

MINUTES OF: THE CABINET

Date of Meeting: Wednesday 17th November 2010

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

**In Attendance: Mrs H Lockwood, Chief Executive
Mr S Sugarman, Director of Business
Ms F Meechan, Director of Customers and Communities
Mr S Jackson, Head of Regeneration
Mr P Seddon, Head of Finance
Mr A Buckle, Head of Customer Services and ICT
Mr J Foster, Operations Manager
Ms S Wardley, Acting Assistant Operations Manager
Mrs J Cook, Committee Officer**

**Also Present: Councillors A. Barnes, Crawforth, Farrington, Lamb,
Kenyon, Oakes, Morris, Neal, Nuttall, J. Pilling and
Sandiford**

No members of the public and 1 member of the Press

1. APOLOGIES FOR ABSENCE

No apologies were received; all Cabinet Members were present.

2. MINUTES OF THE LAST MEETINGS

Resolved:

That the minutes of the meeting on 29th July 2010 be approved as a correct record.

3. URGENT ITEMS OF BUSINESS

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

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. PUBLIC QUESTION TIME

There were no members of public present at the meeting.

The Leader of the Council reported that Item E1, Rossendale Shopfront Design Guide had been removed from the Agenda in order for the report to undergo further internal consultation. This item would return to Cabinet early 2011.

6. NEIGHBOURHOOD PLANS AND NEIGHBOURHOOD FORUMS: ONE YEAR ON

The Leader of the Council outlined the report which presented to Members the four Neighbourhood Plans for the areas of Haslingden, Helmshore and Edenfield; Rawtenstall; Bacup and Whitworth. The report also provided Members with a review of the revised Neighbourhood Forum Plans, one year on from the implementation of changes. The report outlined the format of the meetings and membership that had been ongoing over the past 12 months and provided members with draft neighbourhood plans, which outlined the concerns and priorities of each Forum area. The plans had the support of the LSP and had been approved by Lancashire County Council's Cabinet.

It was noted that the Section 151 Officer had highlighted a potential risk to delivery of the plans with regards to CSR funding. The Leader of the Council stated that it was important to deliver the plans, however, expectations must be managed in line with resources.

Members considered the report and contents and the following comments were made:-

- Positive feedback from community groups regarding the new format of Neighbourhood Forums.
- The need for more community groups to participate, if they wished to.
- Concerns regarding achievement of the plans with regard to resources.
- Importance of working with other agencies to avoid duplication of plans, e.g. cycleways.

Resolved:

1. That the development of the Neighbourhood Plans is noted.
2. That the Council be recommended to approve the Neighbourhood Plans and that following approval, these be circulated to the Council's partners for their approval.
3. That the Cabinet noted the feedback from the 12-month review and recommends to Council the continuation of the Neighbourhood Forums as outlined in the Operational Framework.
4. That future minor amendments to the Neighbourhood Forum Operational Framework and the Neighbourhood Plans be delegated to the Director of Customers and Communities in consultation with the Leader of the Council.

Reason for decision

To continue to engage with the community.

7. REVIEW OF LICENCE CONDITIONS RELATING TO HOME BOARDING OF DOGS ESTABLISHMENTS

The Portfolio Holder for Regeneration outlined the report which advised Members of the outcome of a review of this policy and which sought approval for the adoption of model licensing conditions for animal welfare in respect of the home boarding of dogs. The model conditions took into account new guidance issued from LACORS in October 2009.

Members considered the report and contents and the following comments were made:-

- The report was welcomed and it was noted that once implemented, the conditions would allow the Council to take enforcement actions against establishments who fell outside the conditions.

Resolved:-

1. That the Model Licence Conditions for the Home Boarding of Dogs be adopted.
2. That all future minor amendments to the conditions be delegated to the Head of Health, Housing and Regeneration, in consultation with the Portfolio Holder for Regeneration.

Reason for decision

To ensure the health, safety and welfare of animals boarded at licensed premises.

