

- MINUTES OF CABINET**
- MEETING DATE** **Wednesday, 12 September 2018**
- MEMBERS PRESENT:** Councillors Mary Green (Chair), Caroline Moon (Vice-Chair), Warren Bennett, Susan Snape, Karen Walton and Cliff Hughes
- OFFICERS:** Heather McManus (Chief Executive), Jane Blundell (Deputy Section 151 Officer), Tracy Boustead (Specialist Consultant (Leadership and Organisational Development)), Catherine Conroy (Temporary Assistant Director (Property and Housing)), Darren Cranshaw (Assistant Director of Scrutiny & Democratic Services), Jonathan Noad (Director of Planning and Property), Andrew Richardson (Assistant Director of Neighbourhoods), Dave Whelan (Legal Services Manager/Interim Monitoring Officer), Dianne Scambler (Governance and Member Services Team Leader), Rebecca Heap (Senior Community Works Officer), Natalie Banks (Senior Public Relations Officer), Howard Anthony (South Ribble Partnership Manager), Jennifer Mullin (Director of Neighbourhoods and Development), Michael Jackson (Principal Management Accountant) and Mark Hodges (Partnership Development Manager)
- OTHER MEMBERS AND OFFICERS:** Councillor Jane Bell, Councillor Colin Clark, Councillor William Evans, Councillor Derek Forrest, Councillor Paul Foster (Leader of the Opposition and Leader of the Labour Group), Councillor Michael Green (Member Champion (Community Engagement and Communications)), Councillor Susan Jones JP, Councillor Peter Mullineaux, Councillor Alan Ogilvie (Member Champion (Armed Forces)), Councillor Phil Smith, Councillor Michael Titherington (Deputy Leader of the Opposition and Deputy Leader of the Labour Group) and Councillor Graham Walton
- PUBLIC:** 2
- 14 Apologies for Absence**
- None, all Members were present.
- 15 Minutes of meeting Wednesday, 11 July 2018 of Cabinet**
- Decision Made:** (Unanimously):
- That the minutes of the Cabinet meeting held on 11 July be approved as a correct record for signing by the Leader of the Council.
- 16 Declarations of Interest**

There were no declarations of any interests.

17 Business Rates Retention Pilots 2019/20

The Leader of the Council accepted the following item of urgent business as the bid for the possible participation in a Business Rates Retention pilot scheme in 2019/20 had to be submitted to Government by 25 September 2018.

The Cabinet considered the report of the Interim Deputy Chief Executives (Resources and Transformation) that set out the case for participation in the pilot scheme. The proposal was that a substantial element of government funding of local authorities would be received by membership of a 75% Business Rates Retention Pilot pool in 2019/20.

It was noted that, should the Council enter such a pool, the financial benefit would not be gained until the rates had been collected, which would affect 2020/21 budgets through the transfer of surplus deficit from 2019/20.

The exact membership of the pool was still to be determined however, the guidance suggested that the pool should cover the economic areas with the current proposal for Lancashire being that the Lancashire Business Rates Pool member authorities, plus Blackburn with Darwen, Blackpool, Lancaster, Preston and the Lancashire Fire and Rescue Service could be considered.

The deadline for submitting a bid was 25 September 2018 and as the decision sat outside our policy framework would require a formal Council decision, As the next Council meeting is scheduled to meet on 26 September 2018, Cabinet were asked to consider the proposal as an urgent decision was needed by the Council on this matter to meet the deadline set by Government.

The Cabinet were unanimous in their decision to strengthen the Council's response to ensure that they did not lose out financially under the new arrangements.

Decision made: (Unanimously)

1. Approval in principle to the Council's participation in the Lancashire bid to be a pilot of 75% Business Rate Retention in 2019/20 subject to all the issues raised with in the report particularly those contained within paragraphs 3.1, 8.2 and 11.2 being met satisfactorily.
2. That due to the timescales set, approval to endorse the use of urgent powers to approve submission of the bid by the Section 151 Officer (or Deputy Section 151 Officer in her absence) signing off the decision in consultation with the Cabinet Member (Finance).

