

MINUTES OF: THE CABINET

Date of Meeting: Wednesday 29th June 2011

**Present: Councillor A Barnes (in the Chair)
Councillors Jackson, Lamb, MacNae, Serridge (for part of
the meeting) and Wilkinson**

**In Attendance: Mrs H Lockwood, Chief Executive
Mr S Sugarman, Director of Business
Ms F Meechan, Director of Customers and Communities
Mrs J Crawford, Finance Manager
Mr M Riley, Communities Manager
Mr A Buckle, Head of Customer Services and ICT
Mrs J Cook, Committee Officer**

**Also Present: Councillors Crawforth, Essex, Evans, Farrington, Gill,
Gledhill, Kenyon, Marriott, McInnes, Nuttall, Oakes, Pilling,
Robertson, Sandiford, Smith and Stansfield.
County Councillor Steen and County Councillor Winder**

16 members of the public, 2 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 March 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

Councillor Alyson Barnes declared a personal interest in Item 7 in that she was a Trustee of one of the applicants, Crawshawbooth Community Association.

Councillor MacNae declared a personal and prejudicial interest in Item 7 in that he had done some work for PEER.

Councillor Jackson declared a personal and prejudicial interest in Item 7 in that she was the Chief Executive of one of the organisations who had applied for a grant.

5. PUBLIC QUESTION TIME

The Leader of the Council stated that she would vary the Procedure for Public Speaking and allow members of the public to raise questions on each item as it arose on the agenda.

There were no questions asked by the public during this part of the meeting.

6. COUNCIL'S STRATEGIC PROJECTS

6.1 The Leader of the Council outlined the report which gave a progress update on the Council's strategic projects to date:-

6.2 Medium Term Financial Strategy (MTFS)

During 2010/11 the Council had made £1.6m of savings, with a further c£1m to find by 2014/15. The strategy was based on key assumptions with regard to pay inflation, employment costs, level of future council tax increases, income generation and the financial implications of the existing contractual arrangements with Green Vale Homes coming to an end. The Leader noted that all Members would remain fully engaged in the MTFS and the challenges therein.

6.3 Rossendale Gateway

The Rossendale Gateway covered a range of projects, in particular the Manchester Commuter Rail link, New Hall Hey, the Valley Centre and the wider regeneration of Rossendale as a whole.

6.4 Leisure

6.4.1 *Ski Rossendale*

As previously agreed by Members, this facility closed to the public on 31st March 2011. It was noted that a decision was expected regarding a private operator in July.

6.4.2 *Marl Pits and Haslingden Sports Centre Redevelopment*

Following market testing by the Council's contractor, Kier Northern, the budget for these projects had been set at £5.6m. However this budget was now unrealistic due to factors such as the rising price of steel, mechanical engineering, substructures, foundations, ground works, drainage and car parking issues.

6.4.3 A fundamental review of the design and process would be required to ensure that the scheme is affordable in the context of a £5.6m budget, capable of delivering the 2009 KKP cost model and retains the integrity of local facilities design. The Leader outlined a proposal to enter into consultation with key stakeholders to assess any potential changes to the scheme to enable the project to be delivered.

6.5 Mr Paul Mulderrig, representing Rossendale Rays, provided the Leader with written questions which asked for the Leader's assurance that the project would not be abandoned, that it be urgently investigated and made public whether £300k of money was spent regarding substructures and foundation without rudimentary

investigation of ground conditions, and asked whether the Leader retained faith in the contractor? The Leader stated that the Council's Chief Executive was investigating this matter and that she would reply to all points raised by Mr Mulderrig in writing.

