

MINUTES OF: THE CABINET

Date of Meeting: Wednesday 22nd July 2009

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

**In Attendance: Mrs H Lockwood, Chief Executive
(Officers) Mr Stephen Stray, Head of Planning
Mr P Seddon, Head of Finance
Mr P Devonald, Interim Head of Legal & Democratic**

**Also Present: Councillors A Barnes, Cheetham, Farrington, Nuttall and
Sandiford.**

Two members of the public

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr P Steen

2. MINUTES

Resolved:

That the Minutes of the meeting of the Cabinet held on 17th June 2009 be agreed and signed by the Chair as a correct record, subject to an amendment to the record of the declarations by Cllrs Steen and Smith which were personal interests only.

3. URGENT ITEM OF BUSINESS

The Leader of the Council reported that there was one item of urgent business, namely the sale of Rossendale Transport Ltd.

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.

5. PUBLIC QUESTION TIME

Members of the public raised questions and points to which Councillor Swain responded. The issues raised are summarised below:

- A member of the public asked a question regarding the use of monies given to the Council under planning section 106 agreements. Cllr Swain provided an answer.

- Two members of the public asked questions regarding the details of the reports on the various financial matters on the agenda. Answers were provided by Cllrs Swain and Essex.

6. CONVERSION AND RE-USE OF BUILDINGS IN THE COUNTRYSIDE SUPPLEMENTARY PLANNING DOCUMENT (SPD)

The Portfolio Holder for Regeneration outlined details of the report which put forward two documents for members' consideration. Cabinet was invited to agree a draft Supplementary Planning Document ("SPD") and a draft Sustainability Appraisal report on this topic prepared by the Council's Forward Planning Team for the purposes of public consultation. The SPD is intended to support the re-use of buildings in the countryside but seeks to set standards so as to avoid wherever possible poor quality proposals and designs, which could have a deleterious impact on the area.

It was noted that the consultation period would take place between 23rd July and 3rd September 2009. A further report detailing the responses and the proposed alterations to the draft documents would be made available after that time.

Members welcomed the report and expressed their support for the general principles contained in the drafts.

Decision Made:

1. That the Cabinet agrees the draft Conversion and Re-Use of Buildings in the Countryside SPD for the purposes of consultation
2. That the Portfolio Holder for Regeneration be authorised to collate the response to the Consultation
3. That the document be submitted to Council for final adoption in the autumn.

Reason for Decision:

To meet statutory obligations in the preparation of the Local Development Framework and to seek to improve the quality of design for converted and re-used buildings in Rossendale.

Alternative Options Considered and Rejected:

None

7. UPDATED EVIDENCE BASE FOR THE LOCAL DEVELOPMENT FRAMEWORK

The Portfolio Holder for Regeneration presented the report which was intended to inform members of the results of studies commissioned to update the evidence base for the Local Development Framework ("LDF") and in particular the Core Strategy.

The report outlined the main points of a retail and town centre study covering Rawtenstall, Waterfoot, Bacup and Haslingden and certain other smaller centres. An employment land study looked at the need for employment land in the Borough over the next 15 years. Thirdly a report had been commissioned providing a strategic flood assessment for Rossendale.

Members considered the reports and indicated their approval of the documents notwithstanding the fairly gloomy prognosis contained in some of the documents.

Decision Made:

- 1) That Cabinet approved the content of the Studies updating the evidence base for the Local Development Framework
- 2) That authority is delegated to the portfolio Holder to approve the use of the studies upon their completion for development control purposes.

Reason for Decision:

In order to comply with statutory obligations in the development of the Local Development Framework.

Alternative Options Considered and Rejected:

None

8. ROSSENDALE COMMUNITY FUND PROPOSAL

The Portfolio Holder for Finance and Resources outlined a report which outlined a proposal to develop a new charitable fund for the benefit of the people of Rossendale. The proposed name would be Rossendale Community Fund (RCF) and will seek to draw together a number of funding streams to make it easier for community and voluntary groups and organisations based throughout the area to access funds from a single source.

