

# Ex.47

## MINUTES OF A MEETING OF THE EXECUTIVE

HELD AT THE GUILDHALL,  
ABINGDON ON FRIDAY, 7TH  
DECEMBER, 2007 AT 2.30PM

### Open to the Public, including the Press

PRESENT:

MEMBERS: Councillors Jerry Patterson (Chair), Tony de Vere (Vice-Chair), Mary de Vere, Richard Farrell, Jenny Hannaby, Bob Johnston and Angela Lawrence

OFFICERS IN ATTENDANCE: Grant Audley-Miller, Jeremy Beech, Helen Bishop, Steve Bishop, Steve Culliford, Katharine Doherty, Lorna Edwards, Morgan Einon, Simon Escreet, Bill Farrar, Lesley Hawkins, Michael Mackay, Nikki Malin, Andrew Morgan, Tim Sadler, Mark Saunders, Paul Staines, Terry Stock and Toby Warren

NON-PARTICIPATING MEMBERS: Councillors Terry Cox, Andrew Crawford, Dudley Hoddinott, Julie Mayhew-Archer and Melinda Tilley

NUMBER OF MEMBERS OF THE PUBLIC: 11

### Ex.80 APOLOGIES FOR ABSENCE

None

### Ex.81 MINUTES

The public minutes of the Executive meeting held on Friday 5 October 2007 were adopted and signed as a correct record.

### Ex.82 DECLARATIONS OF INTEREST

Councillor Tony de Vere declared a personal and prejudicial interest in item 22 'Lottery and Other Grants Support Fund' as he was President of the North East Abingdon Community Association (minute Ex.101 refers). Councillor Mary de Vere declared a personal interest in item 22 'Lottery and Other Grants Support Fund' as her husband was President of the North East Abingdon Community Association (minute Ex.101 refers). Councillors Angela Lawrence and Julie Mayhew-Archer both declared personal interests in items 11 and 27 'Old Gaol, Abingdon' as they were members of Abingdon Town Council (minutes Ex.90 and Ex.107 refer). Councillor Richard Farrell declared a personal interest in item 21 'Treasury Management – Meeting with Fund Manager' as he had previously been an employee of the fund management company (minute Ex.100 refers). Councillor Bob Johnston declared a personal interest in the urgent item relating to an application for a village green at Radley (minute Ex.104 refers).

Ex.83 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair asked all those present to switch off their mobile phones during the course of the meeting. He also re-ordered the agenda to bring item 17 (Cumnor Hill Conservation Area – Proposal by Cumnor Parish Council) forward to be considered after item 10.

He also accepted one item as a matter of urgent business, relating to an application for a Village Green at Radley, in order that it could be considered before the next Executive meeting in February 2008 (minute Ex.104 refers).

Ex.84 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

The Executive received three statements from members of the public.

- (1) Lesley Legge, on behalf of Abingdon Town Council, made a statement regarding the future use of the Old Gaol in Abingdon. She reminded the Executive that the Council's policies included many sections around support for and working towards the vitality of Abingdon town centre as an integral part of the Vale. The Town Council saw this development as crucial to the town, its residents and its vitality. If the Executive's decisions did not fully address the existing needs for cultural and community facilities, then as the population continued to grow, the lack of facilities would only further widen the gap. She believed there was a great demand for multi-purpose facilities for cinema, performance and meetings. The Town Council was working hard on vitality improvements in the town and it hoped its appeal was heard by the Executive. She pleaded that the Executive considered how in the past the Vale had backed a development which at the time was considered to be a community benefit but later, she considered had not been beneficial. Despite the strict confidentiality of the current process, which the Town Council accepted, she looked forward to working with the Vale on the Old Gaol development at the earliest opportunity. She hoped that the Executive had the necessary strength and expertise to ensure that any long term arrangements would maintain long term accountability and improved community benefit on this valued site. She urged the Executive to ensure community and cultural facilities for Abingdon now and for the future.
  
- (2) Glynne Butt, on behalf of Community in the Old Gaol (COG), made a statement regarding the future use of the Old Gaol in Abingdon. She hoped that the Chief Executive's recommendation gave equal weighting to financial considerations and the heritage and community considerations. In an earlier briefing from the Chief Executive to COG the analogy of choosing between a Rolls-Royce and a bicycle was made. The Rolls-Royce scheme had little or no financial receipt from the developer; the bicycle had a substantial capital sum. If the Council chose the bicycle COG urged the Executive to ensure that the scheme was good enough for this important heritage site, almost certainly the last for development in the town. COG hoped the scheme would promote the vitality of the town, improve the range of leisure and recreational facilities in the town centre, and would contribute to the quality of life for the whole community. If

the Rolls-Royce scheme was chosen, COG urged the Executive to explore any variations to tailor it to Abingdon's needs, even if it cost more. For example, would the Executive explore retention of the freehold title to the site? Would it negotiate hard on public access? Would it press for a cinema, an MG Club museum and a display area/gallery? COG wished to contribute to further discussions and hoped to bring funding to help achieve its requests. Whatever decision was taken, the future needs of Abingdon must remain on the agenda. The Executive was urged to ring-fence as much of any capital receipt as necessary to provide for the town's needs.