- 6.6 Mr Roger Fulton, the Acting Chair of the Rossendale Leisure Trust, raised concerns regarding a potential delay to the leisure project and the implications that this would have on the Leisure Trust's business plan and finances. The Leader stated that work was ongoing with the leisure trust with regards their business plan and was happy to meet further with the Leisure Trust Chair.
- 6.7 Mr Lee Kershaw, a resident of Helmshore, raised concerns regarding the scaling back of any plans, e.g. pool sizes, spectator galleries and noted that any delay to the project would leave a very tight deadline for planning permission. Concerns were also raised regarding interest on the loan taken out by the Council. The Leader noted that all costs would be stated in a future Cabinet report.
- 6.8 Mr Davies, a representative of Haslingden Pool, asked for clarification on any delay to the project. The Leader provided clarification of timescales.
- 6.9 The Chair of Rawtenstall Swimming Club noted that perhaps the option should have been taken to move all leisure facilities to a central point in the Valley. The Leader confirmed it was essential that all areas of the Valley had good leisure facilities.
- 6.10 Members were invited to comment on the report and the following comments were made:-
- Concerns regarding revised drawing and any reduction of the leisure scheme.
 - Concerns regarding any delay as a result of stakeholder consultation.
 - It was noted that a Council resolution existed to proceed with the scheme.

Resolved:

1. That Members recommend the continued development of Marl Pits including the investment of £110k in the Phase I Car Parking as noted in Para' 5.18.
2. That the Council will now enter into consultation with key stakeholders regarding the Council's Strategic Projects.
3. That a further report is brought to Members on the options available regarding the balance remaining on the original £5.6m capital investment programme.
4. That regular reports are brought to Members regarding progress made on:-
 - a) The Medium Term Financial Strategy
 - b) The Rossendale Gateway
 - c) Leisure

Reason for Decision

To reaffirm a clear direction of travel for the Council's strategic projects.

Alternative Options Considered

None

N.B. Councillors Jackson and MacNae left the meeting for the following item.

7. ALLOCATION OF ROSSENDALE BOROUGH COUNCIL GRANTS 2011-13

- 7.1 The Portfolio Holder for Communities and Neighbourhoods made a short statement regarding the grants process and left the room, along with the Portfolio Holder for Regeneration.
- 7.2 The Portfolio Holder for Environmental Services outlined the report which sought Cabinet approval for the Rossendale Grant Funding for 2011-13. The report noted the late entry and acceptance of the Credit Union's application. It was noted that the Portfolio Holder for Communities and Neighbourhoods had not taken part in the decision-making process and the Portfolio Holder for Environmental Services had attended as an observer.
- 7.3 The report recommended that the organisations and groups in receipt of three-year funding be subject to a standards clause that their proposed allocation for 2011-13 is reviewed as part of the Council's Annual Budget setting process. The report also noted the award of Discretionary Rate Relief to organisations, with a recommendation that a revised protocol for allocating the relief is revised in 2011/12 and any changes introduced in 2011/12.
- 7.4 The Portfolio Holder also noted the recommendation that Policy Overview and Scrutiny be asked to review and assess the revised grants process and it was noted that scrutiny could review the other methods by which the Council assisted charitable and voluntary organisations.
- 7.5 Mrs Barbara Ashworth, representing the Bacup Consortium, asked that for years 2 and 3 a different approach be considered to prevent those organisations that the Council were obliged to statutorily fund from being asked to bid against other organisations. The Leader noted that this would be considered as part of any review.
- 7.6 Mr Ken Owen, Chair of the Rossendale Citizen's Advice Bureau, raised concerns regarding the transparency of the scoring process and funding received. It was noted that the decision was taken to help more organisations by reducing the funding given to all successful applicants.
- 7.7 Ms Diane Van Reuitenbek, representing the Consortium Trust, raised concerns regarding organisations who were not skilled in bid-writing and asked whether feedback was given to unsuccessful applicants. It was noted that support and feedback was offered and that applicants were signposted to alternative, or more suitable sources of funding.
- 7.8 Ms McBride, of the Citizen's Advice Bureau, raised concerns regarding the impact of reduced funding on the Bureau's clients.

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

- Thanks were given to officers for their work on the grants process and adherence to tight timescales.
- It was noted that Members of the Cabinet did have close connections to applicants, however the Leader noted that most Members were fully involved within their communities.
- Alternative ways in which the Council could assist organisations.
- Concerns regarding applicants applying for the wrong funding stream.