Members were asked to consider two options as follows:

- Option A - Wind up existing charitable trusts and establish a new endowment fund at the Community Foundation.
- Option B - Establish a Flow-Through management agreement with the Community Foundation:

In considering the report the following matters were discussed:-

- The need to use the existing fund of £125,000 to benefit the community
- The need for consultation with the public before any changes are implemented

Decisions Made:

That Option A be adopted –namely to seek the winding up of the existing charitable trusts and to establish a new endowment fund at the Community Foundation

Reason for Decision:

The creation of a Community Fund for Rossendale will provide the opportunity to access resources from sources that are committed to improving the quality of life for local people.

Alternative Options Considered and Rejected:

Option B as outlined in the committee report.

9. INTEGRATED PERFORMANCE REPORT QUARTER 4 (JANUARY TO MARCH 2009)

The Portfolio Holder for Finance and Resources outlined the report which detailed the following:

- The key outcomes which have been achieved for 2008/9.
- The financial monitoring position for Quarter 4.
- Those indicators not achieving their targeted levels of performance at the end of quarter 4, together with the actions being taken to get performance back on target.
- The progress made in implementing the actions contained in the Council's Corporate Plan.
- An update on Customer Satisfaction including complaints and complements.

In considering the report, the following matters were discussed:

- The Audit Commission will test the report to ensure its accuracy and veracity as part of its inspection regime
- The use of plain English in the report was noted and appreciated
- The report indicated the need for a robust action plan to ensure the continued improvement of the Council's performance
- The need to fund improvements to the condition of the housing stock in the Borough.

Decision Made:

1. That the report be noted.

Reason for Decision:

To continue to monitor performance across the Council.

Alternative Options Considered and Rejected:

None.

10. FINANCIAL MONITORING REPORT

The Portfolio Holder for Finance and Resources presented a report which updated members on the General Fund budget for 2009/10, the Capital programme and Treasury Management matters.

In considering the report, the following matters were discussed:

- “Right to Buy “ receipts
- Bad debts provision
- VAT claw back
- Pension deficit risks
- Declining capital receipt levels

Decision Made:

That the report be noted.

Reason for Decision:

To facilitate the continued management of the Council's finances.

Alternative Options Considered and Rejected:

None.

11. CAPITAL STRATEGY AND ASSET MANAGEMENT PLAN UPDATE REPORT

The Portfolio Holder for Finance and Resources outlined a report to the Cabinet which sought Member approval for the updated Capital Strategy and Asset Management Plan (AMP).

It was noted that the Council's Capital Strategy and Asset Management Plan are key corporate documents which set out the Council's plans for investing in and management of both its own assets and in those of its partners with the aim of delivering high quality, effective services to its residents. The Strategy sets out the boundaries within which the Council will work in terms of resources and strategic priorities and provides a framework which guides decision on capital investment

It was noted that the Council's resources for capital investment are limited and the pressure upon them will undoubtedly increase over the medium term. The Strategy and AMP are important, as they not only set out the position the Council is currently in but also assesses what the Council's circumstances might be over the next three years.

Decision Made:

That the updated Capital Strategy and Asset Management Plan be approved.

12. 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.

13. DISPOSAL OF VACANT PROPERTY

The Portfolio Holder for Finance and Resources outlined the report proposing the sale by auction of land and property owned by the Council.

Decision Made:

- 1) That the property be declared surplus to requirements
- 2) That the property be sold by tender or public auction in accordance with standing orders

Reason for Decision:

- 1) To provide a capital receipt
- 2) To make more efficient use of Council assets
- 3) To realise the value of the property

Alternative Options Considered and Rejected:

Other options as outlined in the exempt committee report.

14. WRITE OFF OF SUNDRY DEBTORS

The Portfolio Holder for Finance and Resources outlined the report which recommended the write-off of a number of sundry debt invoices over £2000.

Decision Made

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

Reasons for Decision

Efficient treasury management.

Alternative Options Considered and Rejected

The pursuit of the debts by other means.

The meeting commenced at 6.30pm and closed at 7.52pm

CHAIR