- (3) Derek Rawson, on behalf of Cumnor Parish Council, made a statement in support of the Parish Council's request for a Conservation Area designation at Cumnor Hill. He related this request to that received from young skateboarders in Abingdon a few years previous, which resulted in a new skateboard park being constructed. The request for a Conservation Area had been driven by requests from local residents who wished to see the character of Cumnor Hill retained and protected through Conservation Area status. Although there were no physical boundaries separating the area from its surroundings, he believed there was a distinctiveness in the views from the road and into the gardens and of the overall Sylvan setting. He could not guarantee all of the owners in the area would not wish to develop their gardens with new housing but suggested that the Executive considered the impact of not designating the area as a Conservation Area. There was a need to protect this early 20<sup>th</sup> Century development without relying on appeal decisions of a planning inspector. He urged the Executive to support the Parish Council's request now while there was still an area to protect.

The Chair thanked the speakers for their statements.

**Ex.85 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32**

Kurt Rosenfeld, representing the Community in the Old Gaol (COG) group, asked the following question:

"On 27 November COG formally requested the Chief Executive:

- (a) to provide us with (as a minimum) anonymised copies of layout plans/usage proposals and relevant supporting material from the preferred bidder selected on the 7th December and the runner-up; and
- (b) In his feedback to the selected bidder to remind him/her that COG are keen to meet with them during the pre-contract phase (subject if necessary to some form of confidentiality agreement).

The Chief Executive said that he would refer this request to this meeting. Are you now able to reply to it - and if not, please may we have an assurance that we will receive a written reply within 10 working days?

Please could you also confirm that you were correctly quoted in the Abingdon Herald yesterday when you said that you expected the contract to be agreed - and information to be made public - "early in the new year". We trust that your statement cancels the earlier information provided, namely that it might be as late as May."

Councillor Jerry Patterson, Chair of the Executive answered that the Chief Executive had referred this request to this meeting of the Executive and it would be considered later, in the exempt session of the meeting. He hoped a reply could be given in the early part of the next week. He also confirmed that he expected information to be made public after January 2008 but hopefully before May.

Ex.86 REFERRAL UNDER THE OVERVIEW AND SCRUTINY PROCEDURE RULES OR THE BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

None

Ex.87 REFERRALS FROM THE OVERVIEW AND SCRUTINY COMMITTEES AND OTHER COMMITTEES

(Time: 2.52pm to 2.53pm)

Personnel, Regulatory and Appeals Committee - 22 November 2007

At its meeting on 22 November 2007, the Personnel, Regulatory and Appeals Committee had approved an increase in the establishment of the Building Control Service within Commercial Services by the creation of a Trainee Building Control Surveyor post and an Access Officer post, both of which were permanent posts. The cost to the Council would be in the region of £2,000 to £3,000 which would be found within existing budgets in the current year. However, the Committee asked for the issue of future funding to be raised with the Executive for the 2008/09 budget deliberations.

The Executive noted this request.

*RESOLVED*

*that the need for future funding to create a Trainee Building Control Surveyor post and an Access Officer post be taken into account as part of the budget deliberations.*

Ex.88 FINANCIAL MONITORING

(Time: 2.53pm to 2.55pm)

The Executive received and approved requests for four virements totalling £53,910 and approved requests for permanent budget adjustments totalling £20,840,540. It was noted that although this figure was large, there was a double-entry reverse amount elsewhere in the Council's budgets.

Members noted that ten supplementary estimates had been approved by the Strategic Director and Chief Finance Officer under delegated authority totaling £137,010. In answer to a question from the Chair, it was reported that these issues should not be repeated as improvements were being made to the accountancy service.

*RESOLVED*

*that the virements and permanent budget adjustments set out in the agenda report be approved.*

Ex.89 FORWARD PLAN  
(Time: 2.55pm to 2.56pm)

The Executive received the Forward Plan setting out Executive decisions to be taken from December 2007 to March 2008. It was noted that the review of national non-domestic rates discretionary relief was due to be considered either by the Executive on 1 February 2008 or in the 2008/09 budget proposals to Council.

*RESOLVED*

*that the Forward Plan for December 2007 to March 2008 be noted.*

Ex.90 OLD GAOL, ABINGDON  
(Time: 3.05pm to 3.15pm)

(Councillors Angela Lawrence and Julie Mayhew-Archer both declared personal interests in this item and in accordance with Standing Order 34, they remained in the meeting during its consideration.)

The Executive received and considered report 110/07 of the Chief Executive regarding the future of the Old Gaol in Abingdon. At its meeting on 13 July 2007, the Executive had short-listed a number of companies to proceed to stage 2 of the selection process for a development partner for the Old Gaol. The deadline for submissions was 22 October 2007. The report set out the background for the Executive's decision to select a preferred development partner and to determine its position in respect of the other submissions.

The Chief Executive recommended that the Council continued to maintain confidentiality; the Executive agreed with the reasons set out in the report.

Local Member, Councillor Julie Mayhew-Archer, requested to be involved in discussions once the preferred developer had been chosen. The Executive agreed with the principle but agreed to discuss the detail of this request later in the meeting in exempt session.

Members assured those in attendance that the Executive would give careful consideration to all aspects presented in the Chief Executive's report and balance them against the development brief and financial issues. Members would be looking at all aspects to get good value for the town and the District. It was agreed that the cross-party Member-level Old Gaol Advisory Group should continue to meet and provide constructive advice as discussions proceeded.