Resolved:

1. That the Cabinet notes the entry of the Credit Union's application and the view of the Grants Advisory Group to accept it as a valid application.
2. That the Rossendale Council Grant Funding for 2011-13 be approved for those organisations/groups identified at Appendix 1 of the committee report.
3. That those organisations/groups in receipt of three-year funding be subject to the standard clause that their proposed allocation for 2012 and 2013 is reviewed as part of the Council's Annual Budget Setting process.
4. That discretionary rate relief is awarded as outlined in Appendix 2 of the committee report and a revised protocol for allocating the relief is reviewed in 2011/12 with any changes introduced in 2012/13.
5. That Policy Overview and Scrutiny are asked to review the revised grant process and assess 'What worked well.....What didn't work so well'.
6. That all future minor amendments to the grant process be delegated to the Director of Customers and Communities and the Portfolio Holder for Communities and Neighbourhoods.

Reason for Decision

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

Alternative Options Considered

None.

N.B. Councillors Jackson and MacNae returned to the meeting. Councillor Serridge left the meeting at this point owing to illness.

8. BACUP 'BIG IDEAS' (Recommendation from Bacup Neighbourhood Forum on the allocation of funding from the sale of Bacup Leisure Hall)

- 8.1 The Portfolio Holder for Communities and Neighbourhoods outlined the report which presented the recommendation of the Bacup Neighbourhood Forum on the allocation of the proceeds of the sale of Bacup Leisure Hall.

- 8.2 It was recommended that funding be allocated to the development of a Vocational Training Centre at the Stubblelee site. The £100,000 would contribute towards the cost of establishing the centre and Accrington and Rossendale College were proposing to match fund in 2011 and provide further investment in 2012, 2013 and 2014.
- 8.3 Ms Diane Van Reuitenbeck asked that communications to the public and press were clear and avoided confusion. It was noted that a Project Group would be established to ensure that one message was delivered.
- 8.4 The Chief Executive noted that the project was currently going through Accrington and Rossendale College's governance process and once this was successful, the Project Group would establish clear terms of reference and involve the Neighbourhood Forums and the scrutiny process if it were felt necessary.
- 8.5 Members were asked to comment on the report and the following comments were made:-
- The need for a wider use of the Stubblelee site.
 - Clarification of a start date and it was noted that this was within the business case at Appendix 1 of the committee report.
 - The need for the Royal Court Theatre funding bid to be addressed.

Resolved:

1. To approve the recommendation of Bacup Neighbourhood Forum that the £100,000 from the sale of Bacup Leisure Hall be allocated to the development of a Vocational Training Centre at Stubblelee, as outlined in the Business Case submitted by Accrington and Rossendale College.
2. That all future minor amendments to the policy be delegated to the Director of Customers and Communities in consultation with the Portfolio Holder for Communities and Neighbourhoods.

Reason for Decision

To provide education and skills for young people and adults.

Alternative Options Considered

None

9. INTERIM POLICY STATEMENT – HOT FOOD TAKEAWAYS - UPDATED

- 9.1 The Portfolio Holder for the Regeneration outlined the report which sought Cabinet approval for the Interim Hot Food Takeaway Policy document. It was noted that the Interim Policy was agreed in June 2009 and due to a technicality, e.g. minor wording of the document, the Cabinet were required to approve it again.
- 9.2 Members were invited to comment on the report and the following comments were made:-

- Clarification of why the report had returned – it was noted that this Policy had been approved before, and minor changes were routinely delegated to Directors in consultation with the appropriate Portfolio Holder.
- The need for the policy to be applied to businesses in situ and it was suggested that once a takeaway closed, it should have to reapply via the planning process to reopen. It was noted that this should be fed into the development process.

Resolved:

1. That the Interim Hot Food Takeaway Policy be approved with minor amendments proposed for development control purposes in the determination of planning applications.
2. That all future minor amendments to the policy be delegated to the Director of Business in consultation with the Portfolio Holder.

