

**SOUTH RIBBLE BOROUGH COUNCIL**  
**COUNCIL MEETING – 30 MARCH 2016**  
**REPORT OF THE CABINET**

The Cabinet met on the evening of Wednesday 10 February 2016

On that occasion the Cabinet considered the matters set out below. Other matters were considered at the Council meeting held on 2 March 2016. Decisions shown in boxed areas are subject to Council confirmation; the reports considered by the Cabinet were available to all members in advance of the Cabinet meeting.

**1. Housing Framework**

Councillor M Green the Cabinet Member for Housing & Healthy Communities presented to Cabinet a draft Housing Framework 2016-2019. The Framework had three priorities for Strategic Housing. It reflected proposed changes in housing legislation as contained in the Housing and Planning Bill and major changes in national policy. Delivery would be supported by capital expenditure. Subject to adoption of the draft Framework the document would be published for consultation. The Framework would be reviewed annually and progress against the actions reported. He referred to the need to work with partners and to the near £3 million that was being invested. He expressed his thanks for the work the officers had put in to develop this framework.

Councillor Bennett at this point declared an interest as a private landlord.

Councillor Foster welcomed the use of this money but voiced his concern over the forthcoming housing legislation which would impact on this area.

Councillor Bell welcomed the wider reference to vulnerable people but also had concerns for increased levels of eviction in the future.

Councillor Green thanked members for their support and referred to the lower than national average of private rental within the borough and the government policy of moving towards home ownership. He commented on the reduction in funding for social sector rentals and that not all private rental properties were up to standard.

The Leader of the Council thanked all those involved in producing this Framework and referred to the need to monitor the condition of some private sector rentals.

It was decided to recommend to Council to:-

1. Approve the draft Housing Framework 2016-2019.
2. Approve the capital programme in support of the Framework.
3. Subject to above, agree to a 4 week consultation of the Framework.
4. The Director for Development, Enterprise and Communities in consultation with the Cabinet Member for Housing and Healthy Communities be authorised to make adjustments to the Framework following the outcome of the consultation and to finalise the document.

## **2. Progress Housing Group Limited – Changes to Constitution**

Councillor M Green the Cabinet Member for Housing and Healthy Communities presented this report which informed Cabinet of the proposed changes to the constitution of Progress Housing Group Limited which impacted on its governance arrangements and the Council's ability to be represented on the Group's Board. However the retention of the share in Progress Housing preserved the right of a vote at their AGM.

Members, whilst noting the changes resulting from the new constitution, wished to retain the share and ensure the good relationship with Progress Housing Group Limited continued via continued communication with the council throughout the year together with the submission of an annual report.

It was decided to note the contents of the report and ;

1. Retain a share in Progress Housing Group Limited.
2. Accept the offer by Progress Housing Group to present an annual report and consider other means to maintain working relationships to the benefit of our residents.

## **3. Review of Constitution**

Councillor Mrs M Smith the Leader of the Council introduced this item which detailed the Governance Committee's recommendations on changes to the Council's Constitution. The Governance Committee had recently looked at changes necessary to Contracts Procedure Rules (CPR's) & The 2015 Public Contracts Regulations, Revised Guidance for Audit / Governance Committees, Procedures for Call-In by the Scrutiny Committee and Changes to Statutory Dismissal Procedure for Protected Officers.

The Leader of the Council indicated to Cabinet that after a lot of discussion it was felt that it would be preferable if the recommendations of the Governance Committee could be amended by removing reference to North West Employers Organisation as there was no guarantee that North West Employers Organisation would continue to exist into the future.

She also expressed reservations about the membership of the Disciplinary Panel which, if it consisted of the Chair of Standards and the existing Independent Member of Standards, could be seen to be too close to the members and officers involved.

Councillor Foster expressed his strong concern that putting aside the arguments for and against the proposed changes, on a point of principle, the Governance Committee as the guardian of the constitution had considered this in detail and that Cabinet should not interfere with the recommendations of the Governance Committee.

The Leader of the Council informed Cabinet that the revised proposals had not been taken lightly and she took on board Councillor Foster's concerns but felt that this amendment should be put forward to Council.

Councillor Forrest suggested that it be referred back to Governance Committee for further consideration.

Councillor Ogilvie, the Chair of the Governance Committee, informed Cabinet that the

removal of the North West Employers Organisation from the proposal was consistent with Governance Committee's views. However, although both views on the membership of Disciplinary Panel had been discussed, the committee collectively supported the recommendations of the Governance Committee and that he would not wish their recommendations overturned.

