

Minutes of Policy & Finance Committee

Meeting Date: Tuesday, 12 June 2012, starting at 6.30pm
Present: Councillor E M H Ranson (Chairman)

Councillors:

R Elms	J Rogerson
J Hill	R E Sherras
K Hind	R J Thompson
A Knox	N Walsh
S Hirst	

In attendance: Chief Executive, Director of Resources, Director of Community Services, Head of Regeneration and Housing, Head of Revenues and Benefits and Solicitor.

72 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors T Hill, S Hore, K Horkin, D T Smith and A Yearling.

73 MINUTES

The minutes of the meeting held on 27 March 2012 were approved as a correct record and signed by the Chairman.

74 MATTERS ARISING

There were no matters arising.

75 DECLARATIONS OF INTEREST

Councillor R Thompson declared an interest in agenda item number 10, Division of Wiswell Parish Council.

76 PUBLIC PARTICIPATION

There was no public participation.

77 REFERENCES FROM OVERVIEW AND SCRUTINY COMMITTEE

There were no references from Overview and Scrutiny Committee.

78 APPOINTMENT OF WORKING GROUPS

The Chief Executive reminded Members that a Budget Working Group had operated successfully for a number of years. The Budget Working Group looked at the formulation of budgets in more detail for not only this Committee but for other Service Committees of the Council. He also referred to discussions which

had taken place at the last meeting in relation to the formation of an Economic Development Working Group and sought Members' views on this matter.

RESOLVED: That

1. a Budget Working Group consisting of 5 Conservatives, 1 Liberal Democrat and 1 Independent Member be appointed for the municipal year 2012/13; and
2. an Economic Development Working Group also be formed consisting of 5 Conservatives, 1 Liberal Democrat, 1 Independent Member for the municipal year 2012/13.

79

REVIEW OF RIBBLE VALLEY PARTNERSHIP

The Chief Executive referred to Minute 675 of Committee dated 24 January 2012 and presented his report reviewing the role and function of the Ribble Valley Strategic Partnership.

Committee were reminded of the history of the Strategic Partnership and of its remit including its responsibility for delivering the Sustainable Community Strategy.

All funding decisions of the Strategic Partnership were subject to agreements and protocols with Lancashire County Council which required that those decisions were progressed through the regular financial allocation and accounting procedures of the Council.

The Partnership had played a key role in preparing and consequently implementing the Council's Sustainable Community Strategy working through a series of theme groups which crossed a wide range of topics relating to the economy, health, community safety, housing, the environment, community needs etc.

Changes in financial arrangements had already seen the role of the Board alter from a decision-making body with financial responsibilities to a broader steering group and advisory body to the Council and, in particular, to this Committee. However it was apparent that the theme groups provided an important opportunity to bring together compatible interests which could be used to inform the Council's roles and responsibilities. The Working Group also recognised the important contribution that the Partnership had made to supporting the local community and enhancing the work of the Council. However it was apparent that in its existing form the Board structure was not sustainable. It would potentially serve to duplicate roles and functions that would be within the remit of the Council's duties and responsibilities. It was suggested therefore that the existing Strategic Partnership be dissolved as a formal body. There would need to be a look at how the theme groups would be able to operate. It was also important to put in place a Partnership Forum as a structured meeting, probably twice yearly under the auspices of the Council. This would provide continued opportunities to discuss relevant issues and a formalised means of enabling the Council to engage and develop its relationship with partners.

The responsibility for the Strategic Partnership budget still sat with Policy and Finance Committee. The use of performance reward grants and second homes money would be the subject of the Council's budget planning process, however it was anticipated that funding would continue to be applied to activities that supported the aspirations of the Council reflecting the sustainable community structure. As part of the budget planning process consideration would need to be given to supporting partnership working beyond 2013 in due course.

RESOLVED: That

1. Committee endorse the conclusions of the working group and that Ribble Valley Strategic Partnership be dissolved in its current form; and
2. the Chief Executive be asked to establish a Ribble Valley Forum in accordance with the proposals set out in this report and that resource requirements to support the Council's partnership work beyond March 2013 are considered within the Council's normal budget procedures.

