

MINUTES OF CABINET

MEETING DATE Wednesday, 25 October 2017

MEMBERS PRESENT: Councillors Peter Mullineaux (Chair), Colin Clark (Vice-Chair), Cliff Hughes, Phil Smith, Susan Snape and Graham Walton

OFFICERS: Heather McManus (Chief Executive), Mark Gaffney (Director of Neighbourhoods, Environmental Health and Assets), Denise Johnson (Director of Development, Enterprise and Communities), Susan Guinness (Head Of Shared Financial Services), Caroline Elwood (Interim Corporate Governance Manager), Dave Whelan (Legal Services Manager/Monitoring Officer) and Andy Houlker (Senior Democratic Services Officer)

OTHER MEMBERS: Councillor Paul Foster (Leader of the Opposition), Councillor Mary Green, Councillor Michael Green, Councillor Harold Hancock, Councillor Michael Higgins, Councillor Susan Jones JP, Councillor James Marsh, Councillor Keith Martin, Councillor Caroline Moon, Councillor Alan Ogilvie, Councillor Michael Titherington (Mayor), Councillor Matthew Tomlinson, Councillor Paul Wharton and Councillor Barrie Yates

PUBLIC: 1

37 Apologies for Absence

An apology for absence was submitted on behalf of Councillor Jacqui Mort.

38 Declarations of Interest

There were no declarations of interest.

39 Minutes of the Last Meeting

The Leader stated that the provision of toilets at Worden Park (min. no.34 refers) was still work in progress and an update would be provided when finalised.

In respect of the style of minutes, the Leader commented that these were not verbatim but a general summary of a meeting.

Referring to min. no.31 (Communicating with Residents and Businesses), the Leader indicated that the inclusion of representation on the working group by the South Ribble Independent Group would be looked at.

RESOLVED (UNANIMOUSLY):

that with the inclusion of Councillor Michael Green being listed as present at the meeting, the minutes of the meeting held on 6 September 2017 be approved as a correct record.

40 Approval of a Customer Feedback Policy

The Director of Development, Enterprise and Communities reported that this policy brought together, strengthened and streamlined existing processes. It not just dealt with complaints but also included positive feedback (including those through social media).

RESOLVED (UNANIMOUSLY):

that the adoption of the 'South Ribble Borough Council Customer Feedback Policy – Dealing with Customer Comments, Compliments and Complaints' be approved.

41 Dog Control Orders/Public Space Protection Orders

The Director of Neighbourhoods, Environmental Health and Assets reported that these proposed new orders replaced the previous Dog Control Orders and a number of bye-laws previously in force covering a range of offences. This also allowed offences to be discharged by the payment of a fixed penalty notice, instead of prosecution and the need to appear at Magistrates' Court.

As part of the implementation process, the council had conducted a consultation exercise and as a result it was recommended to implement immediately those orders listed in 2.1 (a-e) of the report. Based on the consultation responses, it was not recommended that the order relating to a specific maximum number of dogs that could be walked by an individual be implemented at this stage and kept under review.

Following a query regarding the apparent inconsistency in the wording of the orders regarding authorisation of a police constable to enforce them, it was suggested the final wording of the orders be delegated to the Director in consultation with the Portfolio Holder.

There was comment on the consultation questions which appeared to be focused towards dog owners.

Cabinet had concerns about not introducing an order relating to a specific maximum number of dogs walked by an individual, even though this order was not supported by the consultation responses. The Cabinet was concerned that this would remain unregulated in respect of both health/hygiene and safety of the general public. Similarly it was felt that the suggested maximum of six dogs was too high as this number of dogs could not be adequately controlled (health/hygiene and safety) by an individual and should be lowered to a maximum of four dogs.

During the discussion it was confirmed that the implementation of the orders was not subject to council confirmation. Also that all the proposed orders were open to legal challenge in court without guarantee of the council being successful.

It was proposed and seconded that an order to limit the maximum number of dogs walked by an individual be implemented and that the limit be four dogs at any one time.

RESOLVED (UNANIMOUSLY): that

1. the final wording of the PSPOs be delegated to the Director of Neighbourhoods, Environmental Health and Assets in consultation with the Portfolio Holder.

