

Minutes of Policy & Finance Committee

Meeting Date: Tuesday, 29 March 2011, starting at 6.30pm
Present: Councillor E M H Ranson (Chairman)

Councillors:

D Eccleston	R E Sherras
J B Hill	D T Smith
K Hind	J S Sutcliffe
A Knox	R J Thompson
J Rogerson (7.40pm)	N C Walsh

In attendance: Chief Executive, Director of Resources, Director of Community Services, Head of Democratic and Legal Services, Head of Environmental Health Services and the Emergency Planning Officer.

774 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors R Adamson, S Hirst and J Holgate and on behalf of J Rogerson who would be late.

775 MINUTES

The minutes of the meeting held on 25 January and 8 February 2011 were approved as correct records and signed by the Chairman.

776 MATTERS ARISING – MINUTE 639 – MEMBERSHIP OF PLACE AND REGENERATE PENNINE LANCASHIRE LTD – RPL

The Chairman referred to this minute and reported that he had recently resigned as Chairman of the Regenerate Pennine Lancashire Ltd and gave his reasons for resigning. The Council's future membership of PLACE and Regenerate Pennine Lancashire Ltd would be considered at the next Council meeting.

777 DECLARATIONS OF INTEREST

There were no declarations of interest.

778 PUBLIC PARTICIPATION

There was no public participation.

779 REFERENCES FROM OVERVIEW & SCRUTINY COMMITTEE

There were no references from Overview and Scrutiny Committee.

780

DELEGATION SCHEME

Committee received a report from the Council's Solicitor seeking revisions to the Council's Officer Delegation Scheme as a result of the Senior Management Restructure.

She reminded Members that in the wake of the recent Senior Management Restructure which had seen the removal of the post of Director of Development Services and the subsequent changes being made to the roles of Chief Executive, Director of Resources and Director of Community Services, it was felt that the Council's Scheme no longer matched the roles and responsibilities of the Council's Directors and Officers.

Since 2008, changes had been made to other key corporate documents such as the Contract Procedure Rules and the Financial Regulations. These changes had not been reflected in the Scheme. Practical changes, partly resulting from the changes made to the above key documents, also meant that in some respects the way that the Council's officers made decisions did not sit well with the strict requirements of the current Scheme. Legislative changes made since the Scheme has lasting reviews meant that some of the references in the Scheme needed updating.

Changes were also required to be made to the articles of the Council's constitution in order to reflect the changes recently made to the Council's Senior Management Structure. These articles and the changes proposed were set out in Appendix 3.

RESOLVED: That Committee

1. approve the proposed new Officer Delegation Scheme as set out at Appendix 2 to this report; and

2. refer the suggested changes to the articles of the Council's Constitution that are set out in Appendix 3 to this report to full Council with a recommendation for their approval.

781

REVIEW OF EVENT SAFETY ADVISORY GROUP

The Chief Executive submitted a report reviewing the work of the Council's Events Safety Advisory Group and reviewing the Council's Safer Events Policy for use within the borough.

The Head of Environmental Health Services reminded Committee how the Events Safety Advisory Group had come into being following a significant rise in the number of outside events being organised in 2006. This highlighted the need for a multi-agency approach to be established to deal with those events in a consistent and uniform way. In addition the Police had also expressed their concerns regarding inconsistency in dealing with events and proliferation and growth of such events including several Sunday Markets being held along the

A59 corridor; the lack of effective traffic management and associated risk of high speed traffic accidents.

Following the success of this multi-agency approach, it was decided to adopt and formalise and update the process to deal with the trend of a growing number of large events being held within the borough.

A Safer Events Policy was subsequently prepared including being circulated to all parties concerning, including the event organisers, and was considered and adopted by this Committee in June 2007 and reviewed in 2008 after 12 months. As a result, the Events Safety Advisory Group was established as a simple and co-ordinated single point of contact for event organisers to work with.

He went on to point out that since the Policy had been adopted, the group had worked hard supporting and advising and working with events organisers. He also detailed the number of events which were currently being held within the Ribble Valley. However he did acknowledge that during this time there has been a few highly public challenges and criticisms of the approach and work of ESAG. Also there had been several allegations of officers threatening to prohibit events which was refuted.

It was broadly accepted that a review should be undertaken which had included the Chief Executive, Director of Development Services, Legal Services Manager, Environmental Health Manager and the Council's Emergency Planning Officer, which had recognised and concluded as follows:

- That ESAG had broadly been successful.
- That ESAG was there to provide advice and guidance to ensure events took place successfully and safely.
- That the event organisers remain ultimately responsible for event planning and health and safety public safety.
- That the Local Authority is the enforcing authority for work activities where the main activity included cultural entertainment or sporting activities.
- That the Local Authority had a duty to enforce the relevant statutory provisions to ensure the health, safety and welfare of employees, members of the public and any other person affected by a work activity.

