

CABINET

HELD: AGENDA ITEM: 4(a)
17 NOVEMBER 2009
 Start: 7.30pm
 Finish: 8.10pm

PRESENT

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

Councillors	Forshaw	<u>Portfolio</u>
	Fowler	Planning and Transportation
	Mrs Hopley	Community Services and Health
	Owens	Housing
	Westley	Deputy Leader & Regeneration and Planning
		Finance and Performance Management

In attendance Councillors: Furey R Pendleton
 Griffiths

Officers

- Chief Executive (Mr W Taylor)
- Deputy Chief Executive (Mr L Abernethy)
- Assistant Chief Executive (Ms K Webber)
- Executive Manager Housing and Property Maintenance Services (Mr R Livermore)
- Executive Manager Community Services (Mr D Tilleray)
- Head of Leisure & Cultural Services (Mr J Nelson)
- Treasurer (Mr M Taylor)
- Legal Services Manager (Mr T Broderick)
- Estates & Valuation Manager (Ms R Kneale)
- Assistant Member Services Manager (Mrs J Denning)

60. APOLOGIES

Apologies for absence were received on behalf of Councillor Ashcroft, Human Resources Portfolio and Councillor Greenall, Street Scene Management Portfolio.

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

There were no urgent items.

62. DECLARATIONS OF INTEREST

The following declarations of interest were received:

Agenda Item	Report Title	Councillor	Interest	Reason
5(d)	Budget Prospects	Westley	Personal	With reference to Lancashire County Council Pension Fund as a Member of Lancashire County Council

Agenda Item	Report Title	Councillor	Interest	Reason
5(e)	Revised Capital Programme and Mid Year Review 2009/2010	Fowler, Grant and Westley	Personal	With reference to Parish Councils as they are Members of Scarisbrick Parish Council, Aughton Parish Council and Halsall Parish Council respectively.
		Owens and Westley	Personal	With reference to Conservation Area Enhancements Scheme as they reside in a Conservation Area.
5(f)	Review of Revenue Grants to Voluntary Organisations	Westley	Personal & Prejudicial	With reference to Victim Support – Lancashire as his daughter is a volunteer for the Witness Service.
		Fowler	Personal	With reference to Disability Helpline as his son is a user of the service.
5(i)	Burscough Community Woodlands	Westley	Personal	As a Member of Lancashire County Council

63. MINUTES

RESOLVED: The minutes of the meeting of Cabinet Held on 15 September 2009 were received as a correct record and signed by the Leader.

64. MATTERS REQUIRING DECISIONS

Consideration was given to reports relating to matters requiring decisions, as contained on pages 765 to 860 of the Book of Reports.

65. BUS SHELTERS IN WEST LANCASHIRE

Councillor Forshaw introduced the report of the Executive Manager Community Services which set out the decision by Clear Channel Limited, formerly known as Adshel Limited, to terminate their current agreement with the Council on 31 March 2010 for the erection and maintenance of certain bus shelters within the Borough and the impact of this decision.

Members agreed that the opportunity of gaining revenue from advertising and assignment of any relevant benefits accruing under the contract should be explored.

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 it be noted, Clear Channel Limited has given notice to this Council to terminate the current agreement with effect from 31 March 2010.
 - B. That the Executive Manager Community Services, in consultation with the Portfolio Holder for Planning and Transportation, be authorised to enter into an agreement with Clear Channel Limited to transfer the ownership of the bus shelters, identified at Appendix A to the report, to the Council with effect from 1 April 2010.
 - C. That the Executive Manager Community Services, in consultation with the Portfolio Holder for Planning and Transportation, be authorised to enter into a maintenance agreement with a suitable contractor for the maintenance of Council owned bus shelters.
 - D. That consideration be given to the allocation of the additional funding of £15,000 over and above that of the £12,800 which is already provided for bus shelter maintenance from 1 April 2010 as part of the budget setting process for 2010-2011.
 - E. That the Executive Manager Community Services, in consultation with the Portfolio Holder for Planning and Transportation, be authorised to investigate the use of materials other than glass for replacement shelter panels.