*RESOLVED (by seven votes to nil)*

*(a) that in exempt session later in the meeting, a preferred development partner be selected and the reasons for that selection be stated;*

- (b) *that in exempt session later in the meeting, the Executive formulates any guidance it wishes to give to the Chief Executive on any particular aspects it would wish to see explored in the discussions on the Development Agreement;*
- (c) *that in exempt session later in the meeting, a reserve development partner be selected and the reasons for that selection be stated;*
- (d) *that in exempt session later in the meeting, the Executive determines its position on the remaining schemes, together with its reasons;*
- (e) *that in exempt session later in the meeting, the Executive determines its position in respect of Harcourt Way, Abingdon;*
- (f) *that in exempt session later in the meeting, the Executive considers the financial consequences of its decision on a preferred developer;*
- (g) *that in exempt session later in the meeting, the Executive determines what information, if anything, to put into the public domain;*
- (h) *that in exempt session later in the meeting, the Executive determines what, if any, consultation it wishes to take with Abingdon Town Council, Community in the Old Gaol, other groups and individuals;*
- (i) *that authority be delegated to the Chief Executive, in consultation with the Leader of the Council and Leader of the Opposition, to negotiate and conclude any agreements needed to proceed to contract completion with the preferred developer;*
- (j) *that the cross-party Old Gaol Advisory Group continues to meet to give advice to the Chief Executive; and*
- (k) *that authority be delegated to the Chief Executive, in consultation with the Leader of the Council and Leader of the Opposition, to consider how best to involve the Local Member.*

Ex.91 CORPORATE GOVERNANCE REPORT - SECOND QUARTER 2007/08

(Time: 3.15pm to 3.22pm)

The Executive received and considered report 111/07 of the Senior Management Team which reported on corporate governance for the second quarter: July to September 2007. This looked at the key areas of:

- Corporate Priorities
- Best Value Performance Indicators
- Progress against Service Prioritisation Plans
- Key staffing data (sickness levels and turnover)
- Financial commentary

At its meeting on 19 November 2007, the Senior Management Team considered the second quarter 2007/08 Business Performance Report: an exception report which covered all of the aspects of corporate governance. The Senior Management Team

agreed the exceptions to be reported to the Executive, where performance or actions were not on target, and agreed the comments and actions to be included in the report to the Executive.

The Executive noted that the performance of the benefits claims processing was stabilising and was encouraging. It was hoped that performance would be close to target at the year end. With regard to invoices paid on time, it was noted that performance was dependent upon the success of the recovery plan. The Chief Finance Officer was gaining confidence that recovery would be achieved, subject to close monitoring. The Executive Portfolio Holder for Finance offered to show the Chairman of the Scrutiny Committee the detailed recovery plan.

There had been an increase in public contact with the Abingdon Local Services Point. This was partly due to the rise in calls relating to the July flooding. Staff sickness in the Local Services Point had had an impact on the service but was improving.

## *RESOLVED*

*that the Senior Management Team's Corporate Governance exception report and proposals be noted.*

### Ex.92 CLIMATE CHANGE (Time: 3.22pm to 3.31pm)

The Executive received and considered report 112/07 of the Strategic Director and Monitoring Officer which proposed the adoption of a climate change strategy. Members recalled that the production of a strategy and associated action plan was a Service priority for the Council this year. The report introduced the strategy and discussed two important decision points:

- The scope of the Council's approach to climate change
- The methodology that the Council could use to deliver the strategy

Recent developments in national and regional policy were placing increasing significance on climate change. To date, the Council had focused its climate change efforts on energy saving in the domestic sector under the obligations of the Home Energy Conservation Act 1996. However, in May of 2007 the Council signed the Nottingham Declaration on Climate Change. In signing the declaration, the Council acknowledged that it needed to address this issue in two ways, these being:

- How its own operations contributed towards carbon emissions
- How it could, in its capacity as community leader and place shaper, address the issue within the wider community of the Vale

It was suggested that the best approach was to focus on the Council's own operations in the first instance before leading on a District-wide effort to reduce emissions and adapt to climate change. As a consequence, the strategy, at this stage, related only to Council operations that were either affected by climate change or contributed to it.

The process of developing the strategy had begun in May 2007, after the Council signed the Nottingham Declaration. The Strategic Review Committee had endorsed a corporate approach to tackling climate change and made two specific resolutions:

- That the contract specification for all Council services, including those to be outsourced, be drafted so that climate change issues were given due consideration in the delivery of those services
- That in respect of the key corporate recommendations of the review report the Council should have regard to best practice through discussions with its benchmarking partners and Beacon Councils in developing a Climate Change Strategy

Subsequent to this resolution, the Strategy was refined to take account of the Committee's views and the findings of the scoping study. The Strategy now focused upon the carbon footprint of the Council's own operations and functions.

It was suggested that the Council had a choice of two methodologies that the implementation of the Strategy could take by either adopting an ad-hoc approach built around a few key actions or adopting a strategic Council-wide approach. The officers recommended the second approach as it would result in a higher profile for the Council in an area of public concern, would ensure better environmental performance across many areas of the Council such as the Green Travel Plan, planning policy and sustainable procurement, and would deliver greater emissions reductions and cost savings in the long term.

