

MINUTES OF: THE CABINET

Date of Meeting: Wednesday 9th July 2014

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

**In Attendance: Mrs H Lockwood, Chief Executive
Mr S Sugarman, Director of Business
Mr P Seddon, Head of Finance
Mr J Kennedy, Head of Operations
Mr S Stray, Planning Manager
Miss M Hargreaves, Committee and Member Services
Officer**

**Also Present: Councillors Crawforth, Essex, Farrington, Morris,
Sandiford, Robertson and D Smith
3 members of the public
1 member of the press**

1. APOLOGIES FOR ABSENCE

1.1 All Cabinet members were present.

2. MINUTES OF PREVIOUS MEETINGS

Resolved:

That the minutes of the meeting held on 19th March 2014 be approved as a correct record.

3. URGENT ITEMS OF BUSINESS

3.1 There were no urgent items of business.

4. DECLARATIONS OF INTEREST

4.1 There were no declarations of interest.

5. PUBLIC QUESTION TIME

5.1 Mr Entwistle asked a question in relation to ongoing contracts and whether Rossendale Borough Council would consider becoming more self-efficient and take control when contracts expire. The relevant portfolio holder responded to this question clarifying when a contract expires, the Council looks carefully at new ideas and makes changes when and where appropriate. In addition to this response, it was noted that the procurement process was open and transparent and where possible it was encouraged to use local businesses and local people within Rossendale.

Mr Atherton asked a question in relation to Housing Land Supply and why the Council was looking outside of the urban boundary for future development. The Leader of the Council thanked Mr Atherton for his question and responded stating that it was a requirement from government for the Council to outline its 5 year Housing Land Supply. The Planning Manager also clarified that the report before Cabinet tonight related to demonstrating that the Council had a 5 year housing land supply to be used in the determination of applications at Development Control committee and at appeal. However, the Urban Boundary changes Mr Atherton was referring to relate to the Site Allocations and Development Management DPD which is part of the Local Development Framework and was a different document. The proposed urban and green belt boundary changes are being considered by Full Council on the 16th July. This would then lead to consultation on a draft Allocations and Development Management document later in the year.

The 5 year land supply report shows there was provision for the next 5 years, the Allocations and Development Management DPD would need to make provision for our housing target to 2026. It may have been seen in the national press of the government priority to meet housing targets to address need and affordability. In order to meet our housing requirements to 2026 there would be a need to release a modest number of Greenfield sites through the Allocations and Development Management DPD. This would mean some difficult decisions may need to be made.

Councillor Essex asked if there was an update in relation to the petrol spillage at Tesco Haslingden. The Chief Executive responded stating that all the agencies had worked throughout the weekend. Work would continue regarding the investigation of the spillage and further updates would be issued to all members

Councillor Essex asked for clarification whether it was 26,000 litres or gallons that was spilt. It was noted that it was a considerable amount but the exact amount could not be confirmed.

Councillor Sandiford asked if the families affected by the spillage had returned to their properties. It was understood that the families had returned to their properties, however this again would be confirmed in the debrief.

6. REFUSE AND RECYCLING COLLECTION ROUTE REVIEW (AREA BASED WORKING)

6.1 The Portfolio Holder for Operational Services and Development Control introduced the report which outlined the proposed changes to Refuse, Recycling services, specifically the introduction of area based working which would enable staff to deliver an average of 20 hours of litter picking/deep clean time in the area they would be working in on that day. It was noted that following these changes it would allow a £70-80k savings per annum.

6.2 There would be no effect on residents with these changes however some residents may have their refuse collected on a different day. During the first couple of weeks there would be extra cover to assist if necessary during the implementation of the new routes.

- 6.3 It was noted that communication was important and leaflets would be sent to inform residents along with additional notices via the radio, newspaper, websites and also stickers for refuse containers.
- 6.4 Members were invited to comment on the report and the following comments were made:-
- Litter picking areas and agreeing which areas would be concentrated on
 - Clarification on efficiency savings on the equality impact assessment
 - When the new changes would be implemented
 - Clarification in relation to the 20 hours litter picking

Resolved:

1. That the service changes as set out in the committee report be approved.

Reason for Decision

To enable the Council to introduce area-based working and implement service changes.

Alternative Options Considered

None

7. REFUSE COLLECTION VEHICLES REPLACEMENT

- 7.1 The Portfolio Holder for Operational Services and Development Control introduced the report which outlined the proposed requirements and available options for the replacement of the front line refuse collection vehicles.
- 7.2 It was noted that the Council emptied 55,000 bins every week, equating to 2.86 million per year.
- 7.3 The proposal was to replace 10 of the front line vehicles which were almost 5 years old. It was noted that the maintenance in years 4 and 5 were higher than previous years and it cost £850 per week to hire a vehicle to cover when necessary. Due to standard build times for new refuse collection vehicles which currently ranged from 16-26 weeks, it was important that processes to replace current vehicles commenced as soon as was reasonably possible.
- 7.3 Members were invited to comment on the report and the following comments were made:-
- Was changing the fleet in its entirety too premature
 - If the report would be going to full council
 - What other options had been looked into other than purchasing and leasing
 - If the smaller vehicle which serviced rural areas would be included within the replacement of vehicles

Resolved:

1. That the replacement of front line refuse vehicles is approved.

Reason for Decision

To enable to Council to ensure service delivery.

Alternative Options Considered

None

8. MANAGING MAJOR APPLICATIONS (MAJOR APPLICATIONS PROTOCOL)

8.1 The Portfolio Holder for Operational Services and Planning introduced the report which outlined the proposed adoption of a major application protocol and fee structure within the Borough that would encourage developers to engage with officers and elected members prior to the submission of major planning applications.

