

**MINUTES OF: THE CABINET**

**Date of Meeting: Wednesday, 5<sup>th</sup> July 2006**

**PRESENT: Councillor Ruddick (in the Chair)  
Councillors Challinor, Driver, Farquharson, Graham and Ormerod**

**IN ATTENDANCE: Carolyn Wilkins, Chief Executive  
Helen Lockwood, Deputy Chief Executive  
George Graham, Executive Director of Resources  
Linda Fisher, Head of Legal and Democratic Services  
Lesley Noble, Head of Policy and Change Management  
Ilona Snow-Miller, Head of Community and Partnerships  
Heather Moore, Committee Services Manager**

**ALSO PRESENT: Councillors A. Barnes, D. Barnes, Entwistle, Lamb,  
Robertson, Morris and Sandiford  
2 Representatives from the Press**

---

---

**1. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**2. MINUTES**

**Resolved:**

That the Minutes of the meeting of the Cabinet held on 7 June 2006 be signed by the Chair as a correct record.

**3. URGENT ITEMS OF BUSINESS**

There were no urgent items of business to be considered at the meeting.

**4. DECLARATIONS OF INTEREST**

No declarations were made at the meeting.

**5. INSURANCE RENEWAL**

The Portfolio Holder for Finance and Risk Management presented the report of the Head of Financial Services which outlined proposals to appoint Zurich Municipal as the Council's main insurer for a further two years following the end of the current long term agreement in March 2007.

The Portfolio Holder for Finance and Risk Management recommended that Standing Orders be waived as there was no genuine competition. He informed the Cabinet of

the receipt of a written quotation from Zurich Municipal and that negotiations had taken place to obtain best value for money.

**Decisions Made:**

1. That standing orders be waived to allow Zurich Municipal to be appointed the Council's main insurer for a further two years following the end of the current long term agreement in March 2007.
2. That the Head of Financial Services be delegated to agree the final contractual terms.

**Reasons for Decisions:**

The Council must ensure that, having made an appropriate assessment of risk, adequate provision is in place for identifiable and insurable risks.

**Alternative Options Considered and Rejected:**

None.

**6. STATEMENT OF COMMUNITY INVOLVEMENT**

The Portfolio Holder for Regeneration presented the report of the Deputy Chief Executive which outlined the submission version of the Statement of Community Involvement and sought approval for it to be submitted to the Secretary of State.

The Portfolio Holder for Regeneration reported that the Statement of Community Involvement had been produced following full public consultation and details of representations received were appended to the report.

**Decisions Made:**

That the revised Statement of Community Involvement be approved for submission to the Secretary of State and followed by the statutory six weeks public consultation in accordance with Regulations 28 and 29 of the Town and Country Planning (Local Development) (England) Regulations 2004.

**Reasons for Decisions:**

The Statement of Community Involvement sets out the Council's policy for involving the local community and statutory consultees in the preparation of the Local Development Framework and details the requirements for consultation on planning applications.

**Alternative Options Considered and Rejected:**

None.

## **7. END OF YEAR BEST VALUE PERFORMANCE INFORMATION (BVPI) REPORT**

The Leader of the Council presented the report of the Head of Policy and Change Management which detailed the outturn of each of the Best Value Performance Indicators for the 12 month period ending in March 2006.

The Chair of the Audit and Performance Management Overview and Scrutiny Committee reported that members of that Committee had considered the report and accepted the levels of performance. The Committee would continue to monitor performance of those indicators that were significantly under-achieving target levels of performance and had agreed to receive future quarterly reports presenting performance information on an 'exception' basis. Further the Committee commended the following areas of improvement:

- BV2a Equality Standards for Local Government
- BV82a Percentage of household waste recycled
- BV82b Percentage of household waste composted
- BV157 E-government: e-enabled interactions
- BV170a Visits to/usage of museum
- BV170b Visits to museums in person
- BV170c Visits to museums & galleries by pupils in organised groups

### **Decisions Made:**

1. That performance of those indicators that are significantly under achieving targeted levels of performance be monitored and further information on this be requested from the relevant Head of Service.
2. That performance information on an exception basis be submitted quarterly to the Cabinet.

