

MINUTES OF: THE CABINET

Date of Meeting: Wednesday, 7th June 2006

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

**IN ATTENDANCE: Carolyn Wilkins, Chief Executive
George Graham, Executive Director of Resources
Linda Fisher, Head of Legal and Democratic Services
Carole Todd, Head of Street Scene and Liveability
Liz Murphy, Head of Human Resources
Phil Seddon, Head of Financial Services
Ilona Snow Miller, Head of Community and Partnerships
Heather Moore, Committee Services Manager
Nick Molyneux, Communications Manager**

**ALSO PRESENT: Councillors A. Barnes, Entwistle, Haworth, Lamb,
Robertson and Sandiford
2 Representatives from the Press
1 member of the public**

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Farquharson.

2. MINUTES

Resolved:

That the Minutes of the meeting of the Cabinet held on 29 March 2006 and the Minutes of the special meeting of the Cabinet held on 26 April 2006 be signed by the Chair as a correct record.

3. URGENT ITEMS OF BUSINESS

The Chair reported that there were no urgent items of business.

4. DECLARATIONS OF INTEREST

Members of the Cabinet were asked to consider whether they had an interest in any matters to be discussed at the meeting and the following interests were declared:-

Councillor Challinor declared a personal interest in Minute Number 22 (Rossendale Leisure Trust – Support for Proposed Reorganisation) by virtue that he was a member of the Rossendale Leisure Trust Board.

Councillor Ruddick declared a personal interest in Minute Number 14 (Regeneration in Rossendale) by virtue that he was a Director of Lancashire County Developments Limited.

Councillor Robertson who was present at the meeting declared a personal interest in Minute Number 22 (Rossendale Leisure Trust – Support for Proposed Reorganisation) by virtue that she was a member of the Rossendale Leisure Trust Board.

Councillor A. Barnes who was present at the meeting declared a personal interest in Minute Number 17 (Procurement of Community Involvement and Engagement Strategy) by virtue that she was an Executive Member of the Community Network.

5. ALLOCATION OF PORTFOLIOS

The Leader of the Council presented the report of the Chief Executive which outlined the allocation of portfolios together with role descriptions for each portfolio.

The Executive Director of Resources informed the meeting that the role descriptions would be incorporated within the Constitution and dealt with through the work of the Constitution Working Group.

The Chair of the Overview and Scrutiny Committees extended invitations to the Cabinet Members to attend Overview and Scrutiny Committees when items within their portfolios were being considered.

Decisions Made:

1. That the allocation and definition of portfolios set out below be approved.

| Councillor | Portfolio |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Councillor Duncan Ruddick | Leader of the Council <i>Specific responsibility for legal and constitutional issues, performance management, external relations and the Legal and Property Services functions, which on a temporary basis also includes licensing.</i> |
| Councillor William Challinor | Deputy Leader of the Council and Portfolio Holder for Regeneration <i>The portfolio covers the Spatial Development and Economic Regeneration and Strategic Housing Service Units.</i> |
| Councillor Judith Driver | Portfolio Holder for Street Scene and Liveability <i>The portfolio covers the Street Scene and Liveability Service Unit.</i> |
| Councillor Janet Farquharson | Portfolio Holder for Customer Services <i>The portfolio covers the Community and Partnerships and Customer Services and e-Government Service Units.</i> |

| | |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Councillor Janet Graham | Portfolio Holder for Human Resources and Member Development <i>The portfolio covers the Human Resources Service Unit and the Democratic Services function.</i> |
| Councillor Michael Ormerod | Portfolio Holder for Finance and Risk Management <i>The portfolio covers the Financial Services Service Unit.</i> |

2. That the role descriptions for each portfolio appended to the report be approved.

Reasons for Decisions:

The allocation of portfolios is necessary to ensure the effective conduct of the Cabinet's business and to provide appropriate political leadership to the Council's services.

Alternative Options Considered and Rejected:

None.

6. THE COUNCIL'S CORPORATE IMPROVEMENT AND BEST VALUE PERFORMANCE PLAN

The Leader of the Council presented the report of the Head of Policy and Change Management which outlined the development of the Council's Corporate Improvement and Best Value Performance Plan.

The Chair of the Policy Development Overview and Scrutiny Committee reported that members of that Committee had considered the Corporate Improvement Plan and Best Value Performance Plan and approved the overall framework.