8. LEAVENGREAVE PITCH PROPOSAL

The Leader of the Council outlined the report which sought the Cabinet's approval for the Council to grant a lease to Whitworth Sports Council for use of the Leavengreave Pitch. The lease would be for a period of 50 years, on condition that if no specified works are completed within the first 5 years, the lease would revert back to Rossendale Borough Council. A longer lease would enable Whitworth Sports Council to apply for funding to improve the pitch.

Members considered the report and contents and the following comments were made:-

- The excellent work by this community group and improvements to sports facilities in the area.
- A risk that funding may not be obtained due to similar bids.
- Concerns regarding the wording of the recommendation e.g. 'some improvement works'. Members requested further clarification of this.

- It was confirmed that Whitworth Sports Council had requested a 50 year lease during negotiations.

It was agreed that recommendation 9.1 would be changed to include 'to Whitworth Sports Council and the word 'some' could be removed from recommendation 9.1, with the negotiations regarding improvement works to be delegated to the Director of Business.

Resolved:-

1. That it be approved in principle that Rossendale Borough Council lease the land at Leavengreave to Whitworth Sports Council for a period of 50 years, on the condition that improvement work is carried out within 5 years of commencement of the lease. If no work is completed, the lease will revert back to Rossendale Borough Council. The approval would be on the condition that any negotiations regarding the lease agreement go through the Director of Business and the Portfolio Holder.
2. That the lease contains a condition that the pitch and facilities are designated for Community use for an agreed period of time each week, to be agreed during negotiations on the lease agreement.
3. That any further negotiations and minor amendments be delegated to the Director of Customers and Communities in consultation with the Portfolio Holder for Communities and Neighbourhoods.

Reason for decision

To enable the continued use of the sports facilities.

9. VACANT PROPERTY STRATEGY

The Portfolio Holder for Regeneration outlined the report which sought approval for the Vacant Property Strategy and associated Action Plan which aimed to reduce the number of long-term vacant residential and commercial properties across Rossendale. The Strategy provided a clear focus to allow the Council to address the number of long-term vacant properties and provided defined, measurable targets for annual reductions in the number of vacant properties. The Portfolio Holder noted that officers had been carrying out this work for some time and the Strategy would formalise this process.

Members considered the report and contents and the following comments were made:-

- Issues regarding absentee landlords.
- It was noted that flats above shops were frequently vacant.
- All landlords would be worked with, including Greenvale Homes.
- The blight on neighbourhoods that vacant properties caused.

- Councillors and the public had a role to play in ensuring that absent properties and those properties where improvement works were stopped, were reported to the Council.
- The prioritisation list was discussed and it was noted that if Councillors submitted multiple complaints on behalf of their constituents, these would not be recorded as one complaint from one Councillor.

Resolved:-

1. That the Rossendale Vacant Property Strategy be approved.
2. That any further minor amendments to the Strategy be delegated to the Director of Business and the Head of Health, Housing and Regeneration, in consultation with the Portfolio Holder for Regeneration.

Reason for decision

To enable the number of long-term vacant properties in the Rossendale area to be addressed.

10. REVISED PLANNING AND OTHER APPLICATION VALIDATION POLICY

The Portfolio Holder for Regeneration outlined the report which sought member approval to update the Council's existing Policy and Checklist in respect of the validation of planning and other applications. The proposed updates took into account the 'Guidance on information requirements and validation' guidance issued by the Government in March 2010.

Members considered the report and the following comments were made:-

- Concerns regarding frequently changing legislation and the need to keep revising the Validation Policy.
- Standardised Policies would make it easier for agents and cross-boundary applications.

Resolved:-

1. That the updated Policy be the subject of public consultation.
2. That the contents of the report be noted and, subject to the public consultation responses, the policy be adopted and revised where necessary.
3. That any minor amendments arising from the consultation are delegated to the Director of Business in consultation with the Portfolio Holder.

Reason for Decision:-

To update and improve the quality of service provided to customers.