### **Reasons for Decisions:**

It is essential that the Council carefully monitors performance of under-performance throughout the year as this will enable corrective actions to be taken to improve where targets are not being achieved. Moving to an exception based system of performance monitoring will enable the Council to focus more clearly on areas of under performance in relation to targets.

### **Alternative Options Considered and Rejected:**

None.

## **8. INTERIM CIVIC FACILITIES AND LONGER TERM ACCOMMODATION STRATEGY**

The Portfolio Holder for Finance and Risk Management presented the report of the Executive Director of Resources which outlined proposals for the provision of interim civic facilities together with details of the objectives of a longer term accommodation strategy aimed at centralising the Council's accommodation on a single site.

In considering the report Members discussed access provision, site location and security arrangements.

### **Decisions Made:**

1. That approval be given to entering into a lease for the Mill Suite at Hardman's Mill on the terms set out in the confidential appendix to the report with agreement of the final terms being delegated to the Head of Legal and Democratic Services in consultation with the Portfolio Holder for Finance and Risk Management.
2. That Full Council be recommended to approve the allocation of £39,450 pa of unallocated capital resources for the next three years for capitalised building maintenance expenditure, together with one off capital expenditure of up to £25,000 for works and fitting out at Hardman's Mill.
3. That the virement of the resources freed through the capitalisation at 2 above, to meet the running costs of the interim civic facility at Hardman's Mill be approved.
4. That a Member Working Group comprising three Conservative and two Labour members be appointed to oversee the development of plans for a unified accommodation solution for the Council.

### **Reasons for Decisions:**

The current arrangements relating to the venues for meetings of the Council and Committees are unsatisfactory for members and for the public. The interim solution will provide a more appropriate setting for meetings and provide some other limited members' facilities. The creation of a Member Working Group will ensure that the wider Council can examine in detail the options available for a permanent accommodation solution.

### **Alternative Options Considered and Rejected:**

Old Methodist Chapel, Bacup Road, Cloughfold.

**9. EAST LANCASHIRE RAILWAY – HEYWOOD BRANCH  
DEED OF INDEMNITY AND INCREASED SUBSCRIPTION TO SUPPORT EAST  
LANCASHIRE RAILWAY PROJECTS**

The Portfolio Holder for Customer Services presented the joint report of the Head of Legal and Democratic Services and the Head of Community and Partnerships which outlined proposals to provide an Indemnity for the East Lancashire Railway Company together with a 12 month increase in subscriptions to the running of the East Lancashire Railway.

The report outlined that the East Lancashire Railway currently stored explosives in breach of a covenant with Network Rail. The Deed would indemnify the Company against all actions, costs, demands, claims and proceedings in the case of any breach of that covenant. In providing the Indemnity the Council would be liable as any insurance cover which the East Lancashire Railway Company held would not cover known risks.

The Head of Legal and Democratic Services reported that she was awaiting clarification from the Council's insurers in respect of the Council's position relating to cover.

**Decisions Made:**

1. That the purpose of the Deed of Indemnity be approved.
2. That the Head of Legal and Democratic Services be authorised to sign the agreed Deed of Indemnity for and on behalf of the Council.
3. That an additional £1500 of unbudgeted revenue spend for the railway be agreed.
4. That the benefits of the consultancy be monitored and brought back to members for consideration prior to any future years spend being agreed.

**Reasons for Decisions:**

The Deed of Indemnity will be necessary for the already planned new Lease and Underlease relating to the Railway Line and for the development and safety of the Railway operations. The contribution of £1500 will support the delivery of major projects for the Trust and the development of the Railway as a visitor attraction.

**Alternative Options Considered and Rejected:**

None.

## 10. DISPOSAL OF SURPLUS PROPERTIES – DECISION FRAMEWORK

The Portfolio Holder for Finance and Risk Management presented the report of the Executive Director of Resources which outlined a proposed process by which the Council could authorise the disposal of assets deemed surplus to its operational requirements.

In response to a question from a Member, the Executive Director of Resources reported that the process would provide clarity in the current decision making process to ensure both that the interests of the Council generally and the position of officers handling such transactions were protected.