Members discussed the strategic actions and risks detailed in the Plan and considered whether they adequately reflected all the high priority areas for action to be undertaken by the Council during 2006 to 2009 within the context of the Council's revised priorities, budget setting and resource allocation process for 2006 – 2007.

Decisions Made:

That the overall format and structure of the Council's Corporate Improvement and Best Value Performance Plan be approved.

Reasons for Decisions:

The Council's Corporate Improvement Plan clearly expresses the Council's priorities, demonstrates the actions it intends to undertake to achieve these priorities and the outcomes that will be achieved on behalf of local people.

Alternative Options Considered and Rejected:

None.

7. JOINT ENFORCEMENT PROTOCOL

The Leader of the Council presented the report of the Head of Legal and Democratic Services which outlined proposals for the establishment of a joint enforcement protocol with the Police in respect of the Licensing Act 2003.

Decisions Made:

That the joint enforcement protocol be approved.

Reasons for Decisions:

The joint enforcement protocol will promote the four licensing objectives detailed in the Licensing Act 2003. It will provide clarity on the procedures to be followed by the Licensing Service and clarity to customers.

Alternative Options Considered and Rejected:

None.

8. ELEVATE PROJECT PARTNERING CONTRACT

The Cabinet Member for Regeneration presented the report of the Head of Legal and Democratic Services which outlined the procedural requirements of phase commencement under the partnering contract entered into with Craig Hambling Limited on 10th April 2006 for the Elevate group repair and face-lifting works 2006-2010.

The Cabinet Member for Regeneration indicated that he would be happy to update members on an individual basis should they require detailed information.

Decisions Made:

1. That the Head of Legal and Democratic Services be authorised to sign the Form of Commencement Agreement for Phase 4 of the Group Repair and Face lifting works.
2. That the Head of Legal and Democratic Services be authorised to sign all future Forms of Commencement Agreements in consultation with the Lead member.

3. That reports to Cabinet be made as and when a scheduled phase is identified and priced prior to the signing of the Form of Commencement agreement where possible to ensure that Cabinet is fully apprised of the current situation.

Reasons for Decisions:

By authorising the Head of Legal and Democratic Services to sign the agreement for and on behalf of the Council and to sign all future Forms of Commencement Agreements this will ensure a timely and prompt start for the scheduled works to be carried out without the necessity to submit further reports to Cabinet.

Alternative Options Considered and Rejected:

None.

9. CHANGES TO PEST CONTROL DELIVERY IN ROSSENDALE

The Cabinet Member for Street Scene and Liveability presented the report of the Head of Street Scene and Liveability which outlined proposals for entering into a partnership with Bury Metropolitan Borough Council and Rochdale Metropolitan Borough Council to offer the residents of Rossendale an improved service delivery for pest control at a reduced cost to the Council.

Decisions Made:

1. That Full Council be recommended that partnership agreements be concluded for the provision of Pest Control Services with Bury Metropolitan Borough Council and Rochdale Metropolitan Borough Council effective from 1st August 2006.
2. That the terms of the agreements be agreed by the Head of Legal and Democratic Services in consultation with the portfolio holder for Street Scene and Liveability prior to presentation to Full Council.
3. That the operational boundary between the two partners be set at Waterfoot.
4. That the resources freed through the saving in excess of the budgeted amount be initially held as a contingency sum within the Streetscene and Liveability budget.

Reasons for Decisions:

The partnership arrangement will lead to a more efficient delivery of pest control services. Rochdale M.B.C. and Bury M.B.C. offer a great deal of expertise in this field which would be advantageous to the residents of Rossendale.

Alternative Options Considered and Rejected:

None.

10. JOB EVALUATION SCHEME

The Cabinet Member for Human Resources and Member Development presented the report of the Head of Human Resources which outlined proposals to undertake the Job Evaluation Scheme.

The Cabinet considered the differences between the National Joint Council (NJC) Scheme and the Greater London Employers' Association (GLEA) Scheme.

Decisions Made:

1. That consultation be continued with the Trade Unions to try and reach agreement and to engage them in the job evaluation process.
2. That the Greater London Employers' Association (GLEA) Scheme of Job Evaluation be commenced providing a partner can be identified.

Reasons for Decisions:

The GLEA Scheme for Job Evaluation provides the most cost effective method of implementing job evaluation. It also enables employee engagement and ownership of the process and results.