However it was also recognised that some improvements were needed and could be made to improve the operation. These were as follows:

- Remind everyone that the main role of ESAG was to work with event organisers to ensure events taking place safely and ensure public protection.
- Produce general information to provide each event organisers to explain the process and purpose.
- To introduce a standard event evaluation sheet, to assess each event consistently and establish key facts.
- Reduce reliance upon external consultant and involve the Council's Corporate Health and Safety Advisor.

- Be mindful to avoid becoming too involved as event organisers remain ultimately responsible for event planning.
- Ensure the approach by ESAG is positive and encouraging.
- Ensure that all agencies involved in ESAG take responsibility for decisions and associated communication.

Councillors then discussed the report in some detail. Concern was expressed by a number of Councillors that the report from the Head of Environmental Health Services did not answer the questions which had been asked by the Complaints Appeal Panel in November 2010, principally in relation to the role which ESAG played in enforcing issues at outdoor events. The Head of Environmental Health Services and the Emergency Planning Officer gave answers to the questions raised by Members.

RESOLVED: That relevant officers prepare a further report to be submitted to the next meeting of this Committee, specifically addressing the following issues raised by Members, namely:

- Identify the role and responsibility of the Events Safety Advisory Group.
- Clarify what authority the Event Safety Advisory Group has in enforcing matters of concern particularly in relation to the authority of other agencies such as Police of LCC Highways.
- Whether ESAG should involve themselves in every outdoor event, whether large or small.

782 VOLUNTARY GRANT APPLICATIONS 2011/2012

The Director of Resources reported to Committee on the allocation of voluntary sector grants for 2011/2012 as proposed by a sub-group of this Committee. Members were reminded that the grant pot available for 2011/2012 was £94,340. The Council had received 14 applications, totalling over £126,000 and after careful consideration the sub-group had recommended the allocation of grants as shown at Annex 1 to the report.

Members of the sub-group were keen to stress to applicants that whilst the Council had been able to maintain the level of funding for 2011/2012, the funding for the following financial year remained uncertain. They therefore requested that a draft letter be prepared for the successful applicants stressing the uncertain financial position in 2012/2013.

RESOLVED: That Committee

1. approve the allocation of grants as proposed by the Voluntary Grant Sub-Committee as set out in Annex 1 to this report; and
2. approve the draft letter to be sent to applicants.

783

MEMBERS' ALLOWANCES 2011/2012

The Director of Resources submitted her report on the Council's Scheme of Members' Allowances for 2011/2012.

The Council had recently set up an independent panel to carry out a review of allowances which would come into effect for the new municipal year. The panel consisted of:

- David Morris (ex Chief Executive);
- Liz McQue (Chief Executive North West Employers' Organisation);
- Reverend Andy Froud (St Mary's Church, Clitheroe); and
- Ian Lloyd (Clitheroe Chamber of Trade).

The panel had met a number of times and were scheduled to interview a number of existing Members on the 31 March 2011. As previously reported the outcome of their review would be reported to the next meeting of this Committee in June. Any recommendations would need to be considered by Committee and ultimately approved by full Council in July. In previous years the new Scheme of Members' Allowances had been backdated to the beginning of the new municipal year. This meant that the current scheme of allowances would therefore remain in force until the new scheme was approved by Council.

RESOLVED: That Committee agree to the current Scheme of Members' Allowances for 2010/2011 being extended pending the outcome of the review of the independent panel.

784

TREASURY MANAGEMENT STRATEGY

The Director of Resources sought Committee's approval for the Council's Treasury Management Strategy for the 2011/2012 financial year. The Director of Resources reminded Members that the Prudential Code for Capital Finance in Local Authorities initially came into effect from 1 April 2004 and had been revised in 2009 to take account of the implication of the implementation of International Financial Reporting Standard (IFRS).

The Prudential framework allowed the Council to be more flexible in its approach to capital investment decisions and underpinned the system of capital financial. The importance of treasury management had increased as a result of the freedoms provided by this Prudential code. It covered the borrowing and investment activities and the effective management of associated risks. The Strategy covered the following areas:

- The current treasury position.
- A review of the prospects for interest rates.
- The Council's borrowing and debt strategy.
- The Council's investment strategy.
- Capital programme financing strategy.
- Limits on treasury management activities and Prudential indicators.

- Current debt portfolio position.
- Annual investment strategy.

*** RESOLVED: That the Treasury Management Strategy be referred to full Council for their approval. ***

785 TREASURY MANAGEMENT POLICIES AND PRACTICES 2011/2012

The Director of Resources asked Committee to review, approve and adopt the Treasury Management clauses and policy statement. She reported that in March 2004, Committee had agreed to formally adopt CIPFA's Reviewed Code of Practice on Treasury Management. This code had further been revised in 2009.

