

CABINET (SPECIAL MEETING)

HELD: 13 APRIL 2011

Start: 7.00pm

Finish: 7.10pm

PRESENT:

Councillor Grant (Leader of the Council, in the Chair)

Councillors		<u>Portfolio</u>
Ashcroft		Human Resources and Partnership
Forshaw		Planning and Transportation
Fowler		Community Services and Health
Greenall		Street Scene Management
Mrs Hopley		Housing
Owens		Deputy Leader & Regeneration and Estates
Westley		Finance and Performance Management

In attendance
Councillors: Furey
O'Toole

Officers
Chief Executive (Mr W Taylor)
Director Designate (Council Secretary and Solicitor) (Mrs G Rowe)
Director Designate (Assistant Chief Executive) (Ms K Webber)
Executive Manager Regeneration and Estates (Mrs J Traverse)
Borough Treasurer (Mr M Taylor)
Member Services Manager (Mr G Martin)

147. APOLOGIES

There were no apologies for absence.

148. SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS

There were no items of urgent business.

149. DECLARATIONS OF INTEREST

There were no declarations of interest.

150. PROPER OFFICER PROVISIONS AND SCHEME OF DELEGATION

Councillor Grant introduced the report of the Chief Executive, as contained on pages 1789 to 1793 of the Book of Reports, setting out the new management structure and seeking approval of the "Proper Officer Provisions and Scheme of Delegation" which had been updated to take account of the changes.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED: A. That the new management structure attached at Appendix A to the report be noted.
- B. That the updated ‘Proper Officer Provisions and Scheme of Delegation to Chief Officers’ attached at Appendix B to the report be approved insofar as they are Cabinet functions.
- C. That “one-off” delegations be updated as set out below:

Council Secretary and Solicitor	Director of People and Places
Assistant Chief Executive	Director of Transformation
Executive Manager Community Services	Assistant Director Community Services
Executive Manager Housing and Property Maintenance Services	Assistant Director Housing and Property Maintenance Services
Executive Manager Street Scene	Assistant Director Street Scene
Executive Manager Regeneration and Estates	Assistant Director Regeneration and Estates
Acting Executive Manager Planning	Borough Planner
Divisional Managers	Directors/Heads of Service

151. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

152. SKELMERSDALE TOWN CENTRE REGENERATION PROJECT: AMENDMENTS TO THE DEVELOPMENT AGREEMENT

Councillor Owens introduced the report of the Director Designate (Assistant Chief Executive), as contained on pages 1795 to 1800 of the Book of Reports, seeking approval for amendments to the Skelmersdale Town Centre Regeneration Project Development Agreement, to allow the construction of a new office for the Co-op Bank plc and providing an update on the position regarding the Co-op Bank’s exit from Delf House.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED:
- A. That authority be delegated to the Chief Executive in consultation with the Leader and the Portfolio Holder for Regeneration and Estates to negotiate and agree amendments to the Skelmersdale Town Centre Development Agreement to allow the construction of new office facilities in accordance with the proposals outlined at paragraph 5 of the report, to obtain any necessary consents and enter into any incidental agreements to give effect to this.
 - B. That the position in relation to the exit arrangements for Delf House as set out in Section 6 be noted, and that any financial implications be dealt with through the budget setting process for future years.
 - C. That call-in shall not apply as the negotiations are proceeding apace and arrangements need to be finalised to allow development, it being noted that Council is also considering the report.

- LEADER -

CABINET**HELD: 14 JUNE 2011**

Start: 7.30pm

Finish: 9.40pm

PRESENT:

Councillor I Grant (Leader of the Council, in the Chair)

Councillors		<u>Portfolio</u>
M Forshaw		Planning and Technical Services
A Fowler		Health and Leisure
Mrs V Hopley		Landlord Services and Community Safety
A Owens		Deputy Leader & Housing (Finance), Regeneration and Estates
D Westley		Resources and Transformation

In attendance	N Furey	R A Pendleton
Councillors:	J Hodson	D Sudworth

Officers

Chief Executive (Mr W Taylor)
Director of People and Places (Mrs G Rowe)
Director of Transformation (Ms K Webber)
Assistant Director Housing and Property Maintenance Services
(Mr R Livermore)
Assistant Director Community Services (Mr D Tilleray)
Assistant Director Regeneration and Estates (Mrs J Traverse)
Borough Treasurer (Mr M Taylor)
Acting Transformation Manager (Mr S Walsh)
Housing Operations Manager (Ms L McGarry)
Assistant Member Services Manager (Mrs J Denning)
LDF Team Leader (Mr P Richards)

1. APOLOGIES

An apology for absence was received from Councillor I Ashcroft.

2. SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS

There were no items of urgent business.

3. DECLARATIONS OF INTEREST

Councillor Owens declared a personal and prejudicial interest in agenda item 5(k) 'Proposed Appointment of Partner Registered Provider', as his sister was an employee for one of the suggested partners.

Councillor Westley declared a personal interest in agenda item 7(h) 'Partnership Proposals with Lancashire County Council / One Connect Ltd', as a Member of Lancashire County Council.

4. MINUTES

RESOLVED: That the minutes of the Cabinet meeting held on 15 March and the Special meeting held on 13 April 2011 be received as a correct record and signed by the Leader.

5. MATTERS REQUIRING DECISIONS

Consideration was given to reports relating to the following matters requiring decisions as contained on pages 1 to 244 and 339 to 346 of the Book of Reports:

6. QUEEN ELIZABETH II FIELDS

Councillor Fowler introduced the report of the Director of People and Places which detailed requests from Parish Councils to support applications to enable Council owned fields leased to parish councils to be nominated for the Queen Elizabeth II Fields Challenge.