Alternative Options Considered and Rejected:

The NJC Scheme.

11. COMMUNICATIONS STRATEGY AND ACTION PLAN

The Leader of the Council presented the report of the Head of Customer Services which provided an update on the Draft Communications Strategy following the recent two month public consultation period and the Council's annual budget setting meeting.

The Chair of the Policy Development Overview and Scrutiny Committee reported that members of that Committee had considered and endorsed the report and were recommending approval to the Cabinet.

The Communications Manager informed the Cabinet that the Customer Service Standards would be included within the Communications Strategy to strengthen links with the Customer Services Strategy. In response to a question from a member the Communications Manager informed the meeting that systems were being developed to monitor the targets within the Strategy and Action Plan.

Decisions Made:

That the Communications Strategy and Action Plan be approved.

Reasons for Decisions:

Communication Strategy will help to improve resident's knowledge and understanding of the Council, provide important information for customers, improve the image of the borough, engage local residents and provide better internal communication to Members and Staff.

Alternative Options Considered and Rejected:

None.

12. COMPLETION OF HOUSING STOCK TRANSFER

The Leader of the Council presented the report of the Executive Director of Resources which provided an update on the final terms of the Stock Transfer process together with proposals to utilise the final resources flowing to the Council as a result of the process in line with the Medium Term Financial Strategy.

In debating the report members considered the specifications of kitchens and bathrooms and Councillor Driver agreed to take this forward at the next Board meeting.

Decisions Made:

1. That the final terms of the Transfer Agreement with Green Vale Homes and the actions taken by the Chief Executive under the delegated powers granted to her at the meeting of Full Council on 23rd February 2006 be noted.
2. That Full Council be recommended utilise the resources flowing from the Transfer Agreement as set out in Appendix 2 of the report.
3. That the transitional services being provided to Green Vale Homes by the Council be noted.

Reasons for Decisions:

The Stock Transfer process allows the Council the opportunity to significantly strengthen its balance sheet, to address future liabilities and invest in addressing the affordable housing issues identified in the Housing Strategy as a key issue for the future. This has been achieved while at the same time ensuring that Green Vale Homes has a sustainable business plan and access to the resources which will allow it to deliver the promises to tenants.

Alternative Options Considered and Rejected:

None.

13. ROSSENDALE HOUSING LAND POSITION MONITORING STATEMENT

The Cabinet Member for Regeneration presented the report of the Chief Executive/ Interim Manager Spatial Development which provided information on the latest housing land position within Rossendale.

The report indicated that the number of dwellings which had a valid planning approval exceeded the requirements of the Joint Lancashire Structure Plan (JLSP) and new dwellings should only be permitted where they played a key role in a mixed use regeneration scheme or would meet an identified local need.

Decisions Made:

That the report be agreed.

Reasons for Decisions:

The Council is required to monitor the housing land within the Borough in relation to the provision set out in Policy 12 of the Joint Lancashire Structure Plan (JLSP), which was adopted in 2005.

Alternative Options Considered and Rejected:

None.

14. REGENERATION IN ROSSENDALE

The Cabinet Member for Regeneration presented the report of the Chief Executive which provided an update on the pilot process of partnership working with Lancashire County Developments Limited and setting out options for the way forward.

Decisions Made:

That the Council continues with the “virtual team” approach to regeneration with the core of this the partnership between Rossendale Borough Council and Lancashire County Developments Limited, supported by North West Regional Development Agency and other organisations as appropriate to deliver regeneration locally within an East Lancashire, Lancashire and regional context.

Reasons for Decisions:

The approach enables the partnership working established to be taken forward to contribute to achieving the regeneration agenda for Rossendale.

Alternative Options Considered and Rejected:

To enter into negotiations with Blackburn with Darwen concerning a partnership in the context of the transforming Pennine Lancashire agenda.

15. IRWELL SCULPTURE TRAIL

The Leader of the Council presented the report of the Head of Community and Partnerships which outlined the current position in respect of the management of the Irwell Sculpture Trail together with proposals for a forward management option of the trail.

In debating the report members considered the works to the culvert in Bacup and were informed that Lancashire County Council were awaiting approval by this Council of the Bacup and Stacksteads Area Action Plan prior to commencing work.

