

CABINET

HELD: 13 MARCH 2012

Start: 7.30pm

Finished: 8.35pm

PRESENT:

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

Councillors		<u>Portfolio</u>
I Ashcroft		Public Realm and Human Resources
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
Councillors: Mrs. Atherley

Officers
Managing Director (People and Places) (Mrs G Rowe)
Managing Director (Transformation) (Ms K Webber)
Assistant Director Housing and Regeneration (Mr B Livermore)
Assistant Director Community Services (Mr D Tilleray)
Borough Treasurer (Mr M Taylor)
Borough Planner (Mr J Harrison)
Transformation Manager (Mr S Walsh)
Business Development Manager (Mr W Berkley)
Environmental Works Officer (Mr R Brown)
Principal Member Services Officer (Mrs S Griffiths)

129. APOLOGIES

There were no apologies for absence.

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

There were no items of urgent business.

131. DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillor Forshaw declared a personal and prejudicial interest in agenda item 5(a) (Selective HMO Licensing – item referred by Cabinet to Executive Overview and Scrutiny Committee) in view of him being a private landlord. He left the meeting during consideration of this item.

2. Councillors Grant, Ashcroft, Fowler, Forshaw, Westley and Mrs. Atherley declared personal interests in agenda item 5(f) (Capital Programme Monitoring) in respect of Parish matters, as Members of Aughton, Hesketh with Becconsall, Scarisbrick, Hesketh with Becconsall, Halsall and Aughton Parish Councils respectively.
3. Councillors Fowler and Westley declared personal and prejudicial interests in agenda item 5(k) (War Memorial, Coronation Park, Ormskirk) in view of them being Custodian Trustees of the Comrades Club Trust. They left the meeting during consideration of this item.
4. Councillor Westley declared a personal interest in agenda item 8(b) (Human Resources and Payroll Partnership Arrangements with Lancashire County Council/One Connect Ltd.) in view of him being a Member of Lancashire County Council.

132. MINUTES

RESOLVED: That the minutes of the meetings of Cabinet held on 17 January 2012 and 29 February 2012 be approved as a correct record and signed by the Leader.

133. MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 1455 to 1578 and 1609 to 1630 of the Book of Reports.

134. SELECTIVE HMO LICENSING

Councillor Mrs Hopley introduced the report of the Borough Solicitor which advised Members that no comments had been made by the Executive Overview and Scrutiny Committee at its meeting on 2 February 2012 in respect of the above-mentioned report, which had been referred to it by Cabinet at its meeting on 17 January 2012.

She went on to introduce the report of the Assistant Director Community Services which provided Members with an understanding of the Selective Licensing process for houses in multiple occupation (HMO) together with the reasons for the preferred Landlord Accreditation Scheme.

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 a selective houses in multiple occupation licensing scheme not be introduced at the current time.
 - B. That the progress of the Landlord Accreditation Scheme be monitored with the Assistant Director Community Services bringing back a report to Cabinet in September 2012.
 - C. That call-in is not appropriate for this item, as the matter has been considered by the Executive Overview and Scrutiny Committee.

135. QUARTERLY PERFORMANCE INDICATORS (OCTOBER 2011 TO DECEMBER 2011)

Councillor Westley introduced the report of the Transformation Manager which detailed performance monitoring data for the quarter ended 31 December 2011.

A copy of Minute no. 62 of Corporate Overview and Scrutiny Committee held on 1 March 2012 was circulated which sought a detailed breakdown of information relating to BVPI 12 – Sickness Absence.

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 performance against the indicator set for the quarter ended 31 December 2011 be noted.

B. That the existing target BVPI 12 (Sickness Absence) remain unchanged and the Lead Officer for Human Resources be invited to make a presentation to the Corporate Overview and Scrutiny Committee at the end of the Performance Monitoring period, on the HR service since the introduction of the partnership arrangement with Lancashire County Council.

C. That call-in is not appropriate for this item as the report was considered by the Corporate Overview & Scrutiny Committee on 1 March 2012.

136. PERFORMANCE MANAGEMENT FRAMEWORK

Councillor Westley introduced the report of the Transformation Manager which sought approval for the adoption of the Council's Corporate PI Suite 2012/13.

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 draft Suite of Performance Indicators 2012/13 (Appendix A) and targets be approved as being most important in terms of delivering the Council's Business Plan and adopted as the Council's Corporate PI Suite 2012/13.

B. That it be noted that the Performance Indicators listed in Appendix B to the report previously reported in 2011/12, have been removed from the Suite of Performance Indicators for 2012/13 for the reasons stated in the table.

