

MINUTES OF: THE CABINET

Date of Meeting: Wednesday, 12th December 2007

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

**IN ATTENDANCE: Carolyn Wilkins, Chief Executive
Helen Lockwood, Deputy Chief Executive
George Graham, Executive Director of Resources
Linda Fisher, Executive Director of Regulatory Services
Phil Seddon, Head of Finance
Lesley Noble, Head of Policy and Performance Management
Andrew Buckle, Head of Customer Services and E-Government
Stephen Stray, Senior Planning Officer, Forward Planning
Caroline Ridge, Assistant Planner, Forward Planning
Bill Lawley, Interim Legal and Democratic Services Manager
Heather Moore, Committee and Member Services Manager**

**ALSO PRESENT: Councillors A. Barnes, Crawforth, Farrington, Hewlett,
Pilling, Robertson, Sandiford and Swain
4 members of the public
2 Representatives from the Press**

1. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Tickner.

2. MINUTES

Resolved:

That the Minutes of the meeting of the Cabinet held on 14th November 2007 be signed by the Chair as a correct record.

3. URGENT ITEM OF BUSINESS

The Leader of the Council reported that there were two urgent items of business. The first was an item relating to concessionary fares. The matter was considered urgent as the Leader of the Council would be required to express a formal view on behalf of the Council during the negotiation process. The second urgent item was on the Local Government Finance Settlement 2008/09 – 2010/11 which was considered urgent as the Government's announcement on the 6th December had implications on the Council's Medium Term Financial Strategy.

4. DECLARATIONS OF INTEREST

Councillors Challinor and Robertson declared a personal interest in Minute Number 12 (Marl Pits – Sport Village Proposals) by virtue that they served as Directors on Rossendale Leisure Trust. Councillors Essex and Robertson declared an interest in Minute 18 by virtue of their appointments as Directors of Rossendale Transport.

5. HACKNEY CARRIAGE AND PRIVATE HIRE ANNUAL DRIVERS LICENCE FEES

The Leader of the Council reported that the Cabinet decision on hackney carriage and private hire annual drivers licence fees had been called in by three elected members. The Performance Scrutiny Committee had met and resolved to defer the meeting to enable those members of the Performance Scrutiny Committee who had a personal and prejudicial interest to apply in writing to the Standards Committee for a dispensation to enable them to take part in the meeting. The Leader of the Council reported that the Standards Committee would meet on 7th January 2008 to consider granting dispensation. The Performance Scrutiny Committee would meet on 8th January 2008.

6. PUBLIC QUESTION TIME

In response to a request from a member of the public for progress updates on the Local Development Framework, the Master Plan and Local Area Action Plans, the Executive Director of Regulatory Services reported that consultation would be commencing on the Allocation Development Plan Document and this would inform the Core Strategy Preferred Options which it was proposed would be considered by the Council in March 2008. The document was likely to be submitted to the Secretary of State in June 2008. In terms of the Area Action Plans, the Executive Director of Regulatory Services indicated that advice from the Planning Inspector was to submit only one document at a time and others thereafter. She highlighted that the Local Development Framework would be continually reviewed and interim policies and supplementary planning documents were being introduced to support the Council's decision making processes. The Executive Director of Regulatory Services agreed to forward a copy of the Local Development Scheme to the member of the public.

7. ENVIRONMENTAL POLICY

Councillor Driver, Portfolio Holder for a Clean and Green Rossendale presented the report of the Head of Street Scene and Neighbourhood Services which set out proposals for consultation on the draft Environmental Policy.

The Portfolio Holder reported that the objectives of the Policy were in accordance with the Institute of Environmental Management and Assessment (IEMA) Acorn Scheme which offered accredited recognition for organisations that monitored, evaluated and improved their environmental performance.

Decision Made:

That the draft Policy be approved for the purpose of encouraging consultation during development of the first phases of the Acorn Scheme.

Reason for Decision:

The Policy supports the Council's commitment in promoting, protecting and improving the environment in Rossendale.

Alternative Options Considered and Rejected:

None.

8. ENVIRONMENTAL HEALTH AIR QUALITY POLICY

Councillor Driver, Portfolio Holder for a Clean and Green Rossendale presented the report of the Head of Street Scene and Neighbourhood Services which set out the Council's policy in relation air quality.

The Portfolio Holder reported that the intention of the Policy was to ensure the protection of people from existing sources of air pollution and to take action to reduce the likelihood of exceeding permitted levels of air pollution

Decision Made:

That the Policy be approved.

