

MINUTES OF: THE CABINET

Date of Meeting: Thursday 17th March 2011

**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 P Seddon, Head of Finance
Mr M Riley, Communities Manager
Mrs J Cook, Committee Officer**

**Also Present: Councillors A. Barnes, Driver, Farrington, Lamb, McInnes
(in part), Nuttall, Oakes, J. Pilling (in part) Robertson
3 members of the public, no members of the press**

1. APOLOGIES FOR ABSENCE

There were no apologies for absence, all Cabinet Members were present.

2. MINUTES OF PREVIOUS MEETINGS

Resolved:

That the minutes of the meeting held on 17th February 2011 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 by Cabinet Members.

5. PUBLIC QUESTION TIME

A member of the public, Mrs Barbara Ashworth commented on Item 6, Community Grant Funding as follows:-

- Use of grants to fund staffing costs/posts.
- Applications which fall between criteria – it was noted that applicants should consider applying for the higher grant in these cases.
- Officer input with regard to the decisions and scoring.
- Appeals process.

A member of the public, Mr Leonard Entwistle, made enquiries regarding the financial position of the Council.

6. COMMUNITY GRANT FUNDING: REFRESHED PROCEDURE FOR ISSUING FUNDING TO OUTSIDE BODIES

6.1 The Leader of the Council outlined the report which had been written in line with the recommendations made at the Special Cabinet held on 26th January 2011. The report outlined a revised policy for issuing grants to outside bodies, which incorporated the views of the Policy Overview and Scrutiny Committee.

6.2 The report highlighted financial challenges facing the Council and the need for the Council to move towards a process of allocating funding which commissions services that delivers against the Council's priorities. Grants had been amalgamated into two distinct funding streams:-

- A three-year or a one year 'Rossendale Council Grant' giving organisations/ groups the opportunity to demonstrate that they provide a service or function that delivers against the priorities in the Council's Corporate Plan and/or the Neighbourhood Action Plans.
- A Neighbourhood Forum fund that gives members of the Forum the opportunity to allocate resources to either a project that assists in the delivery of priorities in the Neighbourhood Forum Action Plan or a grant to a local community group/organisation. It was noted that the maximum Neighbourhood Forum Grant which could be applied for was now £500.

6.3 It was noted that consideration would be given to an earlier June Cabinet, however it was noted that the process should not be rushed through.

6.4 Thanks were given to the Communities Manager and his Team for their hard work on developing the applications process.

6.5 Members were invited to comment on the report and the following comments were made:-

- The need for member training.
- Administration costs of the new process.
- The need for time limits on the acceptance of applications, balanced against necessary last-minute applications.
- Unspent Neighbourhood Forum funds could be rolled over to the next financial year.
- Information from Officers on frequent applications and organisations.

Resolved:

1. That the Cabinet adopts the revised grant allocation process.
2. That the Cabinet supports the recommendation of Policy Overview and Scrutiny that 'Discretionary Rate Relief' is awarded from the Rossendale

- Council Grant to the community groups/organisations at Appendix 7 of the Committee Report.
3. That a revised protocol for allocating discretionary rate relief is reviewed in 2011–2012 for introduction in 2012–2013.
 4. That Cabinet supports the recommendation of Policy Overview and Scrutiny that any further minor amendments to the grants process be delegated to the Director of Customers and Communities and Portfolio Holder.
 5. That Cabinet allocate an additional £14k to the Rossendale Council Grant Fund arising from previous grant under-spend therefore increasing the overall allocation for 2011/12 to £139,900.

Reason for Decision

To support and recognise the invaluable contribution that the voluntary and community sector makes.

Alternative Options Considered

None.

7. RESTRUCTURE OF THE OPERATIONS AND COMMUNITIES TEAMS

- 7.1 The Leader of the Council outlined the report which requested approval to implement Phase One of the restructure of the Operations and Communities Team to generate more effective, locality-based working and efficiencies to contribute to the financial savings required for 2011/12 and beyond.
- 7.2 The Leader noted that this was a difficult report and decision to make and it was necessary to restructure the Teams in a locality-based and pragmatic manner.
- 7.3 The restructure would result in the disestablishment of 20 posts and the establishment of 13 posts.
- 7.4 The Cabinet asked that thanks to all members of the Operations and Communities Teams for their professionalism during this difficult process be noted.
- 7.5 Members were asked to comment on the report and the following comments were made:-
 - The importance of continued liaison with the Police at a Local/Pennine Level.
 - Concerns regarding the capacity of staff to continue to deliver against the Council's priorities.
 - Clarification was given regarding those on fixed term contracts.
 - It was noted that the Locality Officer posts were based on the same boundaries as the Neighbourhood Forums.

