

MINUTES OF: THE CABINET

Date of Meeting: Wednesday 31st August 2011

**Present: Councillor A Barnes (in the Chair)
Councillors Jackson, Lamb, MacNae, Marriott, Serridge
and Wilkinson**

**In Attendance: Mrs H Lockwood, Chief Executive
Mr S Sugarman, Director of Business
Ms F Meechan, Director of Customers and Communities
Mr M Riley, Communities Manager
Mr S Jackson, Head of Housing, Health and Regeneration
Mr S Stray, Planning Manager
Ms E Hussain, Policy and Performance Officer
Mrs J Cook, Committee Officer
Ms M Hargreaves, Committee and Member Services
Officer
Mr C Holden, Facilities Technician**

**Staff Assisting: Mrs C Sharples, Committee and Member Services
Manager
Mr G Taylor, Mayor's Attendance
Mr B Gwin, Mayor's Attendant
PCSO Kirkbright**

**Also Present: Councillors L. Barnes, Cheetham, Crawforth, Driver, Essex,
Evans, Farrington, Gill, Graham, Kenyon, McInnes, Morris,
Nuttall, Oakes, Pilling, Roberts, Robertson, D. Smith,
Stansfield and Steen**

**115 members of the public in the Council Chamber and the
break-out area
3 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 29th June 2011 be approved as a correct record.

3. URGENT ITEMS OF BUSINESS

The Leader of the Council reported the following:-

The Leader of the Council announced that Councillor Robert Wilkinson would be appointed as the Portfolio Holder for Transport and Highways and that Councillor Patrick Marriott would be the Portfolio Holder for Finance and Resources.

The Leader of the Council announced that she had concerns about the feedback received regarding refuse collection changes to the remaining 369 rural properties currently being considered. The consultation would be extended and a report would be presented to Full Council on 28th September 2011. The Leader noted that, given the concerns raised, she would be minded to recommend that the Council does not continue with these proposals.

4. DECLARATIONS OF INTEREST

Councillor Marriott declared a personal interest in Item 8, Conservation Area Appraisals, Boundary Reviews and Management Proposals Plans for the reason that the boundary of one of the Conservation Areas would encompass an immediate family member.

5. COUNCIL'S STRATEGIC PROJECTS

5.1 The Leader of the Council outlined the report which gave a progress update on the Council's current key projects to date and options as outlined in paragraph 5.2 of the committee report and identified that consultation was ongoing via the Council's website with key stakeholders. A decision would be made on this matter at Full Council on 28th September 2011.

5.2 By 2014, the Council is required to find in excess of £1m annual revenue savings and efficiencies, with further financial challenges faced beyond 2014/15.

5.3 The Leader noted that the Marl Pits development was now progressing but the Haslingden Sports Centre project would be taken to Full Council on 28th September 2011, for the following options to be considered:-

1. Complete the development of swimming pool facilities within Haslingden Sports Centre.
2. Postpone the development at Haslingden and allocate the remaining capital resources to support the acquisition of the Valley Centre. This is the value remaining after investing in Marl Pits and contractual costs incurred to date in relation to Haslingden Sports Centre (see Appendix 1 of the committee report).
3. Repay a proportion (c.£2m) of the PWLB loan in order to release future annual revenue savings of c£100k in order to support the Council's MTFS.

5.7 Cabinet Members were invited to comment on the report as follows:-

- The importance of ensuring a fully-costed and up-to-date survey of the existing Haslingden Pool.
- The need for more information regarding the Valley Centre development.
- Regeneration benefits for the whole of the Rossendale area.

- The change in financial position and length of time from when the original KKP report was commissioned to date.

5.8 The Leader invited Members of the Public to ask questions on this matter.

5.8.1 Mr Raymond Sutcliffe asked for a clear explanation regarding the suggested option to use some of the PWLB funds to purchase the Valley Centre. It was noted that this was not a Cabinet decision, and the decision would be taken by all Members at Full Council.

5.8.2 Ms Carol Sutcliffe asked how the children and disabled of the Valley would access swimming facilities if the new pool project does not go ahead. It was noted that the existing pool was not closing but that work was ongoing to consider any outstanding DDA issues.

5.8.3 Mr John Lund had submitted his questions in advance of the meeting as follows:-

- Please could the Council identify any limitations to their proposed maintenance plan in the second Strategic Project option or if it extends to replacing the existing pool when repair ceases to be viable?
- Has the Council costed the required maintenance plan and where would the substantial amount of money come from in order to carry out the required maintenance, particularly in view of the Council having to make a large cut to the budget for Sport and Leisure? If you have costed the maintenance plan please will you supply details?
- To take this one step further, is there a maintenance plan in place at all or is the proposal to maintain the Haslingden pool just another empty promise?
- Mr Lund stated that if there was no substance to the proposal to maintain Haslingden pool he would suggest that the second Strategic Project option is not a valid option and should be withdrawn.