The Executive noted that the Council's duties towards climate change were limited:

- The Home Energy Conservation Act: required achievement of an annual 2% reduction in CO<sup>2</sup> emissions
- The Climate Change and Sustainable Energy Act 2006 gave the Council a general duty to have regard to climate change issues in the exercise of its functions
- The Council was not required to address climate change any further

It was noted that the Council could therefore opt to not adopt the Strategy, instead asking officers to exercise regard to climate change issues within existing service priorities and budgets. Alternatively, the Council could adopt the Strategy, appropriately resourced, as a response to the issue of climate change.

The Executive considered the draft Strategy to be an appropriate and proportionate response to the issue of climate change that met the Council's service commitments and would ensure that the issue, should it be enshrined as a target in the Oxfordshire Local Area Agreement, was a commitment that the Council could meet.

It was considered that the strategy should follow a corporate approach to climate change. Members recognised that there would be the resource implications and that these would have to compete with others in the 2008/09 budget deliberations.

Members highlighted recycling and composting schemes the Council had previously undertaken and the management of Besselsleigh Wood, all contributory factors in tackling climate change.

It was suggested that consideration should be given to the membership of the Climate Change Project Board to monitor implementation of the strategy. It was requested that a



recommendation on this was made to the next meeting of the Executive on 1 February 2008. Members welcomed the strategy and thanked the officers for their report.

*RESOLVED (by seven votes to nil)*

- (k) that the Climate Change Strategy and Action Plan, appended to report 112/07, be approved;*
- (l) that the adoption of a Council-wide approach to addressing the issue of climate change be approved;*
- (m) that the Executive agrees, as part of its budget considerations for 2008-09, to consider the resource implications of the Action Plan; and*
- (n) that consideration be given to the membership of the Climate Change Project Board to monitor implementation of the strategy and a recommendation be made to the next meeting of the Executive on 1 February 2008.*

Ex.93 PAYMENTS STRATEGY  
(Time: 3.31pm to 3.33pm)

The Executive received and considered report 113/07 of the Strategic Director and Monitoring Officer, which proposed the adoption of a Payments Strategy for the Vale. The 2007/08 agreed budget statement had requested the provision of better payment alternatives for cash payment facilities. The draft strategy showed there were opportunities for the Vale to use alternative payment solutions that had the potential to increase customer access and in some cases bring immediate cost benefits. The strategy complemented the Council's Access to Services Strategy and was based on extensive research and examination of options. It set out milestones to move the Council forward and recommended that each milestone was implemented on its merits, only where the business case for each milestone could prove that customer access would increase and costs would be reduced.

It was believed that the opportunity for immediate cost reduction was limited, and that encouraging customers to use electronic payment methods would likely have to be implemented in parallel before users migrated in sufficient numbers to enable reduced transaction costs to be secured.

Further to the report, the Executive noted that there were no staff comments to report.

*R E C O M M E N D E D (by seven votes to nil)*

- (o) that the draft Payments Strategy be approved in principle to implement the payments policy;*
- (p) that the following policy which underpins the payments strategy be adopted:  
"The Council will adopt and implement a Payments Strategy which will deliver the following policy:*
  - Cost effective channels will be developed and marketed to encourage as many customers as possible to self-serve or use our call centre services*

- *Customer service will be, as far as is practicable, coordinated and process managed to ensure a quality consistent service*
- *Opportunities will be taken through process and workflow re-design to create cashable and non-cashable efficiencies*
- *The Council will continue to develop access channels which reflect the changing preferences of our customers”*

Ex.94 APPROVAL OF PROCUREMENT STRATEGY

(Time: 3.33pm to 3.41pm)

The Executive received and considered report 114/07 of the Strategic Director and Chief Finance Officer and the Deputy Director (Contracts and Procurement), which proposed a Procurement Strategy to guide staff involved in the procurement process. The strategy set out how to buy effectively on behalf of the Council and how to demonstrate to tax payers and other stakeholders that the Council was compliant with the law and best practice in carrying out its procurement activities, as well as delivering value for money. The strategy had been developed from a procurement framework that was submitted to Strategic Review Committee for review in January 2007. The strategy took account of Government recommendations and took account of current priorities such as environmental, economic and social sustainability and equalities and diversity.

The strategy was accompanied by a plan which detailed 15 key activities which needed to be carried out in order to develop procurement excellence in the Vale. The plan identified some key areas to improve purchasing effectiveness, including simplified and automated processes.

The Council did not have a dedicated purchasing team and lacked purchasing professionals; procurement was carried out by departments across the Council with a range of procurement skills. Therefore it was considered important that adequate support and training was provided to all staff to enable them to carry out their procurement responsibilities effectively. Additionally, a Contracts and Procurement Forum would be created to enable best practice to be shared.

A savings plan had been produced and fed into the medium term financial plan which targeted an annual saving of £136,000 to be achieved during 2009/10. There would be a need to buy-in some expert resource on a temporary basis to assist in delivering this saving. Work was proceeding with colleagues in the County and Oxford City to establish the most cost-effective means of buying-in such resource and would produce a separate report for the Executive in the New Year.

The Executive welcomed the predicted savings from the implementation of this strategy.