Decisions Made:

1. That the Council sign up to an agreement designating Salford City Council to take the lead for the Irwell Sculpture trail with a Service Level Agreement (SLA) managed through an officer steering group.
2. That the Head of Community and Partnerships be given delegated authority to agree the SLA in conjunction with the Head of Legal and Democratic Services and in consultation with the Portfolio Holder.

Reasons for Decisions:

The Irwell Sculpture Trail is a valuable visitor attraction to Rossendale and by working together with the other local authority partners there are likely to be enhanced benefits of shared publicity and maintenance costs.

Alternative Options Considered and Rejected:

To not enter into the Service Level Agreement.

16. IMPLEMENTING ELECTRONIC GOVERNMENT (IEG) 6 SUBMISSION

The Leader of the Council presented the report of the Head of Customer Services and E-Government which provided information on the Implementing E-Government (IEG) 6 submission to the Office of the Deputy Prime Minister (ODPM).

The report outlined that the IEG 6 statement helped to monitor the progress on e-government within the council and was submitted to the ODPM on 10th April 2006. It was noted that the Council had reached 100% e-enablement of services at April 2006.

Decisions Made:

1. That the submission be endorsed.
2. The achievement of meeting BVPI157 and 100% e-enablement of services be acknowledged and the team be congratulated on this achievement.

Reasons for Decisions:

IEG statements are corporate plans which set out how local councils are approaching the task of improving service delivery through e-Government and enables the Council to be fully responsive and proactive to meet the needs of all our customers.

Alternative Options Considered and Rejected:

None.

17. PROCUREMENT OF COMMUNITY INVOLVEMENT AND ENGAGEMENT STRATEGY

The Leader of the Council presented the report of the Head of Community and Partnerships which outlined proposals to award the contract to develop the Rossendale Community Involvement and Engagement Strategy to the Community Network for Rossendale through its business arm REAL.

The Head of Community and Partnerships informed the meeting that the Community Network had the local expertise and knowledge and were best placed to develop the strategic approach in deciding how they would wish to be consulted, involved and engaged in Council and partner business.

Decisions Made:

1. That Standing Orders be waived to allow the Community Network for Rossendale to be appointed to carry out the Community Involvement and Engagement Strategy development
2. That the Head of Community and Partnerships be given delegated authority to agree the Service Level Agreement in conjunction with the Head of Legal and Democratic Services and to monitor the contract.

Reasons for Decisions:

The use of the community network for Rossendale to develop the community involvement and engagement strategy for the Council is the most practicable approach to this piece of work within the budget allowed and the timeframe set out in the Corporate Improvement Plan.

Alternative Options Considered and Rejected:

None.

18. ESTABLISHMENT OF POLICY AND BUDGET REVIEW PANELS

The Cabinet Member for Finance and Risk Management presented the report of the Executive Director of Resources which outlined proposals for a series of policy and budget reviews of the Council's various services as part of the process of preparing the budget for 2007/08 to strengthen the Council's approach to priority based budgeting.

Decisions Made:

That the process for Policy and Budget Reviews set out in the report be agreed and a report be submitted to the Cabinet on 19th September 2006.

Reasons for Decisions:

This will strengthen the Council's approach to priority based budgeting by enabling the Council to be proactive in managing resources.

Alternative Options Considered and Rejected:

None.

19. FINANCIAL MONITORING REPORT

The Cabinet Member for Finance and Risk Management presented the report of the Head of Financial Services which detailed the financial outturn for 2005/06 of the General Fund Account and the Housing Revenue Account (HRA).

He highlighted a number of positive aspects set out in the report and informed the Cabinet that the Council was in a much stronger financial position both in terms of reserves and liquid assets.

Decisions Made:

1. That the contents of the report be noted.
2. That the use and contributions to the change management reserve as set out in 4.6 of the report be agreed.
3. That the appropriation of reserves as set out in Paragraph 4.8 of the report be agreed and the Head of Financial Services be authorised to make any adjustments between reserves required to mitigate risks facing the Council in consultation with the Portfolio Holder for Finance and Risk Management.
4. That the capital financing requirements as set out in Appendix 1 and Paragraph 4.12 of the report be agreed.

Reasons for Decisions:

2005/06 is the final year of the Council's three year financial recovery plan. The Council must demonstrate that it continues to manage its financial resources in an efficient and effective manner.

Alternative Options Considered and Rejected:

None.