8.2 The Portfolio Holder outlined the main changes since the March 2013 report which in brief included the following:

- Stage 3 – formal consultation approach with elected members where the developer is encouraged to present proposals to elected members
- Stage 4 – the time period for a written response to be extended from 10 days to 28
- Stage 6 – consultation with local community
- Stage 7 - inclusion within the protocol of an expectation that a draft Section 106 Obligation should be included along with the planning application.

There would also be a change in fee structure for major applications from a flat rate of £300 plus VAT to £360 and £600 for significant major applications.

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

- In relation to stage 3 unfortunate it was only discretionary for developers to engage with elected members
- Positive. Changes would help bring forward better applications, want to see good investment within Rossendale
- Suggestion of better communication in relation to notifying objectors of planning decision outcomes

Resolved:

1. That the revised protocol for managing major planning applications is introduced by the authority.
2. That the fee structure at Appendix 1 of the committee report is adopted.
3. That all future minor amendments to the grants process be delegated to the Director of Business in consultation with the Portfolio Holder.
4. That member and officer training is provided on the new protocol.

Reason for Decision

To enable efficient processing of planning applications.

Alternative Options Considered

None

9. ROSSENDALE'S FIVE-YEAR HOUSING LAND SUPPLY UPDATE

- 9.1 The Portfolio Holder for Operational Services and Development Control introduced the report which outlined the current state of Rossendale's Five Year Housing Land Supply (5YHLS), taking account of past completions, dwellings under construction, extant housing permissions and specific deliverable sites which are expected to contribute to the overall housing supply over the next five years (i.e. will be available, deliverable and are viable).
- 9.2 It was noted that in order to ensure choice and competition, an additional buffer of 5% (or 20% where there is a record of persistent under-delivery) from later in the plan period needed to be incorporated.
- 9.3 Members were invited to comment on the report and the following comments were made:
- Good report
 - Provisions in place for the document to be updated regularly
 - Frequency of circulation

Resolved:

1. That Rossendale's Five-Year Housing Land Supply Update is approved and its publication authorised.

Reason for Decision

To meet statutory requirements.

Alternative Options Considered

None

10. SCOUT MOOR AND ROOLEY MOOR PLANNING PERFORMANCE AGREEMENTS

- 10.1 The Portfolio Holder for Operational Services and Development Control introduced the report which outlined the current position regarding negotiation of Planning Performance Agreements for major wind farms in the area.
- 10.2 It was noted that Rooley Moor Wind farm was a 12 turbine scheme and two of these turbines would be located in Rossendale the rest being in Rochdale and as it being the planning authority with the largest number of turbines, Rochdale MBC would receive the entire planning fee payable.
- 10.3 Members were invited to comment on the report and the following comments were made:-
- Other options the Council could enforce to recompense officer time

- Suggestion of charging more at the initial stage for significant planning applications

Resolved:

1. That the conclusion of Planning Performance Agreements for Scout Moor and Rooley Moor Windfarms be approved.
2. That all future minor amendments to the planning performance agreements to be delegated to the Director of Business in consultation with the Portfolio Holder.

Reason for Decision

To enable the Council to implement the Planning Performance Agreement.

Alternative Options Considered

None

11. HOUSING BENEFIT OVER-PAYMENT WRITE-OFF

- 11.1 The Portfolio Holder for Customers, Legal and Licensing introduced the report which sought approval to write off two bad debts from the Housing Benefit Sundry Debtor account. The amounts for write off were £7,685.51 and £13,664.83, respectively and were both above the delegated limited of £5000.
- 11.2 It was noted that fraud had been used in both cases.
- 11.3 Members were invited to comment on the report and the following comments were made:-
 - If both cases had been referred through the criminal court due to the use of fraud

Resolved:

That the write-off of £7,686.51 and £13,664.83 (totalling £21,350.34) is approved.

Reason for Decision

To ensure prudence and best practice.

Alternative Options Considered

None

12. THE MEDIUM TERM FINANCIAL STRATEGY UPDATE

- 12.1 The Portfolio Holder for Finance and Resources introduced the report which updated Cabinet on the Council's Medium Term Financial Strategy (MTFS).
- 12.2 Members were invited to comment on the report and the following comments were made:-
 - Government grants
 - Correction at 5.3 of the report from £4161k to £461k

Resolved

1. That the report is noted with the correction of £4161k to £461k outlined in section 5.3.
2. That once confirmed, the current in-year forecast reserve be transferred to the Council's transitional reserve.

Reason for Decision

To enable the Council remain focussed on delivering c.£1m of net revenue savings over the medium term.

Alternative Options Considered

None

13. FINANCIAL MONITORING 2013/14 UPDATE AND DRAFT OUT-TURN

- 13.1 The Portfolio Holder for Portfolio Holder for Finance and Resources introduced the report which was to update members on the financial monitoring position for 2013/14 since the last report.
- 13.2 It was noted that £158k of the Homes and Communities Agency Grant had been recovered and recycled into a new Empty Homes Strategy Reserve. In relation to staff monitoring, 22.5 staff (full time equivalent) posts had been removed from the organisation.
- 13.3 Members were invited to comment on the report and the following comments were made:-
 - No comments were received on this item.

Resolved:

That the contents of the report are noted.

Reason for Decision

To continue robust monitoring of the council's finances.

Alternative Options Considered

None

The meeting commenced at 6.30pm and closed at 7.35pm

_____ CHAIR _____ DATE