The Leader referred to the revised recommendation circulated at the meeting which included reference to the indemnity on the land at Parbold.

In reaching the decision below, Cabinet considered the revised recommendations and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED:
- A. That, subject to a successful application, the open space land off Chorley Road, Hilldale, identified in Appendix 1 to the report and edged in bold, should be gifted to Hilldale Parish Council to allow the Parish Council to take forward an application to the "Fields in Trust" to allow the land to be included as a nominated site for the Queen Elizabeth II Fields Challenge.
 - B. That, subject to a successful application, the open space land off Alder Lane and Bramble Way, Parbold, identified in Appendix 2 to the report and edged in bold, should be gifted to Parbold Parish Council, subject to the retention of the indemnity from the Council in relation to the landfill site, to allow the Parish Council to take forward an application to the "Fields in Trust" to allow the land to be included as a nominated site for the Queen Elizabeth II Fields Challenge.
 - C. That it be noted that the transfer of the land would only take place if there were to be a successful inclusion and acceptance from "Fields in Trust" for the land to be defined as a Queen Elizabeth II Field. If the nomination is not successful then the transfer will not be completed and the land will be retained by the Borough Council with the existing lease arrangements retained.
 - D. That delegated authority be given to the Assistant Director Community Services to enter into all necessary documentation to facilitate the transfer and to seek and obtain all necessary approvals and consents.

- E. That delegated authority be given to the Assistant Director Regeneration and Estates to obtain if necessary a report from the District Valuer identifying any undervalue.

7. CAR PARKING ARRANGEMENTS - 52 DERBY STREET

Councillor Forshaw introduced the report of the Director of People and Places which sought approval to change the pay and display car parking arrangements on the 52 Derby Street site.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: A. That additional short stay, long stay and permit parking, be provided, as indicated on the plan attached at Appendix 1 to this report.

- B. That the parking charging structure on the site be:

Up to 30 minutes	free
Up to 1 hour	70p
Up to 2 hours	£1.10
Up to 3 hours	£1.60
Up to 4 hours	£2.00
Up to 9 hours	£3.00

- C. That charges for permits to park on the site be set at £195 per annum or £24 per month.
- D. That the existing Traffic Regulation Order (Off-Street Parking Places Consolidation Order) relating to parking charges on the site be amended to take account of the changes shown at A, B and C above and to incorporate the former Walmsley House site.
- E. That the minor remedial works detailed in paragraph 6.1 of the report, to the areas shown on the plan at Appendix 1, be agreed.
- F. That the Assistant Director Community Services, be authorised to implement the proposals set out in A - E above.

8. USE OF SECTION 106 MONIES

Councillor Fowler introduced the report of the Director of People and Places which detailed requests received regarding the use of Section 106 monies received by the Council from housing developers for the enhancement of public open space and recreation provision in their Parishes/Wards.

The Assistant Director Community Services undertook to provide Cabinet members with details of the proposed start dates for each of the projects identified, as soon as they become known.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED: A. That the proposed projects detailed in section 6 of the report be approved and the Section 106 commuted sums of £9,800 in Parbold, up to £20,000 in Up Holland, £2,000 in Scott Ward, and £10,000 in Appley Bridge be made available to the respective applicants for their projects.
- B. That the commuted sums be paid to the respective applicants subject to them entering into suitable legal agreements with the Council.

9. COASTAL POLLUTION PLAN

Councillor Forshaw introduced the report of the Director of People and Places which sought the adoption of the Coastal Pollution Plan.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED: That the policies, as related to the West Lancashire Borough coastline as set out in the Borough Coastal Pollution Plan, set out in Appendix 1 to the report, be adopted.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL) AND PROPOSED AMENDMENTS TO PUBLIC OPEN SPACE CONTRIBUTIONS

Councillor Forshaw introduced the report of the Director of People and Places that sought authority to begin working towards a Community Infrastructure Levy (CIL) Charging Schedule for the Borough and for the Borough Planner to change the amount of contributions the Council would seek for off-site public open space in residential development in order to discount contributions towards maintenance.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED: A. That authority be granted for officers to begin work on the Community Infrastructure Levy framework for the Borough and to prepare a Draft Charging Schedule.
- B. That authority be granted for the proposed amendments to be made to the application of the Open Space / Recreation Provision in New Residential Developments SPD, removing the requirement for a contribution for the cost of maintenance within the provision of off-site open space.

11. AFFORDABLE HOUSING - BUDGET PROPOSALS

Councillor Mrs Hopley introduced the report of the Director of Transformation which set out an approach for utilising the Affordable Housing Budget and delivering a strategic approach to the Council priority.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED:
- A. That the Assistant Director of Housing and Property Maintenance Services seek expressions of interest from suitable Registered Providers to maximise the budget availability for 2011/12 together with the budget for 2012/13 as identified in paragraph 3 of the report.
 - B. That a further report be brought back to Cabinet regarding the strategic approach necessary to ensure that adequate availability of Affordable Housing is achieved, including additional information in respect of the self-build project and any potential changes that may be required to the eligibility criteria/principles at Appendix B to the report.

12. IMPLEMENTING SELF-FINANCING FOR COUNCIL HOUSING

Councillor Owens introduced the report of the Director of Transformation which advised Members and Tenants regarding the Governments intention to move to a system of self-financing for Council Housing and consider a timetable of what actions are necessary to meet the requirements of self-financing for Council Housing, which will be part of the Localism Act when enacted.

Feedback was received from the Landlord Services Committee (Cabinet Working Group) held on 7 June 2011 where members had received a presentation on the subject.

