

MINUTES OF: THE CABINET

Date of Meeting: Wednesday 25th November 2015

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

**In Attendance: Mr S Sugarman, Chief Executive
Ms Clare Birtwistle, Monitoring Officer
Mr P Seddon, Head of Finance and Property Services
Ms M Hargreaves, Committee & Member Services Officer**

**Also Present: Councillors Cheetham, Crawforth, Farrington, Essex, Evans,
Haworth, Kempson, Morris and Sandiford.
9 members of the public
0 member of the press**

1. APOLOGIES FOR ABSENCE

1.1 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 21st October, 2015 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 Councillor A Barnes and Councillor Serridge declared an interest on agenda item D1 as they were both members of the East Lancashire Railway Trust.

5. PUBLIC QUESTION TIME

5.1 Mr Pickup asked a question to the Leader in relation to the cuts proposed by LCC in relation to closing Libraries and Museums across the county along with reductions in other services. It was felt there was a serious conflict of interest in the dual-hatted role the Leader held and it was asked where her loyalties lie?

The Leader responded and clarified that Rossendale was where her loyalties laid and this has always been the case in her Borough and County capacity. When attending County, she attended with Rossendale as her focus and fights for this Borough.

In terms of the Leader's role within Lancashire County Council, it was noted that she was Vice Chair of Scrutiny and was also a member of the Budget Committee;

however it was made clear that such decisions referred to in Mr Pickups question would be made by a majority of the 84 County Councillors.

In relation to the term conflict, it was noted that the Leader had no financial gain or benefit by the proposals suggested at County, these were to be heavily consulted on and it was important to hear the views of the public.

- 5.2 Mr Rogers asked a question to the Leader in relation to the last Council Meeting in which the Leader agreed it was prior duty of all councillors to oversee the legitimate running of the borough's affairs in accordance with the Council's own Code of Corporate Governance. Following the report published on the Empty Homes Programme, it lacked competencies and disregarded the practice of the Code of Corporate Governance. Would there be any forthcoming resignations from this?

The Leader responded and clarified that the statement referring to members lacking competencies was incorrect, the report stated that members were 'mislead' and were not aware of the situation. It was also confirmed that the Leader, along with colleagues were looking at how to address aspect of the Empty Homes Scheme and were currently half way through the process.

- 5.3 Councillor Sandiford referred to the response to the LCC Audit Report on the Empty Home Scheme from Rossendale Borough Council. Who were the Council? Councillor Sandiford claimed she had not had sight of the proposals and had not agreed to them. Who was making the statements from Rossendale Borough Council?

The Leader responded and informed Councillor Sandiford that it was not common practice to ask all 36 councillors for permission when sending out a press release. It was confirmed it was a response from the organisation as a whole. The Chief Executive commissioned the report and its findings were accepted. It was also noted that the LCC Audit Findings of the Empty Home Scheme and the Council's response to this would be discussed in full at the Audit and Accounts Committee on 1st December, 2015 and then also at Full Council on 9th December, 2015.

- 5.4 Mr Atherton referred to the Asset Management Plan Update and asked what would be the difference in the structure in the council to monitor this.

The Leader responded and stated that following the Empty Homes Project outcome from the Internal Audit, it was important to be thorough and make relevant changes within the organisation, in order to revive and improve governance and controls around the work the Council did.

- 5.5 Mr Wood made a comment in relation to the Asset Management Plan Update around the Council taking control of rented properties –

The Leader accepted these comments.

- 5.6 A supplementary question was asked with regard to the recommendation that all future decisions be delegated to the Head of Service in consultation with the

Portfolio Holder. It was noted this was an issue raised within the LCC Audit Findings on the Empty Homes Project in that the previous Portfolio Holder was consulted in 2012. Concerns were raised that the Council could be going down the same route again in relation to decisions being made around assets.

The Leader confirmed that additional mechanisms were now in place, reports would be taken to Overview and Scrutiny and also ward members would be made aware of assets that were being sold. It was noted that it would be impractical for every decision taken to be brought to a meeting and that was the reason internal controls were in place and were done in a reasonable and timely manner.

- 5.7 Councillor Morris asked the Leader if the Council was going to become more transparent in risk monitoring and governance so the Council can avoid having these issues again and that all members are made aware of the decision made. It was also noted that members were not aware of any profit sharing in relation to RTB.

The Leader noted that in relation to transparency, the Council certainly would be as an organisation. With regard to RTB Partnership, it was confirmed that a briefing was conducted at the beginning when Barnfield was awarded the contract; however the Leader was happy to instigate a further update to members.

6. ASSET MANAGEMENT PLAN UPDATE

- 6.1 The Portfolio Holder for Resources and Performance introduced the report which sought member approval for the updated Asset Management Plan (AMP).
- 6.2 It was noted that the AMP was a policy document which set out the ways in which the Council used its assets, to the best advantage for the benefit of the Council and the Community. These assets would range from property and land to vehicles, plant and machinery and office equipment.
- 6.3 It was proposed that the document could be slightly more refreshed and it was suggested the list on page 11 of the report be amended to make it clearer that this was a list of historical examples.
- 6.4 Members were invited to comment on the report and the following comments were made:
- Thanks were made for including the gross budget figures.
 - It was welcomed that the Community Toilet Scheme had previously been included within the stake holder consultation.
 - Option of including assets on the Council's website

Resolved:

1. That the updated Asset Management Plan is approved.
2. That all future minor amendments to the Plan to be delegated to the Head of Finance in consultation with the Portfolio Holder.

Reason for Decision

To ensure the plan continues to be up to date.