Resolved:

1. To disestablish the list of posts as set out in Section 4.12. A of the Committee Report.
2. To establish the list of posts as set out in Section 4.12 B of the Committee Report.
3. To implement the revised structure as detailed in Appendix 2 of the Committee Report.

Reason for Decision

To restructure the teams to further develop and strengthen neighbourhood working and to contribute to financial savings.

Alternative Options Considered

None

8. CEMETERIES STRATEGY

- 8.1 The Portfolio Holder for the Environment outlined the report which explained and sought approval of the proposed Cemeteries Strategy. The Strategy clarified the bereavement services provided by the Council and was intended to be used as an internal document to guide Members and officers who have responsibility for the maintenance and management of the Council's cemeteries.

Members were invited to comment on the report and the following comments were made:-

- The report was complimented for its use of plain English.
- Memorials on graves (it was noted that this referred to the next item of business).

Resolved:

1. That the Cemeteries Strategy be approved and adopted.
2. That all future minor amendments to the Cemeteries Strategy be delegated to the Director of Customers and Communities in consultation with the Portfolio Holder.

Reason for Decision

To provide clear guidance regarding the management of the Council's cemeteries.

Alternative Options Considered

None

9. MEMORIALS ON GRAVES

- 9.1 The Portfolio Holder for the Environment introduced the report which outlined the current issues the Council faced with enforcing the existing cemetery rules and regulations, particularly those in relation to memorials located on a grave.
- 9.2 It was noted that this was a particularly sensitive report and that care had been taken to ensure that wide consultation had been undertaken during the writing of the Policy. It was noted that clear and concise guidelines were required.

Members were invited to comment on the report and the following comments were made:-

- Appropriateness of memorials.
- Emotive nature of the report and the needs of grieving relatives.
- The need for sympathetic enforcement.
- The role that funeral directors could play in assisting this policy.
- Fees and charges regarding scattering of ashes and the Director of Customers and Communities agreed to clarify this matter with the Councillor directly.

Resolved:

1. That Approach 3 as outlined in Appendix D of the Committee Report be adopted and implemented from 4th April 2011.
2. That the existing cemetery rules and regulations for new graves and also for those graves which are re-opened for further internments be enforced. Additional memorials would be removed at the time of re-opening and grave owners would not be able to replace them.
3. That the recommendations proposed by Policy Overview and Scrutiny Committee be implemented:-
 - A revised internment form
 - A Bereavement Services Pack
 - Any challenges made under the Equalities Act 2010 or reported cases of accessibility issues where memorial remain on existing graves to be dealt with on an individual basis.
 - A Disability Access Forum/Group to be established to assist with accessibility management.

Reason for Decision

To provide safe cemeteries which can be safely maintained in a sensitive manner.

Alternative Options Considered

Other options as outlined in Appendix D of the Committee Report.

10. ILLEGAL EVICTION AND HARASSMENT POLICY

- 10.1 The Portfolio Holder for Regeneration outlined the report which sought approval for the Illegal Eviction and Harassment Policy. The Policy outlined that the Council receives on average between 3-7 cases of potential harassment/eviction each year. In view of this, a clear policy was required which would set out a clear and defined statement of the Council's role in dealing with illegal eviction/harassment cases and provide clarity to support agencies and tenants.

Members were invited to comment on the report and the following comments were made:

- The policy was welcomed and reference was made to the backlog of policies within this service area.

Resolved:

1. That the Rossendale Illegal Eviction and Harassment Policy be adopted.
2. That any further minor amendments be delegated to the Head of Health, Housing and Regeneration in consultation with the Director of Business and the Portfolio Holder for Regeneration.

Reason for Decision

To provide a clear policy for dealing with cases of illegal eviction and harassment.