In reaching the decision below, Cabinet considered the feedback from the Working Group and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED:
- A. That the information contained in the report be noted.
 - B. That the outline timetable for implementing self-financing by 2012, at appendix A to the report, be agreed and implemented.
 - C. That the contents of the letter to the Department for Communities and Local Government (DCLG) at appendix B be noted and endorsed.
 - D. That the contents of the letter to CIPFA at appendix C to the report, be noted and endorsed.

- E. That the draft HRA Business Plan Indicative Debt Profile at appendix D be noted and the Assistant Director of Housing and Property Maintenance Services and Borough Treasurer, prepare further draft Business Plans based on a range of options and situations.
- F. That the potential adverse financial impact of this new system on the General Fund is factored into the budget setting process for 2012-13.
- G. That a communication strategy for Members, Staff and Tenants be prepared and implemented by the Assistant Director Housing and Property Maintenance Services after consultation with the Portfolio Holder for Housing finance.
- H. That the report be referred to the Executive Overview and Scrutiny Committee.
- I. That call in is not appropriate as the matter is to be considered by the Executive Overview and Scrutiny Committee.

13. HOUSING SERVICE IMPROVEMENT PLAN

Councillor Mrs Hopley introduced the report of the Director of Transformation which set out the Housing Service Improvement Plan that would be monitored regularly to ensure that appropriate action was being taken in respect of the Council's compliance with the Regulatory Framework administered by the TSA. The report also referred to a letter from the TSA, attached as an Appendix to the report, which advised that the Council's wish to enter into a Voluntary Undertaking had been accepted and, provided that the Plan is delivered in a timely manner, that formal action would not be taken.

The Cabinet received feedback from the Landlord Services Committee (Cabinet Working Group) held on 7 June 2011 who had no particular concerns with the Plan and had noted the report.

In reaching the decision below, Cabinet considered the feedback from the Working Group and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED:
- A. That the revised Housing Service Improvement Plan (Appendix A to the report) be endorsed.
 - B. That the letter from the TSA dated 28 April 2011 (Appendix B to the report) be noted.
 - C. That the feedback from the Landlord Services Committee be noted.
 - D. That call in is not appropriate as a monitoring report will be presented to the next meeting of the Corporate Overview and Scrutiny Committee on 23 June 2011.

14. AFFORDABLE RENT MODEL

Councillor Mrs Hopley introduced the report of the Director Transformation which detailed the 'Affordable Homes Programme' and the introduction of the 'affordable rent' product and how it was designed to deliver greater numbers of affordable homes, with less reliance on government subsidy.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: That the report be noted and the use of the Affordable Rent Model in the Borough be endorsed.

15. FEEDBACK FROM THE LANDLORD SERVICES COMMITTEE (CABINET WORKING GROUP)

Councillor Mrs Hopley introduced the report of the Director of Transformation which provided feedback from the Landlord Services Committee (Cabinet Working Group) held on 7 June 2011.

Cabinet considered the recommendations arising from the meeting and felt that the Labour membership on the Cabinet Working Group should remain at three and not four as it should aim to reflect the political balance on the Council.

Councillor Hopley considered that all Councillors, including the Working Group, would benefit from accessing the HouseMark web site.

In reaching the decision below, Cabinet considered the comments expressed and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED: A. That the minutes of the meeting held on 7 June 2011, attached at Appendix A to the report, be noted.
- B. That the following recommendations at Minute 3. 'Terms of Reference of the Landlord Services Committee', be approved:
- (i) That the tenant representatives be given voting rights on the Working Group.
 - (ii) That substitutes should not be allowed on the Working Group.
 - (iii) That the terms of reference be amended to read as follows:
 - “(1) To support and enable the delivery of Tenant led improvement and deliver the necessary action to meet the Tenant Services Authority (TSA) regulatory requirements via existing officer and Portfolio Holder delegations or by referring matters to Cabinet or Council as appropriate.
 - (2) To consider reports and recommendations from the Services Evaluation Group and refer matters to Cabinet as appropriate.

- (3) To monitor the Landlord Services Improvement Action Plan and make comments to Cabinet.
 - (4) To consider preparations to manage the introduction of 'self-financing' of the Housing Revenue Account and the HRA Business Plan, and to make comments to Cabinet/Council.
 - (5) To receive Performance Monitoring Reports for Housing Services.
 - (6) To ensure all Strategies and procedures are in place as highlighted in the Audit Commission's report."
 - (iv) That all Borough Councillors and Members of the Working Group be given Access to the HouseMark Website and database and any other information about good practice.
- C. That in respect of Minute 4. 'Terms of Reference – Service Evaluation Group', the protocol, amended terms of Reference and Draft Work Programme, attached at Appendix 2 to the report, be endorsed.
- D. That Minute 10. 'Proposed Appointment of Partner Registered Provider' and Minute 13. 'Brookside – Impact Assessment', be taken into account when considering the corresponding reports listed as items 5(k) and 7(d) on the Cabinet agenda.

16. PROPOSED APPOINTMENT OF PARTNER REGISTERED PROVIDER

Councillor Hopley introduced the report of the Director of Transformation which detailed proposals and processes necessary to appoint a Partner Registered Provider to work with the Management Team to deliver changes and improvements to Service Delivery.

Cabinet considered Minute 10 of the Landlord Services Committee (Cabinet Working Group) held on 7 June 2011 that recommended the removal of the reference to the Service Evaluation Group (SEG) and the Service Improvement Groups (SIGs) from the consultation process.

Councillor Hopley advised that this had been recommended due to the Registered Provider being appointed as a Management tool rather than to assist tenants and as such it was felt that tenant involvement at the Working Group would be sufficient.

