

**CABINET****HELD: 15 JANUARY 2013**

Start: 7.30pm

Finish: 9.10pm

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

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

In attendance	Ashcroft	J. Hodson
Councillors:	Cropper	Pendleton

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)  
Principal Planning Officer (Ms G Whitfield)  
Principal Member Services Officer (Mrs S Griffiths)

**78. APOLOGIES**

There were no apologies for absence.

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

There were no items of special urgency.

**80. DECLARATIONS OF INTEREST**

1. Councillor Sudworth declared a pecuniary interest in agenda item 5(c) (Review of Revenue Funding to Voluntary Organisations) in view of his appointment by the Council to the West Lancashire CVS, and left the meeting during consideration of this item.

**81. MINUTES**

RESOLVED: That the minutes of the meeting of Cabinet held on 13 November 2012 be approved as a correct record and signed by the Leader.

**82. ITEM REFERRED FROM CORPORATE AND ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE - COMPLAINTS MONITORING**

Councillor Westley introduced the report of the Borough Solicitor which set out comments referred from the Corporate & Environmental Overview and Scrutiny Committee at its meeting held on 13 December 2012, when scrutinising the above item.

In responding to the comments of the Corporate and Environmental Overview and Scrutiny Committee Councillor Westley referred to the vast amount of interactions with customers across the entire authority and explained that it was not feasible nor practical to record verbal complaints of dissatisfaction and that it would have a negative impact on service delivery. 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 the vast number of interactions with customers across the entire Authority it is not feasible to log/detail the number of verbal complaints received.
- B. That recording this level of detail is not considered a practical option and would also have a negative impact on service delivery. In addition, the likelihood of having to invest in new software for the purpose of recording complaints is not considered good value for money, particularly within the current financial climate.

**83. MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 2245 to 2596 and 2605 to 2651 of the Book of Reports.

**84. ORGANISATIONAL RE-ENGINEERING SHELTERED HOUSING REPORT**

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which detailed the findings and recommendations for savings and service improvements contained within the Organisational Re-engineering (OR) Sheltered Housing Management Report.

A copy of minute no. 33 of the Landlord Services Committee (Cabinet Working Group) held on 9 January 2013 was circulated at the meeting.

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

- RESOLVED:
- A. That the implementation of option 3 at paragraph 5 and the further work identified in paragraph 6, be approved, in order to gain a clearer understanding of service costs to inform a further decision on the future service provision in late 2013. (Note, Paragraph 3.4 regarding future Lancashire County Council Supporting People funding arrangements refers).
  - B. That a further report be submitted to Cabinet when the Lancashire County Council service model and contract arrangements are known.
  - C. That the actions already taken as outlined in Appendix 1, be noted.
  - D. That the recommendations for service improvements as outlined in Appendix 2, be approved.

## **85. STRATEGIC ASSET MANAGEMENT PROGRAMME**

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which updated Members on the progress of the Strategic Asset Management Project and advised on the outcomes of the Scarisbrick, Newburgh and Aughton and Downholland Wards.

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, including the work undertaken by officers to date, and the progress on the assets previously identified, be noted.
  - B. That the Assistant Director Housing and Regeneration be authorised to take the actions recommended in Appendices A, B & C in relation to the 8 sites in the Newburgh Ward, 23 sites in the Scarisbrick Ward and the 27 sites in the Aughton and Downholland Ward.
  - C. That the site off Park Avenue, Ormskirk, referred to in section 6 of the report, be appropriated for planning purposes under the provisions of Section 122 of the Local Government Act 1972.

- D. That funds from the savings on the overall Housing and Regeneration service area staffing budget are utilised so that the small delivery team remains at full complement to ensure the project remains on target.

## 86. FUNDING OF VOLUNTARY & OTHER BODIES WORKING GROUP

Councillor Westley introduced the report of the Transformation Manager which considered the recommendations of the Funding of Voluntary and Other Organisations Working Group meeting on 4 December 2012 in respect of the presentations/applications received from the Voluntary Organisations in relation to the review and monitoring of funding to the Voluntary Organisations.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it and noted that the decision was subject to the budget being set in February 2013.