Reason for Decision:

Air quality is a fundamental detriment of people's health and by adopting the Policy the Council will be making a valuable contribution towards the achievement of its corporate priorities.

Alternative Options Considered and Rejected:

None.

9. INTERIM HOUSING POLICY STATEMENT

Councillor Challinor, Portfolio Holder for Regenerating and Promoting Rossendale presented the report of the Executive Director of Regulatory Services which outlined proposals to adopt a revised Interim Housing Policy Statement for development control purposes.

The Portfolio Holder reported that the policy had been amended in light of the representations received from the January consultations.

It was noted that the revised interim housing Policy Statement was a combination of the Interim housing Position Statement and the Affordable Housing Position Statement which were approved by the Cabinet on 24th January 2007.

The Leader of the Council referred to a question which had been raised in the House of Lords regarding housing planning permission. The Executive Director of Regulatory Services indicated that the Council had to work within the guidance issued by the Government.

Decision Made:

The Council:

1. Agrees to adopt the Interim Housing Policy Statement and that it be applied to all applications received after 19th December 2007.
2. Agrees that for Development Control purposes, the revised Preferred Options Rawtenstall Area Action Plan be amended and that it be acknowledged that the housing contributions it proposes will contribute towards overall housing supply within the Borough.

Reason for Decision:

The Interim Housing Policy Statement seeks to achieve a balanced approach that takes into account the concerns regarding oversupply of housing in the Borough, but also regeneration priorities and the delivery of affordable housing.

Alternative Options Considered and Rejected:

None.

10. ROSSENDALE HOUSING NEEDS AND MARKET ASSESSMENT UPDATE 2007

Councillor Challinor, Portfolio Holder for Regenerating and Promoting Rossendale presented the report of the Head of Regeneration which detailed the outcomes from the update report to the Housing Needs and Market Assessment.

The Portfolio Holder highlighted that the report provided an update on the strategic context, specifically in relation to the North West Regional Housing Strategy, Regional Spatial Strategy together with updates for the evidence base on affordable requirements and policy guidance on delivering additional affordable housing.

The Portfolio Holder for a Well Managed Council suggested that the information could be useful in the context of a Member Development Session.

Decision Made:

1. That the report be noted.

2. That it be agreed that the information forms part of the evidence base for the emerging Core Strategy and Interim Housing Policy.

Reason for Decision:

The Housing Needs and Market Assessment update provides valuable information to enable the Council to deliver appropriate levels of affordable housing in the Borough.

Alternative Options Considered and Rejected:

None.

11. AMENDMENTS TO CURRENT SCHEME OF DELEGATION FOR PLANNING AND CALL-IN

The Leader of the Council reported that the item had been withdrawn from the Agenda at the request of the Portfolio Holder to enable further discussions to take place.

12. LOCAL HOUSING ALLOWANCE SAFEGUARD POLICY

The Cabinet considered the report of the Head of Customer Services and E-Government which outlined details of the Local Housing Allowance Safeguard Policy.

The Head of Customer Services and E-Government reported that all authorities were required to introduce the Local Housing Allowance from April 2008 for new customers and those who had a change i.e. a break in entitlement or change of address. The Safeguard Policy set out the principles to be applied by Council Officers when making decisions.

Decision Made:

That it be noted that the introduction of Local Housing Allowance is mandatory legislation.

Reason for Decision:

The Council has a duty to protect the welfare of vulnerable tenants.

Alternative Options Considered and Rejected:

None.

13. MARL PITS – SPORT VILLAGE PROPOSALS

The Leader of the Council presented the report of the Chief Executive which outlined proposals currently being developed for a Sport Village at Marl Pits.

The Leader of the Council reported that the Council had been approached by Robson Lloyd, a specialist consultancy to enter into discussions concerning the redevelopment of Marl Pits Sports Complex. The approach had come via Rossendale Leisure Trust who facilitate the Sports and Physical Activity Alliance which operates as part of the Local Strategic Partnership.

The Leader of the Council indicated that the development of Marl Pits Sports Grounds had been identified by Robson Lloyd as an ideal opportunity to develop a second pilot project in the UK.

Decision Made:

That Rossendale Borough Council support further development of the proposal for a Sport Village at Marl Pits and request a further report be brought to a future meeting.

Reason for Decision:

The Council are being asked to indicate their support for the project at this stage, in order that further work may take place a project proposal be developed.