Reason for Decision

To ensure that a clear policy with regard to Hot Food Takeaways is in place for development control purposes.

Alternative Options Considered

None

10. FINANCIAL MONITORING 2011/12

- 10.1 The Portfolio Holder for Finance and Resources outlined the report which updated Members on the financial monitoring position for 2011/12 as at the end of May 2011. It was noted that the report gave a good indication that the 2011/12 budget was being adhered to with a £50k underspend currently being reported.
- 10.2 Members were invited to comment on the report and the following comments were made:
 - The appointment of apprentices was welcomed.
 - Concerns regarding the funding allocated to maintaining the 464 route.
 - The Disabled Facilities Grant was currently £694k, and it was noted that this could not be guaranteed for subsequent years.
 - Caution with regard to reporting under-spend in Month 2 of the financial year.
 - Clarification with regard to prudence with the Councils budget.

Resolved:

1. That the report be noted.

Reason for Decision

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

Alternative Options Considered

None

11. INTEGRATED PERFORMANCE REPORT QUARTER 4 (JANUARY TO MARCH 2011)

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

- The performance management report may be reaching the end of its useful life and the direction of travel that the Council had taken over the past few years.
- The success of the Animal Warden Service as documented in the performance figures.

Resolved:

1. That the levels of performance outlined in the report be 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. PUBLIC REALM – GRASS CUTTING UPDATE

12.1 The Portfolio Holder for Communities and Neighbourhoods outlined the report which sought Cabinet approval to participate in the Public Realm Project (phase one – grass and shrub maintenance). It was confirmed that this would result in the Council taking over grass cutting and shrub maintenance from Lancashire County Council, which would mean one agency being responsible for the works.

12.2 It was noted that clear ownership of land had been established as detailed within the committee report.

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

- Concerns regarding the use of weedkiller and the visual impact that this had on grassed areas.
- Roundabout sponsorship and the possibility of retaining all income from this. This would be raised with Lancashire County Council.
- The need for further discussions with Green Vale Homes regarding their grassed areas. This would be pursued.

Resolved:

1. That approval is given to the Council participating in the Public Realm Project (Phase One – Grass and Shrub Maintenance) and that any contract negotiations are delegated to the Director of Customers and Communities in consultation with the Portfolio Holder.
2. That the work in relation to steep bankings and reducing the associated risks is noted and the proposed approach to discuss changes via the Neighbourhood Forums is agreed.
3. That the work in relation to the site ownership review and the benefits to the Council are noted and agreed.

Reason for Decision

To ensure that Public Realm works are carried out appropriately and safely.

Alternative Options Considered

None

13. APPOINTMENT OF HERITAGE AND DESIGN CHAMPIONS AND CONSIDERATION OF HERITAGE AND DESIGN AWARDS

- 13.1 The Portfolio Holder for Regeneration outlined the report which requested Cabinet approval for the appointment of an Elected Member as a 'Heritage and Design Champion' and for support of the concept of adding a Heritage and Design Award to the Pride awards on a three-year cycle from 2013.
- 13.2 It was noted that Councillor Peter Roberts would be proposed as the Council's Heritage Champion.
- 13.3 Members were invited to comment on the report and the following comments were made:-
 - The need for heritage issues to be represented, maintained and rewarded within the Borough.

Resolved:

1. That Councillor Peter Roberts be appointed as the Council's Heritage and Design Champion.
2. That Cabinet gives support to the concept of adding a Heritage and Design Award to the Pride Awards on a three-year cycle from 2013, with the precise details to be agreed between officers, the Portfolio Holder and any appointed Champion.
3. That all future minor amendments to the strategy be delegated to the Planning Manager in consultation with the Portfolio Holder.

Reason for Decision

To reinforce the Council's commitment to heritage and design within the Borough.

Alternative Options Considered

None.