66. LITTLE DIGMOOR PLAY AREA

Councillor Fowler introduced the report of the Executive Manager Community Services which reviewed the action undertaken to reduce anti-social behaviour at the multi-use games area and teenage shelter in Abbeystead, Little Digmoor.

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 play equipment, multi use games area and teenage shelter remain in situ and that Council officers continue to work with the Police and MAPS team to resolve anti social behaviour issues.
 - B. That a further report on progress be submitted to Cabinet in 6 months.

67. REVENUE BUDGET MID YEAR REVIEW

Councillor Westley introduced the report of the Council Secretary and Solicitor which provided a projection on the financial position of 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 noted, including the approved uses of reserves and balances.
- 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 on 3 December 2009.

68. BUDGET PROSPECTS

Councillor Westley introduced the report of the Council Secretary and Solicitor which provided an initial assessment of the budget prospects for future years.

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 challenging budget prospects for future years are noted, including the combination of limited resources and spending pressures.
- B. That call in is not appropriate for this item as it is to be submitted to the next meeting of Executive Overview and Scrutiny Committee on 3 December 2009.

69. REVISED CAPITAL PROGRAMME AND MID YEAR REVIEW

Councillor Westley introduced the report of the Council Secretary and Solicitor which sought approval of the Revised Capital Programme 2009/2010 and provide an overview on the progress against the Revised Capital Programme at the mid-year point.

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 Capital Programme, including the additional expenditure and virements contained within it, be approved for consideration by Council.
- B. That the progress against the Revised Capital Programme at the mid-year point be noted.
- C. That call in is not appropriate for this item as it is being referred to Executive Overview and Scrutiny Committee on 3 December and Council on 16 December 2009.

70. REVIEW OF REVENUE GRANTS TO VOLUNTARY ORGANISATIONS

Councillor Fowler introduced the report of the Council Secretary and Solicitor which detailed the recommendations of the Funding of Voluntary and Other Organisations Cabinet Working Group at a meeting held on 2 November 2009.

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 subject to the budget to be set on 24 February 2010, funding be made available to the following organisations as indicated:

- A. Age Concern – Lancashire
Funding continue at current level (£12,136) per annum by way of a 3 year Service Level Agreement subject to confirmation that grant will be used within West Lancashire.
- B. Citizens Advice Bureau – West Lancashire
Funding continue at current level (£48,425) per annum by way of a 3 year Service Level Agreement subject to
 - i) successful audit by Citizens Advice
 - ii) satisfactory annual review and financial statements
 - iii) service maintained at current Service Level Agreement level
- C. Council for Voluntary Service – West Lancashire
Uplift of grant to £32,779 (increase of £7,542) per annum by way of a 3 year Service Level Agreement subject to confirmation of continued funding by Lancashire County Council. Growth to be funded from unallocated resources within the Strategic Fund Budget 2010/11.
- D. Dial-A-Ride Association
Funding continue at current level (£39,603) per annum by way of a 3 year Service Level Agreement subject to successful tender bid to Lancashire County Council for Community Transport Services.
- E. Disability Helpline
Funding continue at current level (£5,920) per annum by way of a 3 year Service Level Agreement.
- F. South & West Lancs. Foodbank
Funding continue at current level (£1,130) per annum by way of a 3 year Service Level Agreement subject to submission of business plan, annual report, health & safety policy and equal opportunities policy.
- G. Relate – Lancashire and Cumbria
Uplift of grant to £3,545 (increase of £1,000) per annum by way of a 3 year Service Level Agreement subject to receipt of satisfactory financial statements. Growth to be funded from unallocated resources within the Strategic Fund Budget 2010/11.
- H. Victim Support – Lancashire
Funding continue at current level (£4,854) by way of a 3 year Service Level Agreement subject to receipt of satisfactory financial statements.

