

MINUTES OF: THE CABINET

Date of Meeting: Wednesday, 22nd October 2008

**PRESENT: Councillor Swain (in the Chair)
Councillors Challinor, Essex, Graham, and Smith.**

**IN ATTENDANCE: Carolyn Wilkins, Chief Executive
Linda Fisher, Executive Director – Business
Andrew Buckle, Head of Customer Services and ICT
Steve Jackson, Head of Regeneration
Phil Seddon, Head of Finance
Nick Molyneux, Communications Manager
Carolyn Sharples, Committee and Member Services Officer**

**ALSO PRESENT: Councillors A.Barnes, Cheetham, Crawforth, Driver, Evans,
Farrington, Gledhill, Lamb, Morris, C.Pilling, J.Pilling,
Robertson, Sandiford, Stansfield and Thorne.
Linda Forrest, Fight Against Fluoridation, Blackburn,
Hyndburn and Ribble Valley and National Pure Water
Association.
2 members of the public
2 members of the press**

1. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor P Steen.

2. MINUTES

Resolved:

That the Minutes of the meeting of the Cabinet held on 10th September 2008 be signed by the Chair as a correct record.

3. URGENT ITEM OF BUSINESS

The Leader of the Council reported that there was one urgent item of business on the Proposed De-Registration of Common Land at Reaps Moss, Bacup. The reason for urgency was a response deadline and the item would be taken prior to the confidential items.

4. DECLARATIONS OF INTEREST

No declarations of interest were made.

5. PUBLIC QUESTION TIME

Members of the public raised questions and points to which the Leader of the Council responded:

- Why was fluoridation on the agenda?
- Objectives and intentions for Baltic House.
- Changes in the housing market and the effects.
- Financial breakdown of the Free Swimming Programme.
- Effectiveness of Lancashire Locals.
- Was the Senior Officer re-structure a Rossendale Borough Council decision or had it come from Central Government?

6. FLUORIDATION - PRESENTATION

Linda Forrest, Chairperson of Fight Against Fluoridation, Blackburn, Hyndburn and Ribble Valley and Member of the National Pure Water Association delivered a presentation on the Case Against Fluoridation. As part of the presentation the following topics were covered:

- What is fluoridation?
- Ethical issues
- Legal issues
- Potential harmful effects and risks
- Effectiveness – costs and quality of research
- Trends of dental caries
- Visible signs of fluorosis
- Environmental issues
- Decision making

In considering the presentation, Members identified the following issues to which the leader of the Council and Ms Forrest responded:

- Individual circumstances must be considered
- Lack of research undertaken in dental health
- Taking responsibility for your own health
- Money would be better spent educating parents to reduce obesity and improve dental health
- Cost of consultation
- Shortages of dentists in the Valley
- Mass medication
- Public consultation and debate
- Issue for Overview and Scrutiny debate
- Concerns over the teeth of the next generation

The Leader of the Council informed the meeting that health was the topic for debate at the next Full Council and there would be opportunity for fluoridation to be discussed and debated further at this meeting. The Leader also confirmed that the views of the Cabinet expressed at the previous meeting against fluoridation remained the same.

In response to a question on the condition of children's teeth at ages 5 and 11, Ms Forrest confirmed that the Primary Care Trust use 5 year olds teeth to report on as these are declining figures, whilst the condition of children's teeth by the age of 11 are within government guidelines.

The Leader of the Council thanked Linda Forrest for her attendance and presentation.

7. ROSSENDALE ENERGY EFFICIENCY GRANT SCHEME – Be a Rossendale Saver - BeARS

The Portfolio Holder for Regeneration and Leisure presented the report of the Head of Regeneration, which detailed the Rossendale Energy Efficiency Grant Scheme. He informed the meeting that the Council was promoting energy efficiency schemes and needed to keep members of the public informed through promotional activities. This would also include working with Greenvale Homes and private landlords.

In considering the report, Members identified the following issues to which the Portfolio Holder for Regeneration and Leisure and Head of Regeneration responded:

- Energy companies contributing towards the scheme and performance updates
- Energy prices increasing, many will struggle to pay bills
- Work going on to help people e.g. Haslingden Credit Union
- Energy Champion who can advise on energy efficiency?
- Promoting the energy advice service
- Staffing arrangements for the scheme
- Number of schemes?
- How does the scheme relate to additional money from government for energy efficiencies?
- Work on marketing and promotion
- Help for people with incomes less than £15,000 regardless of benefit status
- Scheme will be able to inform of how many people are on low incomes

Decision Made:

1. To approve the establishment of the 'BeARS – Be A Rossendale Saver' project; a Council recommended home Energy Efficiency Scheme run in partnership with Rossendale's LSP Health and Wellbeing Thematic.

