

CABINET

HELD: 16 JUNE 2015

Start: 7.30pm

Finish: 7.45pm

PRESENT:

Councillor: I Moran (Leader of the Council, in the Chair)

Councillors:

Portfolio

T Aldridge	Older People
Y Gagen	Deputy Leader of the Council & Leisure
J Hodson	Planning
J Patterson	Housing and Landlord Services
K Wright	Health and Community Safety

In attendance: Councillors Furey & Pendleton
Councillors

Officers:

- Managing Director (People and Places) (Mrs G Rowe)
- Managing Director (Transformation) (Ms K Webber)
- Assistant Director Housing & Regeneration (Mr B Livermore)
- Assistant Director Planning (Mr J Harrison)
- Borough Treasurer (Mr M Taylor)
- Borough Solicitor (Mr T Broderick)
- Transformation Manager (Mr S Walsh)
- Environmental Protection and Community Safety Manager (Mr A Hill)
- Asset Manager (Mr W Berkley)
- Property Services Manager (Mr P Holland)
- Organisational Re-Engineering Manager (Ms. K Warmington)
- Facilities Manager (Mr J Powell)
- Project Support Manager (Ms G Sands)
- Senior Surveyor (Mr K Spencer)
- Principal Member Services Officer (Mrs S Griffiths)

1. APOLOGIES

Apologies for absence were received on behalf of Councillors Wilkie (Portfolio Holder for Street Scene) and Wynn (Portfolio Holder for Finance)

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

There were no items of special urgency.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MINUTES

RESOLVED That the minutes of the Cabinet meeting held on 17 March 2015 be received as a correct record and signed by the Leader, it being noted that there has been a change in administration since the last meeting.

5. CONFIRMATION OF PROCEDURAL MATTERS

RESOLVED A. That the appointment of Cabinet, Committees, and Working Groups for 2015/16, as circulated at the Annual Meeting of the Council on 20 May 2015, with the terms of reference included in the Constitution, be noted.

B. That the 'Proper Officer Provisions and Scheme of Delegation to Chief Officers', insofar as they are executive functions, and the Scheme of Delegation to Cabinet Members, as set out in the Constitution, be noted.

6. MATTERS REQUIRING DECISIONS

Consideration was given to the report relating to the following matters requiring decisions as contained on pages 1 – 236 and 257 – 271 of the Book of Reports.

7. 192-198 ENNERDALE, SKELMERSDALE (FORMER TANHOUSE OFFICE)

Councillor Patterson introduced the report of the Assistant Director Housing and Regeneration which provided an update on the future use of 192-198 Ennerdale, Skelmersdale.

Minute no. 7 of the Landlord Services Committee (Cabinet Working Group) held on 11 June 2015 was circulated at the meeting.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee (Cabinet Working Group) and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the Assistant Director Housing and Regeneration be authorised, in consultation with the Portfolio Holder for Housing and Landlord Services, to grant a lease at a peppercorn rent to the Tanhouse Community Enterprise Ltd. subject to the business plan for 192-198 Ennerdale, Skelmersdale being valid and sustainable.
 - B. That the Assistant Director Housing and Regeneration be authorised to obtain all necessary consents and enter into all necessary documentation to facilitate the lease.

8. APPROVAL OF DRAFT STATEMENT OF LICENSING POLICY AND AUTHORISATIONS REQUIRED BY THE GAMBLING ACT 2005

Councillor Wright introduced the report of the Assistant Director Community Services which sought authority to approve the draft Statement of Licensing Policy (required by the Gambling Act 2005) prior to public consultation.

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

- RESOLVED
- A. That the draft Statement of Licensing Policy attached at Appendix 2 to the report, be approved.
 - B. That the Assistant Director Community Services be given delegated authority to publish the draft Statement of Licensing Policy and conduct a period of public consultation prior to returning the final policy for approval before 31 January 2016.

9. INTERNAL CCTV CODE OF PRACTICE

Councillor Wright introduced the report of the Assistant Director Community Services which sought approval for a West Lancashire Borough Council internal CCTV Code of Practice.

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

- RESOLVED
- A. That the Internal CCTV Code of Practice, included as Appendix 1 to the report, be approved.
 - B. That authority to agree future amendments to the Internal CCTV Code of Practice be delegated to the Assistant Director Community Services, in consultation with the relevant Portfolio Holder.

10. RISK MANAGEMENT

Councillor Moran introduced the report of the Borough Treasurer which set out details on the key risks facing the Council and how they are managed.