A copy of a letter from the Chairperson of the SEG was circulated for consideration which expressed a view that the SEG and SIGs would like to continue to be involved in the consultation process.

In reaching the decision below, Cabinet considered the recommendation from the Landlord Services Committee (Cabinet Working Group) and the comments from Councillor Hopley and took into account the letter received from the Chairperson of the SEG, and in considering the details set out in the report, it accepted the reasons contained therein.

- RESOLVED:
- A. That the Process to be adopted for selection of Registered Provider set out in Appendix A be approved, subject to necessary amendments to remove reference to the SEG and the SIGs from the consultation process.
 - B. That the draft specific work requirement, as set out in Appendix A to the report, be approved and that the Assistant Director Housing and Property Maintenance Services be authorised to use this as the basis for the specification to allow Registered Provider to submit quotations.
 - C. That the proposed list of Registered Providers who should be approached (Appendix B to the report), be approved.
 - D. That call in is not appropriate as the timescale to deliver the Service Improvement Plan does not cater for this but Members are encouraged to scrutinise this using the post hoc scrutiny facility open to them at Executive Overview and Scrutiny Committee.

(Note: Councillor Owens declared a personal and prejudicial interest in the above item and left the room whilst the item was being considered.)

17. LOCAL ENTERPRISE PARTNERSHIP

Councillor Grant introduced the report of the Director of Transformation which provided an update on the Local Enterprise Partnership and provided information on Enterprise Zones and Regional Growth Fund.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED:
- A. That the outcome of the Governments decision in respect of a Local Enterprise Partnership for Lancashire be noted.
 - B. That delegated authority be given to the Assistant Director Regeneration & Estates in consultation with the Leader of the Council and relevant Portfolio Holder to support, engage with and take all necessary action in relation to the Local Enterprise Partnership, including representation on the Local Enterprise Partnership Board and associated officer support groups, as appropriate.
 - C. That the bid for an Enterprise Zone in West Lancashire should not be pursued.
 - D. That the bid into Round2 of Regional Growth Fund for Skelmersdale Town Centre be supported.

18. QUARTERLY PERFORMANCE INDICATORS (JANUARY 2011 TO MARCH 2011)

Councillor Westley introduced the report of the Director of Transformation which presented the performance monitoring data for the quarter ended 31 March 2011.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED: A. That the Council's overall good performance against the indicator set for the quarter ended 31 March 2011 be noted.
- B. That the call-in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Corporate Overview & Scrutiny Committee on 23 June 2011.

19. 2010/11 PERFORMANCE AND FUTURE MONITORING

Councillor Westley introduced the report of the Director of Transformation which presented the performance monitoring data for the 2010/11, the proposed targets for 2011/12 corporate suite of performance indicators and provide an update on the progress that has been made towards achieving the Corporate Priorities in 2010/11.

Concerns were raised regarding the reduced performance indicator targets in 2011/12 for WL90 - % of Contact Centre Calls answered and WL108 - Average waiting time for callers to the Contact Centre as it was felt that the reasons for the reduction were not acceptable.

In reaching the decision below, Cabinet considered the details set out in the report before it and the concerns raised regarding the targets for the above and accepted the reasons contained therein.

- RESOLVED: A. That Appendix A 'Outturn figures for the Corporate Suite of Performance Indicators 2010/11 and targets for the 2011/12 Corporate Suite be noted and delegated authority be given to the Director of Transformation, in consultation with the Portfolio Holder for Resources and Transformation to agree all targets.
- B. That Appendix B 'Progress on the Key Initiatives of the 2010/11 Corporate Performance Plan' be noted.
- C. That the Director of Transformation, in consultation with the Portfolio Holder for Resources and Transformation be authorised to finalise the 2011-12 Suite of Performance Indicators and targets, having regard to the views of the Corporate Overview and Scrutiny Committee.

20. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph(s) 1, 2, 3 and 7 of Part 1 of Schedule 12A of that Act, as set out on the agenda, and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

21. MATTERS REQUIRING DECISIONS

Consideration was given to reports relating to the following matters requiring decisions as contained on pages 245 to 338 of the Book of Reports:

22. HOUSING REPAIRS AND HEATING CONTRACTS

Councillor Hopley introduced the report of the Director of Transformation which sought a decision on whether to re-tender or negotiate an extension to the housing repairs contract and the housing heating contract.

Councillor Hopley referred to the minute of the Landlord Services Committee (Cabinet Working Group) held on 7 June 2011 which endorsed the recommendations to Cabinet.

In reaching the decision below, Cabinet considered the feedback from the Working Group and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED:
- A. That the Central Heating Maintenance contract - HTG08, currently 'Heat 2000', be extended for a further 3 years from 1/4/2012 to 31/3/2015 for a single increase of 2.15% for that period to be applied to the prices and rates applicable.
 - B. That the Response Maintenance contract - D2DV08 for Contract Areas A and B, be retendered for a period of 3 years commencing 1/4/2012 and ending 31/3/2015 with an option to extend by a further 3 years if required.
 - C. That the Assistant Director Housing and Property Maintenance Services to review the contract specification at A. and B. above and subject to consultation with Tenants, be authorised to extend or retender the contracts.

23. HOUSING SELF-FINANCING - STOCK CONDITION EVALUATION AND RE-TENDERING EXERCISE

Councillor Hopley introduced the report of the Director of Transformation which advised of the need to carry out addition stock condition surveys in preparation for self-financing and sought approval to commission consultants to carry out a new stock condition survey of Council housing, incorporating existing stock condition data.

Councillor Hopley referred to the minute of the Landlord Services Committee (Cabinet Working Group) held on 7 June 2011 which endorsed the recommendations to Cabinet.