Reason(s) for the decision:

The deadline for submitting an application from Lancashire councils to the Government is 25 September 2018. Though specific details of the bid are yet to be finalised, agreement in principle is needed at this stage in order to continue as a member of the processed pool. This decision is made on the understanding that the Council will be in no worse a financial position, in entering the pilot, that what it would have been if we continue with our existing business rates retention pilot for Lancashire, and also if we take into account the funding principles for Revenue Support grant. Early consideration of the figures shows that there is sufficient funding for the Council to retain its current position, with Lancashire as a whole also

benefitting from the revised pooling arrangements. If the Council is not a member of a pool in 2019/20, it will lose the financial benefit of pool membership it has achieved from 2016/17 onwards.

18 Lead the development of the Borough Community Strategy

The Cabinet considered a report of the Director of Neighbourhoods and Development which provided details on the progress of the development of South Ribble's Community Strategy and provided reasons as to why the strategy is being developed and the intended outcomes. The Community Strategy is a key project within the Corporate Plan 2018-2023 with the intention of enabling partners across all sectors and the wider community to work collaboratively.

The Leader on behalf of the Cabinet thanked the team for all their work on the Strategy.

Decision made: (Unanimously)

That the report be noted.

Reason(s) for Decision:

The report provided Cabinet with an update on progress with developing the Community Strategy, as a key project within the Corporate Plan.

Alternative Options Considered and Rejected:

The alternative option was to do nothing and continue with the existing strategy until 2020. However the current strategy was considered not fit for purpose. However, it was composed in 2008 and designed against a backdrop of Local Area Agreements. The partners around the table are now different, the environment in which the Partnership operates is different and its financial resources are limited. Therefore the Partnership need to completely consider its strategy and structure to ensure it is fit for purpose and can support a co-ordinated and effective cross sector approach to public sector reform across South Ribble.

19 Communicating with residents and businesses

The Cabinet considered the report of the Chief Executive which outlined proposals for methods of communicating with residents and businesses in the borough until April 2019. The report sought the approval of the Cabinet on the production of three Forward newspapers, approval of its delivery method from two suggested options and approval of the evaluation of said newspapers, in line with the objectives of the Communications Strategy developed in 2017.

Councillors Mick Titherington and Paul Foster raised their concerns at the meeting that the recommendations made by the cross party working group to pursue an electronic version of the FORWARD had been ignored. It had been 18 months since its last publication and they considered the proposals to publish three editions over the next six months to be excessive in the run up to an all-out election.

The Cabinet explained, that whilst the electronic delivery of FORWARD was still being explored, there had been some software difficulties and rather than wait any

further, they had decided to revive the existing arrangements to improve on the authority's communications with its residents. In the future, the Cabinet planned to deliver the publication both electronically and in newspaper format so as to avoid digital exclusion for many of its residents especially those in deprived areas of the Borough. The use of community buildings such as local supermarkets, libraries and doctors surgeries had also been considered as places to deposit the publication in bulk, however a more personal delivery to residents was favoured by the community.

In response to a member of the public it was explained that the Council would be undertaking a review of its website and other online communications to improve on their content and accessibility.

Decision Made: (Unanimously)

That:

1. The production of three Forward newspapers be approved.
2. The newspaper to be posted out via Royal Mail.
3. The evaluation of both the paper edition of Forward and the email newsletter be approved with a report of the evaluation being presented to Cabinet at a later date.

Reason(s) for decision:

A Communications Strategy was developed in 2017 that would transform how we communicate with our key stakeholders. One of the objectives in the medium-term action plan was to undertake a rigorous and evidence-based review of the Forward newspaper.

The decision will revitalise the Forward newspaper as recommended by the Communications Strategy and will improve communications between the Council and residents and businesses.

Alternative Options Considered and Rejected:

None.