The code also contained four clauses that Council should formally adopt as part of its Standing Orders, Financial Regulations and other formal policy documents. The four clauses were as follows:

- (i) Ribble Valley Borough Council will create and maintain as the cornerstones for effective treasury management:
 - A treasury management policy statement, stating the policies, objectives and approach of its treasury management activities.
 - Suitable Treasury Management Practices (TMPS). Setting out the manner in which the Council will seek to achieve these policies and objectives and prescribing how it will manage and control those activities.

The content of the policy statement and TMPS will follow the recommendations contained in Sections 6 and 7 of the Code, subject only to the amendment where necessary to reflect the particular circumstances of this Council. Such amendment will not result in Ribble Valley Borough Council materially deviating from the Code's key principles.

- (ii) The Policy and Finance Committee of Ribble Valley Borough Council will receive reports on its Treasury Management Policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close, in the form prescribed in its TMPS.
- (iii) Ribble Valley Borough Council delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Policy and Finance Committee and for the execution and administration of treasury management decisions to the Director of Resources who will act in accordance with the Council's policy statement and TMPS and CIPFA's Standard of Professional Practice on Treasury Management.

- (iv) Ribble Valley Borough Council nominates the Policy and Finance Committee to be responsible for ensuring effective scrutiny of the Treasury Management Strategy and Policies.

Since approving the Treasury Management Policy Statement and Treasury Management practices in 2004, this Committee had approved a number of amendments which were detailed for Committee.

The report also sought Member approval to two further changes to the Council's Treasury Management Practices:

1. relating to the reference in the Treasury Management Practices that there should be a minimum investment of £200,000 on call at any time and fixed funds should not exceed 90%; and
2. previously Treasury Management practices had stated that on an annual basis the average rate of interest received on all external investments should be compared with the total average interest rate received for non-metropolitan districts. The Council were unable to identify the average interest rate received for non-metropolitan districts but use the average rate for Local Authority seven-day notice deposits instead.

RESOLVED: That Committee

1. approve and formally adopt the Treasury Management clauses; and
2. approve and formally adopt the Treasury Management Policy Statement as shown at Appendix 1 to this report and review and approve the Treasury Management practices as shown at Appendix 2 to this report.

786 LOCAL AUTHORITY BENEFIT OVERPAYMENT

The Director of Resources sought Committee approval to the writing off of a Local Authority overpayment on the housing benefits system. A debt amounting to £2,112.990 in respect of housing benefit had been classified as unrecoverable. No action had been undertaken to recover the amount due to the claimants age and circumstances.

RESOLVED: That Committee approve the writing-off of housing benefit overpayment of £2,112.90.

787 DRAFT CYCLE OF COMMITTEE MEETINGS 2011/2012

The Chief Executive submitted a draft meetings timetable for 2011/2012 for their consideration. He pointed out that the timetable accommodates the local elections on the 5 May which meant that Mayor Making in 2011 would be a week later than normal on 17 May.

The Chairman sought Members' views on the usefulness of having a summer recess in cycle 2 as had happened in 2010. His view was that this may be counter productive for new Members having a lengthy recess between cycles 1 and 3. In particular he felt that some of the major Committees should meet during cycle 2.

RESOLVED: That the draft timetable be submitted to the annual meeting of the Council with the addition of the following committee meetings in cycle 2:

- Community Committee 19 July 2011.
- Health & Housing Committee 21 July 2011.
- Policy & Finance Committee 26 July 2011.
- Full Council 30 August 2011.

Also that the Full Council meeting shown provisionally as 26 February 2012 be moved back to 6 March 2012.

788 PERFORMANCE MANAGEMENT FRAMEWORK UPDATES

Committee received a report on changes in the Council's Performance Management Framework. The report covered a number of key areas:

- The Council's Corporate Strategy.
- Service Planning.
- Performance Indicators.
- Local Area Agreements.
- Benchmarking and the Lancashire Performance Group.
- The Ribble Valley Locality Plan.
- Community aspirations and satisfaction.

RESOLVED: That the report be noted.

789 REVENUES AND BENEFITS GENERAL REPORT

The Director of Resources submitted a detailed report on the following matters:

- National Non-Domestic Rates (NNDR).
- Council Tax.
- Sundry Debtors.
- Housing Benefit – performance.
- Housing Benefit – right time indicator 2010/2011.
- Housing Benefit fraud.
- Housing Benefit overpayments.

RESOLVED: That the report be noted.