80 IMPLEMENTING THE LOCALISM ACT 2011 – CODE OF CONDUCT AND STANDARDS

The Council's Solicitor presented a report relating to the adoption of a new code of conduct for Ribble Valley Borough Council and arrangements which needed to be put in hand to discharge the Council's obligations relating to maintaining and promoting high standards of conduct by its Members and any Co-opted Members and dealing with allegations made about Members who may have breached the Code.

These matters had previously been considered by Policy and Finance and Standards Committee with no recommendations having been finalised. The Leader and Chief Executive had requested that the group of Members which had assisted in considering future arrangements for Overview and Scrutiny Committee also be asked to consider the most appropriate arrangements to implement the Localism Act 2011 in relation to Code of Conduct and Member Conduct. That group had met on 1 June 2012 and it had considered the three codes set out in the appendices to the report. After careful consideration the group recommended that the most appropriate Code to reflect the aspirations of the Council was that drafted by the Department of Communities and Local Government.

The group also recommended that the duties of the Standards Committee should be carried out by other Council Committees due to the relatively limited amount of work that the Standards Committee had had to date. The majority of those responsibilities could be transferred to Accounts and Audit Committee with Policy and Finance Committee retaining responsibility for the Code of Conduct.

Members then discussed this matter in some detail, particularly in relation to Parish Councils and the responsibility which this Council had in respect of Parish Councillors compliance with Code of Conduct.

*** RESOLVED: That

1. it be a recommendation to Full Council that the Department of Communities and Local Government Code should form the basis of the Council's Code of Conduct modified to reflect the final regulations in respect of disclosable pecuniary and non-pecuniary interest;
2. it be a recommendation to Full Council that the Council's duties under the Localism Act relating to Member conduct, promoting high standards of Member conduct, and investigating complaints, be discharged by the Council's Accounts and Audit Committee;
3. the Head of Legal and Democratic Services be authorised to prepare new Terms of Reference for Policy and Finance and Accounts and Audit Committee for approval by Council;
4. the Working Group to recommend who the Council should select as their independent persons to advise Members on matters of conduct; and
5. a report be prepared for the September meeting of Parish Councils' Liaison's Committee by the Head of Legal and Democratic Services informing all Parish Councils of the Council's decision in relation to its Code of Conduct and its impact on Parish Councils.

(Councillor R Thompson declared an interest in the next item of business and left the meeting.)

81

DIVISION OF WISWELL PARISH COUNCIL

The Council's Solicitor presented her report which sought Committee's views on whether to undertake a further Community Governance Review in relation to Wiswell Parish or whether to request a community governance petition as a pre-requisite for this.

Members were reminded that this request had been considered in March 2009. Committee had elected to carry out a review without a petition, largely due to the long running history of the matter.

On 16 November 2010, following a public consultation on whether to divide Wiswell Parish into two separate Parishes, the Council's Solicitor presented a decision report to Committee with two recommendations. Rather than adopting either of those recommendations, Committee decided to set up a Working Group to try to understand the issues/problems. A meeting was arranged for January 2011. The parishes had decided to continue to operate under the umbrella of one Parish Council but with appropriate division of duties, funds and responsibility in certain areas.

In March 2012 a letter had been received from the new Clerk to the Parish of Wiswell advising that the system of Committees was not working and requesting that the Council now proceeds with the division.

The Council's Solicitor advised that it was no longer open to the Council to proceed with the division as principal Councils had been required to complete a community governance review within 12 months of beginning it. She pointed out

that whatever the outcome of the previous review, some residents within Wiswell remained strongly of the view that the Parish should be split. The Parish Council were recently unanimous in their decision to request for the Parish Council to be divided.

She presented three options for Councillors to consider:

Option 1 – Advise Wiswell Parish Council that no CGR will be carried out until two years since the end of the last review had expired and the Council receives a valid CG petition.

Option 2 – Advise Wiswell Parish Council that Council would undertake a CGR provided that it receives a valid CG petition.