20 30 Rhodesway, Hoghton

The Cabinet considered a report of the Director of Planning and Property that provided an update on the property at 30 Rhodesway, Hoghton, Preston, PR5 0JY. The property posed a detriment to the environment and amenity of the local area and the report provided Cabinet with options of dealing with the property with emphasis placed on continued negotiations in hope of avoiding the need for a Compulsory Purchase Order (CPO).

Decision Made: (Unanimously)

That:

1. The Interim Assistant Director of Property & Housing continue negotiations and seek to conclude terms to acquire the property by agreement, to avoid the need for a Compulsory Purchase Order (CPO).

2. Subject to the outcome of negotiations, the use of powers of compulsory purchase and the making of an Order under Section 17 of the Housing Act 1985 and all other powers as appropriate for the compulsory purchase of land be approved.
3. The Legal Services Manager is authorised to take all necessary steps to secure the making, confirmation and implementation of the CPO, including the publication and service of all notices, and the presentation of the Council's case at any Public Inquiry and the subsequent service of Notices to Treat and Notices of Entry or the execution of General Vesting Declarations.
4. The Legal Services Manager is authorised to negotiate and enter into agreements and undertakings, prior to or following the making of the Order, with any owners of any interest in the land affected by the Order and any objectors to the confirmation of the Order setting out the terms for the withdrawal of objections to the Order and to authorise the Interim Assistant Director of Property & Housing and Legal Services Manager to draft, agree and execute all necessary legal documents to record any such agreements and/or undertakings.
5. The Legal Services Manager is authorised to appoint suitable Counsel to advise and represent the Council at any Public Inquiry held in respect of the Order and to provide legal support to the project team through the process.
6. Following the confirmation of the CPO or acquisition by agreement, the Interim Assistant Director of Property & Housing is authorised to enter into negotiations with a purchaser, identified following a marketing exercise and agreed in consultation with the Cabinet Member for Assets and Transformation, for the disposal and renovation of the property with minimal financial impact to the Council, to bring it back to a habitable condition for occupation.
7. The Legal Services Manager can approve and execute all legal documentation that is considered necessary to give effect to the above.

Reason(s) for Decision:

The CPO is necessary for the following reasons:

1. The property has been vacant for over fourteen years, having been registered as empty since April 2002 on Council Tax records;
2. The Council has sought to bring the property into acceptable use by way of negotiation to no avail;
3. The Council has made repeated attempts to acquire the property by agreement;
4. No works have been carried out to remedy the sub-standard condition and contribute to the property's re-use for housing purposes, despite having highlighted its condition and its effect on adjoining and neighbouring properties; and

5. The compulsory purchase will achieve a clear housing gain by bringing a sub-standard property back into residential use.
6. The Council also considers there to be no other prospect of the property being brought back into residential use.

Alternative Options Considered and Rejected:

None.

21 New Service Delivery Model of Preventative Health

Councillor Warren Bennett left the meeting.

The Cabinet considered a report of the Director of Neighbourhoods and Development which provided details of the development of a new service delivery model of preventative services and proposed the establishment of a cross-party member working group on Health and Wellbeing with the purpose of making recommendations to Cabinet.

The report promoted person-centred wellbeing and healthy lifestyle choices in comparison to the traditional medical model of care, in line with the authority's commitment to wellbeing for all as outlined in its Corporate Plan.

Decision Made: (Unanimously)

That the establishment of a Cross-Party Working Group on Leisure, Health and Wellbeing (to be supported by Democratic Services) that will make recommendations to the Cabinet on the Leisure, Health and Wellbeing agenda be approved.

Reasons for Decision:

A Cross-Party Working Group will position the Council at the forefront of the discussion of reshaping the debate on wellbeing and prevention. It will facilitate a move away from a medical model of care based on the treatment of disease and towards a holistic view of the promotion of person-centred wellbeing and healthy lifestyle choices.

Alternative Options Considered and Rejected:

None.

22 Approval of the Housing Enforcement Policy and Civil Penalties Guidance Document

Councillor Warren Bennett returned to the meeting.