### Decisions Made:

That Full Council be recommended to authorise the Head of Legal and Democratic Services to amend the Scheme of Delegation as set out below.

CATEGORY	DECISION MAKER
For assets valued up to £100,000 by the Council's Valuer	Executive Director and Resources (as the Corporate Property Officer) in consultation with the portfolio holder for Finance and Risk Management
For assets valued at over £100,000 by the Council's Valuer	The Cabinet
All acquisitions /disposals of land , buildings or other property interests where the Council's valuer values the property at less than £100,000	Head of Legal and Democratic Services in consultation with the relevant portfolio holder
To refuse requests for the purchase or lease of land or property vested in the Council on the grounds that disposal would not be in the interests of the Council	Head of Legal and Democratic Services in consultation with the relevant portfolio holder
All acquisitions /disposals of land , buildings or other property interests where the Council's valuer values the property at more than £100,000 but less than £250,000 and it is proposed to accept the highest bid and the highest bid matches or exceeds that of the Council's valuer.	Head of Legal and Democratic Services in consultation with the relevant portfolio holder
All acquisitions /disposals of land , buildings or other property interests where the Council's valuer values the property at more than £250,000 but less than 1 million and it is proposed to accept the highest bid and the highest bid matches or exceeds that of the Council's valuer.	The Cabinet

In all cases whatever the value where the buyer is either an elected member or a member of the Council staff .	The Cabinet
All disposals where the Council's valuer values the property at over £100,000 and it is proposed to accept either a bid other than the highest, or where the highest bid neither matches nor exceeds that of the Council's valuer	The Cabinet

**Reasons for Decisions:**

The process will provide clarity in relation to asset disposal and will reduce the Council's potential risk exposure.

**Alternative Options Considered and Rejected:**

None.

**11. ROSSENDALE PARTNERSHIP DELIVERY PLAN 2006-2008**

The Portfolio Holder for Customer Services presented the report of the Head of Community and Partnerships which provided an update on the revised Local Strategic Partnership (LSP) Delivery Plan for the forthcoming 3 years.

The Head of Community and Partnerships reported that in 2005/06 the LSP achieved 80% of its targets for that year. The actions of the 2006/07 delivery plan would build upon the previous years work and would strengthen the LSP as a partnership delivering improvements across the Borough.

**Decisions Made:**

That the Delivery Plan be noted.

**Reasons for Decisions:**

The delivery of the targets within the LSP Delivery Plans are key to the continued improvement of Rossendale as a place of choice to live, work, visit and invest.

**Alternative Options Considered and Rejected:**

None.

## **12. MEMBER DEVELOPMENT STRATEGY**

The Portfolio Holder for Human Resources and Member Development presented the report of the Head of Legal and Democratic Services which outlined the Member Development Strategy for 2006/07 and associated Action Plan.

The Cabinet, in considering the Strategy discussed the training and development programme in the context of those members that had served on the Council for some time in comparison with the support required for newly elected members and noted that the training programme should be designed to reflect that.

Councillor Sandiford informed the meeting that the Council were aiming to achieve the North West Charter for Member Development.

In response to a question by Councillor Sandiford, the Head of Legal and Democratic Services agreed that the Strategy would be amended to reflect that there was an expectation that a minimum of 5 occasions of training per annum would be undertaken by each councillor as opposed to 5 days of training per annum.

The Head of Legal and Democratic Services reported that Personal Development Plans would be offered to all elected members to identify individual training and development needs.

### **Decisions Made:**

That Full Council be recommended to adopt the Member Development Strategy for 2006/07 and associated Action Plan 2006/07.

### **Reasons for Decisions:**

Adoption of the Strategy will provide Members with an opportunity to develop the necessary skills and knowledge to deliver the Council's corporate improvement priorities for the benefit of local constituents.

### **Alternative Options Considered and Rejected:**

Not to adopt the Strategy:- Failure to adopt a Strategy would undermine the good work undertaken so far, to build the capacity of elected members and could reduce the effectiveness of the Council's political governance arrangements.

**(The meeting commenced at 6.30pm and closed at 7.35pm)**