- RESOLVED: A. That funding be made available to the following organisations from 2013 onwards in principle and determined when the budget is set on 27 February 2013:-
- i) Age UK – Lancashire  
Funding continue at current level (£12,136) per annum by way of a 3 year Service Level Agreement subject to receipt of satisfactory financial statements and confirmation that grant will be used within West Lancashire.
  - ii) West Lancashire Council for Voluntary Service  
Funding continue at current level (£32,779) per annum by way of a 3 year Service Level Agreement.
  - iii) West Lancashire Dial A Ride Association  
Funding continue at current level (£28,575) per annum by way of a one year Service Level Agreement, to be reviewed in October/November 2013 due to the uncertainty of LCC policy in relation to Community Transport provision and to the financial viability of the Organisation.
  - iv) Relate – Lancashire & Cumbria  
Funding continue at current level (£3,545) per annum by way of a 3 year Service Level Agreement.
  - v) South & WL Foodbank  
Funding continue at current level (£1,130) per annum by way of a 3 year Service Level Agreement.
  - vi) West Lancashire Disability Helpline  
Funding continue at current level (£5,920) per annum by way of a 3 year Service Level Agreement.

- vii) Victim Support Lancashire  
Funding continue at current level (£4,854) per annum by way of a 3 year Service Level Agreement, subject to receipt of satisfactory financial statements and confirmation that grant will be used in West Lancashire.
- B. That in relation to Lancashire West Citizens Advice Bureau funding be continued in accordance with the terms contained within the Service Level Agreement (2012-2015).

## 87. STATEMENT OF LICENSING POLICY REQUIRED BY THE GAMBLING ACT 2005

Councillor Sudworth introduced the report of the Assistant Director Community Services which sought approval of the revised Statement of Licensing Policy required under the Gambling Act 2005, following the public consultation exercise.

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 Statement of Licensing Policy at Appendix 2 be approved.
  - B. That the Assistant Director Community Services be given delegated authority to publish and administer the revised Statement of Licensing Policy before the 31<sup>st</sup> January 2013.
  - C. That-call is not appropriate for this item as the Council must publish its revised Statement of Licensing Policy by the statutory deadline of the 31<sup>st</sup> January 2013 and therefore submission to the Executive Overview and Scrutiny Committee is not possible.

## 88. SUSTAINABLE ENERGY STRATEGY

Councillor Forshaw introduced the report of the Borough Planner which presented the Draft Sustainable Energy Strategy that would assist in the delivery of carbon reduction and improved sustainability across 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 the draft Sustainable Energy Strategy, attached as Appendix 2 to the report, be approved for consultation purposes.

- B. That members agree in principle to engage in the Climate Local initiative and commit to helping reduce carbon emissions across the Borough.

**89. BUSINESS PLAN 2013/14 REFRESH**

Councillor Westley introduced the joint report of the Managing Director (People and Places) and the Managing Director (Transformation) which sought approval for the "Business Plan 2013/14 Refresh".

A copy of a revised Appendix A was circulated at the meeting.

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

- RESOLVED:
- A. That the "Business Plan 2013/14 Refresh" as set out in Revised Appendix A be approved and adopted by the Council.
  - B. That delegation is granted to the Joint Managing Directors to make any final amendments to the document, prior to publication.
  - 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 31 January 2013.

**90. QUARTERLY PERFORMANCE INDICATORS (Q2 2012/13)**

Councillor Westley introduced the report of the Transformation Manager which presented performance monitoring data for the quarter ended 30 September 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 Council's performance against the indicator set for the quarter ended 30<sup>th</sup> September 2012 be noted.
  - B. That the call-in procedure is not appropriate for the item as the report has been submitted to the Corporate and Environmental Overview and Scrutiny Committee meeting on 21<sup>st</sup> February 2013.

**91. DRAFT REVENUE BUDGET 2013 - 2014**

Councillor Westley introduced the report of the Borough Treasurer, which provided a summary of the current General Revenue Account budget position.

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 for 2013-14 and later years be noted.
  - B. That the Portfolio Holder for Resources and Transformation be given delegated authority to submit firm proposals to Council on 27<sup>th</sup> February 2013 to enable the budget to be set.
  - C. 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 31<sup>st</sup> January 2013.