The Cabinet considered a report of the Director of Neighbourhoods and Development which sought approval of the Private Sector Housing Enforcement Policy and the Private Sector Housing Civil Penalties Enforcement Guidance.

These policies outlined the enforcement approach, methods and powers of the Council, in line with the Housing and Planning Act 2016 and guidance issued by the Ministry of Housing, Communities and Local Government.

The comments of the Statutory Finance Officer were not included within the report. It was explained that the final version of the report did contain those comments but as they only stated: That the financial implications are set out in the body of the report. The report had not been reissued.

Decision Made: (Unanimously)

That the Private Sector Housing Enforcement Policy and Private Sector Housing Civil Penalties Enforcement Guidance be adopted.

Reason(s) for Decision:

The development of own policies and procedures on how new powers are to be implemented is in line with the statutory guidance issued by the Ministry of Housing, Communities and Local Government.

Alternative Options Considered and Rejected:

None.

23 Council Tax Support Scheme

The Cabinet considered a report of the Specialist Consultant (Leadership and Organisational Development) that updated on the current situation with the authority's Council Tax Support Scheme (CTSS) and sought agreement as to how to proceed with the scheme that included the undertaking of a consultation exercise for the proposal of introducing an amended scheme for the 2020/21.

Councillor Foster commented that it was his understanding that the Council had already voted upon the removal of the scheme at its budget setting meeting and asked that if the Council were continuing its provision in 2019/20 a reversal of the decision would also need Council approval. In response the Deputy Leader, Councillor Caroline Moon explained that the CTSS could not be removed at Budget Council, as legally there had to be a period of consultation with all preceptors on proposed options, and as such was a process that would take time. Whilst this consultation was being undertaken, the Cabinet considered it necessary to continue with the scheme in its present form especially with the recent introduction of Universal Credit.

There was general acceptance that the scheme was unfair and that the introduction of any future hardship scheme needed to be widely advertised so that it reached the right people.

Decision made: (Unanimously)

1. Approval of an Equality Impact Assessment to be carried out on the current Council Tax Support Scheme given the new operating context that is Universal Credit.

2. Approval for the Council to consult with all major preceptors on potential scheme changes (as outlined in the report) that could be introduced in the year 2020/21.
3. That the result of the informal consultation with major preceptors to be reported back to Cabinet, along with any impact assessments that need to be considered on the wider effects of the schemes which will affect residents.
4. Approval for the Council to continue with its existing scheme for 2019/20, and to strengthen and promote the exceptional hardship funds available to residents.

Reason(s) for the decision:

To carry out a review of all existing policies in this area and to consult on possible changes to the Council Tax Support Scheme in order that it is efficient and equitable as possible.

Alternative Options Considered and Rejected:

The Council does have the option to seek to amend the current South Ribble Council Tax Support Scheme in 2019/20, however this would not allow for the impact

24 Corporate Peer Challenge Action plan and response to Statutory Recommendation (under Section 24 of the Local Audit and Accountability Act 2014)

The Cabinet considered a report of the Chief Executive which provided an update on progress made against the recommendations from the LGA Peer review from 2017 and subsequent revisit in March 2018.

The report also addressed the recommendations of the Annual Audit of the Statement of Accounts (SOA) 2017-18, particularly those that related to the LGA Peer review. The Council was required to submit a formal response within prescribed timelines and a Plan detailing those actions taken was appended to the report.

Decision Made: (Unanimously)

That:

1. The Council will accept the recommendation made by the external auditor.
2. The Council will provide a formal response to the external auditors advising that all actions recommended within the Original Peer Review visit and actions suggested in the revisited Peer review have been actioned and are either complete, or are currently in implementation.

Reason(s) for Decision:

To provide the Cabinet with an update on progress with Developing the Community Strategy, as a key project within the Corporate Plan.

Alternative Options Considered and Rejected:

None.

25 Cabinet Forward Plan

Decision made: (Unanimously)

That the Cabinet Forward Plan be noted.