14. ROSSENDALE SHOPFRONT DESIGN GUIDE

- 14.1 The Portfolio Holder for Regeneration introduced the report which sought Cabinet approval for the adoption of the Rossendale Shopfront Design Guide as a Supplementary Planning Document (SPD), with the approval of the final document to follow a period of consultation, with delegation of this approval to be given to the Director of Business in consultation with the Portfolio Holder.
- 14.2 Members were invited to comment on the report and the following comments were made:-
- Concerns were raised regarding some lack of discussion of the report at the Development Control Committee.
 - The visual impact of those businesses whose shutters are down during the daytime.
 - Concerns regarding the application of the Guide to modern properties.
 - Communication with shop owners was queried and clarification of the consultation process was given.
 - The need for a short leaflet to be given to potential shop owners to make the process simpler.
 - It was requested that Councillors were given a detailed guide to all changes within the document which had occurred since its viewing at Cabinet Agenda Setting in March 2011.

Resolved:

1. That the Rossendale Shop Front Design Guide be adopted as a Supplementary Planning Document with the approval of the final document to follow a period of consultation, and to be delegated to the Director of Business in consultation with the Portfolio Holder.
2. That the comments of Policy Overview and Scrutiny detailed in the committee report be noted.
3. That all future minor amendments to the Policy be delegated to the Director of Business in consultation with the Portfolio Holder.

Reason for Decision

To ensure that guidance is given to business owners on the design of shopfronts in Rossendale.

Alternative Options Considered

None

15. STAN (SERVICES TO A NEIGHBOURHOOD) UPDATE

- 15.1 The Leader of the Council introduced the report which provided an update on the activities of the STAN (Services to a Neighbourhood) project. It was noted that the

service was performing well and a great deal of positive feedback had been received, which was detailed within the report and appendices.

- 15.2 Members were invited to comment on the report and the following comments were made:-
- The success of STAN and its involvement in local events, e.g. Edenfield Fete and the Bacup and Stacksteads Carnival.
 - The need for more work to increase footfall.

Resolved:

That Cabinet note the successful introduction of STAN (Services to a Neighbourhood) and endorses the direction being taken to further enhance the service offering to customers.

Reason for decision

To continue to support customers and engage with customers in hard to reach areas of the Borough.

Alternative Options Considered

None

16. HOUSING BENEFIT OVERPAYMENT WRITE-OFF

- 16.1 The Leader of the Council outlined the report which sought Cabinet approval to write off a bad debt from the housing benefit sundry debtor account which is above the delegated limited of £5,000.
- 16.2 It was requested that £15,215.29 be regarded as irrecoverable in respect of housing benefit overpayment as the person had died and the debt could not be recovered. It was noted that a record of all bad debts, which had been written off, was kept, in the event that an opportunity arose for future collections.

Resolved:

1. That approval is given to write off £15,215.29 from the Housing Benefit Sundry Debtor Account.

Reason for Decision

All recovery methods have been attempted and writing off this debt would be in the interests of prudence and best practice.

Alternative Options Considered

None

17. EXCLUSION OF PUBLIC AND PRESS

Resolved:

That the public and press be excluded from consideration of the following items of business under Schedule 12A of the Local Government Act 1972, Part 1, Paragraph 3.

18. USE OF COMPULSORY PURCHASE (CPO) POWERS

- 18.1 The Portfolio Holder for Regeneration introduced the report and asked for Member approval of the recommendations contained therein.

Resolved:

1. That the recommendations detailed in the report be approved.

Reason for Decision

To improve regeneration within the Borough.

Alternative Options Considered

None

19. PURCHASE LEASE RENTAL OF COUNCIL LAND

- 19.1 The Portfolio Holder for Finance and Resources introduced the report and asked for Cabinet approval of the recommendations contained therein.

Resolved:

1. That the recommendations detailed in the report be approved.

Reason for Decision

The Council has the opportunity to gain a significant annual revenue stream.

Alternative Options Considered

None

The meeting commenced at 6.30pm and closed at 8.50pm

CHAIR