Cabinet discussed the importance of using surveyors with local knowledge to undertake the work.

In reaching the decision below, Cabinet considered the feedback from the Working Group and the details set out in the report before it and accepted the reasons contained therein.

RESOLVED: A. That the approach outlined in paragraph 5 of the report be endorsed.

- B. That the Assistant Director Housing and Property Maintenance Services commission Savilles, utilising the Professional Services Hub which is a national framework, to undertake a sample survey of 25% of the housing stock during the summer to give up-to-date and robust data in readiness for self-financing.

24. HOME CARE LINK - RESULTS OF MARKET TESTING AND FUTURE OPTIONS

Councillor Hopley introduced the report of the Director of Transformation which advised of the outcome of the Market test exercise for Home Care Link, considered the future options for the delivery of the service and the broader financial impact.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: A. That Home Care Link continue to be operated by the Council.

- B. That the Assistant Director Housing and Property Maintenance Services:
- (i) Discontinue membership of Telecare Services Association.
 - (ii) Actively explore and implement all methods of reducing operational costs.
 - (iii) Submit a further report to Cabinet in September 2011 on how Home Care Link could migrate to a business unit, which should include an option of relocating the service to the Council offices, 52 Derby Street.

25. BROOKSIDE - IMPACT ASSESSMENT

Councillor Hopley introduced the report of the Director of Transformation which considered the impact of the construction of the Brookside Development on any of the Council's Sheltered Housing Schemes.

Cabinet considered Minute 13 of the Landlord Services Committee (Cabinet Working Group) held on 7 June 2011 which recommended that the Queens Court Sheltered Housing Scheme be retained and that the remodelling of the accommodation be considered as part of the HRA Business Plan.

In reaching the decision below, Cabinet considered the details set out in the report before it and Minute 13 of the Working Group and accepted the reasons contained therein.

- RESOLVED:
- A. That the current position be noted.
 - B. That the Assistant Director of Housing and Property Maintenance Services continue to monitor the situation and submit a report to Cabinet at the appropriate time with an appraisal of options if necessary.
 - C. That the future of Queen's Court as a Sheltered Housing Scheme be confirmed.
 - D. That the remodelling of all sheltered housing schemes be considered as part of the HRA Business Plan.

26. CCTV MONITORING SUITE LOCATION

Councillor Hopley introduced the report of the Director of People and Places which sought approval for the future location of the Council's CCTV monitoring suite and the process to be utilised to ensure a smooth transition and future monitoring.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED:
- A. That the decision of Cabinet on 15th December 2010 be modified to provide that:
 - (a) the tender process be simplified as set out in paragraph 4.2 below and the space available for expansion be not included in the current tender exercise; and
 - (b) that the Council's CCTV Monitoring Suite is moved to the location identified in Option A of paragraph 5 of this Report.
 - B. That Call In is not appropriate for this item as there is an urgent need to commence the tender processes.

(Note: Cabinet resolved that the public be excluded from the meeting during consideration this item of business under paragraphs 3 and 7 of Part 1 of Schedule 12A of that Act.)

27. SHOPMOBILITY UNIT TWO SAINTS CAR PARK, ORMSKIRK

Councillor Grant introduced the report of the Director of Transformation which detailed issues arising from the proposed terms for the lease renewal of the Shopmobility Unit, Ormskirk.

An Equality Impact Assessment (EIA) was circulated along with correspondence between the Director of Transformation and West Lancashire Shopmobility Ltd.

In reaching the decision below, Cabinet considered the EIA, the correspondence circulated and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED:
- A. That the Assistant Director Regeneration and Estates continue to negotiate with Shopmobility to set terms for the lease renewal at Two Saints Car Park at market rent under her delegated authority.
 - B. That the option of the service relocating to the bus station in Ormskirk (the bus/rail interchange) be explored as shown hatched on Plan 2, attached as an appendix to the report, and set terms for the lease at market rent under her delegated authority.
 - C. The Assistant Director Regeneration and Estates will report back to Cabinet detailing progress in November.
 - D. That Shopmobility be permitted to hold over on the existing terms and conditions for a period of up to 6 months from the expiry date of the Section 25 Notice.

28. 1-11 & 29-39 FIRBECK

Councillor Owens introduced the report of the Director of Transformation which sought approval to purchase two blocks of flats which are 1-11 and 29-39 Firbeck as shown at Appendix A to the report.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED:
- A. That the purchase of 1-11 and 29-39 Firbeck be approved.
 - B. That the Assistant Director of Housing and Property Maintenance Services organise re-housing of the Tenants living in these properties.
 - C. That when the properties are vacated these flats be demolished.

29. PARTNERSHIP PROPOSALS WITH LANCASHIRE COUNTY COUNCIL / ONE CONNECT LTD

Councillor Grant introduced the report of the Chief Executive which, subject to the Business Plan Working Group finalising detailed contractual matters, sought to authorise the Council (after its meeting on the 20th July 2011) to enter into arrangements with Lancashire County Council through which One Connect Limited (the partnership created by BT and LCC) to deliver services and significant financial savings. The report advised that the partnership would provide a platform to markedly reduce the Council's costs without significantly compromising on quality and at the same time sought to be fair to both taxpayers and staff. Details in the report encouraged the initiative from LCC and One Connect Limited to invest in West Lancashire which aimed to safeguard employment and offer the possibility of creating a substantial number of new jobs in the Borough.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED: A. That, subject to the Business Plan Working Group finalising detailed contractual matters, Council (on 20 July 2011) enter into a shared services arrangement with Lancashire County Council through which One Connect Limited will become responsible for ICT services, Revenues and Benefits (including Council Tax, NNDR, Housing and Council Tax Benefits, Cashiers, Debtors and Creditors) and deliver significant financial savings.
- B. That the Director of Transformation and Director of People and Places, in consultation with the Business Plan Working Group, prepare an appropriate Service Provision Agreement for ICT services, Revenues and Benefits (including Council Tax, NNDR, Housing and Council Tax Benefits, Cashiers, Debtors and Creditors).
- C. That the Director of Transformation and the Director of People and Places, in consultation with the Business Plan Working Group, develop and consult on an appropriate secondment agreement(s).
- D. That the staff affected by the proposed secondment arrangement(s) are consulted in accordance with the Council's normal staff consultation processes.