26 Exclusion of Press and Public

Decision made: (Unanimously)

That the press and public be excluded from the meeting during the consideration of the following item of business as it involved the discussion of information defined as exempt from publication under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, 'Information relating to the financial or business affairs of any particular person (including the authority holding that information) ' and in which the public interest in maintaining the exemption outweighed the public interest in disclosing it.

27 One asset approach to refurbishment and future management of Civic Centre

The Cabinet considered a report of the Director of Planning and Property which sought approval of the development and implementation of an Asset Management Plan for the Civic Centre to ensure that the Council's assets were being appropriately used for the transformation of wider public service sector delivery, in line with item no.7 on the agenda ('New Service Delivery Model of Preventative Wellbeing').

Decision made: (Unanimously)

1. Development of an Asset Management Plan/Strategy for the Civic Centre, informed by a condition survey, planned maintenance and refurbishment programmes, incorporating a refresh of current plans for third floor, to ensure consistent 'corporate South Ribble/campus brand'.
2. To receive a further future report regarding cost and programming of works to achieve a consistent fit-out across the building on a 'whole asset approach' including Gateway space, to enable a refreshed 'Gateway to a Seamless Public Service' within the building.
3. The principle of Lancashire Care locating within the building as part as an integral service delivery model to be located on second floor, subject to agreement of contractual terms.
4. Delegate authority to Corporate Property Officer and Section 151 Officer in consultation with the Cabinet Members for Asset and Transformation and Finance to agree detailed occupational terms with Lancashire Care.
5. Halt for now development of the catering framework and explore use of kitchen in line with LCFT's scope and work with the Civic Project group to look

at how they can provide a USP in terms of a socially responsible business model and as part of the offer for external agencies to use the Civic Suite.

6. Utilise existing allocation within the Capital programme to fund Condition Survey, development of planned maintenance and refurbishment programmes in most cost effective and efficient way.
7. Continue to proactively explore potential of further utilisation of the building, engaging with public sector partners including LCC, Police and MoJ.

Reason(s) for the Decision:

1. The Civic Centre is crucial to the continued delivery of South Ribble services in the future. In addition it constitutes a fundamental element to successful implementation of the Council's aspirations regarding new services delivery models of preventative wellbeing and the Campus Concept Model.
2. Consequently it is imperative that the physical condition of the building is maintained to a good standard, that a planned maintenance programme is identified and budgeted for, and that the asset is 'future-proofed' as far as possible. In order to ascertain the extent of backlog maintenance and likely timescale for repair/replacement being required, a survey of current condition is required.
3. Works are currently underway on the ground floor Civic suite, with a second phase of works under review (see paragraph 5.2 of the report), and following extensive staff consultation aspirations to refurbish the third floor of the building have been reflected in the Capital Strategy.
4. It is proposed to pull together these elements and aspirations, align to the direction of travel regarding integrated service delivery (see paper entitled New Service Delivery Model of Preventative Health on this agenda) into a cohesive 'Asset Management Plan/Strategy' for the Civic Centre as one asset best fit to support the Council's ambitions moving forward.

Alternative Options Considered and Rejected:

Individual 'floor by floor' piecemeal refurbishment of the building could be progressed although this approach would not maximise the opportunities to reduce cost of overall programme, support robust budget planning and monitoring, develop a clear physical 'branding/image' as a visible statement of Transformational change, being 'open for business' and attract multiple occupiers.

28 Leisure Campus (Contract Award)

The Cabinet considered a report by the Director of Neighbourhoods and Development which sought delegated authority to enter into a contract with Faithful and Gould Limited via the PAGABO Framework to procure the services of a comprehensive design and development team to aid the progress of the Leyland Campus project.

Councillor Paul Foster expressed his concern about the lack of detail within the report that included, the commercial terms of the consultants, the format of a design team, schedule of fees, development programme and risk register.

At meetings of the cross party working group, Members had been assured that any financial decisions would be taken by the full Council and as the final Masterplan for the Campus had not yet been completed, asked for this decision to be deferred.