2. subject to (1) above the following PSPOs be introduced with immediate effect:
 - a) The Dogs Exclusion in the Borough Council of South Ribble Public Space Protection Order 2017
 - b) The Fouling of Land by Dogs in the Borough Council of South Ribble Public Space Protection Order 2017
 - c) The Dogs on Leads by Direction in the Borough Council of South Ribble Public Space Protection Order 2017
 - d) The Dogs on Leads in the Borough Council of South Ribble Public Space Protection Order 2017
 - e) The Means to Pick Up Foul by Dogs in the Borough Council of South Ribble Public Space Protection Order 2017
 - f) The Dogs (Specified Maximum) in the Borough Council of South Ribble Public Space Protection Order 2017 (with a maximum of 4 dogs under the control of an individual)
3. a review of PSPOs be undertaken before October 2020.
4. the implementation of the relevant steps for enforcement of PSPOs be delegated to the Director of Neighbourhoods, Environmental Health and Assets.
5. the level of Fixed Penalty Notice be set at the highest amount possible of £100.

42 Statement of Intent for Energy Company Obligation (ECO) Flexible Eligibility

Further to min. no.32, 6 September 2017, the Director of Development, Enterprise and Communities re-addressed the Cabinet informing members of options under the government's Energy Company Obligation (ECO). Cabinet was asked to approve either the Council's Statement of Intent (SOI) or the Cosy Homes in Lancashire Statement of Intent and authorise its publication on the council's website and BEIS (Department for Business, Energy & Industrial Strategy).

In order to work with and access funding from the energy suppliers the council had to publish a Statement of Intent (SOI) on its website and BEIS (Department for Business, Energy and Industrial Strategy) had to be notified of its publication. The 2017 fuel poverty figures indicated there were 4672 (9.9%) of households in the borough in fuel poverty. The criteria that would be used would help those most vulnerable household's access funding to enable energy measures to be installed.

The council had in the past been successful in implementing schemes to assist the vulnerable. If the council chose Option Two it would set its own criteria and directly deliver the scheme and be the point of contact for its residents.

RESOLVED (UNANIMOUSLY): that

1. Option Two be endorsed.
2. South Ribble Borough Council agrees to take part in the ECO flexible eligibility scheme.
3. the Statement of Intent for South Ribble Borough Council be agreed.
4. the Director of Development, Communities and Enterprise be authorised in consultation with the Portfolio Holder, to put all necessary steps in place to implement the Statement of Intent.

5. the council agrees to runs a promotion / awareness raising campaign with residents.

43 2017/18 Budget Management Statement - Quarter 1

The Head of Shared Financial Services reported on the council's overall financial position for the first quarter of 2017/18 compared to the financial plan. There was currently a forecasted £104,000 underspend of which £70,000 had been set aside to fund the Business Transformational Change project. In respect of capital programme for this period, expenditure was 14.1% of the budget.

In respect of investment, the procedure was proposed to be re-considered by council which had delayed the strategy and the time scales needed to be reviewed.

There was a request that the capital programme be closely monitored for slippage and be kept on track. The council had previously only spent £2m from a budget of £4.5m. This was being monitored and steps were being taken with budget holders to ensure accuracy.

RESOLVED (UNANIMOUSLY):

that the 2017/18 Quarter 1 Budget Management statement (as at June 2017) be noted.

44 Final Report from the Scrutiny Review of Staff Morale

The Interim Corporate Governance Manager presented to Cabinet the draft response to the recommendation of the Scrutiny Committee's review of staff morale. It was proposed that the report of the Scrutiny Committee's review and the action plan be presented to the next meeting of the council.

Cabinet was thankful for the work carried out by the committee's task group which was informative and useful adding to other work being carried out.

The chairman of the Scrutiny Committee appreciated Cabinet's kind comments adding that the task group had learned the council had done a lot of work in the last six months. He was grateful the recommendations had been received, but wondered about the thinking behind the proposal to have temperature checks ad hoc rather than quarterly.

RESOLVED (UNANIMOUSLY): that

1. the draft response to the recommendations of the Scrutiny Committee Review of Staff Morale at Appendix A to the report be approved.
2. the report and action plan will be presented to the next meeting of full Council on 22 November 2017 be noted.

45 Exclusion of Press and Public

A member of the public expressed concern that the following item would be discussed in private and was not in spirit of openness and transparency. The Cabinet was advised that this item was exempt in accordance with the Local Government Act. Whilst expressing some empathy, Cabinet felt that as this item included information relating to particular individuals the exemption was necessary.

RESOLVED (UNANIMOUSLY):

that the press and public be excluded for the following item of business on the grounds that it involves the likely disclose of exempt information (Information relating to an Individual) as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

46 Standing Order 35 Decision - Management Restructure - interim arrangements and support for SMT & Core Managers

The Chief Executive presented a report for note on an urgent decision taken between meetings of Cabinet regarding interim arrangements and support for the senior management team and core managers.

RESOLVED (UNANIMOUSLY):

that the decision taken be noted.

Chair

Date