THE LEADER

**CORPORATE OVERVIEW AND SCRUTINY
COMMITTEE**

HELD: 23 JUNE 2011

START: 7.30PM

FINISH: 9.00pm

PRESENT:

Councillors: Kay (Chairman)
Mee (Vice Chairman)

Aldridge	Lea
Mrs. Atherley	Mawdsley
Griffiths	McKay
Hennessey	Ms. Melling
Mrs. Houlgrave	Mrs. Pollock
S. Jones	Pratt
Mrs. Kean	Pryce-Roberts
	Savage

In attendance Councillor Furey

Officers: Director of Transformation (Ms K Webber)
Head of Leisure & Cultural Services (Mr J Nelson)
Acting Transformation Manager (Mr S Walsh)
Strategic Housing Manager (Mr S Jones)
Assistant Solicitor (Mr M Hynes)
Principal Member Services Officer (Mrs S Griffiths)

1. APOLOGIES

Apologies for absence were received on behalf of Councillor Cheetham.

2. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of membership of Councillors Bailey, Gagen and R.A. Pendleton and the appointment of Councillors Mrs. Melling, Hennessey and McKay for this meeting only, thereby giving effect to the wishes of the Political Groups.

3. URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

There were no items of urgent business.

4. DECLARATIONS OF INTEREST

Councillors Aldridge and McKay declared personal interests in relation to agenda item 8 (Housing Service Improvement Plan) as they (and a member of Councillor Aldridge's family) are tenants of rented garage sites/council accommodation.

5. DECLARATIONS OF PARTY WHIP

There were no declarations of a party whip.

6. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 8 March 2011 be approved as a correct record and signed by the Chairman.

7. MINUTES OF THE MEMBER DEVELOPMENT COMMISSION

RESOLVED: That the minutes of the meeting of the Member Development Commission held on 7 April 2011 be noted.

8. HOUSING SERVICE IMPROVEMENT PLAN

Consideration was given to the report of the Director of Transformation as circulated and contained on pages 21 – 74 of the Book of Reports which advised members on progress of the revised Housing Service Improvement Plan.

During the ensuing discussion Members raised questions/comments in relation to:-

- the purpose of the Committee receiving the report and how it can influence the Housing Service Improvement Plan
- concerns over individual cases not being addressed
- the composition of the Change Management Team/appointment of specialists
- tenants satisfaction questionnaire
- performance data on re-letting properties
- progress on discussions with LCC on adaptations performance
- the need to improve the service

The Chairman reminded Members that the Committee was requested to forward its comments on this report to Cabinet. In responding to the above, the Director of Transformation and Strategic Housing Manager reported that Gerald Davies had been appointed as the Interim Change Management Executive on a temporary basis and that Mushtaq Khan has been appointed as the Equality & Diversity specialist.

They went on to report that the tenant satisfaction questionnaire would be rolled out to all contractors which will be completed when a job had been finished and that it was slightly premature to report on performance in relation to the re-letting of properties. Regarding adaptations performance it was noted that further meetings with LCC had been arranged.

The Director of Transformation concluded that it was crucial to ensure service improvement in consultation with tenants and that the first stage of this process was building tenant capacity. She indicated that there was a genuine commitment to improve action to assist service improvement.

RESOLVED: That the report be noted.

9. ENVIRONMENTAL MANAGEMENT OF TAWD VALLEY PARK

Further to minute no. 62 of the last meeting of the Committee, consideration was given to the report of the Director of People and Places as circulated and contained on pages 75 – 80 of the Book of Reports on the future environmental management arrangements for Tawd Valley Park.

During the ensuing discussion Members raised concerns over the management plan not being fully implemented and expressed a desire to see an action plan adopted. Further discussion highlighted the effect of the Skelmersdale Town Centre re-development proposals on the future management of Tawd Valley Park.

RESOLVED: A. That the report be noted.

- B. That a further report be submitted to the Committee when information is available in respect of the Council's major service review, site management contracts, and Skelmersdale Town Centre, and how they will impact upon the environmental management of Tawd Valley Park.

10. MEMBERS ITEMS/COUNCILLOR CALL FOR ACTION (CCFA) PROTOCOL

Consideration was given to the report of the Director of People and Places as circulated and contained on pages 81-90 of the Book of Reports on the revised protocol for submitting Members Items/Councillor Call for Action (CCfA) in accordance with the provisions in the Local Government and Public Involvement in Health Act 2007.

RESOLVED: That the protocol to be used by Members when submitting Members Items/Councillor Call for Action (CCfA) be adopted and be included in the Constitution.

11. REVIEW TOPIC FOR 2011/12 AND CONFIRMATION OF WORK PROGRAMME

Consideration was given to the report of the Director of Transformation as circulated and contained on pages 91-96 of the Book of Reports containing the results of the scoring exercise on topics submitted for consideration.

RESOLVED: A. That the summary of the results of the scoring exercise (Appendix A) be noted and endorsed.