20. 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 item of business on the grounds that it involves disclosure of exempt information relating to the financial or business affairs of any particular person as defined in Paragraph 1,2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

21. REFUSE VEHICLE PROCUREMENT AND MAINTENANCE

The Cabinet Member for Street Scene and Liveability presented the report of the Head of Street Scene and Liveability which outlined the result of the tendering process for replacement vehicles and which recommended approval for the appointment of a preferred bidder.

Decisions Made:

1. That Nobletts Limited be appointed as preferred bidder for the supply of vehicle and maintenance as detailed in the report.
2. That agreement of the final contract be delegated to the Head of Street Scene and Liveability, Head of Financial Services and Head of Legal and Democratic Services in consultation with the Portfolio Holders for Street Scene and Liveability and Finance and Risk Management.
3. That the virement of £61,000 between services within Street Scene and Liveability be agreed.
4. That Full Council be recommended to incorporate into the Capital Programme a further scheme for Capital equipment replacement financed by the receipt for vehicle disposal.

Reasons for Decisions:

A comprehensive evaluation process has been undertaken resulting in the identification of Nobletts Limited as the most economically advantageous bid for the Council, which is within the resources available.

Alternative Options Considered and Rejected:

None.

22. ROSSENDALE LEISURE TRUST – SUPPORT FOR PROPOSED REORGANISATION

The Leader of the Council presented the report of the Executive Director of Resources which sought approval for the provision of financial support for proposals to restructure the operations of the Rossendale Leisure Trust.

Decisions Made:

That the allocation of up to £274,375 from the Council's earmarked reserves be approved to support the restructuring proposals of Rossendale Leisure Trust set out in the body of this report, subject to any recurrent costs arising from early retirements being absorbed by the Trust.

Reasons for Decisions:

Improving Leisure Facilities in the Borough is one of the Council's priorities.

Alternative Options Considered and Rejected:

None.

23. BROWNFIELD RECYCLING PROGRAMME

The Cabinet Member for Regeneration presented the report of the Economic Regeneration Manager which outlined progress of the Brownfield Recycling Programme together with details of the 2006/07 Delivery Plan and the arrangements for the management and delivery of the programme.

Decisions Made:

1. That the progress made on the delivery of the Brownfield Recycling Programme to date be noted.
2. That the 2006/07 Delivery Plan for the Programme be approved and that it be agreed with the North West Regional Development Agency.
3. That the delivery arrangements for the Programme be approved and the Programme Board arrangements and membership be agreed as set out in this report, to include Lead Member for Regeneration, Shadow Lead Member for Regeneration, two further members and the Head of Economic Regeneration and Strategic Housing.

Reasons for Decisions:

Delivering regeneration across the Borough will improve the supply of potential employment land in the borough and tackling areas of dereliction that have an adverse impact on the Borough and its image.

Alternative Options Considered and Rejected:

None.

24. LAND TO REAR AND ADJACENT TO 35 NORTHFIELD ROAD, RISING BRIDGE, HASLINGDEN

The Cabinet considered the report of the Head of Legal and Democratic Services which gave details of the receipt of an application to purchase/lease Council owned land, one of the applicants being a Council employee.

Decisions Made:

That the application be deferred to enable consultation to be undertaken and a further report be submitted to the next meeting of the Cabinet.

Reasons for Decisions:

To enable further detailed information to be presented to the Cabinet.

Alternative Options Considered and Rejected:

1. Refuse the application, and retain ownership of the land on the grounds of its amenity value to the neighbourhood.
2. Refuse the application to purchase but grant the applicants a lease of the land, and obtain a rental income for the site.
3. Approve the application to purchase the subject land, and dispose of the site to release a capital receipt for the Council.

25. CASH FLOW SUPPORT TO COMMUNITY ORGANISATION

The Cabinet Member for Finance and Risk Management presented the report of the Head of Financial Services which outlined proposals to provide cash flow support to a social enterprise body.

Decisions Made:

1. That a loan to Rossendale Enterprise Anchor Limited, of £30,000 for a maximum period of up to 12 months be approved.
2. That the terms and conditions of the loan be delegated to the Head of Financial Services.

Reasons for Decisions:

This will assist a social enterprise body established to coordinate the community and voluntary network within Rossendale

Alternative Options Considered and Rejected:

None.

(The meeting commenced at 6.30pm and closed at 8.35pm)