

CABINET**HELD: 13 NOVEMBER 2012**

Start: 7.30pm

Finish: 8.25pm

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

Councillors	M Forshaw	<u>Portfolio</u>
	A Owens	Planning and Development
	D Westley	Deputy Leader & Housing (Finance), Regeneration and Estates Resources and Transformation

In attendance
Councillors: Cropper
Dereli
PendletonOfficers
Managing Director (People and Places) (Mrs G Rowe)
Managing Director (Transformation) (Ms K Webber)
Assistant Director Community Services (Mr D Tilleray)
Assistant Director Housing and Regeneration (Mr B Livermore)
Assistant Director Street Scene (Mr G Concannon)
Borough Treasurer (Mr M Taylor)
Borough Solicitor (Mr T Broderick)
Transformation Manager (Mr S Walsh)
Principal Member Services Officer (Mrs S Griffiths)**59. APOLOGIES**

Apologies for absence were submitted on behalf of Councillors Mrs. Hopley and Sudworth.

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

There were no items of special urgency.

61. DECLARATIONS OF INTEREST

1. Councillors Grant, Forshaw and Westley declared non-pecuniary interests in Agenda Item 6(d) 'Revised Capital Programme and Mid Year Review' in respect of Parish Council matters, as Members of a Parish Council.
2. Councillor Forshaw declared a pecuniary interest in agenda item 6(b) 'Landlord Accreditation Scheme Review' as a landlord of private rented property, and left the Chamber during consideration of this item.

62. MINUTES

RESOLVED: That the minutes of the meeting of Cabinet held on 11 September 2012 be approved as a correct record and signed by the Leader.

63. ITEM REFERRED FROM THE CORPORATE AND ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE - WEST LANCASHIRE LEISURE/SERCO ANNUAL REPORT

Councillor Westley introduced the report of the Borough Solicitor which set out comments referred from the Corporate and Environmental Overview and Scrutiny Committee at its meeting held on 25 October 2012, when scrutinising the above-mentioned item.

In responding to the comments of the Corporate and Environmental Overview and Scrutiny Committee Councillor Westley outlined the difficult financial situation facing the Council now and in future years and indicated that there would be significant revenue costs associated with the development of a centre of sports excellence. Councillor Westley circulated a motion which was seconded.

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

- RESOLVED: A. That due to funding restrictions now and in the foreseeable future it is inappropriate to consider the development of a centre of sports excellence for Skelmersdale.
- B. That it be noted that the Council will continue to work with the Leisure Trust and Serco to provide good leisure services in the Borough.

64. MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 2099 – 2243 of the Book of Reports.

65. RISK MANAGEMENT REVIEW

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

66. LANDLORD ACCREDITATION SCHEME REVIEW

Councillor Grant introduced the report of the Assistant Director Community Services which provided an update on progress of the above-mentioned scheme and sought approval to the continuation of years 2 and 3 of the contract with the Residential Landlords Association.

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

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- RESOLVED: A. That the provision of a Landlord Accreditation Scheme in West Lancashire continues into years 2 and 3 of the contract with the Residential Landlords Association (RLA).
- B. That the Assistant Director Community Services be given delegated authority to review and update the scheme as required in consultation with the relevant Portfolio Holder.

67. REVENUE BUDGET MID YEAR REVIEW

Councillor Westley introduced the report of the Borough Treasurer which provided a projection 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 noted including the position on reserves and balances.
- B. That call-in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 29 November 2012.

68. REVISED CAPITAL PROGRAMME AND MID YEAR REVIEW 2012/2013

Councillor Westley introduced the report of the Borough Treasurer which detailed the revised Capital Programme 2012/2013 and provided an overview on the progress against it 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 virements and budget adjustments 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 the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 29 November 2012 and Council on 19 December 2012.

69. ORGANISATIONAL RE-ENGINEERING UPDATE

Councillor Westley introduced the report of the Transformation Manager which provided an update on the Council's Organisational Re-engineering (OR) programme to date.

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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 that the OR reviews taking place are Planning commenced September 2012 and Landlord Services due to commence April 2013.