11. FINANCIAL MONITORING 2010/11: MONTH 6 – END SEPTEMBER 2010

The Portfolio Holder for Finance and Resources outlined the report which updated Members on financial matter, including the General Fund budget monitoring for 2010/11, the Capital Programme and Treasury matters. It was noted that there was currently a budgeted under-spend of £277k and following the sale of Bacup Leisure Hall, £135k had been placed in an earmarked reserve account. The Portfolio Holder noted that the Council faced significant challenges and was awaiting future information from the CSR settlement in December 2010. Members' attention was drawn to the programme of meetings and consultation leading up to February 2011's budget decision.

The Portfolio Holder requested that the Council continues to lobby MPs to ensure that Rossendale Borough Council receives a fair settlement, comparable with that of other local authorities.

Members considered the report and the following comments were made:-

- Considerable financial challenges facing the Council to meet the Medium Term Financial Strategy.
- The importance of Members involving themselves in all consultation sessions to enable them to fully understand and set the next budget.
- Concerns regarding concessionary travel for over-60s not being means tested. It was noted that this was a Government initiative and any concerns should be relayed to the MP.
- Charges for use of credit and debit cards. It was noted that the 'Allpay' card was in use and cash was not accepted at Council offices.

Resolved:-

1. That the content of the report is noted.
2. That the Council lobbies MPs to ensure a fair and comparable settlement is received.

Reason for Decision:-

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

12. INTEGRATED PERFORMANCE REPORT: QUARTER 1 (APRIL TO JUNE 2010)

The Portfolio Holder for Finance and Resources introduced the report which informed the Cabinet of the financial monitoring for Quarter 1, those indicators not achieving their targeted levels of performance and the progress made in implementing the actions contained in the Council's Corporate Plan. It was noted that LI218A, LI156 and NI156 were not achieving their targeted levels and the actions being taken to address this were outlined. The Portfolio Holder drew Members' attention to improvements with regard to the processing of housing benefit

payments. Improvements were noted in indicators LI12, NI181 and it was further noted that 85% of business plan actions were on target after the first quarter and no projects were in jeopardy.

Members discussed the report and the following comments were made:-

- Potential impact of LAA targets being removed.
- The need to continue to measure performance against a clear framework.
- The need to concentrate on sustainable and achievable strategies.

Resolved:-

1. That the levels of the performance detailed in the report are noted.
2. That Cabinet will continue to monitor the performance of those indicators which are under-achieving targeted levels of performance and request further information as necessary from the relevant head of service.

Reason for Decision:-

To ensure and monitor compliance with local and national performance indicators.

13. WASTE COLLECTION AND RECYCLING

The Portfolio Holder for the Environment outlined the report which informed Members of the work being undertaken in relation to waste collection and recycling. The report outlined current arrangements and made new proposals, in particular suspension of residents being asked to pay for new green bins, where that bin is damaged or broken. It was noted that those residents in hard to reach areas who currently received weekly collections were being consulted on providing alternate weekly collections and a recycling collection service. Consultation was also taking place with farm premises which required waste to be collected by a specialist vehicle.

Members considered the report and the following comments were made:-

- The importance of consultation with residents.
- It was noted that many of the affected residents had previously requested recycling collections.
- The range of goods recycled could only be increased if waste disposal plants received them.
- It was noted that the suspension of brown bin collections in the winter months could be considered.

Resolved:

1. That Members agree to providing an alternate weekly recycling and waste collection service for the 700 households who still remain on weekly residual waste collections and do not currently benefit from recycling collections.

2. That Members agree to consider the results of the farm collection and garden waste collection services to ensure they represent best value and remain fit for purpose.
3. That Members note the work in relation to bin health checks and agree to amend the Council's existing Bin Replacement Policy to provide a free of charge bin exchange service, subject to reasonable usage, for all damaged and broken bins until 31st March 2011.
4. That Members approve a wider review of refuse and recycling policies to be carried out over the next 12 months.

Reason for Decision

To continue to provide a cost-effective refuse and recycling service.

14. HALF-YEARLY BAD DEBT WRITE OFF

The Portfolio Holder for Finance and Resources presented a report which sought Cabinet approval to write those debts for which recovery had been pursued and was unlikely to be successful.