The Leader of the Council noted that a survey would be carried out on the existing pool in order to make a decision on the leisure project and that some of the concerns would not be costly to remedy.

5.8.4 Ms Jean Goodenough asked for an indication of how soon the condition survey would be carried out and whether it would be made available to the public. It was noted that this would be within the next 3-4 weeks, before the next Council meeting and that advice would be sought on whether this could be published.

5.8.5 Mrs Beatrice Stocks asked Cabinet members to explain why the replacement of the existing pool was not considered a perfect example of regeneration. Members of the Cabinet provided their views on regeneration and its place within the whole of the Rossendale area.

5.8.6 Mr James Davidson asked for the previous business case and due diligence work to be released to the public and for an explanation of fiscal calculations and assumptions. It was noted that the KKP report is public, but the financial business

case had never been in the public domain and that more information would be required with regards to the financial viability of a new pool. It was stated that the Marl Pits project was the 'cash cow' thereby generating funds for the loan repayments.

5.8.7 Mr Mike McGrath asked for the following information to be made public under the Freedom of Information Act:-

- The maintenance and structural reports for the Haslingden Pool for the last 10 years.
- Short, medium and long-term plans, Area Visions Plans for the last 10 years.
- Transcripts of the Council meeting held in December 2008 and the Cabinet meeting held in January 2009.

The Leader noted that Mr McGrath should submit his question via the appropriate Freedom of Information channels and reiterated that this decision would be taken by all Members at Full Council on 28th September 2011.

5.8.8 Ms Vivienne Smith asked whether the decision at Full Council would be a 'three party whip'. The Leader noted that Rossendale was a 'no overall control' council and a majority decision would be taken at Full Council.

5.8.9 Mr John Ashworth asked what the definition of regeneration for the Valley Centres and other town centres was and how much this would cost? It was noted that this was a difficult question to answer, however all areas of the Valley needed to be considered for regeneration and that regeneration was about people and places.

5.8.10 A member of the public asked where new businesses in the Valley Centre would be sourced from. It was noted that retail was in decline in town centres, however areas such as Ramsbottom were succeeding with niche retailing and the right quality of development and retailers would be required.

5.8.11 Mrs Curtis asked where the Cabinet's 'self belief' was and noted that the Rossendale Valley was known for its leisure and sporting facilities. The Leader noted her comments.

5.8.12 Members were invited to ask their questions on the report and the following points were raised:-

- Costs of another survey – it was noted that the focus of the up-to-date condition survey would be the structural integrity of the pool and the major problems identified during a recent site visit.
- It was queried why the Marl Pits plans had been determined at the July 2011 Development Control Committee, and not the Haslingden Plans. It was noted that the re-costing of Marl Pits had been brought in line with original costings, except for the car parking and the Haslingden project had not.
- The temporary closure of the Marl Pits pool earlier in the week to enable repairs to be undertaken was noted and it was requested that the cost of plant equipment be included in the new budget. This was noted and would be costed.

- Concerns were raised regarding the delay in making a decision and the methods of consultation. The Portfolio Holder for the Environment asked that thanks be given to the staff at Henrietta Street for their hard work on the refuse collection consultation.
- It was noted that a Member Session to outline the 3 proposed options for the Council's strategic projects would be held on 19th September 2011 and all Members were invited and would receive official notification the following day.

5.8.13 The Leader noted that Mrs Lesley Ham had indicated her intention to speak prior to the meeting. Mrs Ham quoted from the Environmental Protection Act 1990 and asked questions regarding the changes to refuse collection for rural properties. She asked for clarification of why the savings figures appeared to keep changing, for the costs of assisted collections and goodwill collections. Concerns were also raised regarding the purchase of a new fleet previously, and how the projected savings would be achieved, given that 300 properties had retained their doorstep collection. The Leader noted that as the consultation was extended, the savings figures would change and that budgets were a constantly changing document and clarification was given on the Environmental Protection Act.

Resolved:

That Full Council would be asked to consider the following options:-

1. Complete the development of swimming pool facilities within Haslingden Sports Centre.
2. Postpone the development at Haslingden and allocate the remaining capital resources to support the acquisition of the Valley Centre. This is the value remaining after investing in Marl Pits and contractual costs incurred to date in relation to Haslingden Sports Centre (see Appendix 1).
3. Repay a proportion (c£2m) of the PWLB loan in order to release future annual revenue savings of c£100k in order to support the Council's MTFs.

Reason for Decision

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

Alternative Options Considered

None

The Leader of the Council called a 5 minute recess.

6. PUBLIC QUESTION TIME

There were no remaining members of public who wished to raise a question.