The Chairman of the Scrutiny Committee asked for a definition of a strategy, compared to a policy. The Chief Executive reported that a policy set the overarching framework or statement of aspiration; a strategy set out how to implement the policy. It was noted that although the Procurement Strategy was operational and therefore a strategy, there needed to be more clarity when naming some strategies and policies and more care in presenting them to Members. This was highlighted as an area to be considered by the Constitution Advisory Group.

*RESOLVED (by seven votes to nil)*

- (a) that the Procurement Strategy be approved; and*
- (b) that the Constitution Advisory Group be requested to better define the boundaries between policy, that needed Council approval, and strategy, that could be approved by the Executive or a committee.*

Ex.95 CONSULTATION STRATEGY  
(Time: 3.41pm to 3.44pm)

The Executive received and considered report 115/07 of the Strategic Director and Monitoring Officer, which proposed the adoption of the consultation strategy for the Vale as part of the Corporate Priority “Improving internal and external communications”. The draft strategy was based on information from the Strategic Management Team and their service areas, the staff and Member survey, and the public general satisfaction survey completed during the last financial year by polling company Ipsos MORI as part of the Best Value Performance Indicator requirement. The strategy set out what the Council aimed to achieve over the next two years. It was welcomed by the Executive.

*RESOLVED*

*that the consultation strategy be approved.*

Ex.96 CUMNOR HILL CONSERVATION AREA – PROPOSAL BY CUMNOR PARISH COUNCIL  
(Time: 2.56pm to 3.05pm)

The Executive received and considered report 116/07 of the Strategic Director and Monitoring Officer regarding a request from Cumnor Parish Council for this Council to consider designating part of Cumnor Hill and Third Acre Rise, Cumnor as a Conservation Area. The Parish Council was concerned that the area’s qualities were not sufficiently recognised by the Planning Authority, and that the character of the area would be lost over the next few years unless immediate action was taken.

Local Member, Councillor Dudley Hoddinott, was invited to address the meeting. He supported the request by the Parish Council but in view of the decision of the Development Control Committee when it considered the matter on 5 November 2007, he asked that a modified proposal was considered. He asked the Executive to produce specific guidance for developments within designated areas of low density housing having a local distinctiveness. This would modify recommendation (b) contained in the report. He believed that not everywhere had a special character; some areas were more special than others. He suggested that the guidance should be based on existing policies, emphasising benefit to the whole community, not just the local residents. He asked for the guidance to be produced soon. It should be based on Planning Policy Statement (PPS) 1: enhancing the quality of the environment, and Local Plan policies H10: that new developments should not harm the character of the area, and H9: avoiding the impression of town cramming. He believed this proposal would be positive

for the residents of the area. If a Conservation Area designation was not possible, more positive guidance would be welcomed, and if it was based on existing policies it should not cause problems with planning inspectors.

The Executive noted the recommendation of the Development Control Committee that a Conservation Area should not be designated at Cumnor Hill but instead, efforts should be concentrated on the proposed Design Guide Supplementary Planning Document as the appropriate means of protecting areas of low density housing in the Vale such as Cumnor Hill, and that the Executive should be asked to look into the possibility of the production of some earlier document to provide guidance across the whole of the District for similar areas prior to the production of the Local Development Framework.

Tabled at the meeting was an amended recommendation (c) suggesting that no further officer time and resources should be expended on investigating the possibility of producing some earlier document to provide guidance across the whole of the District for similar areas prior to the production of the Local Development Framework. It was noted that for any guidance to have any weight in the planning process, it must go through the Local Development Framework Supplementary Planning Guidance route. This would take significant staff resources if the guidance was produced separately from the Supplementary Planning Guidance Design Guide.

The Executive agreed that no Conservation Area designation should be made in this case but considered that earlier guidance would have no weight and would divert resources away from the Local Development Framework. However, the Executive agreed with the Local Member that the proposed design guide supplementary planning document should protect areas of low density housing having a local distinctiveness in parts of the Vale, such as Cumnor Hill, and agreed that recommendation (b) should be amended accordingly.

*RESOLVED*

- (a) *that a Conservation Area be not designated on the lower slopes of Cumnor Hill and Third Acre Rise, Cumnor for the reasons set out in paragraphs 5.5-5.7 of report 116/07;*
- (b) *that instead, efforts be concentrated on the proposed design guide supplementary planning document as the appropriate means of protecting areas of low density housing having a local distinctiveness in parts of the Vale such as Cumnor Hill; and*
- (c) *that no further officer time and resources should be expended on investigating the possibility of producing some earlier document to provide guidance across the whole of the District for similar areas prior to the production of the Local Development Framework.*

Ex.97 SERVICE AREA HALF YEAR REPORTS 2007/08  
(Time: 3.44pm to 3.53pm)

The Executive received and considered half year Service Area reports from each Deputy Director. The reports covered the period from April to September 2007. The

Executive Members had been asked to provide a commentary on the reports for each service area where they held responsibility. These were collated before the meeting and tabled for the Executive's consideration. Executive Members highlighted the following points:

- Performance was improving on the waste management contract, despite some missed bin collections
- Risk management had been satisfactorily reviewed in Building Control with adequate solutions introduced
- A plan to redevelop some derelict garages at Pebble Hill, Radley was intended to substantially offset the loss of property income from the Old Gaol, Abingdon
- Environmental Health Officers were coping well with demands
- The Planning Delivery Grant awarded to the Council was very good and welcome reward for good service
- Development Control targets were being achieved despite heavy workloads on large developments at Grove, Didcot, Faringdon and Botley
- In Human Resources, voluntary leavers had increased from 11.22% to 11.8%, compared to a target of 11%
- Staff sickness in the Abingdon Local Services Point was reducing
- Additional meetings through extra licensing hearings and potentially extra Standards hearings was putting pressure on Democratic Services staff. These extra demands had come without extra funding in the recent Local Government Settlement
- A new Head of Legal had been appointed
- There had been no half year report from the Finance Service Area. This was managed in a different way through the Ridgeway Shared Service Partnership. However, the Portfolio Holder had provided a commentary which was tabled along with the other commentaries
- There was a need to improve corporate finance risk management for the Council which would need extra resources over the next six months. The Audit and Governance Committee would then be able to review this area
- No Portfolio Holder commentary had been submitted for the Housing Service Area. However, it was noted that it had been prepared and would be sent to the Scrutiny Committee in time for its consideration on 13 December 2007.
- Flooding had affected the Housing service in July with some families being made homeless unexpectedly
- Good work continued in the crime reduction area with the Vale continuing to be one of the safest places to live
- An extra 106 properties had been available to let in the Vale during the six month period

*RESOLVED*

*that the half year service area reports and the Executive Portfolio Holder commentaries be noted.*

Ex.98 EFFICIENCY REVIEWS – STREAMLINING CURRENT PROCESSES

(Time: 3.53pm to 4.02pm)

The Executive received and considered report 117/07 of the Strategic Director and Monitoring Officer regarding proposals to streamline efficiency reviews. Members noted that there were a number of different processes for carrying out service reviews. Best Value Reviews had been carried out since 2000 when the statutory requirement was introduced by the Government. However, the requirement had been removed by the Local Government and Public Involvement in Health Act in October 2007. Despite this, there was a continuing need for Services Areas to prove that they were delivering efficient, effective, customer orientated services which ensured overall value for money. The report recommended that Best Value Reviews should be superseded by an over-arching Organisational Development approach. This emphasised continual and sustainable improvement and used a variety of methods to ensure service areas focused on providing value for money. The Organisational Development framework had previously been agreed by the Executive and was being delivered as part of the Access to Services priority.

Members welcomed the proposal to continue to review Council services and noted the revised methodology to do this. There was a desire to see efficient services but not service reductions. It was suggested that realistic targets should be developed to deliver efficiencies and should be included in forthcoming service plans.

*RESOLVED (by six votes to nil, with one Member having left the meeting room)*

- (q) that the current position with the Housing Services, White Horse Leisure & Tennis Centre and Partnership Effectiveness reviews be noted and that these Best Value Reviews be formally closed down;*
- (r) that the following Best Value Reviews do not take place: Human Resources, Environmental Health and Building Control; and*
- (s) that the Best Value Review approach is replaced with a continuing programme of service reviews under the over-arching Organisational Development framework, and that these should use appropriate methods to determine value for money and implement action plans for improvement and development.*

Ex.99 EQUALITY AND DIVERSITY SCHEME 2008/09 – 2010/11

(Time: 4.02pm to 4.07pm)

The Executive received and considered report 118/07 of the Strategic Director and Monitoring Officer which proposed an equality and diversity scheme for 2008/09 to 2010/11. The Council was committed to the principle of equal opportunities and aimed to deliver accessible services and employment opportunities which met the needs of all residents and employees. To help it achieve this, a list of key tasks had been compiled for the next three years to make services more accessible for residents and its employees. These areas for action were set out in a draft Equality and Diversity Scheme 2008/09 – 2010/11. In accordance with legislation, the scheme paid particular attention to the needs of disabled people, people from ethnic minorities, and women as they might find it more difficult to access local services.

The areas for action had been identified via internal and external consultation and the analysis of Council performance data. They also took into account relevant statutory duties. The report summarised the purpose, structure, development and future management of the Equality and Diversity Scheme and recommended its adoption.

It was noted that training on equality and diversity had been organised for all Members on 23 January 2008.

*RESOLVED*

*that the Equality and Diversity Scheme 2008/09 – 2010/11 be adopted.*

Ex.100 TREASURY MANAGEMENT - REPORT OF MEETING WITH FUND MANAGER  
(Time: 4.07pm to 4.11pm)

(Councillor Richard Farrell declared a personal interest in this item and in accordance with Standing Order 34, he remained in the meeting during its consideration.)

At its meeting on 13 July 2007 the Executive received a report (32/07) on Treasury Management performance in 2006/07. The bulk of the Council's cash reserves were invested by an external fund manager, Investec Asset Management. The Council's Accountancy section also invested day-to-day cash holdings, such as council tax and business rates receipts, for cash flow purposes. During 2006/07 Investec held in the region of £16 million and the in-house team an average of £11.8 million. Investec had had a difficult year and achieved a return of only 4.15% while the in-house team had returned 4.89%. The 7 day LIBID (London interbank bid rate – the rate at which banks borrowed from each other), which was used as a benchmark, had averaged 4.97%.

At its meeting in July the Executive had expressed disappointment with Investec's performance and asked that a meeting should be held with Investec and Butlers, the Council's independent investment advisers, to seek an explanation and assurances about future performance. This meeting was held 1 November 2007 with Executive, Scrutiny Committee and other Members invited.