Alternative Options Considered

None

11. INTEGRATED PERFORMANCE REPORT QUARTER 3 (OCTOBER TO DECEMBER 2010)

- 11.1 The Portfolio Holder for Finance and Resources introduced the report which outlined performance indicators which were on target and those which were failing to achieve their target.
- 11.2 It was noted that LI156 (building accessible to those with a disability) still remained below target due to decisions which have yet to be made, e.g. Marl Pits Pavillion work.
- 11.3 It was noted that 85% of business plan actions were on target with no projects in jeopardy. In addition, contrary to the previous report, the number of households living in temporary accommodation had now returned to zero.
- 11.4 The Direction of Travel document was outlined, which had a pictorial example of the journey of several of the performance indicators since 2000/01 to date.
- 11.5 Members were invited to comment on the report and the following comments were made:-

- Use of local recycling facilities.
- The time for invoices to be processed and it was noted that 97.6% invoices were paid on time, i.e. in accordance with the suppliers terms.

Resolved:

1. That the levels of performance outlined in the report are noted.
2. That performance continues to be monitored and further information on those targets which may be under-achieving is requested as necessary.

Reason for Decision

To monitor the Council's performance.

Alternative Options Considered

None

12. FINANCIAL MONITORING REPORT 2010/11: MONTH 10 – END JANUARY 2011

- 12.1 The Portfolio Holder for Finance and Resources outlined the report which updated Members on financial matters, including the general fund budget monitoring for 2010/11, the Capital Programme and Treasury Matters.
- 12.2 It was noted that the out-turn favourable impact on the general fund as at the end of January compared to the budget for 2010/11 is £240.5k, which was a £9.7k adverse movement since the figures report at the previous Cabinet meeting. This current forecast would result in the transfer of a further £120k to the Directorate Investment Reserve, leaving the general fund at £1,035k at 31st March 2011. It was noted that within the forecast costs was a contribution of £81k to the Operations vehicle replacement provisions which was not originally budgeted for within 2010/11.

Members were invited to comment on the report and the following comments were made:-

- Clarification was given on the Council's contribution to the East Lancs Railway and the Performance Reward Grant/community allotment figures.
- Legal fees for Job Evaluation were queried and the Head of Finance agreed to clarify directly with the Councillor.

Resolved:

That the contents of the report are noted.

Reason for Decision

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

Alternative Options Considered

None

13. NATIONAL NON-DOMESTIC RATE AND COUNCIL TAX WRITE-OFFS

- 13.1 The Portfolio Holder for Customer Services outlined the report which requested that bad debts of National Non-Domestic Rates (NNDR) which were above the delegated limit of £500 be written off. These debts were considered to be irrecoverable due to reasons such as bankruptcy and magistrates court decisions etc. It was noted that records of the write-offs were kept and should the opportunity arise, the debts would continue to be pursued.
- 13.2 It was noted that writing off irrecoverable debt was standard accounting practice and that a contingency fund was in existence.

Members were invited to comment on the report and the following comments were made:-

- It was commented that the write-off of some of the debts could have occurred sooner.
- It was noted that the number of insolvencies and bankruptcies was worrying.

Resolved:

1. That the write off of £53,085.07 in relation to irrecoverable National Non-Domestic Rates is approved.
2. That the write off of £8,210.94 in relation to irrecoverable Council Tax is approved.

Reason for Decision

To write off irrecoverable debt on the grounds of prudence before the end of the financial year.

Alternative Options Considered

None.

14. REPORT OF THE ENFORCEMENT TASK AND FINISH GROUP

- 14.1 The Portfolio Holder for the Environment introduced the report which outlined the findings and recommendations of the Enforcement Task and Finish Group. The Group was established following concerns raised through various Overview and Scrutiny reports and queries from Members. The Group made 9 recommendations within their report which the Cabinet were asked to consider.

Resolved:

That a response to the report be presented to the Overview and Scrutiny Management Committee within 2 months, or at the next normal meeting of the Cabinet.

Reason for Decision

To ensure that the recommendations of Task and Finish Groups are responded to in a timely manner.

Alternative Options Considered

None

15. EXTERNAL FUNDING

15.1 The Portfolio Holder for Regeneration introduced the report which advised members of new investment and external funding brought into the Borough during 2010/11 and outlined pipeline projects.

15.2 It was noted that some of the figures within the report were on a Pennine Lancashire-wide basis, with a contribution reaching the Council. It was noted that future reports would break down this figure specifically to Rossendale.

Members were invited to comment on the report and the following comments were made:-

- More information specific to Rossendale was required in future reports.
- HMR funding was referred to.
- Clarification regarding the Springfield Court and Holly Mount projects.

Resolved:

That the report is noted.

Reason for decision

To make Members aware of funding and investment within the Borough.

Alternative Options Considered

None

The meeting commenced at 6.30pm and closed at 8.10pm

CHAIR