2. To authorise the Strategic Housing and Partnerships Manager to undertake all necessary actions to establish, market and deliver this programme on behalf of the Council and the LSP Health and Wellbeing Thematic.
3. To delegate authority to the Executive Director - Business to sign a Memorandum of Understanding between Rossendale Borough Council and Home Carbon Savers who will deliver the project.
4. That the £40,000 funding allocation from the LSP Health and Wellbeing Thematic be identified as rolling funding over the next three years to be allocated to and managed through the Housing Capital Programme Budget.

Reason for Decision:

The proposed scheme would provide a recommended and approved way for allowing all residents the opportunity to access energy efficiency grants. It would also contribute positively to several performance monitoring indicators locally and regionally that the Council currently measures against including the Local Area Agreement Indicator NI 187 Reducing Fuel Poverty.

Alternative Options Considered and Rejected:

None.

8. BALTIC BRIDGE REGENERATION REPORT

Councillor Challinor, Portfolio Holder for Regeneration and Leisure presented the report of the Head of Regeneration, which detailed regeneration proposals for Waterfoot. The Portfolio Holder informed the meeting that the proposals had been widely consulted on with both residents and businesses. It was evident from the consultations that a further programme of measures for the regeneration of Waterfoot Town Centre were required, which included working in partnership with Greenvale Homes to support and assist in the regeneration of Waterfoot Town Centre.

In considering the report, Members identified the following issues to which the Portfolio Holder for Regeneration and Leisure and Head of Regeneration responded:

- More control over new proposals
- Implications of Baltic House remaining vacant
- Clarification on option 2 and feasibility
- Clarification on Bridge End House, not Baltic House
- Scheme rejected a long time ago
- Number of options available
- Consultations went wider
- Waterfoot improvements, for example, playground improvements
- Sale of Neighbourhood Office
- Varied shops in Waterfoot

- Importance of working with Greenvale to improve Mytholme House

Decision Made:

Option 2 - That following the consideration of feedback from the public consultation exercise, the Baltic Bridge scheme be not proceeded with and option 2 as set out in the report be pursued.

Reason for Decision:

A thorough consultation exercise has been undertaken that has raised a number of issues and concerns around the original proposed concept, which need to be taken into account when reaching a decision.

The feasibility study has demonstrated that there is much support for some regeneration measures within Waterfoot aimed at revitalising the town centre.

Alternative Options Considered and Rejected:

None.

9. ROSSENDALE STRATEGIC HOUSING MARKET ASSESSMENT

Councillor Challinor, Portfolio Holder for Regeneration and Leisure presented the report of the Head of Regeneration, which detailed the Rossendale Strategic Housing Market Assessment. The Portfolio Holder informed Members that the Rossendale Strategic Housing Market Assessment fed into the Development Plan Document to inform where social/affordable housing would be developed.

In considering the report, Members identified the following issues:

- The next stage
- Look at Rossendale's needs as a whole
- Clear guidelines for Officers
- Monitoring and updating as required
- Useful for determining planning applications
- Demand for affordable housing
- Working with Greenvale Homes
- Evidence base for planning decisions

Decision Made:

That the Rossendale Strategic Housing Market Assessment (SHMA) be approved.

Reason for Decision:

The Strategic Housing Market Assessment provides the Council with a robust evidence base on which to base its planning policies and decisions. The report

provides some significant challenges for the Borough in meeting the future housing requirements of the communities of Rossendale.

Alternative Options Considered and Rejected:

None.

10. IMPLEMENTATION OF DISASTER RECOVERY / GOVERNMENT CONNECT

Councillor Smith, Portfolio Holder for Customer Services presented the report of the Head of Customer Services and ICT, which detailed the implementation of Disaster Recovery/Government Connect. This would be mandatory for authorities transmitting confidential data. The Portfolio Holder informed Members that failure to meet the Code of Connection (CoCo) would result in the authority being unable to process benefits. The project would be funded completely through revenue savings made on software licenses. The IT Department were congratulated for their work in indentifying where savings could be made.