- B. That given the limited number of topics submitted and the substantial workload being undertaken by Housing and Property Maintenance Services, as detailed in paragraph 5.5 of the report, none of the topics identified be reviewed.

- C. That any future topics recommended by Members of the Committee during the course of the year be scored and subject to a satisfactory scoring outcome and resources be considered for inclusion in the work programme for 2011/12.

12. QUARTERLY PERFORMANCE INDICATORS (JANUARY 2011 TO MARCH 2011)

Consideration was given to the report of the Director of Transformation as circulated and contained on pages 97-120 of the Book of Reports which advised Members of the performance monitoring data for the quarter ending 31 March 2011.

RESOLVED: That the Council's overall good performance against the indicator set for the quarter ended 31 March 2011 be noted.

13. *2010/11 PERFORMANCE AND FUTURE MONITORING

Consideration was given to the report of the Director of Transformation as circulated and contained on pages 121-141 of the Book of Reports outlining the monitoring data for the 2010/11 corporate suite of performance indicators together with progress towards achieving the Corporate Priorities in 2010/11 via a progress report against the key initiatives of the Corporate Performance Plan 2010/11.

Members were advised of the following amendments to the performance targets arising from the Cabinet Meeting on 14 June 2011:-

WL90 % of Contact Centre Calls answered: (change to) 89%

WL108 – Average waiting time for callers to the Contact Centre: (change to) 44 secs.

WL114 - % LA properties with CP12 outstanding (Gas servicing): change to) 0%

During the ensuing discussion a member proposed the re-introduction of the contact card for Members. In relation to target WL108 the following comments/questions were highlighted

- concerns over the reasons non achievement of target WL 108
- performance targets in relation to the Joint Venture Company
- length and content of the Council's recorded telephone message
- customer satisfaction survey

In his response, the Acting Transformation Manager reported that an adverse weather policy was being prepared and that a customer contact survey was undertaken annually. The Acting Transformation Manager also undertook to investigate the possibility of producing a 'quick guide' to key contacts within the Council.

RESOLVED: A. That Appendices A and B together with the amendments outlined above, be noted.

- B. That the Director of Transformation investigate the production of a contact card.

14. ITEMS AT THE REQUEST OF A MEMBER/COMMUNITY CALL FOR ACTION

There were no items under this heading.

15. ITEMS REFERRED FROM THE MEMBERS UPDATE

There were no items under this heading.

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CHAIRMAN

PRESENT: Grice (Chairman)

Councillors: Baldock Hennessy
Mrs Blake Kay
Blane Ms Melling
Coyle Nolan
Cropper O'Toole
Fillis R A Pendleton
Gagen Pope
Gibson Sudworth
Greenall

Officers: Director of Transformation (Ms K Webber)
Assistant Director Housing and Property Maintenance
(Mr B Livermore)
Deputy Treasurer (Mr M Kostrzewski)
Acting Borough Solicitor (Mr T P Broderick)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance:

Councillors: Furey (Leader of the Labour Group)
Hodson

Also in attendance: Secretary, West Lancashire Pensioners' Forum (Mr R Brookfield)

1. APOLOGIES

There were no apologies for absence.

2. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, Members noted the termination of membership of Councillors G Jones and Moran and the appointment of Councillors Ms Melling and R A Pendleton for this meeting only, thereby giving effect to the wishes of the Political Groups.

3. URGENT BUSINESS

There were no items of urgent business.

4. DECLARATIONS OF INTEREST

Councillor Greenall declared a personal and prejudicial interest in item 10(a) (Special Meeting of Cabinet held on 13 April 2011) as, at the time of the decisions, he was a Member of Cabinet and had been present when the decisions were taken. He left the Chamber during consideration of this item.

Councillor Mrs Blake declared a personal interest in item 7 relating to the Petition Review Request – Designation of West Lancashire Pensioners’ Forum as a Key Stakeholder and Creation of a Public Forum, as the Council’s Older People’s Champion and also as a Member of the Older People’s Partnership Board.

Councillor Nolan declared a personal and prejudicial in item 7 relating to the Petition Review Request as a member of the West Lancashire Pensioners’ Forum and left the Chamber during consideration of this item.

Councillor Hennessy declared a personal interest during consideration of item 7 relating to the Petition Review Request when the discussion referred to various groups involved in the Council’s consultation processes referencing her former membership of the Older People’s Partnership.

Councillor Furey declared a personal interest in item 11 Implementing Self-Finance Council Housing as it related to Council owned homes stating that he was a tenant. Also in relation to item 10(b) Minutes of the Cabinet Meeting held on 14 June 2011 when considering Minute 29 relating to Partnership Proposals with Lancashire County Council (LCC)/One Connect Ltd. Councillor Furey declared a personal interest because of his employment and noted that if the discussion moved onto financial matters this could become a prejudicial interest.

Councillors Cropper and O’Toole declared personal interests as Members of Lancashire County Council during the discussion on item 10(b) Minutes of the Cabinet 14 June 2011 - Minute 29 relating to the Partnership Proposals with LCC/One Connect Ltd.

5. DECLARATIONS OF PARTY WHIP

There were no declarations of a party whip.

6. MINUTES

RESOLVED: That the minutes of the meeting held on 31 March 2011 be approved as a correct record and signed by the Chairman.

7. PETITION REVIEW REQUEST - DESIGNATION OF WEST LANCASHIRE PENSIONERS' FORUM AS A KEY STAKEHOLDER AND CREATION OF A PUBLIC FORUM

Consideration was given to the report of the Director of People and Places advising that a review had been requested of the steps that the Council had taken in response to a petition received on behalf of the West Lancashire Pensioners’ Forum (WLPF). The report, as circulated and contained on pages 7 to 20 of the Book of Reports, set out the steps taken to respond to the petition and included the Council’s response to the Petition’s Organiser (Appendix A) and the Petition Organiser’s request (Appendix B) for a review of that response.