In response, the Cabinet Member (Asset and Transformation) indicated that he was satisfied with the measures that had been undertaken by officers on the project so far and was happy to support the recommendation.

Decision made: (Unanimously)

1. That Cabinet endorses the utilisation of the PAGABO's national framework for Professional Services in Construction and Premises, as the preferred procurement route for developing the leisure element of the Leyland Campus detailed within the report.
2. That Cabinet grant delegated authority to the Director of Neighbourhoods and Development in consultation with the Cabinet Member (Asset and Transformation and Cabinet Member (Public Health, Leisure and Wellbeing) to enter into a contract with Faithful+Gould to design, manage construction and deliver the leisure building element of the Leyland Campus project on the basis that the final proposal does not exceed £1.8m under the trims of a full RIBA scheme of works appended to the report.

Reason(s) for the Decision:

1. Development of campuses is a key element of the Health and Wellbeing priority within the approved Corporate Plan and Capital Strategy. Cabinet at its meeting on 21 June 2018, gave authority to go down a route of a single source, direct award framework.
2. The appointment of a development team for the leisure element of the Leyland Campus is essential to move the project forward. Without this the project and hence the whole programme would stall. The single source direct award via the PAGABO framework is the preferred route for the Council to secure the wide range of services required. This route does ensure compliance with the Official Journal of European Union (OJEU) procurement process, secures best value and enables the Council to move forward with the project. This chosen route via PAGABO will also allow the Council to build in flexibility and adjust the resources required as the project evolves.

Alternative Options Considered and Rejected:

None.

29 South Ribble Home Build

The Cabinet considered a report of the Director of Planning and Property which provided an update on the progress of the South Ribble Home Build project and sought approval to progress with site investigations on three identified sites, utilising One Public Estate (OPE) Land Release Funding (LRF). The report also sought approval to commence a procurement process to secure a Registered Provider

partner to deliver and manage new housing on the three identified sites, utilising the Commuted Sums funding pot.

The Home Build concept was aligned to a wider plan transforming the Borough and City Deal, to build modular homes on relatively small sites of under-utilised Council owned land, quality homes to be targeted at identified housing need.

Decision made: (Unanimously)

1. That Cabinet approves the release of the following three sites to undertake immediate site investigations for residential development:
 - Bridge Road/Todd Lane, Lostock Hall
 - Kingsfold Drive, Penwortham
 - Balcarres Green, Leyland
2. That Cabinet approves the continued exploration of other Council assets for the Home Build project.
3. That the procurement of specialist financial and legal advisors to support development of a Full Business Case for establishing a Council House Development Company, utilising funding (25k) identified in the 2018/19 budget be approved.
4. That Cabinet approves the principle of utilising the Commuted Sums funding to contribute towards build costs to deliver affordable housing for rent.
5. That Cabinet approves the principle of procuring a Registered Provider partner to develop and therefore manage the development, subject to detailed terms being reported back to Cabinet.

Reason(s) for the decision:

1. The report is required to secure approval to the principle of releasing the Council owned sites, to undertake site investigations on three of those sites immediately, utilising OPE/LRF funding in preparation for procuring a development partner to build and manage modular built housing. In addition, continue to explore options for the fourth site seeking to maximise the financial and social value of public sector assets in the vicinity.
2. This initial phase of development will be progressed alongside development of a Full Business Case (FBC) to support the roll out of the South Ribble Home Build programme and Company delivery vehicle, in line with the Corporate Plan and Campus Strategy.
3. On-going strategic asset review will seek to establish a portfolio of Council owned small-medium sized sites, suitable for residential development which will provide a future pipeline for development via the Company structure to be developed as outlined in the report.

Alternative Options Considered and Rejected:

If progress is not made in taking forward an initial tranche of sites within the overall Home Build concept, then further OPE/?LRF funding will not be forthcoming., the funding already received is likely to be withdrawn and the Council will suffer reputational damage for failure to deliver and spend grant allocation.

Chair

Date