In considering the report, Members identified the following issues to which the Head of Customer Services and ICT responded:

- Contingency if the project runs over budget
- How project costs were calculated
- Improvements in the quality of technology

Decision Made:

1. That Rossendale implement the enhanced Disaster Recovery requirements that are required to meet Government Connect through the most cost effective solution available to the Council.
2. That the solution be funded through revenue savings generated by the rationalisation of ICT software licenses. Further savings to be generated through the realisation of the benefits accrued by the ICT strategy.

Reason for Decision:

Government Connect is mandatory and Rossendale has to implement the enhanced disaster recovery that is required for Government Connect. Failure to do this will result in the Authority being unable to perform its statutory services such as Revenues, Benefits and also not being able to submit its performance management information required by the Local Area Agreement.

Alternative Options Considered and Rejected:

None.

11. FREE SWIMMING PROGRAMME

Councillor Graham, Portfolio Holder for Communities and Neighbourhoods presented the report of the Deputy Chief Executive on the Free Swimming Programme. She asked the Cabinet to consider a response to the Government's Free Swimming programme and the options available. The government funding would not cover the full cost of the 2 year project and additional funding would be required from the Council.

In considering the report, Members identified the following issues to which the Portfolio Holder and Leader of the Council responded:

- Well intentioned initiative but not enough funding to support
- Invest in schemes over the summer holidays for free swimming
- Pool capacity issue in Rossendale
- Surrounding Boroughs have enhanced funding for providing free swimming
- Have the Leisure Trust explored other schemes to offset costs?
- Swimming benefits for children
- Partnership with the County Council for children unable to swim
- Contributes towards Local Area Agreement targets
- Extending opening hours
- Monitoring issues
- Meeting national and local opportunities
- Healthy lifestyles
- Sauna for over 60's
- Fun pools available in other Boroughs
- Benefits for families with children under 16

Decision Made:

That the Free Swimming Programme government initiative be not proceeded with as there would be a significant financial shortfall as detailed in section 5 of the report but swimming related projects be explored and developed utilising existing health funding.

Reason for Decision:

There are uncertainties in relation to the costs as detailed in section 5 of the report and the funding shortfall is significant.

Alternative Options Considered and Rejected:

None.

12. ROSSENDALE ALIVE NEWSLETTER DISTRIBUTION

Councillor Essex, Portfolio Holder for Finance and Resources presented the report of the Head of People and Policy on the Rossendale Alive Newsletter Distribution. The report identified service improvements and savings as a result of the changes.

In considering the report, Members identified the following issues to which the Portfolio Holder for Finance and Resources and Communications Manager responded:

- Cheaper than previous arrangements
- Delivered to more people in the Borough
- Feedback on the Rossendale Alive publication
- Quality and timeliness
- Production costs

Decision Made:

That the new proposals for newsletter distribution using a combination of Royal Mail full sector coverage delivery to 28,313 households and Direct Mail postal copies to 1,988 households be approved. This will be arranged with the Royal Mail through a national distribution agency on the Council's behalf.

Reason for Decision:

The increased level of distribution, greater accountability and small cost saving to be achieved outweigh the existing arrangements and will help achieve the Council's communication and customer service objectives.

Alternative Options Considered and Rejected:

None.

13. LANCASHIRE LOCAL ROSSENDALE - CONSULTATION

Councillor Essex, Portfolio Holder for Finance and Resources presented the Lancashire Local Rossendale – Consultation report. He informed Members that greater delegation on highways matters would be welcomed, and he requested Members comments on the consultation.

In considering the report, Members discussed the following issues:

- More authority to people making decisions
- Difficulty getting items on the agenda
- Need Lancashire County Councillors to attend Neighbourhood Forums
- Need for better working arrangements and better delegation of finances
- Duplication of work

- Rossendale Borough Council to assert itself more through the Lancashire Locals

Decision Made:

That the comments made at the meeting be conveyed in the response to the County Council.

Reason for Decision:

It is important to consider the proposed amendments to the Constitution of Lancashire Local Rossendale as they provide an opportunity for joint working in relation to delivery of local government services.

Alternative Options Considered and Rejected:

None.

14. UPDATE – REQUESTS FOR EVENTS ON COUNCIL LAND

Councillor Graham, Portfolio Holder for Communities and Neighbourhoods provided an update on requests for events on Council land. She informed the Cabinet that there was no written policy at present and the Cabinet was requested to agree the draft in preparation for Bonfire Night.