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

RESOLVED That the progress made in relation to the management of the risks shown in the Key Risks Register (Appendix A) be noted and endorsed.

11. QUARTERLY PERFORMANCE INDICATORS (Q4 2014-15)

Councillor Moran introduced the report of the Transformation Manager which presented performance monitoring data for the quarter ended 31 March 2015.

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

RESOLVED A. That the Council's performance against the indicator set for the quarter ended 31 March 2015 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 & Environmental Overview and Scrutiny Committee on 9 July 2015.

12. DRAFT LANDLORD SERVICES DISABLED ADAPTATIONS POLICY

Councillor Patterson introduced the report of the Assistant Director Housing and Regeneration which sought agreement of a draft Landlord Services Disabled Adaptations Policy for consultation purposes.

Minute no. 8 of the Landlord Services Committee (Cabinet Working Group) held on 11 June 2015 was circulated at the meeting.

A motion from Councillor Patterson was circulated at the meeting extending the consultation period until 1 September 2015.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee (Cabinet Working Group), the motion and explanation from Councillor Patterson and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the draft Landlord Services Disabled Adaptations Policy be approved for consultation with tenants, residents and key stakeholders, the consultation period to expire on 1 September 2015.
 - B. That the call-in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 2 July 2015.

13. USING ONE FOR ONE CAPITAL RECEIPTS

Councillor Patterson introduced the report of the Assistant Director Housing and Regeneration which considered the use of the retained one for one capital receipts.

Minute no. 9 of the Landlord Services Committee (Cabinet Working Group) held on 11 June 2015 was circulated at the meeting.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee (Cabinet Working Group) and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- That authority be delegated to the Assistant Director Housing and Regeneration in consultation with the Housing Portfolio Holder, to maximise the use of the one for one retained capital receipts by using available Council resources, and/or external funds from RSLs or other investors as outlined in option 3 in the report.

14. DIGITAL BY PREFERENCE - A NEW APPROACH

Councillor Moran introduced the report of the Transformation Manager which advised on a new approach in relation to access to Council services online. Councillor Moran moved that the item be deferred until the September Cabinet meeting to enable Members to more fully understand the issues.

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

- RESOLVED
- That this item be deferred until the September Cabinet meeting in order to enable Members to more fully understand the issues.

15. STRATEGIC ASSET MANAGEMENT PROJECT (SAMP)

Councillor Moran introduced the report of the Assistant Director Housing and Regeneration which updated on the progress of the Strategic Asset Management Project and sought authority to dispose of assets.

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

- RESOLVED
- A. That the contents of the report, including the work undertaken by officers to date, and the progress on the assets previously identified for disposal be noted.
 - B. That the Assistant Director Housing and Regeneration be authorised to take the actions recommended in Appendix A and B in relation to the 121 sites in the Tanhouse Ward together with land at Brierfield, Liverpool Road and Laburnum Drive in Skelmersdale and Hillock Lane in Scarisbrick, and take any actions necessary to secure disposal of category 1 sites.
 - C. That the sites set out in Appendix D are no longer required for their current uses as set out in that Appendix and that they be appropriated as required for regeneration purposes for the reasons set out in the report.
 - D. That funding of £20,000 be made available from major project reserves to enable sites designated in previous reports as '1 – Seek to Dispose' along with those identified in Appendix A and B, to be progressed further as detailed in paragraph 7.2 of the report.

16. ORGANISATIONAL RE-ENGINEERING - HOUSING SERVICES (RESPONSE MAINTENANCE AND VOID MAINTENANCE SERVICES) MANAGEMENT REPORT

Councillor Patterson introduced the joint report of the Assistant Director Housing and Regeneration and the Transformation Manager which presented the findings and recommendations for savings and service improvements in relation to the Response Maintenance and Void Maintenance Services.

Minute no. 10 of the Landlord Services Committee (Cabinet Working Group) held on 11 June 2015 was circulated at the meeting.

A motion from Councillor Patterson was circulated at the meeting.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee (Cabinet Working Group), the motion from Councillor Patterson and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the recommendations for service improvements set out in Sections 1.4, 1.5, 4 and 6 of the Management Report attached at Appendix 1 to the report, be agreed.
 - B. That the Assistant Director of Housing and Regeneration and Transformation Manager be given delegated authority to take action in connection with implementing the recommendations referred to at A. above, subject to any additional resource requirements being agreed via the usual budget process.

17. 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 4 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.