Members considered the report and the following comments were made:-

- Queries regarding charges for Police call-outs. The Head of Finance agreed to look into this matter.

Resolved:-

1. That the schedule of debts for write-off in the sum of £16,496.82 be approved.
2. That the total of £2,630.85 minor debts are written off and the remaining balance on the Bad Debts provision of £136,431.27 is noted.

Reason for Decision:-

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

15. CAPITA MONITORING AND PERFORMANCE

The Portfolio Holder for Customer Services introduced the report which updated Members on the Capita contract and reviewed the performance for the last financial year. The Portfolio Holder noted that this was a positive report and highlighted to Members that the processing of housing benefit claims had improved, a new fraud database had been established, council tax collection rates were at 97.5% and the One Stop Shop had performed well. It was noted that since publication of the report, a new switchboard system had been implemented. Collection rates of NNDR were slightly below target, however there had been an improvement on last year's figures.

The work of the Service Assurance Team was noted and Members expressed their thanks.

Members considered the report and the following comments were made:-

- Work to improve relations with the Citizens Advice Bureau.
- The importance of One Stop Shop staff passing on concerns to Lancashire County Council where appropriate.
- It was noted that the 2 bailiff firms used by the Council adhered to national guidelines.

Resolved:

1. That the contents of the report are noted and the Service Assurance Team be endorsed in their work.

Reason for Decision

To continue to monitor the work and progress of the Capita contract.

16. WINTER MAINTENANCE PLAN

The Portfolio Holder for the Environment outlined the report which informed Members of the partnership working which is being carried out to ensure that, in the event of severe winter weather, service disruption is minimised and vulnerable people are supported as far as possible. Multi-agency meetings had been held which had been very successful and well attended. A plan had been established which detailed to Members who should be contacted in the event of severe weather conditions. A leaflet was displayed, which would shortly be distributed across Rossendale. It was noted that the list of those residents who received assisted bin collections had been passed to Help Direct and these people would be contacted and offered assistance in the event of severe winter weather.

The hard work of the officers was noted and Members expressed their thanks.

Members considered the report and the following comments were made:-

- Radio Rossendale had announced that a company would provide residents over 70 with a bag of grit.
- Concerns were expressed regarding inappropriate use of the grit provided in grit bins.
- Equipment was being provided which would enable clearing of pavements and hand-spraying of grit.
- Clarification was given of national guidelines that those who clear the paths directly outside of their home would not be liable for claims in the event that someone injured themselves.

- It was noted that 39 farmers across Lancashire had expressed an interest in assisting in severe weather and the Portfolio Holder had requested details of those farms in the Rossendale area.

Resolved:-

1. That the report is noted and the approach outlined therein is supported.

Reason for Decision:-

To ensure that partner agencies work together to support the residents of Rossendale in the event of a severe winter.

17. EFFICIENCY SAVINGS – MEMBERS’ ICT PROVISION

The Portfolio Holder for Customer Services and the Portfolio Holder for Finance and Resources outlined the report which set out the proposed ICT provision for Members. It was noted that several approaches had been tried previously and a ‘one size fits all’ approach would not work. It was noted that it was essential for Members to have suitable IT equipment in order for them to fulfil their duties and serve their constituents. It was further noted that all old equipment would be sold in order to assist in funding new equipment and that the provision of broadband payments would stop.

Members considered the report and the following comments were made:-

- Provision of a camera on the blackberry.
- Members’ IT facilities at Council buildings.
- Assistance to newly elected Members.

Resolved:

That the Members’ ICT solution be agreed as follows:-

- Choice of Blackberry or mobile phone
- Provision of RSA token
- ICT facilities in the Council Chamber including computer and internet access
- Provision of a computer in other RBC facilities e.g. One Stop Shop
- Option for specific software where an individual need is established
- Provision to consider a computer if a Blackberry is not suitable
- No broadband payments to be made

Reason for Decision

To enable Members to carry out their role for the benefit of their constituents.

The meeting commenced at 6.30pm and closed at 8.35pm

CHAIR