- C. That the Transformation Manager, in consultation with the Portfolio Holder for Resources & Transformation, be authorised to finalise the suite and targets having regard to any comments arising from the Executive Overview and Scrutiny Committee on 29 March 2012, and to amend the finalised suite and targets in year in response to any issues that may arise (for example government policy and the monitoring period of the JVC in respect of Exchequer Services and ICT)
- D That call-in is not appropriate for this item as it is being considered at the next meeting of Executive Overview & Scrutiny Committee on 29 March 2012.

137. RISK MANAGEMENT

Councillor Westley introduced the report of the Borough Treasurer which set out details on the Key Risks facing the Council and how they are managed.

In relation to the Service Area Housing & Regeneration: Housing, in Appendix B to the report, Councillor Mrs Hopley referred to a letter from the Tenants Services Authority which confirmed its release of the Council of its voluntary undertaking in relation to TSA standards on tenant involvement and empowerment, home tenancy, neighbourhood and community and value for money.

In reaching the decision below, Cabinet considered the details set out in the report before it together with Councillor Mrs Hopley's comments and accepted the reasons contained therein.

RESOLVED: A. That the progress made in relation to the management of the risks shown in the Key Risks Register at Appendix A be noted and endorsed, subject to the following amendments in relation to the Service Area Housing and Regeneration: Housing:-

Latest Note – to read “Following the improvements made in this area the Tenants Services Authority has now confirmed that they are happy to release the Council from its voluntary undertaking to meet certain standards.”

Current Risk Assessment and Score - that as a result the score contained in this column be amended to read '4 content', and the matrix be amended accordingly.”

B. That the revised Risk Management Policy at Appendix B be approved.

138. REVENUE BUDGET MONITORING

Councillor Westley introduced the report of the Borough Treasurer which provided a projection on the financial position on the General and Housing Revenue Accounts to the end of the financial year.

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 financial position of the Revenue Accounts be considered and noted.
- B. That call-in is not appropriate for this item as it is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee.

139. CAPITAL PROGRAMME MONITORING

Councillor Westley introduced the report of the Borough Treasurer which updated Members on the current position in respect of the 2011/12 Capital Programme.

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 current position in respect of the 2011/12 Capital Programme be noted.
- B. That call-in is not appropriate for this item as it is being referred to the next meeting of the Executive Overview and Scrutiny Committee.

140. CARETAKING SERVICE REVIEW

Councillor Mrs Hopley introduced the report of the Assistant Director Housing and Regeneration which informed Members of the caretakers service review report together with the officers' responses to it.

A copy of Minute No. 71 of the Landlord Services Committee (Cabinet Working Group) held on 7 March 2012 was circulated.

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 service review recommendations and officer responses as detailed in paragraph 4 of the report, be noted.
- B. That the subsequent actions identified in paragraph 4 of the report, be endorsed for implementation by the Assistant Director Housing and Regeneration under his delegated authority.

141. DEFRA CONSULTATION ON AMENDING THE POWERS OF LOCAL AUTHORITIES REGARDING PRESENTATION OF WASTE FOR COLLECTION

Councillor Fowler introduced the report of the Assistant Director Community Services which outlined (in Appendix 1) the proposed response to the Department for Environment, Food and Rural Affairs (DEFRA) on the above-mentioned consultation document.

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 response contained in Appendix 1, be approved.
 - B. That the Assistant Director Community Services forward the response to DEFRA as a matter of urgency.
 - C. That call-in is not appropriate for this item as this matter is one where urgent action is required because of the consultation deadline.

142. PUBLIC LAND AUCTION PILOT

Councillor Forshaw introduced the report of the Assistant Director Housing and Regeneration which sought approval to investigate and develop a Department of Communities and Local Government (DCLG) sponsored public land action pilot between the Homes and Communities Agency and the Council.

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 Housing and Regeneration be authorised to investigate and develop a land auction pilot scheme.
 - B. That the Assistant Director Housing and Regeneration be authorised to enter into any necessary documentation to facilitate the pilot.
 - C. That a report be brought back before Cabinet at the earliest opportunity providing details of the pilot and a detailed costed programme for progressing the pilot forward.