790 CAPITAL PROGRAMME 2011/2012

Committee were informed of the following new scheme which had been approved for inclusion in the capital programme for this Committee for the forthcoming financial year 2011/2012:

Contact Centre Customer Relations Management (CRM) Replacement £25,000.

RESOLVED: That the report be noted.

791 BUDGET WORKING GROUP

Committee received the minutes of the Budget Working Group meetings held on the 12 and 26 January 2011.

RESOLVED: That Committee note the minutes.

792 SUMMARY REPORT ON THE USE OF FUNDING FROM NORTH WEST IMPROVEMENTS AND EFFICIENCY PARTNERSHIP

The Director of Community Services submitted a brief report which made Members aware of the funding received for energy efficiency equipment and how this had been invested. A bid from Pennine Lancashire had been made to the North West Improvement and Efficiency Partnership which been successful with £20,000 of funding being secured. Following this, the Surveying Section undertook an energy efficiency review and prioritised potential work. This assessment highlighted Ribblesdale Swimming Pool and the adjacent football changing room building as areas where improvements could be made.

As the estimated cost of this work exceeded £20,000 funding limit, an additional bid request had been forwarded to NWIEP. Following this a further £3,280.95 of funding had been obtained.

RESOLVED: That the report be noted.

793 STATUS OF PROJECTS FUNDED BY PERFORMANCE REWARD GRANT FUNDS

Committee received a report giving the current status of projects funding by the borough's Lancashire Local Area Agreement (LAA) Performance Reward Grant allocation and drew Members' attention in particular to the village amenities project which was part of the Healthy Valley Initiative.

RESOLVED: That the report be noted.

794 EXCLUSION OF PRESS AND PUBLIC

Resolved that by nature of the next items of business being exempt information under Categories 1, 2, 3, 5, 7 and 9 of Schedule 12A of the Local Government Act 1972, the press and public be now excluded from the meeting.

795 RUGBY CLUB WALL, LITTLEMOOR ROAD, CLITHEROE

The Director of Community Services referred to his report which asked Members to consider the condition of a dangerous wall and establish a way forward to reduce the risk of its deterioration, impacting on members of the public.

The Director of Community Services gave background to the current situation which had seen the wall deteriorate in recent years. He identified four options for Committee's consideration and gave pros and cons against each option and sought Members' guidance on which option was their preferred one.

RESOLVED: That Committee agree to option 1 whereby the Council in the absence of anyone accepting responsibility for the wall, repair it at a one-off cost of £2,500. The Council could then commit to the long-term ongoing repairs of the wall at an average of £250 per year with the Council identifying adequate funding for this option.

796 UPDATE ON CURRENT LEGAL ISSUES

Committee received a report informing them about current legal issues which could have possible financial implications for the Council and invited Committee to consider whether it would like to make recommendations to the Council's Planning and Development Committee for them to bear in mind in considering what steps, if any, to take next in relation to those proceedings.

RESOLVED: That Committee note the current situation in respect of this matter with a further report being requested to come to the July meeting of this Committee.

797 RENEWAL OF INSURANCE ARRANGEMENTS

Committee received a report on the options for the renewals of the Council's insurances for 2011/2012 and beyond. Details were given of changes in the way the Council's insurances were procured. However there had been delays around this new arrangement which would commence potentially after our renewal date. Hence alternative insurance provision would need to be made.

Two options were presented for Committee's consideration:

1. Extend our insurance contract with Zurich Municipal under the terms of the existing agreement for 1 or 2 years; or
2. Carry out a full tendering exercise by advertising in the European Union Journal.

RESOLVED: That Committee:

1. agree to the extension of the current contract for the Council's insurances for a further 1 or 2 years with Zurich Municipal under the terms of our

existing long-term agreement. A full tendering exercise to then be carried out via the Lancashire Procurement hub and buying solutions; and

2. delegate to the Director of Resources the decision on whether the Council enter into a 1 or 2 year extension to the current contract depending on the prices of both extension terms and in consultation with the Chairman.

798 NATIONAL NON-DOMESTIC RATES WRITE-OFFS

A report from the Director of Resources sought Committee's approval to write-off certain National Non-Domestic Rate debts.

RESOLVED: That Committee approve the writing-off of £29,245.21 of NNDR debts where it had not been possible to collect the amounts due.

799 SUNDRY DEBTOR WRITE-OFFS

Committee considered a report which sought approval to write-off two sundry debtor invoices where the debtor had either been declared bankrupt or where the Council were unable to recover a disputed invoice due to a change of headship and governors.

RESOLVED: That Committee approve the write-off of two sundry debtor invoices totalling £2,743.93 where the debtors have either been declared bankrupt or the Council were unable to recover.

The meeting closed at 8.05pm.

If you have any queries on these minutes please contact Jane Pearson (414430).