7. PRIVATE SECTOR HOUSING ENFORCEMENT POLICY AND SUPPLEMENTARY DOCUMENTS

7.1 The Portfolio Holder for Regeneration introduced the report which recommended the adoption of the Private Sector Housing Policy and supplementary documents, which

included the Enforcement Policy for the Housing Health and Safety Rating System – Housing Act 2004 and the Landlord Guide – Housing Standards for Rented Homes.

7.2 The Portfolio Holder noted that the Council required a clear set of working procedures to enable it to deal with informal and formal actions around housing standards, and the proposed policy would provide a consistent and transparent approach.

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

- Whether a 'Tenant's Guide' would be produced and it was noted that one currently existed, however this would be re-examined.
- Importance of letting private tenants know about the new policy and supplementary documents by other avenues than the website, such as via council tax bills, benefits applications and via STAN. It was noted that all these options would be investigated and if necessary costed.
- Concerns regarding tenants above shops and rent-controlled areas.
- Cases/complaints received by the Regeneration Team and the work carried out regarding empty properties and enforcement. It was noted that bringing empty properties back into repair was not a current BVPI, however the Team were continuing to work to targets.
- The work of the Vacant Property Task Group was outlined.

Resolved:

1. That the Private Sector Housing Enforcement Policy and Supplementary Statements be approved.
2. That any further minor amendments to the Policy and supplementary statements 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

The provide a clear statement for dealing with poor housing across the borough.

Alternative Options Considered

None.

8. CONSERVATION AREA APPRAISALS, BOUNDARY REVIEWS AND MANAGEMENT PROPOSALS PLANS

8.1 The Portfolio Holder for Regeneration outlined the report which sought Cabinet approval for the adoption of three Conservation Area Appraisals for Goodshawfold, Loveclough Fold and Whitworth Square and the gradual implementation of the recommended actions within the Management Proposals Plans. This includes the re-designation of Conservation Area boundaries. The Portfolio Holder noted that this was a sensitive document which recognised the importance of conservation.

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

- Consultation concerns and clarification was given of the consultation carried out.
- Satellite dishes and the importance of taking an individual approach to any enforcement. It was noted that enforcement would not be actively implemented retrospectively, and would be dealt with sensitively with the emphasis on negotiation and consideration wherever possible.
- Notification of Conservation Areas for new residents – it was noted that this information would be picked up by a conveyancer's search at the point of purchase.
- It was noted that the Valley Centre was in a Conservation Area.

Resolved:

1. That the Conservation Area Character Appraisals for the Conservation Areas of Goodshawfold, Loveclough Fold and Whitworth Square be adopted as material considerations for development control purposes with effect from 1st September 2011.
2. That authorisation be given for the recommended actions within the related Management Proposals Plans to be developed, and where necessary, brought back to Council for specific approval for their incremental implementation where resources allow, including the re-designation of Conservation Area boundaries where these are recommended within the proposals.
3. That all future minor amendments to the Appraisals and Management Proposals Plans be delegated to the Director of Business in consultation with the Portfolio Holder.

Reason for Decision

To ensure that each designated conservation area has up-to-date appraisals and management proposals plans, which is a statutory duty.

Alternative Options Considered

None

9. FINANCIAL MONITORING 2011/12

9.1 The Portfolio Holder for Finance and Resources introduced the report which updated Members on the financial monitoring position for 2011/12 as at the end of July 2011. It was noted that Development Control income had reduced, owing to a reduction in the number of submitted planning applications.

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

- It was noted that the additional Cabinet Member would be at zero cost to the Council this year.

Resolved:

1. 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

10. EQUALITIES REPORT 2010/11

- 10.1 The Portfolio Holder for Finance and Resources outlined the report and informed Cabinet of the equality monitoring data gathered for the 2010/11 year, which included employment related equalities data, the corporate equality action plan report, community impact assessments and complaints equality data.
- 10.2 Members were invited to comment on the report and the following comments were made:
 - The importance of collecting equalities data in order to ensure that the Policy is working.
 - Clarification was given of the 'other nationality' category on the Council's equalities form.
 - The Breastfeeding Policy was welcomed and it was queried whether Lancashire County Council had such a policy. This would be investigated.

Resolved:

1. That the report be noted.
2. That equalities data continues to be monitored to ensure that the Council is operating fairly and equitably.

Reason for Decision

To ensure that the Council continues to work to achieve positive outcomes for its communities.

Alternative Options Considered

None

11. 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, Paragraphs 1 and 6.

12. REMEDIAL PROPERTY INSPECTION

- 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 ensure that the Council complies with its statutory duties in accordance with the Environmental Protection Act 1990.

Alternative Options Considered

None

The meeting commenced at 6.35pm and closed at 9.20pm

CHAIR