Option 3 – Advise Wiswell Parish Council that the Council will undertake a CGR now without any need for any valid CG petition.

Committee then considered the three options in some detail.

RESOLVED: That a Community Governance Review should be carried out for the Parish of Wiswell and that the Council's Solicitor be directed to commence work on this matter immediately.

(Councillor R Thompson returned to the meeting.)

82 VILLAGE AMENITIES GRANT FUND

Committee considered a report which sought to agree a formal administrative procedure for allocating grants totalling £100,000 to enhance village amenities throughout the Ribble Valley.

Members had previously considered the use of Performance Reward Grant to support a range of project activities proposed by the Ribble Valley Strategic Partnership. One of the principle projects was the delivery of a second round of schemes which would give local communities the opportunity to bid for funding to support village amenities.

The scheme proposed had been designed to make available a pot of £100,000 into which groups could bid on a competitive basis. Committee then considered a number of procedures which had been derived from considerations given when the Council administered a similar grant scheme in 2007 to community groups and Parish Councils across the Ribble Valley. The procedures were divided under the following criteria headings:

- General Matters;
- Financial Matters;
- Publicity;
- Council Support;
- Selection of Schemes;
- Conditions; and
- Feedback.

There were a number of considerations where a group was submitting several applications there should be clear indication of the priority of each. Corporate Management Team had considered the option to set a maximum grant of £10,000 per bid. There would be a point when funds allocated to projects would need to be reallocated, details should be given of any revenue expenditure implications of the project and how these are to be covered, details of partner organisations and input from them should be clearly set out and finally in considering projects regard would be given to any previous grants made.

Members then discussed this matter in some detail and were keen to ensure transparency and as wide a spread as possible of potential recipients. Members supported the proposal that the maximum grant to be awarded under this scheme should be £10,000.

RESOLVED: That

1. the Committee endorse the conditions, procedures and timescales for the allocation of the grants as specified within the report and included on the attached forms and ask the Chief Executive to publish invitation to bid and put in place the grant panel to consider and approve the bids; and
2. ask the Chief Executive to keep Committee informed on the progress with this bidding process.

83 COUNCIL TAX, NATIONAL NON-DOMESTIC RATES AND HOUSING BENEFIT WRITE-OFFS

The Head of Revenues and Benefits sought Committee's approval to write-off certain Council Tax, National Non-Domestic Rates and Housing Benefit debts.

RESOLVED: That Committee

1. approve the writing off of £1,145.64 Council Tax, £4,475.17 NNDR debts where it had not been possible to collect the amounts due; and
2. approve the writing off of £5,271.70 Housing and Council Tax Benefit overpayments.

84 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the next item being exempt information under Part 1 of Schedule 12A of the Local Government Act 1972, the press and public be now excluded from the meeting.

85 REQUEST FOR DISCRETIONARY RATE RELIEF

The Head of Revenues and Benefits asked Committee to consider a request for discretionary rate relief from the Public Safety Charitable Trust Ltd (PSCT) in respect of communication equipment at the former Olive Press, York Street, Clitheroe. He commented that PSCT Ltd had been granted mandatory relief of 80% for the communications equipment and had now submitted an application

for discretionary rate relief with additional information to support their application. The Head of Revenues and Benefits gave details behind this application and reminded Committee that as a proportion of the cost of any discretionary rate relief granted would fall on residents the benefits to Ribble Valley residents of granting such relief needed to be taken into account.

RESOLVED: That the request made by PSCT Ltd for discretionary rate relief in respect of communication equipment at the former Olive Press, York Street, Clitheroe, be refused.

(Committee then returned to Part 1 of the Committee Agenda.)

86 VOLUNTARY GRANT DEFERRED APPLICATION 2012/13

The Director of Resources referred to Minute 836 of Committee dated 27 March 2012 and now reported on a recent meeting with the Manager of the Little Green Bus to update them with the financial results following the first full year of operation following the changes to community transport on 1 April 2011.