Alternative Options Considered and Rejected:

None.

**14. LAND FRONTING COWM PARK WAY SOUTH, WHITWORTH.
REDEVELOPMENT OF BROOKVILLE SITE**

Councillor Essex, Portfolio Holder for a Well Managed Council presented the report of the Head of Finance which outlined proposals to dispose of land to Greenvale Homes Limited.

The Portfolio Holder reported that the disposal would be at a figure less than the best consideration reasonably obtainable however would support Greenvale Homes in the redevelopment of the site for extra care housing.

Decision Made:

That the Cabinet approves the disposal of the land to Greenvale Homes Limited at a nominal consideration of £1, the purchasers to bear the Council's legal costs and surveyors fees in this matter, and with further conditions relating to protecting the Council's financial interests to be agreed by the Council's Property Services Manager.

Reason for Decision:

The Council has supported the scheme for the redevelopment of Brookville as it delivers progress on various housing strategy objectives.

Alternative Options Considered and Rejected:

None.

15. REGULAR ARMED FORCES – LEISURE ACCESS

Councillor Graham, Portfolio Holder for Improving Health and Well-Being presented the report of the Head of Finance which outlined proposals for free access to leisure facilities, managed by the two leisure trusts, for members of the three regular armed services and their immediate families.

Councillor A. Barnes suggested that the Cabinet consider other public sector workers and offer leisure services at a reduced cost to them.

Decision Made:

That Cabinet approves the principle of free access to leisure (to members of the regular armed services registered on the Rossendale Electoral register and their immediate families) as set out in the report and that implementation and the specific detail in administering the scheme be delegated to the Head of Finance in consultation with the Portfolio Holder for Improving Health and Well-Being.

Reason for Decision:

The Council seeks to recognise the unique value and sacrifice that members of the regular armed services and their families bring to both Rossendale and Britain.

Alternative Options Considered and Rejected:

None.

16. BUDGET CONSULTATION PROPOSALS

The Leader of the Council presented proposals on which the budget consultation process would commence. He reported that there was support from Elected Members to continue with the current priorities of the Council and the focus of the consultation would be "Pride in Rossendale".

The Leader of the Council outlined the current ongoing projects and he indicated that feedback through the budget consultation process was required on a number of ideas to improve Rossendale's towns and villages as set out below.

- Pride in Rossendale's Environment through improved floral displays, improved maintenance of gateway sites and working with Neighbourhood Forums to improve street furniture
- Pride in Rossendale's Service People through providing free access to leisure facilities for the families of regular service people living in Rossendale, support for a memorial for local service people who have lost their lives since

World War II and improvements to the maintenance regime for war memorials and memorial gardens

- Maintaining Pride in Rossendale's Quality of Life through developing joined up enforcement to common standards across the Council, review by laws including parks and authorising Police and Community Support Officers to issue fixed penalties for environmental crime on our behalf, continuing to improve our leisure facilities
- A renewed sense of Civic Pride in Rossendale through work with the Mayor to celebrate the work of the volunteers who add so much to our community, elections more to ensure that more people, particularly young people use their right to vote, to bring forward detailed proposals for a single site civic centre and to continue to work with Young People to develop and deliver services to meet their needs
- Pride in Value for Money through continuing to drive out efficiencies particularly through continuing to invest in IT to automate what we do

17. LOCAL GOVERNMENT FINANCE SETTLEMENT 2008/09 – 2010/11

Councillor Essex, Portfolio Holder for a Well Managed Council presented the report of the Head of Finance which outlined the results of the Local Government Settlement announced on 6th December and set out the implications for the Council's Medium Term Financial Strategy.

The Portfolio Holder reported that the Government had announced a three year settlement which would allow the Council to plan ahead to a greater degree than previously. He indicated that the settlement was disappointing as Rossendale's increase in grant was less than the average of both our Lancashire neighbours and of all shire districts and the cash increase was the lowest of any Lancashire district.

Decision Made:

1. That the contents of the report and the potential implications for future years' budgets be noted.
2. That the Executive Team and Head of Finance be requested to bring forward specific strategies for addressing the issues for future years within the revision of the Medium Term Financial Strategy.

Reason for Decision:

The Council will need to look at both existing savings targets and at opportunities in the context of the Medium Term Financial Strategy to plan for the challenges that the settlement poses.

Alternative Options Considered and Rejected:

None.