Alternative Options Considered:

None

7. COSY HOMES IN LANCASHIRE

- 7.1 The Leader of the Council introduced the report which informed members of the progress being made on developing Cosy Homes in Lancashire (CHiL).
- 7.2 It was noted the CHiL scheme was a countywide energy efficiency and affordable warmth initiative. It offered an accessible and straightforward means of accessing grants from energy companies and other sources to fund new heating measures, insulation and renewable technologies in domestic properties.
- 7.3 It was noted that Rossendale Borough Council would be working in partnership with other councils and would not be leading on the project. The Leader confirmed the scheme would be overseen by a Programme Board with cross-authority representation, and run operationally by officers from Blackpool, Blackburn and Preston Councils. Regular updates would be provided to the Lancashire Leaders Group and also at the Lancashire Chief Finance Officers meeting.
- 7.4 The Leader provided additional information on the scheme and this was distributed to Cabinet members and also the wider public in attendance.
- 7.5 Members were invited to comment on the report and the following comments were made:-
- It was emphasised that promoting this scheme was paramount
 - Work would be locally sourced where possible
 - Regular updates to be provided to members and a briefing for members was scheduled for the 7th December.
 - It was noted that the scheme would be overseen by the Finance Officer and quality checks would be made between 10% and 15% of the properties.
 - One Stop Shop (OSS) would need to be aware of the scheme along with the Citizen's Advice Bureau (CAB)
 - Contradictory wording at 5.7 of the report to what had been outlined at committee in relation to achieving within Rossendale
 - Assurance of payback be provided to members
 - If park homes would be eligible for the scheme
 - Colleagues within the health profession to be used to assist promoting the scheme

Resolved:

1. That the Council's involvement with the Cosy Homes in Lancashire (CHiL) Programme is supported by members.
2. That the Contribution of £4,000 towards implementation of the scheme is approved.

Reason for Decision

To assist with implementation of the project.

Alternative Options Considered:

None

8. CYCLE ROUTES IN ROSSENDALE (PART OF EAST LANCASHIRE STRATEGIC CYCLE NETWORK)

- 8.1 The Leader of the Council introduced the report which updated members on Lancashire County Council's East Lancashire Strategic Cycleway Network within Rossendale.
- 8.2 It was noted that the key aspects of the report was to, inform members of where the scheme was up to and to approve the surrender of the Alderbottom Viaduct.
- 8.3 The Leader provided some background information to the scheme which was instigated and supported by the former Portfolio Holder for Regeneration and Leisure.
- 8.4 It was noted that at 5.5 of the report the initial figure of £1.7million to be invested within Rossendale in 2015/16 was over ambitious and was now anticipated to be c £700k being c £150k in design and c £550k in construction.
- 8.5 The Alderbottom Viaduct formed part of a long term lease to the East Lancashire Railway Trust (ELR) who had full responsibility for the viaduct's upkeep and maintenance, even though it had no relevance to the ELR's own operation. The ELR had indicated that as part of the development of the cycleway they would wish to return the responsibility for the viaduct to the Council. It was confirmed that following a structural inspection, the report stated the viaduct was in fair condition.
- 8.6 Any further information would be provided to members.
- 8.7 Members were invited to comment on the report and the following comments were made:-
- Thanks were passed to the Head of Finance for the work completed
 - If financial risks had been taken into account
 - Structure was sound for 25 years
 - Signage suggest to be provided for users
 - Water courses to be considered
 - The next part of the Valley of Stone would be progressing into Stubblee Park

Resolved:

1. That the contents of the report are noted.
2. That the surrender of the Alderbottom Viaduct to the Council by the East Lancashire Railway Trust/Company is approved.

Reason for Decision

To assist with implementation of the Valley of Stone Greenway and National Cycle Route 6.

Alternative Options Considered:

None

9. Q2 FINANCIAL MONITORING REPORT

- 9.1 The Portfolio Holder for Resources and Performance outlined the report which updated members on the latest revenue forecast for 2015/16, it was noted at the end of July, presented to the September Cabinet, indicated a full year budget surplus of £631k. At the end of September the projected surplus has dropped £135k to £496k, the main factors being the recovery of Council Tax and Benefit overpayments, pension fund top-up budget amendment along with Taxi Licensing (potential impact of policy changes), Empty Homes Scheme, Senior Management support and internal audit costs.
- 9.2 The Cabinet were informed that the current balance on the Transitional Reserve was £2,497k; therefore no further contributions were anticipated at this stage. Instead, any General Fund surplus resources were being directed into the Empty Homes Reserve.
- 9.3 The council tax collection projected out –turn was showing an overall surplus of £294k and the Council's share of this was £48k. It was noted that a further £242k of banding appeals was being predicted before the year end.
- 9.4 In terms of the MTFs, members were informed that the maximum annual deficit over the 5 year period was calculated to be £678k.
- 9.5 Members were invited to comment on the report and the following comments were made:-
- Tough settlement for local government
 - Good to provide figures to the residents of Rossendale
 - The final figure for the Empty Homes Scheme was missing
 - It was noted that the Business Directorate was projecting an underspend of £830k, it was asked if the budget could be looked at to reduce the underspend.
 - At the end of the year, an underspend of £500k was predicted
 - If the senior management structure would be communicated
 - Justification in paying contributions at the Museum

The Leader informed the committee that the Council was working closely with a partner to devise a plan to take the Council to a near zero contribution. This however would take time. The Leader also noted that the Leader and Deputy Leader of Lancaster City Council liked the model at the Whitaker and were looking to visit this in the near future.

Resolved:

1. That the report is noted.

Reason for Decision

To ensure robust monitoring of the Council's finances.

Alternative Options Considered

None

The meeting commenced at 6.30pm and closed at 7.45pm

_____ CHAIR _____ DATE