Paul Cammies from Investec had explained their approach and how this had fallen short in 2006/07. He felt that they had given too much weight to UK economic indicators and not enough to global ones. As a result, when gilt-edged stock (gilts) prices had fallen in the final quarter, Investec had been too slow to sell their holdings and had incurred losses. He acknowledged that Investec had under-performed and as a result offered to refund the Council the management fee that had been paid for the last quarter of 2006/07.

Investec had since revised its strategy by altering the weight it gave to various factors and had also introduced an automatic process so that when gilts were purchased a level would be set so that if the price fell below a trigger point then selling would be considered. This level would adjust in the event of price rises in order to "lock in" any gains. Mr Cammies went on to outline how he saw the economy developing and the prospects for interest rates and gilt yields. He was confident that Investec were well

placed for better returns as rates peaked, with the current yield on the portfolio being 5.99%.

Chris Anthony of Butlers then addressed the meeting. He outlined the constraints which limited the opportunities for local authority investment with official guidance acknowledging that yield was important but must be subordinate to security and liquidity. These same constraints applied to funds managed by outside agents. He briefly covered the relative performance of the Council's Fund Manager, both recently and since commencement. He then went on to outline the advantages of using a Fund Manager in that they had access to a wider range of instruments and also better quality borrowers. It was unfortunate that recent performance had been poor but Investec's unusual offer to refund a quarter's management fee was recognition of exceptional poor performance which should not be repeated. This offer was welcomed by the Executive.

Members noted that with closer monitoring, performance should improve. However, it was noted that interest rates had started to fall. As the Council was in a contractual situation for another year, it was recommended that it should see this through until contract completion. Members agreed but asked the officers to keep performance under review.

## *RESOLVED*

*that the Investec's offer to refund the management fee for the 4<sup>th</sup> quarter of 2006/07 be accepted and ongoing performance be closely monitored for the remainder of the Treasury Management contract.*

### Ex.101 LOTTERY AND OTHER GRANTS SUPPORT FUND (Time: 4.11pm to 4.22pm)

(Councillor Tony de Vere declared a personal and prejudicial interest in this item and in accordance with Standing Order 34, he left the meeting during its consideration. Councillor Mary de Vere declared a personal interest in this item and in accordance with Standing Order 34, she remained in the meeting during its consideration.)

The Executive received and considered report 119/07 of the Strategic Director and Monitoring Officer, updating the Executive on the North East Abingdon Community Association's project to refurbish and extend its facilities. The report also drew attention to the criteria of the Lottery and Other Grants Support Fund and sought confirmation that a portion of the funding awarded in 2004 from this Fund could still be made available to the Community Association for the revised project.

It was noted that the lottery funding application from the Community Association had been rejected and therefore the project had been revised. However, the project no longer met the criteria of the Council's fund. If the Council could offer a grant of £5,500, this would lever a WREN grant of £50,000 towards the project. Members considered that the request for funding of 11% was reasonable. If WREN later increased its grant offer, then the Executive could consider further funds also.



*RESOLVED (by five votes to nil)*

- (a) that Members note North East Abingdon Community Association's revised project resulting from its unsuccessful lottery bid;*
- (b) that project receives funding from the Lottery and Other Grants Support Fund to obtain WREN funding for the revised project, the precise amount being dependent on the amount of grant awarded by WREN; and*
- (c) that the Council's Community Funding Advice Service, provided by Oxfordshire Community and Voluntary Action, be requested to work with the Community Association to identify funding that may be needed to make up any shortfall for the project.*

Ex.102 HEALTH AND SAFETY TRAINING

(Time: 4.22pm to 4.28pm)

At a recent meeting of the Health and Safety Review Board, training for Members on health and safety matters was discussed. It was considered that as Executive Members had a health and safety responsibility for the Council, then they should receive appropriate training in their roles and responsibilities. Similarly, the Scrutiny Committee had a responsibility to scrutinise the Executive and therefore its Members should also be trained. It was considered that this training should be open to all Members of the Council but should be mandatory for Executive and Scrutiny Committee Members to be accredited to the IOSH (Institute of Occupational Safety and Health) 'Safety for Senior Executives' training standard. The training had already been given to Directors and Deputy Directors and had been valued by the attendees.

The Vice-Chair of the Scrutiny Committee expressed concern at the principle of mandatory training for Scrutiny Members in every aspect of their responsibility when scrutinising the Executive. He accepted the case for health and safety training but believed that training as a legal requirement was going too far.

The Executive supported the need for the training but asked that options were given when arranging dates for sessions.

*R E C O M M E N D E D (by six votes to nil)*

*that the Council makes it a mandatory requirement for all Members of the Executive and the Scrutiny Committee to be accredited to the Institute of Occupational Safety and Health 'Safety for Senior Executives' training standard and request the Strategic Director and Monitoring Officer to arrange evening training session options to which other Members of the Council are to be invited also.*

Ex.103 FLOOD RECOVERY GRANT ADVISORY GROUP

(Time: 4.28pm to 4.30pm)

The Executive received and considered the minutes of the Flood Recovery Grant Advisory Group meetings held on 4 October and 7 November 2007.

The Advisory Group had recommended a series of actions regarding emergency planning. The Executive approved these, including the remit of the Advisory Group being widened to include all matters relating to emergencies and emergency planning.