**92. MEDIUM TERM CAPITAL PROGRAMME**

Councillor Westley introduced the report of the Borough Treasurer which outlined a number of options for the determination of the Medium Term Capital Programme in the context of the current difficult financial climate.

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 medium term financial position be noted.
  - B. That the Portfolio Holder for Resources and Transformation be given delegated authority to submit firm proposals to Council on 27<sup>th</sup> February 2013 to enable the capital programme to be set.
  - C. That call-in is not appropriate for this item as it is to be submitted to the Executive Overview and Scrutiny Committee on 31<sup>st</sup> January 2013.

**93. HIGH STREET INNOVATION FUND**

Councillor Forshaw introduced the report of the Borough Treasurer which provided an update on progress with the High Street Innovation Fund and set out proposals on how the balance on this fund should be used.

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 progress made with existing schemes be noted.
- B. That the Borough Treasurer in consultation with the relevant Portfolio Holders be authorised to take all necessary action to apply the balance of the High Street Innovation grant remaining to the proposed uses set out in section 5 of the report.

**94. WEST LANCASHIRE BOROUGH COUNCIL TENURE STRATEGY**

Councillor Mrs. Hopley introduced the report of the Assistant Director Housing and Regeneration which sought approval for the publication of the West Lancashire Borough Council Tenure Strategy.

Minute no. 34 of the Landlord Services Committee (Cabinet Working Group) held on 9 January 2013 was circulated together with Responses to Consultation Document and a motion submitted by Councillor Mrs. Hopley.

In reaching the decision below, Cabinet considered the minutes of the Landlord Services Committee, the Responses to Consultation Document, the motion circulated and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED: A. That the Tenure Strategy attached as Appendix A to the report be approved for publication in January 2013, subject to the amendment of paragraph 4.12, bullet point 3, page 5, as outlined in the Consultation Response Document.
- B. That call-in is not appropriate for this item as there is a requirement for the Council to publish its Tenure Strategy in January 2013.

**95. HOUSING ACCOUNT - REVENUE & CAPITAL PROGRAMME**

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which provided a summary of the budget position for the Housing Account for the next financial year.

Minute no. 36 of the Landlord Services Committee (Cabinet Working Group) held on 9 January 2013 was circulated.

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

- RESOLVED: A. That the financial position for 2013-14 be noted.



- B. That this report be used for consultation purposes prior to the Council considering this matter in February 2013.
- C. That the Housing Finance Portfolio Holder be given delegated authority to submit firm proposals to Council on 27<sup>th</sup> February 2013 to enable the budget to be set.
- D. 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 31<sup>st</sup> January 2013.

**96. COMMUNITY INFRASTRUCTURE LEVY - PRELIMINARY DRAFT CHARGING SCHEDULE**

Councillor Forshaw introduced the report of the Borough Planner which outlined the proposed community infrastructure levy (CIL) rates as set out within the preliminary draft charging schedule (draft schedule) (appendix 1) and sought approval to commence a 6 week consultation period March – April 2013 in order to seek representations from the public and development industry regarding the proposed charging rates.

Minute no. 18 of the Local Development Framework Working Group held on 8 January 2013 and minute no. 71 of the Planning Committee held on 10 January 2013 was circulated, together with a Community Infrastructure Levy Note (précis).

In reaching the decision below, Cabinet considered the minutes of the Local Development Framework Working Group and Planning Committee, the Community Infrastructure Levy Note (précis) and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED:
- A. That a 6 week public consultation exercise be undertaken in order to seek views on the possible introduction of the proposed CIL charging schedule as set out in Appendix 1.
  - B. That the minutes of the LDF Working Group (8 January 2013) and Planning Committee (10 January 2013) be noted.
  - C. That the Community Infrastructure Levy Note (précis), be approved.

**97. SKELMERSDALE & UP HOLLAND DEMAND RESPONSIVE TRANSPORT SYSTEM**

Councillor Forshaw introduced the report of the Borough Planner which outlined the performance of the pilot demand responsive transport system since the service came into operation on 21<sup>st</sup> May 2012 and sought an extension of the scheme.

A motion submitted by Councillor Forshaw was circulated at the meeting.