Subsequently a letter had been received from the Manager indicating that although they were operating under very difficult financial circumstances, they were managing to keep their head above water and would still like to be considered for a voluntary organisation grant for a volunteer car scheme and any funds available for a contribution towards the cost of a new mini bus. Members then discussed this request in some detail.

RESOLVED: That

1. Committee agree that the level of grant support to be given to the Little Green Bus should be £5,000 towards the volunteer car scheme;
2. the remaining balance of the grant pot of £3,720 be set aside and committed for a replacement bus when one is ultimately purchased; and
3. the Manager of Little Green Bus be asked to reconsider the level of charges to users currently 40p per mile.

87 REQUEST FOR ADDITIONAL CAPITAL SCHEME

The Director of Resources sought Member approval to the addition of a further Capital Scheme to the Capital Programme for 2012/15. She reported that the Planning Section had used a large format colour plotter/scanner which was over 8 years old, out of warranty and no longer supported. The scanner had been operating unreliably over the past 12 months and had recently ceased to work at all. This equipment was the only machine that could scan large format documents that could print large format colour documents and also print large format documents from colour files. It was therefore a vital piece of technical infrastructure for the planning service and a replacement was seen as urgent. Due to the substantial value of this equipment any replacement would need to be included in the three-year Capital Programme. Based on the latest quotes received for replacement equipment addition of the scheme would increase the 2012/13 Capital Programme by £11,900.

Revenue savings on planning services for this amount had been identified within the 2011/12 financial year during the closedown of accounts. These had been set aside as capital resources pending the decision of Committee.

RESOLVED: That Committee approve the addition of the plotter/scanner to the Planning Capital Programme in the sum of £11,900.

88 PERFORMANCE INDICATOR REPORT 2011/12

Committee considered a comprehensive report on Performance Indicators for 2011/12 which had previously always been reported to the Overview and Scrutiny Committee.

The report traced the history and relevance of Performance Indicators and sought guidance from Committee on how this information should be collected and reported in the future.

Details were given of the red indicators and explanations given.

Members then discussed the report in some detail, in particular the relevance of some indicators.

RESOLVED: That

1. Performance Indicators be referred to the relevant parent Committee for them to decide how they wished these matters to be reported in future; and
2. in relation to this Committee's Performance Indicators these be referred to the Budget Working Group for further consideration.

89 BUSINESS RATES RETENTION SCHEME

The Director of Resources updated Members on the outcome of the recent consultation on Business Rates Retention. She reported that the Local Government Resource Review encompassed three potential areas of reform to Local Government finance:

- The local retention of Business Rates.
- The replacement of Council Tax Benefit with local Council Tax support.
- Technical reforms of Council Tax.

She further reported that on the 17 May 2012 the Government had published a further five papers on this matter:

- The central and local shares of Business Rates, a statement of intent.
- The safety net and levy.
- Renewable energy projects.
- Pooling prospectus.
- The economic benefits of local business rate retention.

She also referred to the Local Government Association conclusion that the Government policy was a first step towards full business rate localisation but there remained a number of concerns. The policy papers showed that the Government proposed to keep a top slice of 50% of Business Rate for the Treasury, taking taxes paid by local businesses for local services and using them local services based on national priorities. This went against the Government's stated commitment on localism.

RESOLVED: That the report be noted and be further discussed in more detail by the Budget Working Group.

90 CHANGES TO COUNCIL TAX

The Director of Resources updated Members on the outcome of recent consultation on technical reforms to Council Tax. She reported the Government's policy response for the following areas of Council Tax liability:

- Second homes.
- Empty dwellings undergoing major repair.
- Liability of mortgagees in possession.
- Empty homes premium.
- Consequential issues for empty homes.
- Other technical changes.

The report included an illustration of the extra funds which potentially could be raised if the Council changed its current discounts and exemptions and took advantage of these reforms.

She commented that the matter would have to be submitted to Budget Working Group for a more detailed discussion.

RESOLVED: That

1. the report be noted; and
2. the report be further discussed in more detail by the Budget Working Group.