18. CONCESSIONARY FARES SCHEME FROM APRIL 2008 – LANCASHIRE WIDE NEGOTIATIONS

Councillor Essex, Portfolio Holder for a Well Managed Council presented the report of the Head of Finance which sought the Cabinet's approval to a negotiating stance in county wide discussions which will take place in relation to changes to the concessionary fares scheme prior to a final decision being made at the budget meeting of Council in February 2008.

The Portfolio Holder reported that the scheme was currently administered by Lancashire County Council on behalf of the 14 Travel Concession Authorities in Lancashire and the view of the County Council's Cabinet was that they would only continue to administer the scheme from April 2008 if there was a single scheme for the whole of Lancashire with all costs being pooled. It was noted that this could only happen if all 14 Travel Concession Authorities agreed to it. The Portfolio Holder reported that counsel's opinion was being sought on whether authorities could pool their costs in this way.

The Executive Director of Resources reported on a number of options in terms of administration of the scheme.

The Cabinet considered that there was insufficient information available to them to enable a decision to be made on the pooling of costs.

Decision Made:

1. That the Cabinet authorise the Chief Executive in consultation with the Leader of the Council, Portfolio Holder for a Well Managed Council and the Leader of the Labour Group (as formal opposition) to determine whether or not to participate in a pooling arrangement for concessionary fares based on the best financial interests of the Council.
2. That the Cabinet authorise the Chief Executive to support the consensus position on the April 2008 concessionary fares scheme supporting the removal of pre 9.30am travel and the inclusion of community transport services, subject to a formal decision as part of the budget, to be determined by the Council.
3. That the inclusion of the Blackpool Tramway and Knott End Ferry in the scheme be not approved.

Reason for Decision:

The area of concessionary fares presents significant risks for the Council and it is important that negotiating flexibility is maintained.

Alternative Options Considered and Rejected:

None.

19. FINANCIAL MONITORING REPORT

Councillor Essex, Portfolio Holder for a Well Managed Council, presented the report of the Head of Finance which provided an update on the General Fund estimates for 2007/08, the Capital Programme and Treasury matters.

The Portfolio Holder reported that there had been some slippage in terms of capital. The disposal programme had targeted £750k to be received by Christmas, though this now would not be achieved. He informed the Cabinet that officers were holding regular meetings to ensure that the overall target is achieved.

The Portfolio Holder further reported that officers were currently estimating the cost of repair work to the Rochdale Road, Bacup car park which would require additional capital resources to make good the damage caused by the collapse of the retaining wall.

The Portfolio Holder informed the Cabinet that the air handling unit at Haslingden Swimming Pool required replacement in order to protect the fabric of the building and capital expenditure in the region of £25k was required.

In respect of revenue expenditure a net favourable variance of £48k was forecast.

In respect of treasury management there was a current favourable variance on capital financing of £215k.

Decision Made:

1. That the report be noted.
2. That the capital expenditure set out in 4.1.8 of the report for the air handling unit at Haslingden Swimming Pool be approved.

Reason for Decision:

The replacement of the air handling unit at Haslingden Swimming Pool will protect the fabric of the building.

Alternative Options Considered and Rejected:

None.

20. QUARTER 2 – BVPI, LAA AND CORPORATE PLAN PERFORMANCE REPORT

Councillor Essex, Portfolio Holder for a Well Managed Council presented the report of the Head of Policy and Performance Management which outlined details of the Council's performance in relation to Best Value Performance Indicators (BVPI), Local Area Agreement (LAA) targets and Corporate Plan targets.

The Portfolio Holder highlighted that the Council had been short listed for the Award of Most Improved Council in England. He highlighted areas of improved performance for the consideration of the Cabinet.

The Head of Policy and Performance Management reported that performance management in relation to BVPIs was well embedded throughout the Council. She outlined progress of the corporate plan actions and out of the five which were due, only one was showing amber status.

The Head of Policy and Performance Management further reported that at the end of the financial year BVPI's were being replaced by a national set of indicators. It was proposed to retain some BVPIs and each Head of Service was being asked to put forward a business case for those which did not provide good management information. The Performance Scrutiny Committee would decide whether to delete indicators based on the information put forward by the Head of Service.

Decision Made:

1. That the report be noted.
2. The Cabinet continues to monitor performance of those indicators that are under achieving targeted levels of performance.

Reason for Decision:

It is important that Cabinet considers the levels of performance to ensure that targets are achieved.

Alternative Options Considered and Rejected:

None.

The meeting commenced at 6.30pm and closed at 8.35pm