The Petition’s Organiser, the Secretary of WLPF, attended the meeting and at the invitation of the Chairman addressed the Committee and in his address gave reasons why he did not feel the Council had adequately responded to the petition.

EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE HELD: 30 JUNE 2011

Members discussed the points the Petition's Organiser had raised in his address and in the petition documentation, along with the comments of the Director of Transformation, as set down in the Director of People and Places report. This included reference to the WPLF role and the request put forward within the petition that a public Forum be formally established with a view to meeting at the Council offices, four times a year, as a representative older people's group to provide a formal platform of consultation for that group.

Members sought additional information of the Petitioner, who consented to take questions and responded to those put to him, including those relating to the original petition, the WLPF membership and its representation throughout the Borough.

The Director of Transformation was in attendance and at the invitation of the Chairman also responded to comments.

Members additionally made reference to the consultation mechanisms already established by the Council and the various stakeholder groups involved in its consultation processes.

In reaching its decision the Committee also took into consideration the options that were available to them as set down at paragraph 7.3 of the report.

RESOLVED: That the steps taken by the Council in response to the petition are adequate.

(Note: Councillor Nolan left the Chamber during consideration of this item. The Director of Transformation also left the meeting after consideration of this item.)

8. CALLED-IN ITEMS

There were no items under this heading.

9. KEY DECISION FORWARD PLANS - 1 MAY 2011 - 30 JUNE 2011

There were no items under this heading.

10. RELEVANT MINUTES OF CABINET

Consideration was given to the following Minutes of Cabinet.

11. MINUTES OF THE SPECIAL CABINET MEETING HELD ON 13 APRIL 2011

Consideration was given to the minutes of the special meeting of Cabinet held on 13 April 2011. A member raised questions/comments in relation to:

Minute 150 (Proper Officer Provisions and Scheme of Delegation). Expected timing of report from the Business Plan Working Group to Cabinet. It was reported that a report relating to the work of this Group was scheduled to be considered by Council at its meeting on 20 July 2011.

EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE HELD: 30 JUNE 2011

RESOLVED: That the Minutes of the special meeting of Cabinet held on 13 April 2011 be noted.

(Note: Councillor Greenall left the Chamber during consideration of this item).

12. MINUTES OF CABINET MEETING HELD ON 14 JUNE 2011

Consideration was given to the minutes of the meeting of Cabinet held on 14 June 2011. Members raised questions/comments in relation to:

Minute 6 (Queen Elizabeth II Fields). Valuation of Council owned fields that are proposed to be included in the Queen Elizabeth II Fields Challenge Programme.

Minute 7 (Car Parking Arrangements – 52 Derby Street). – Parking arrangements generally in Ormskirk and link to the proposed Traffic Management Strategy for Ormskirk .

Minute 8 (Use of Section 106 Monies) – Projects identified for use of the commuted sums.

Minute 10 (Community Infrastructure Levy (CIL) and Proposed Amendments to Public Open Space Contributions) – Timetable in relation to preparation of the Draft Charging Schedule. The aims and benefits of the CIL system and the skill base of individuals involved with the self-build schemes.

Minute 33 (Local Enterprise Partnership (LEP) – Outcome of discussion in relation to Regional LEP Fund.

13. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involved likely disclosure of exempt information as defined in paragraph(s) 1, 2, 3 and 7 of Part 1 of the Schedule 12 A of that Act, as set out on the agenda of the Cabinet meeting held on 14 June 2011, and, as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

Minute 22 (Housing Repairs and Heating Contracts) – Tendering processes.

Minute 26 (CCTV Monitoring Suite Location) – Future location of the Council's CCTV monitoring suite.

Minute 28 (1-11 & 29-39 Firbeck) - Proposals in relation to these properties.

RESOLVED: That the Minutes of the meeting of Cabinet held on 14 June 2011 be noted.

14. OPEN TO THE PUBLIC

RESOLVED: That following consideration of the above item the public be entitled to return to the meeting for the remaining item of business.

15. IMPLEMENTING SELF-FINANCE COUNCIL HOUSING

Consideration was given to the report of the Director of Transformation as contained on pages 41 to 66 of the Book of Reports which sought comments from the Committee in relation to the Government's intention to move to a system of self-financing for Council Housing and gave details of the timetable of actions necessary to meet the requirements of self-financing of Council Housing, intended to be part of the Localism Act if enacted.

Members discussed the issues raised in the report and appendices and made comments relating to:

- The financial implications to the Council under the self-financing proposals related to debt settlement.
- The high level of risk related to the GRA.
- The contents of the responses to Council Housing Finance at the Department of Communities and Local Government (DCLG) and the CIPFA consultation.
- The extent of the financial issues currently faced by the Council's housing tenants' and the impact of other related proposed changes.

RESOLVED: A. That the report be noted.

B. That the following comments be reported to Cabinet:

- (a) That Cabinet considers the implications of recent cuts to Housing Benefit and how this will impact on rental income.
- (b) That Cabinet fully examines the introduction of "Universal Credit" and its impact on the self-financing scheme.
- (c) That Cabinet notes that "Rent Rebate" of £13.5m was paid direct onto tenant's rent accounts during 2010/11. That "Universal Credit" proposes to end direct payments onto rent accounts, as housing costs will be paid direct to tenants.
- (d) That Cabinet notes that large numbers of council tenants are in receipt of rent rebate. As at 25/03/2011, 4379 tenants claimed an average of £64.00 per week each.

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Chairman