In considering the report, Members identified the following issues to which the Executive Director – Business responded:

- Informative guidelines
- Gives clarity to community groups
- Notification timeframe and flexibility
- Insurance companies and their conditions
- Councillor involvement with signposting community groups to help
- Community event funding
- Marl Pits event

The Executive Director – Business confirmed that comments on notification timescales and flexibility would be built into the draft report.

Decision Made:

That the basic principles of the draft Bonfires, Fireworks and Events on Council Land Policy be adopted for immediate implementation.

Reason for Decision:

The Council has a duty to ensure that land owned, managed or maintained by them is used responsibly and is used in a manner which is authorised by the Council.

Alternative Options Considered and Rejected:

None.

15. FINANCIAL MONITORING

Councillor Essex, Portfolio Holder for Finance and Resources presented the report of the Head of Finance which provided an update on the General Fund estimates monitoring for 2008/09, the Capital Programme and Treasury matters. He informed members that spend was within 98% and there was a projected under spend, Capital receipts were down and these would be need to reviewed in light of reduced capital income. Regarding Treasury Management it was reported that there were no investments in Icelandic Banks.

In considering the report, Members identified the following issues to which the Portfolio Holder for Finance and Resources and Head of Finance responded:

- Re-possession and help schemes
- Sundry Debts part of housing rate or business rate?
- Length of time to pay invoices
- Small businesses and cash flow
- Keeping members informed of changing indicators, for example, increase in applications for benefits, or Council Tax debts
- Supporting residents
- Publicising payment terms

Decision Made:

1. That the contents of the report be noted.
2. That the additional use of the Change Management Reserve and the Health and Wellbeing Projects Reserves as detailed in 4.4.1 of the report be approved.

Reason for Decision:

The decision contributes to the Council's priority of being a Well Managed Council.

Alternative Options Considered and Rejected:

None.

16. PROPOSED DE-REGISTRATION OF COMMON LAND REAPS MOSS, BACUP

The Executive Director – Business presented a report detailing the proposed de-registration of common land at Reaps Moss, Bacup. A response to the application

was required by 10th November 2008. The Cabinet were requested to support an objection since the proposed wind farm had been rejected by the Development Control Committee in November 2007.

In considering the report, Members identified the following issues to which the Executive Director – Business responded:

- Clarification on the proportion of land to be replaced within the Rossendale boundary
- Wind farm objection

Decision Made:

That Cabinet authorise Officers to lodge an objection/representation to the proposed de-registration and exchange of common land for the reasons set out in the concluding Paragraph of Section 4 of the report.

Reason for Decision:

To support the decision made by the Development Control Committee in November 2007 to protect a site of public interest and to confirm that Rossendale Borough Council object for reasons outlined within the report regarding de-registration and exchange of common land in the concluding Paragraph of Section 4.

Alternative Options Considered and Rejected:

None.

17. EXCLUSION OF THE PUBLIC AND PRESS

Decision Made and Reason for Decision:

That the public and press be excluded from the meeting during consideration of the following items of business on the grounds that they involve disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) under Part 1 Paragraph 3 of Schedule 12A to the Local Government Act 1972 and information which is subject to any obligation of confidentiality as defined in Part 1 Paragraph 8 of Schedule 12A to the Local Government Act 1972.

18. COMPULSORY PURCHASE ORDER – 1 VACANT PROPERTY BLACKBURN ROAD, HASLINGDEN

The Cabinet considered the report of the Head of Regeneration which detailed the proposed arrangements for compulsory purchase order concerning a vacant property on Blackburn Road, Haslingden.

Decision Made:

That the recommendations as set out in the report be agreed.

Reason for Decision:

The use of Compulsory Purchase powers is the only remaining option to bring this property back into use as all other options have been exhausted.

Alternative Options Considered and Rejected:

None.

19. INFORMATION COMMUNICATION TECHNOLOGY (ICT) INFRASTRUCTURE INCLUDING DISASTER RECOVERY

The Cabinet considered the report of the Head of Customer Services and ICT which detailed information relating to ICT service delivery and the current position regarding disaster recovery.

Decision Made:

That the recommendations as set out in the report be agreed.

Reason for Decision:

The decision contributes to the Council's priorities of Being a Well Managed Council and Delivering Quality Services to Customers.

Alternative Options Considered and Rejected:

None.

The meeting commenced at 6.30pm and closed at 9.05pm

CHAIR