18. MATTER REQUIRING DECISION

Consideration was given to the report relating to the following matter requiring decision as contained on pages 237 – 255 of the Book of Reports.

19. CARETAKING SERVICE REVIEW

Councillor Patterson introduced the report of the Assistant Director Housing and Regeneration which reviewed the Council's caretaking service.

Minute no. 11 of the Landlord Services Committee (Cabinet Working Group) held on 11 June 2015 was circulated at the meeting.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee (Cabinet Working Group) and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the operation of the service in-house be continued.

- B. That the Action plan attached at Appendix C to the report, including the increase in service charges from 30th November 2015, be approved.
- C. That the Assistant Director Housing and Regeneration, in consultation with the Tenant Scrutiny Group (TSG), review the improvements made as a result of the Action Plan in 12 months' time.
- D. That the Assistant Director Housing and Regeneration report back to Cabinet following the review.
- E. That the Assistant Director Housing and Regeneration thank the TSG for their help with this matter.

Note

No representations had been received in relation to the above item being considered in private.

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LEADER

EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

HELD: 1 APRIL 2015

Start: 7.30pm

Finish: 8.00pm

PRESENT:

Councillors: Blane (Chairman)

Ashcroft	Kay
Mrs Atherley	Moran
Barron	Oliver
Bell	O'Toole
Furey	Patterson
Gagen	Pryce-Roberts
Jones	Savage

Officers: Assistant Director Housing and Regeneration (Mr B Livermore)
Deputy Borough Treasurer (Mr M Kostrzewski)
Partnership and Performance Officer (Ms A Grimes)
Assistant Solicitor (Mr M Hynes)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

86. APOLOGIES

Apologies for absence were submitted on behalf of Councillor S Bailey.

87. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 2, Members noted the termination of membership of Councillors Pendleton and Wilkie and the appointment of Councillors Pryce-Roberts and Patterson for this meeting only, thereby giving effect to the wishes of the Political Groups.

88. URGENT BUSINESS

There were no items of urgent business.

89. DECLARATIONS OF INTEREST

Councillors Ashcroft, Mrs Atherley, Bell, Blane and Jones declared a non-pecuniary interest in Agenda item 13 (Corporate Programme Monitoring) in relation to Parish Council matters, arising from their membership of a Parish Council.

90. DECLARATIONS OF PARTY WHIP

There were no declarations of a Party Whip.

92. MINUTES

RESOLVED: That the minutes of the meeting held on 29 January 2015 be received as a correct record and signed by the Chairman.

93. RELEVANT MINUTES OF CABINET

Consideration was given to the minutes of the Cabinet held on 17 March 2015.

Questions and comments were raised in respect of the following item:

Minute 78 (Organisational Re-Engineering – Legal and Democracy) – Scope of OR exercise; outcome.

RESOLVED: That the minutes of the Cabinet meeting held on 17 March 2015 be noted.

94. CALL-IN

There were no items under this heading.

95. CORPORATE PERFORMANCE MANAGEMENT 2015-2016

Consideration was given to the report of the Transformation Manager, as contained on pages 1117 to 1125 of the Book of Reports that detailed the Suite of Performance Indicators for adoption as the Council's Corporate PI Suite for 2015/16 and sought agreed comments, if any, prior to final adoption, following approval by Cabinet at its meeting on 17 March 2015.

The Partnership and Performance Officer attended the meeting, provided an overview and clarification, referencing details as set down in the report.

RESOLVED: There were no agreed comments.

96. BUSINESS PLAN 2015/18

Consideration was given to the joint report of the Managing Directors that gave details of the Business Plan 2015-18 (Appendix A – Version dated 18 March 2015) as contained on pages 1127 to 1155 of the Book of Reports that sought agreed comments, if any, following consideration by Cabinet at its meeting on 17 March and prior to consideration of the final version of the Plan by Council at its meeting on 15 April 2015.

The Partnership and Performance Officer attended the meeting provided an overview and clarification, referencing details as set down in the report.

RESOLVED: There were no agreed comments.

97. REVENUE BUDGET MONITORING

Consideration was given to the report of the Borough Treasurer as contained on pages 1157 to 1163 of the Book of Reports which provided a projection of the financial position on the General Revenue Account (GRA) at the end of the financial year.

The Deputy Borough Treasurer attended the meeting, provided an overview and clarification, referencing details as set down in the report.

RESOLVED: That the financial position of the GRA be noted.