143. MEETING OF THE FUNDING OF VOLUNTARY ORGANISATIONS WORKING GROUP HELD ON 29 FEBRUARY 2012

Councillor Fowler introduced the report of the Transformation Manager which outlined the recommendations of the Funding of Voluntary and Other Organisations Working Group, in respect of a proposal regarding provision of a Citizens Advice service within 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 a grant of £48,425 per annum for a three year period (commencing April 2012) be made to the Chorley, South Ribble and Districts Citizens Advice Bureaux for the provision of an advice service within the West Lancashire Borough, as outlined in Appendix A, subject to Governance Arrangements to refer to one elected Member representative only to be nominated by the Leader.
- B. That the annual grant be subject to the CAB fulfilling the detailed criteria contained within a three year Service Level Agreement to include 12 month monitoring arrangements.
- C. That a "one-off" start up grant of £6,500 be made to the Chorley, South Ribble and Districts Citizens Advice Bureaux and funded from an underspend in the 2011/12 voluntary organisations grants budget rolled forward into 2012/13.
- D. That call-in is not appropriate for this item as this matter is one where urgent action is required due to the need to re-introduce an advice service providing wide ranging help and advice for residents within the Borough through the CAB as soon as practicable.

144. WAR MEMORIAL, CORONATION PARK, ORMSKIRK

Councillor Grant introduced the report of the Assistant Director Community Services which detailed proposals from the Custodian Trustees of Ormskirk Comrades Club to accept the transfer of ownership of the War Memorial located at the Comrades Club site in Ormskirk and arrange for its relocation to Coronation Park, Ormskirk.

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 proposal from the Custodian Trustees to accept ownership of the War Memorial be accepted.
- B. That the Assistant Director Community Services be authorised to take all necessary action, obtain all necessary permissions and consents and to enter into all necessary documentation to
- (i) enable the transfer of ownership of the War Memorial and its relocation, and
- (ii) secure the reimbursement of all associated costs from the Custodian Trustees of the Comrades Club, Ormskirk.

- C. That call-in is not appropriate for this item as this matter is one where urgent action is required because of the requirement to progress design work, engage and secure necessary planning consent and commission the relocation work within the time available to ensure that the War Memorial can be relocated to its new location in Coronation Park by November 2012.

145. KEY DECISION FORWARD PLAN QUARTERLY REPORT

Councillor Grant introduced the report of the Borough Solicitor which advised that no decisions had been made during the last quarter in respect of Special Urgency Procedure Rule 16 for the period 1 October – 31 December 2011.

RESOLVED: That it be noted that Procedure Rule 16, Special Urgency, was not exercised during the quarter period ending 31 December 2011.

146. 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 paragraphs 1,2 and 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.

147. MATTERS REQUIRING DECISIONS

Consideration was given to reports relating to the following matters requiring decisions as contained on pages 1579 –1607 of the Book of Reports.

148. HOME CARE LINK BUSINESS PLAN UPDATE

Councillor Mrs Hopley introduced the report of the Assistant Director Community Services which provided an update of the business plan for Home Care Link services.

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 progress on the Home Care Link Business Plan be noted.
- B. That the direction taken towards securing and expanding contractual agreements be agreed.
- C. That the revised staffing structure for the unit be noted and endorsed.
- D. That a final updated business plan be received at the next Cabinet meeting.

149. HUMAN RESOURCES AND PAYROLL PARTNERSHIP ARRANGEMENTS WITH LANCASHIRE COUNTY COUNCIL/ONE CONNECT LTD.

Councillor Ashcroft introduced the report of the Managing Director (Transformation) which updated Members on the negotiations regarding the arrangements for Human Resources and Payroll Services from 1 April 2012.

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 revised proposals from LCC/OCL for the delivery of HR Services to the Council, as set out in paragraph 5.1 be noted.
 - B. That the proposal from LCC/OCL for the delivery of Payroll Services to the Council as set out in paragraph 5.2 be noted.
 - C. That the Managing Director (Transformation) in consultation with the relevant Portfolio Holders, be authorised to finalise negotiations and take all action necessary to enter into appropriate agreements to enable the long term provision of HR Management Support through LCC, via their partnership with One Connect Limited.
 - D. That call-in is not appropriate for this item as this matter is one where urgent action is required in light of the fact that the current Human Resources agreement expires on 31st March 2012.

150. SKELMERSDALE VISION; PROPOSED PURCHASE OF COLLEGE LAND, SKELMERSDALE

Councillor Grant introduced the joint report of the Managing Director (Transformation) and Assistant Director Housing and Regeneration which sought approval for the purchase of a plot of land in Skelmersdale in relation to the Skelmersdale Town Centre Regeneration Project.

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 Housing and Regeneration be authorised to negotiate the terms and conditions for and (subject to agreement) then proceed to purchase the College land indicated on the plan appended to this report, on the basis outlined in the report at para(s) 3.1 to 5.4 (inclusive). The authorisation to include the ability to enter into all necessary agreements to give effect to the decision to purchase.
 - B. That call-in is not appropriate for this item as this matter is one where urgent action is required.

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LEADER