91 LOCALISATION OF COUNCIL TAX SUPPORT

The Director of Resources updated Members on the current issues with the forthcoming changes to Council Tax support. She reminded Members that the Local Government Finance Bill imposed a duty on billing authorities to make a localised Council Tax Reduction Scheme by 31 January 2013 and to consult with major precepting authorities and such other persons that would have an interest in the scheme.

The Council fundamentally had three options:

1. to do nothing and adopt the default scheme;

2. adopt a countywide scheme; or
3. adopt a hybrid scheme.

RESOLVED: That the report be noted and referred for further consideration to the Budget Working Group.

92 REVENUES AND BENEFITS GENERAL REPORT

The Head of Revenues and Benefits reported on a number of areas under his control:

- National Non-Domestic Rates (NDR).
- Council Tax.
- Sundry Debtors.
- Housing Benefit performance.
- Housing Benefit fraud.
- Housing Benefit overpayments.

RESOLVED: That the report be noted.

93 REPRESENTATIVES ON OUTSIDE BODIES 2012/13

Committee receive a report reminding Members of the importance of those members who served on Outside Bodies reporting back to parent Committees on a regular basis on the work of that Outside Body.

RESOLVED: That the report be noted.

94 REFERENCES FROM COMMITTEE – PURCHASE AND REPAIR CAPITAL SCHEME REQUESTS

Committee considered a request from Health and Housing Committee to approve a one-off purchase and repair Capital Scheme to the 2012/13 Capital Programme for Health and Housing Committee.

It was reported that Health and Housing Committee had considered a report which gave details of an approach which had been made to the Council by Adactus Housing Association on a proposed purchase and repair scheme for 3 housing units in Longridge. In summary the estimated costs of the Adactus Scheme would be £429,124 with total renovation works for the three properties being £29,997. The funds sought from the Council towards the scheme was £45,000.

Due to the level of funding requested for the scheme it would fall within the Council's Capital Programme. Members were reminded that funding of Capital Programme had been difficult in recent years but a suggested source of funding for this scheme would be the VAT shelter monies which were received by the Council under the LSVT arrangements with Ribble Valley Homes.

RESOLVED: That Committee agree to the request for the inclusion of the above scheme in the Health and Housing Committee's Capital Programme 2012/13 with expenditure funded being from the VAT shelter.

95 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the following item being exempt information under Categories 1, 2, 3 and 6 of Schedule 12A of the Local Government Act 1972, the press and public be now excluded from the meeting.

96 REFERENCES FROM COMMITTEE – COMPULSORY PURCHASE ORDER

Committee were asked to consider a request from Health and Housing Committee to approve resources towards the Compulsory Purchase Order proceedings for the site of 2 Barnacre Road, Longridge.

Health and Housing Committee had considered this report at their recent meeting and were reminded that any Compulsory Purchase Order which the Council undertook would look to recoup any costs incurred in the process through the resale of the property.

RESOLVED: That Committee agree in principle to the CPO process with a further report being brought to this Committee once the full implications of the CPO were known prior to progressing to the final stages of the formal CPO process.

(Committee then returned to Part 1 of the Agenda.)

97 TREASURY MANAGEMENT ACTIVITIES 2011/12

Committee considered a report on the Council's Treasury Management Activities for 2011/12. This information was divided into three areas:

- Borrowing requirements.
- Investments.
- Prudential indicators.

RESOLVED: That the report be noted.

98 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the next item being exempt information under Part 7 of Schedule 12A of the Local Government Act 1972, the press and public be now excluded from the meeting.

99 ANTI-MONEY LAUNDERING POLICY

The Director of Resources asked Members to consider the approval of the revised Anti-Money Laundering Policy document.

She commented that a review of the Policy had taken place and areas had been updated to reflect changes in position titles. The main change that had been made to the Policy was an amendment to the level of cash payments that would

be accepted by the Council in order to combat the risk of money laundering. This would now be set at £3,000.

RESOLVED: That Committee approve the revised Anti-Money Laundering Policy.

The meeting closed at 8.18pm.

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