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

- RESOLVED: A. That the existing pilot scheme be extended to operate for a further 9 months, subject to a review after an initial 6 month period by Cabinet to determine whether to continue the scheme, extend the scheme across Skelmersdale or cease the use of the scheme.
- B. That passenger fares be increased from £2.00 per journey to £2.50, but that a 50p discount per passenger be offered for any shared journeys.
- C. That delegated authority be given to the Borough Planner in consultation with the Planning Portfolio Holder to review and amend as necessary the membership criteria and operational management of the scheme.
- D. That call-in is not appropriate for this item in order to allow for continuity of the pilot scheme, and that this report be referred to the Executive Overview and Scrutiny Committee meeting on 31 January 2013 for consideration and a request that any agreed comments be forwarded to the Portfolio Holder for Planning and Development.

## **98. COLLECTIVE ENERGY SWITCHING**

Councillor Forshaw introduced the report of the Assistant Director Community Services which sought agreement of the introduction of a Collective Energy Switching Scheme for 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 the Assistant Director Community Services be authorised to work with the Lancashire Energy Offices Group to develop and implement a Collective Energy Switching scheme for West Lancashire.
- B. That the Assistant Director Community Services be given delegated authority to enter into the most appropriate procedure process as selected by the Lancashire Energy Officers Group and to review and update the scheme as required in consultation with the relevant Portfolio Holder.

**99. TRAFFIC REGULATION ORDERS PAY & DISPLAY PARKING, SANDY LANE & YEADON, SKELMERSDALE**

Councillor Forshaw introduced the report of the Assistant Director Community Services which outlined the terms of the proposed Traffic Regulation Orders for the above car parks and sought delegated authority to deal with any objections received to the making of the Orders.

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 Traffic Regulation Orders be made in respect of the land edged black on the plans attached at Appendices 1 and 2 on the following basis:

Short Stay Car Park – Pay and Display maximum stay 2 hours @ 30p per hour

Long Stay Car Park – Pay and Display maximum stay 4 hours @ 30p per hour (shown cross hatched)

together with permit parking as detailed in paragraph 3.2 to the report

B. That the Assistant Director Community Services in consultation with the Portfolio Holder for Planning and Development be given delegated authority to deal with any objections received to the proposals for the implementation of a pay and display parking system on both the Sandy Lane and Yeadon car parks.

C. That the Assistant Director Community Services be authorised to take all the necessary steps and obtain all necessary consents to implement the order.

**100. WELFARE REFORM**

Councillor Mrs Hopley introduced the report of the Assistant Director Housing and Regeneration, which sought approval for a range of financial inclusion initiatives to support tenants through the planned and proposed range of Welfare Reforms.

Minute no. 35 of the Landlord Services Committee held on 9 January 2013 together with a revised recommendation was circulated at the meeting.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee, the revised recommendation and the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: A. That an incentive scheme to promote the use of direct debit for the payment of rent be approved.

- B. That the appointment of a Financial Inclusion Officer be approved in principle, to implement and support a range of initiatives to support tenants to sustain their tenancies, subject to the budget for their post being approved by Council in February 2013.
- C. That the Assistant Director Housing and Regeneration be authorised, in principle, to assist in the facilitation of a suitable initiative of the type provided by 'Smarterbuys' and 'The Store' or similar, subject to the financing of the initiative being approved by Council in February 2013. The Assistant Director Housing and Regeneration be authorised to approve the details and enter into all necessary agreements and consents, in consultation with the relevant Portfolio Holders.
- D. The call-in is not appropriate for this item as the report being submitted to the next meeting of the Executive Overview and Scrutiny Committee.

**101. 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 paragraphs 3 and 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.

**102. MATTER REQUIRING DECISIONS**

Consideration was given to the report relating to the following matter requiring decision.

**103. REMPLOY**

Councillor Sudworth introduced the report of the Assistant Director Community Services which advised of recent developments in respect of the CCTV monitoring contract with REMPLOY and commented on the detail of the report.

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

**CABINET**

**HELD: 15 JANUARY 2013**

**RESOLVED:** That the Portfolio Holder for Health, Leisure and Community Safety be given delegated authority to submit firm proposals to Council on 27 February 2013 in respect of this matter.

Note

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

.....  
LEADER