

MINUTES OF: THE CABINET

Date of Meeting: Thursday 3rd June 2010

**Present: Councillor Swain (in the Chair)
Councillors Challinor, Essex, Gledhill and P. Steen**

**In Attendance: Mrs H Lockwood, Chief Executive
Fiona Meechan, Director of Customers and Communities
Ms S Roxborough, Assistant Head of Legal
Mr J Foster, Operations Manager
Mr N Molyneux, Communications Manager
Mrs J Cook, Committee Officer**

**Also Present: Councillors Aldred, A Barnes, Cheetham, Crawforth, Driver,
Evans, Farrington, Kenyon, Lamb, Morris, Oakes, C Pilling,
J Pilling, Robertson, Sandiford, Stansfield and Thorne.**

7 members of the public and 1 member of the press

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Smith.

2. MINUTES OF THE LAST MEETINGS

Resolved:

That the minutes of the meeting on 17th March 2010 be approved as a correct record.

3. URGENT ITEM OF BUSINESS

The Leader of the Council reported that there were no urgent items of business.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. PUBLIC QUESTION TIME

The Leader of the Council advised members of the Public that this would be in only opportunity to participate in the meeting. There were no questions from Members of the Public.

6. LEISURE

The Portfolio Holder for Leisure outlined the report which updated Members on the progress of projects implemented as a result of the 2009 leisure review. The report took into account comments made by a member of the public, which had been circulated at the meeting. The report highlighted the work ongoing with regard to the capital build project and the Ski Slope.

In particular, the report made reference to the options for Bacup Leisure Hall. Several options were outlined to the Cabinet and Members were asked to consider the preferred option.

Councillor Driver provided comments as the Chair of the Bacup Leisure Hall Working Group and it was noted that Option A1 was the preferred choice of the Working Group.

Members considered the report and contents and the following comments were made:-

- Community use of the leisure hall.
- Clarification of the land which would be disposed of should Option C be approved. It was noted that the top car park would be retained along with the grass bankings to the rear and front of the Leisure Hall.
- Clawback – it was noted that this would be difficult to achieve and would be subject to legal negotiations.

Resolved:

1. That the contents of the report be noted and the progress made to date in delivering the outcomes of the 2009 Leisure Review be supported.
2. That Option A1 be confirmed as the preferred option for Bacup Leisure Hall with negotiations being carried out in respect of the full market value. If this option has not been agreed by 31st August 2010 then Option C will be implemented.
3. That if Option C is implemented then outline planning permission would be sought for the site within 12 months and a yearly review of market conditions undertaken to determine best value for the Council in respect of the land.
4. That delegated authority be given to the Director of Customers and Communities, in consultation with the Portfolio Holder for Leisure, to implement Option A1 and if that option is not successful, Option C in relation to Bacup Leisure Hall.

Reason for decision

To ensure that the work of the 2009 Leisure Review continues.

7. PUBLIC REALM INTEGRATION PROJECT

The Portfolio Holder for Environmental Services outlined the report which set out the operational and financial consequences in relation to the Council implementing Phase 1 of the Public Realm Project. The Project would devolve basic highway maintenance, locality maintenance, winter maintenance and grounds maintenance to Rossendale Borough Council. It was noted that agreement in principle to the Project had been reached, however more negotiations were required with Lancashire County Council in order to ensure that adequate funding was obtained.

Members considered the report and contents and the following comments were made:-

- The need for further negotiations with Lancashire County Council.
- The need for a robust budget and clear remit to enable the Borough Council to meet the expectations and needs of residents.
- Sponsorship of areas such as roundabouts and the difficulties associated with this option.

Resolved:-

1. That the decision to participate in the Public Realm Project be deferred until funding has been identified to adequately cover the revenue and capital associated with delivering services to the appropriate Rossendale Borough Council Standards.
2. That the Director of Customers and Communities (RBC) meets with the Director of Environmental Services (LCC) to explore any further possible options for delivering Phase 1 of the Public Realm Project within budget and to the appropriate standards.
3. That a further report be presented to the Cabinet once all options have been fully explored.

Reason for decision

To ensure that the project is properly implemented with a robust budget and clear remit.

8. GRASS CUTTING: SITE OWNERSHIP AND MAINTENANCE

The Portfolio Holder for Environmental Services introduced the report which provided information on the current issues regarding grass cutting operations. The report outlined potential changes for Members' consideration.

Members considered the report and contents and the following comments were made:-

- Importance of ensuring clear communication with regard to grass cutting.
- Exploration of vegetation use rather than grass.
- Costs of maintaining land that is not owned by the Council.
- The work of the Grass Cutting Task and Finish Group.
- Negotiations with Greenvale Homes.

Resolved:-

1. Cutting bankings, slopes and sites with vertical drops

- The Operations Team will complete a detailed risk assessment for each maintained site, focussing on those with slopes, drops or hazards first and will develop safe systems of work and cost estimates for implementation.
- Following completion of this process, a further report be submitted to Cabinet setting out the findings and implications for service delivery.

2. Maintenance of sites not owned by Rossendale Borough Council

- Where the landowner can be contacted then continuation of maintenance will be offered at a cost. Where the landowner is not prepared pay then the Council will use best endeavours to enter into a formal process of registering the land as an adverse possession, where ownership to the property is acquired without compensation. Sites would be acquired via registration at the Land Registry.

3. Greenvale Homes Sites

- That negotiations would commence with Greenvale Homes to cease all maintenance at a given date on all Greenvale Homes areas and to enforce the maintenance under contract.

4. Customer Requests to Review Current Practices

- That the current practice to not maintain these sites does not change.

Reason for decision

To ensure that sites are maintained to customer expectations, whilst reducing the risks to Rossendale Borough Council employees.

9. FINANCIAL MONITORING 2009/10: MONTH 12 – END MARCH 2010

The Portfolio Holder for Finance and Resources outlined the report which provided Members with an update on the General Fund budget monitoring for 2009/10, the Capital Programme and Treasury Matters. It was noted that the Audit and Accounts Committee would play a greater role in scrutinising the financial matters.

Members considered the report and contents and the following comments were made:-

- Ringfencing and update on what figures are expected.
- Gas and electricity charges and the savings achieved via contract renegotiation.
- Credit notes and clarification of National Non Domestic Rates (NNDR).

Resolved:-

1. That the contents of the report be noted.
2. That the final schedule of Earmarked Reserves which include the new Directorate Investment Reserve, the Performance Reward Grant Reserve and the three transferred accounts – Planning PDG Reserve, Area Based Grant Reserve and Planning for Climate Change Reserve be approved.

Reason for decision

To facilitate the continued management of the Council's finances.

The meeting commenced at 6.30pm and closed at 7.50pm

CHAIR