B. That the positive results together with the financial savings/efficiencies that OR has delivered to date, be noted.

70. EMPTY HOMES LEASE AND REPAIR SCHEME

Councillor Grant introduced the report of the Assistant Director Community Services which sought approval to the introduction of an empty homes lease and repair scheme in conjunction with Helena Partnerships.

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 Community Services be authorised to work with Helena Partnerships to develop and implement an empty homes lease and repair scheme.

B. That the Assistant Director Community Services be given delegated authority, in consultation with the relevant Portfolio Holder, to review and update the scheme as required

71. PUBLIC SECTOR HOUSING CAPITAL INVESTMENT - PROCUREMENT OF KITCHEN AND BATHROOM REFURBISHMENT CONTRACTS

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which sought approval to invest in kitchens and bathrooms for some of the Council's public housing stock, commencing the programme of investment over the next five years.

In referring to bathroom refurbishments, Councillor Owens raised the concerns of the Landlord Services Committee over the replacement of baths with showers in ground floor accommodation as some of these properties had been allocated to young families. He submitted a motion in this regard proposing flexibility within the policy.

A copy of minute no. 27 of the Landlord Services Committee held on 7 November 2012 was circulated. A copy of a revised Appendix A was also circulated at the meeting.

In reaching the decision below, Cabinet considered Councillor Owens' comments, the minutes of the Landlord Services Committee, the motion circulated, the revised Appendix A and 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 to accept the successful tenders for the provision of both kitchen and bathroom refurbishments (2 separate tenders) for a term of 5 years, based on the tender evaluation methodology detailed in the revised Appendix A.
- B. That, in order to allow the prompt commencement of the extensive kitchen and bathroom contracts, Council be recommended to approve a budget allocation totalling £5.8m to allow for commencement in January 2013 (plus an additional £600K for void property kitchens) including any increase in temporary staffing resource. (This will be included in a further report to Council on 27 February 2013 along with the remainder of the public sector capital investment plans for 2013/14, and as part of the normal budget setting process).
- C. That Council be recommended to approve the policies in respect of kitchen and bathroom replacement as detailed in paragraphs 6.6 and 7.3 with the exception that bathrooms in flats or bungalows with 3 bedrooms or more are excluded from the policy of having baths replaced with showers.

72. COMPLAINTS MONITORING

Councillor Grant introduced the report of the Transformation Manager which presented data on complaints received by the Council from April 2011 to March 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 complaints data for 2011/2012 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 and Scrutiny Committee on 13 December 2012.

73. COMMUNITY RIGHT TO BID: ASSETS OF COMMUNITY VALUE

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which advised on the Community Right to Bid contained within the Localism Act 2011 and sought authority to administer the Community Right to Bid process.

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 contents of the report and summaries attached as Appendices A and B be noted.

- B. That the Assistant Director Housing and Regeneration be authorised to administer the Community Right to Bid process, to include, in consultation with the relevant Portfolio Holder, the consideration and determination of the listing of assets and compensation.
- C. That the Managing Director (Transformation) in consultation with the Leader be authorised to undertake reviews of the determination of the listing of assets and compensation.

74. FORWARD PLAN - SPECIAL URGENCY DECISIONS & REVISED ARRANGEMENTS FOR NOTICE OF MEETINGS

Councillor Grant introduced the report of the Borough Solicitor which advised that no decision had been made during the last quarter in respect of Special Urgency Procedure Rule 16 for the period 1 July – 30 September 2012, and further advised of changes required as a result of new legislation.

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 that Access to Information Rule 16 (Special Urgency) was not exercised during the quarter ending 30 September 2012.
 - B. That at least 5 clear days before a meeting, the Leader be authorised to determine whether a matter should be considered in private and notification of that decision be published in the agenda for the meeting and contain further notice of the intention to hold the meeting or part of it in private and the reasons for it and details of any representations received in respect of why an item should be considered in public, and any response thereto, be published on the Council's website and notice board.
 - C. That the Managing Director (People and Places) be authorised to produce the relevant notices for meetings of the Cabinet to be held in private as set out in paragraphs 4.3 (28 clear days notice), 4.4 (5 clear days notice) and 4.5 (urgency) below.
 - D. That it be noted that future reports in relation to urgent decisions will be submitted to Council annually.

77. STRATEGIC ASSET MANAGEMENT PROJECT

This item was deferred.

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LEADER