It was decided:-

1. That Council be recommend to adopt the proposed changes to the Constitution as recommended by the Governance Committee:-

**(a) Contracts Procedure Rules (CPR's) & The 2015 Public Contracts Regulations.**

That subject to an amendment of the wording of Contract Procedure Rule 39.4 relating to the development of an e-form, Council adopt the changes to the Contract Procedure Rules as illustrated in the Appendix to the Governance Committee report.

**(b) Revised Guidance for Audit / Governance Committees**

That the Terms of Reference for Governance Committee be replaced by the revised Terms of Reference set out be in Appendix 2 to the report to the Governance Committee.

**(c) Procedures for Call-In by the Scrutiny Committee**

That the Scrutiny Procedure Rules 4F of the Constitution be amended as follows:-

"15. Call-in

In the first paragraph by the addition of the words "the Chairman of the Scrutiny Committee or" after the word "where" and before the words "a minimum".

In paragraph (b) by the addition at the end of the paragraph of the words "The Chief Executive (or other designated officer) shall inform all members of the Council of the arrangements made for the Special meeting of the Scrutiny Committee to consider the call-in."

In paragraph (c) by the addition at the end of the paragraph of the words "The reasons for the call-in and the name or names of the Councillors who requested the call-in shall be set out in the agenda for the meeting."

**2. That Council be recommend to adopt the following changes to the Constitution:-**

**(a) Changes to Statutory Dismissal Procedure for Protected Officers**

1. An Investigation Panel be convened to consider the seriousness of any complaint or allegation received, if there is a case to answer and whether an investigation is required.

The Panel to be comprised of:-

Leader, Head of HR, Monitoring Officer – for an allegation against the Chief Executive.

Leader, Head of HR, Chief Executive – for an allegation against the Monitoring Officer.

**2. Commissioning of an Independent Investigation**

An appropriate body be contacted to assist in identifying a suitably experienced Investigator.

**3. A Disciplinary Panel** comprised of three suitably qualified independent persons be recruited at the appropriate time.

#### **4. Timetable of Meetings 2016/17**

Councillor Mrs M Smith the Leader of the Council presented the proposed timetable of meetings for 2016/17. The timetable was substantially similar to previous years with the exception of moving forward a week of the February 2017 Cabinet meeting to facilitate the budget process. She also referred to the back log of planning applications which had necessitated two planning committees on consecutive days in February and which would be kept under review.

Since the Cabinet meeting was held the Government has announced the date of the EU Referendum as 23<sup>rd</sup> June 2016. Consequently the following amendments have been made to the timetable.

Cabinet scheduled for 22<sup>nd</sup> June has been rescheduled to Thursday 16<sup>th</sup> June 2016. Penwortham My Neighbourhood Forum scheduled for 23<sup>rd</sup> June has been rescheduled to 7<sup>th</sup> July 2016.

It was decided the Timetable of Meetings for 2016/17 as set out in the attached appendix to the report be approved.

#### **5. Pay Policy 2016**

Councillor Mrs M Smith the Leader of the Council presented this report indicating this was in the same format as previous years. It informed members that the Localism Act 2011 required all local authorities to set out its position on a range of issues relating to the remuneration of its employees and set out a policy that required approval by the Council by the end of March each year and for publication on the Council's website.

The policy set out the existing approach to the remuneration of all posts within the council. In particular it specified certain mandatory requirements that must be detailed within the policy.

It was decided that the Pay Policy for 2016/17 be recommended for approval by the Council.

#### **6. Mayor and Deputy Mayor 2016/17**

Councillor Mrs M Smith the Leader of the Council introduced this item and proposed confirming Councillor Mrs Linda Woollard as Mayor elect for 2016/17 and nominating Councillor Fred Heyworth as Deputy Mayor elect for 2016/17.

As members will be aware since the Cabinet meeting took place sadly Councillor Fred Heyworth has passed away. It is therefore proposed that Councillor Mick Titherington

be nominated as Deputy Mayor elect for 2016/17.

<p>It is now proposed that Councillor Mrs Linda Woollard be confirmed as Mayor elect for 2016/17 and Councillor Mick Titherington be nominated as Deputy Mayor elect for 2016/17.</p>
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## **7. The Cabinet's Forward Plan**

It was decided to approve the Forward Plan submitted under Section 22 of the Local Government Act 2000 be approved.

I hereby commend the report of the Cabinet to the Council.

COUNCILLOR MRS MARGARET SMITH

LEADER OF THE COUNCIL