendale User Group be established to provide input and feedback into the process.

### **Reason for Decision**

To ensure that support is given to enable Option H to be achieved and that the 2009 Leisure Review can be carried out.

### **Alternative Options Considered and Rejected**

To decline to support Rossendale Leisure Trust by way of a temporary loan.

## **16. INTERIM POLICY STATEMENT: HOT FOOD TAKEAWAYS**

The Portfolio Holder for Regeneration outlined a report which sought Cabinet approval to begin the consultation process to implement the Interim Policy Statement: Hot Food Takeaways, and immediate implementation of the Interim Policy for Development Control purposes.

In considering the report, the following items were discussed:-

- Concerns regarding the immediate adoption of the Interim Policy for development control purposes.

### **Decision Made**

1. That the Cabinet would authorise the Interim Policy Statement: Hot Food Takeaways to be consulted on for a period of 6 weeks, and the final policy would be brought back to the Cabinet for adoption and final publication.
2. That the Interim Policy Statement: Hot Food Takeaways would be adopted with immediate effect for Development Control purposes.

### **Reason for Decision**

To provide the Council with a policy document which will gain increasing weight when seeking to control new Hot Food Takeaway development in the Borough.

### **Alternative Options Considered and Rejected**

None.

## **17. CLIMATE CHANGE ACTION PLAN**

The Portfolio Holder for Environmental Services outlined a report which sought the Cabinet's approval of the Climate Change Action Plan for 2009/10.

In considering the report the following items were discussed:-

- Applications for grants.
- The hard work of the staff involved.

**Decision Made**

That the Climate Change Action Plan 2009/10 be approved.

**Reason for Decision**

To ensure that the Council is able to contribute towards addressing the issue of Climate Change with a clear Action Plan.

**Alternative Decisions Considered and Rejected**

None.

**18. EXCLUSION OF PUBLIC AND PRESS**

**Decision Made and Reason for Decision:**

That the public and press be excluded from the meeting during consideration of the following items of business on the grounds that they involve disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) under Part 1 Paragraph 3 of Schedule 12A to the Local Government Act 1972 and information which is subject to any obligation of confidentiality as defined in Part 1 Paragraph 3 of Schedule 12A to the Local Government Act 1972.

**19. CAR PARK ENFORCEMENT OPTIONS FROM SEPTEMBER 2009**

The Portfolio Holder for Regeneration outlined the report

**Decision Made:**

That the recommendations as outlined in the committee report be approved.

**Reason for Decision:**

To provide alternative arrangements for car parking within Rossendale when the current enforcement arrangement end in September 2009.

**Alternative Options Considered and Rejected:**

Other options as outlined in the committee report.

**20. ACCOMMODATION**

The Portfolio Holder for Finance and Resources outlined the report.

**Decision Made**

That the recommendations as outlined in the committee report be agreed.

**Reasons for Decision**

To ensure the Council considers it's accommodation appropriately.

**Alternative Options Considered and Rejected**

None.

**21. PENNINE LANCASHIRE SQUARED DESIGN COMPETITION**

The Portfolio Holder for Regeneration outlined the report and members were asked to consider the recommendations made.

**Decision Made**

That the recommendations as outlined in the Committee Report be approved.

**Reason for Decision**

To continue the Council's participation in Pennine Lancashire Squared.

**Alternative Options Considered and Rejected**

None.

**The meeting commenced at 6.30pm and closed at 9.40pm**

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CHAIR