71. ORGANISATIONAL RE-ENGINEERING UPDATE

Councillor Westley introduced the report of the Assistant Chief Executive which provided an update on the completed Organisational Re-engineering (OR) projects to date, together with information regarding the progress of implementation plans. The report detailed the level of cash and efficiency savings resulting from OR, together with the improvements to both service delivery and customer accessibility as identified as part of each 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 positive progress and successful outcomes of each OR review to date, together with the subsequent cash and efficiency savings identified be noted.
- B. That the Assistant Chief Executive, in consultation with the relevant Portfolio Holder, Treasurer and Executive Manager (as appropriate), be authorised to select, undertake and implement Organisational Re-Engineering Projects

72. COMPLAINTS MONITORING

The Leader introduced the report of the Assistant Chief Executive which provided data on complaints received by the Council from April 2008 to March 2009.

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 latest figures in relation to level of complaints to the Council in 2008/09 be noted.
- B. That call in is not appropriate for this item as it is being considered at the next meeting of the Corporate Overview and Scrutiny Committee on 2 December 2009.

73. BURSCOUGH COMMUNITY WOODLANDS

Councillor Fowler introduced the joint report of the Executive Manager Community Services and the Executive Manager Planning, Regeneration and Estates which detailed a scheme operated by Lancashire County Council called Woodlands from Waste, outlined its possible application in Burscough, and sought authority to progress discussions regarding the proposed development of a Burscough Community Woodland.

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 Executive Manager Community Services be authorised to continue discussions with Woodlands from Waste and in conjunction with the Executive Manager of Planning, Regeneration and Estates and the Council's Secretary and Solicitor, progress investigations into the proposed creation of community woodland on the Platts Lane and Mill Dam Lane closed landfill sites in Burscough.
- B. That a further report be presented to a future meeting of Cabinet with the results of the investigations.

74. KEY DECISION FORWARD PLAN - QUARTERLY REPORT ON SPECIAL URGENCY DECISIONS - 1 JULY - 30 SEPTEMBER 2009

The Leader introduced the report of the Council Secretary and Solicitor which advised that one decision had been made during the last quarter in respect of Access to Information Procedure Rule 16 (Special Urgency).

- RESOLVED: That it be noted that Access to Information Procedure Rule 16 (Special Urgency) was exercised once during the quarter ending 30 September 2009.

75. 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 3 and 4 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.

76. MATTERS REQUIRING DECISIONS

Consideration was given to reports relating to matters requiring decisions, as contained on pages 861 to 916 of the Book of Reports.

77. BLAGUEGATE ALL WEATHER FOOTBALL PITCHES

Councillor Fowler introduced the report of the Executive Manager Community Services which sought authority to engage a partner organisation for the redevelopment and lease of Blaguegate Astro turf and shale pitch at Liverpool Road Skelmersdale.

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 given to the Executive Manager Community Services, in consultation with the Council Secretary and Solicitor, Executive Manager Planning, Regeneration and Estates, the Portfolio Holder for Community Services and the Portfolio Holder for Finance, to identify a suitable commercial partner; negotiate and enter into a community use agreement and lease with that commercial partner, for the development of the Astro turf, shale pitch area and associated car park and changing rooms at Blaguegate playing fields, for a minimum lease period of 30 years and to take all other necessary steps and obtain all appropriate consents.
- B. That an exemption to Rule 7 of the Council's Contract Procedure Rules be provided to allow the Council to enter into this agreement without conducting the formal tender exercise required by Rule 7, for the reasons specified in paragraph 5.3 of the report.
- C. That call in is not appropriate for this item as it has been referred to Council and there is a need to progress matters and maintain the interest of developers to achieve progress within the time lines detailed in paragraph 6.2 of the report.

78. HOME CARE LINK: INVESTMENT OPTIONS FOR THE CONTROL CENTRE

This item was deferred for consideration at the Special Meeting of Cabinet on 16 December 2009.

THE LEADER