98. HRA AND CAPITAL INVESTMENT PROGRAMME MONITORING 2014/2015

Consideration was given to the joint report of the Assistant Director Housing and Regeneration and Borough Treasurer as contained on pages 1165 to 1171 of the Book of Reports which provided an update on the Housing Revenue Account (HRA) and Capital Investment Programme.

In discussion comments and questions were made in reference to:

- Recruitment of suitable staff – difficulties encountered; reasons; initiatives to resolve.
- Investment in Kitchens and Bathrooms – benefits to tenants; schemes completed; positive feedback.

The Deputy Borough Treasurer attended the meeting and responded to questions and provided clarification, referencing details as set down in the report.

RESOLVED: That progress against the HRA and Capital Programme budgets be noted.

99. CAPITAL PROGRAMME MONITORING

Consideration was given to the report of the Borough Treasurer, as contained on pages 1173 to 1185 of the Book of Reports which provided an update on the current position in respect of the 2014/2015 Capital Programme.

In discussion comments and questions were made in to:

- Capital Programme – outcomes.
- Schemes identified 2015-16.
- Affordable Housing – Partnership with Regenda and other RSL's.

The Deputy Borough Treasurer attended the meeting and responded to questions and provided clarification, referencing details as set down in the report.

In response to a Member question on opportunities for other RSLs to work in the Borough, the Assistant Director Housing and Regeneration made an undertaking to circulate additional information.

RESOLVED: That the current position in respect of the 2014/2015 Capital Programme be noted.

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Chairman

PRESENT:

Councillors: Furey (Chairman)

Ashcroft	Mee
Mrs Blake	Nixon
Bullock	O'Toole
Davis	Pendleton
Delaney	Pryce-Roberts
Devine	Savage
Greenall	Westley
Kay	

Officers: Assistant Director Housing and Regeneration (Mr B Livermore)
Principal Solicitor (Mrs T Sparrow)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

1. APOLOGIES

There were no apologies for absence.

2. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 2, Members noted the termination of membership of Councillors Cotterill, Forshaw, Mrs Houlgrave and Whittington and the appointment of Councillors Pryce-Roberts, Mee, Mrs Blake and O'Toole respectively, thereby giving effect to the wishes of the Political Groups and the permanent appointment of Councillor Delaney.

3. URGENT BUSINESS

There were no items of urgent business.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. DECLARATIONS OF PARTY WHIP

There were declarations of a Party Whip.

6. MINUTES

RESOLVED: That the minutes of the meeting held on 1 April 2015 be received as a correct record and signed by the Chairman.

7. RELEVANT MINUTES OF CABINET

Consideration was given to the minutes of the Cabinet held on 16 June 2015.

RESOLVED: That the minutes of the Cabinet meeting held on 16 June 2015 be noted.

8. CALL IN ITEMS

There were no items under this heading.

9. DRAFT LANDLORD SERVICES DISABLED ADAPTATIONS POLICY

Consideration was given to the draft report of the Assistant Director Housing and Regeneration in relation to the draft Landlord Services Disabled Adaptations Policy for consultation purposes that sought agreed comments, if any, to be referred to him.

In discussion comments and questions were raised in relation to the following:

- Major adaptations – assessments (process; application support; role of voluntary sector).
- Adaptation Panel - role; membership; reporting mechanism.
- Funding adaptations – maximum limit; sourcing/types of additional funding.
- Responding to changing needs – “future proofing”; application timescales; flexibility and review; removing uncertainty.
- Means testing – categories; definitions; young person age-cap.
- Adaptations and residency – tenant transfer (criteria; sensitivities)
- Impact on HRA – budget issues; capital programme; future planning.
- Linking to private sector policy.

It was recognised that there were challenges to produce a suitable policy and yet is also mindful of the sensitivities surrounding the needs of eligible tenants with mayor adaptations to their homes and resource implications.

The Assistant Director Housing and Regeneration provided clarification on issues raised and responded to questions referring to details set down in the report. In response to Member questions on the means testing criteria at 7.2 of the draft policy and budget implications resulting from installation/ dismantling of adaptations already funded, he made an undertaking to circulate additional information.

RESOLVED: As a consequence of the discussion on the Draft Landlord Services Disabled Adaptation Policy consultation document the Committee asked that the Assistant Director Housing and Regeneration be mindful of the discussion and concerns raised by Members therein and the agreed comment be:

“That the report, following completion of the consultation process, be referred for consideration by this Committee, before final approval of the Policy by Cabinet.”

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Chairman