*RESOLVED*

- (a) *that the following operational recommendations be agreed and be implemented by officers:*
- (i) *The Emergency Plan should be updated urgently;*
  - (ii) *The work currently being carried out in producing the corporate Business Continuity Plan should also be completed in order to compliment and enhance the requirements of the Emergency Plan and Civil Contingencies Act;*
  - (iii) *The Emergency Plan should provide for a sufficient number of teams, depending on the scenario, which should be made up of suitably skilled officers who must be given proper training and clear instruction as to their roles and authorities;*
  - (iv) *The roles of officers and elected Members involved in emergency planning should be defined more clearly and in particular that of the Emergency Planning Officer;*
  - (v) *A well-positioned and properly equipped control room should be set up to act as the incident base with all the necessary technical and administrative facilities in place. An alternative venue should also be agreed in case Abbey House is put out of action;*
  - (vi) *Arrangements should be made for stocks of sand and sandbags to be readily available at short notice and prioritisation system should be devised and implemented with sandbag drop off points to be agreed and policed;*
  - (vii) *There should be access to appropriate and sufficient numbers of vehicles and equipment to deal with an emergency response and severe weather conditions;*
  - (viii) *Managers should assess the skill base within their team for dealing with emergencies, and feed that information into the emergency plan so that the correct resources/skills are directed to the correct task;*
  - (ix) *Members and staff with knowledge of local areas should be utilised and sources of additional manpower should be identified in the plan;*
  - (x) *The Communication Team should be involved at the start of an incident so that responses to that information can be co-ordinated;*
  - (xi) *Appropriate methods of communication between teams, including the use of technology should be explored;*
  - (xii) *Arrangements should be made to ensure that elected Members and staff receive up to date accurate information as to the emergency situation as it is develops and what action the Council is taking to respond;*
  - (xiii) *A dedicated officer should be nominated for monitoring and maintaining the welfare of staff and the public involved in dealing with the emergency e.g. ensure adequate breaks, food, drink etc;*
- (b) *that the following recommendations be agreed and be progressed by Members:*

- (i) *The Council should do more to encourage owners in areas at risk to properly protect their properties and should explore the possibility of promoting and instigating a scheme of installing individual flood barriers;*
  - (ii) *Training and scenario-based workshops should be provided to all elected Members and staff likely to be involved in an emergency planning;*
  - (iii) *The Council should carry out a review of its response action and resources in cases of flooding; and*
- (c) *that the name and Terms of Reference of the Flood Recovery Grant Advisory Group be revised as follows and that the existing membership be retained for the remainder of the 2007/08 Municipal Year:*

Emergency Advisory Group

*To consider and give advice to the Executive on all matters associated with emergencies and emergency planning.*

Ex.104 APPLICATION FOR VILLAGE GREEN, RADLEY LAKES  
(Time: 4.30pm to 4.39pm)

(Councillor Bob Johnston declared a personal interest in this item and in accordance with Standing Order 34, he remained in the meeting during its consideration.)

The Executive received and considered a briefing note regarding a letter recently received from Radley Parish Council. It sought a view on whether this Council would be able to offer its support to the Parish Council if its full Council meeting decided to apply for a village green at Radley Lakes and support/lead the Radley Lakes Campaign.

Members recalled that at the Executive meeting held on 4 August 2006 a request for support to the Save Radley Lakes group had been refused. The group had sought financial support towards possible legal action against Oxfordshire County Council's for its approval of an application to allow the tipping of fuel ash into the lakes. At that stage, the Council had already expressed concerns to the County Council and the Secretary of State asking for the application to be called in and refused. The Executive had resolved to not financially support this cause as, whilst the Council might have sympathy with the objections and concerns raised, it would be unprecedented to contribute public money to a pressure group. However, Members noted that as this latest request was from a Parish Council it could be considered.

The Executive was minded to be supportive in principle on a without prejudice basis but requested that the Parish Council was asked to put forward a detailed proposal, including its objectives, other partners to be involved, and financial implications for consideration at a future meeting of the Executive. The Executive was advised that it could support a village green proposal but was advised against supporting the campaign. However, the Executive also asked for its own legal advice on this matter and asked that the Parish Council was advised that this Council would not be willing to contribute to any legal costs awarded against the Parish Council if it was unsuccessful.

*RESOLVED (by seven votes to nil)*

*that Radley Parish Council be advised that this Council will consider a detailed proposal, on a without prejudice basis, for support for village green status at Radley Lakes but will not support the Save Radley Lakes campaign nor will this Council buy into a share of any legal costs against the Parish Council if it is unsuccessful.*

Ex.105 EXCLUSION OF THE PUBLIC, INCLUDING THE PRESS

*RESOLVED*

*that in accordance with Section 100A(4) of the Local Government Act 1972, the public, including the press, be excluded from the remainder of the meeting to prevent the disclosure to them of exempt information, as defined in Section 100(l) and Part 1 of Schedule 12A, as amended, to the Act when the following items are considered:*

Minutes

*(Category 1 - Information relating to any individual.)*

*(Category 2 - Information which is likely to reveal the identity of any individual.)*

*(Category 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information.)*

Old Gaol, Abingdon

*(Category 3)*

Re-tendering the Bank Contract

*(Category 3)*

Property Matters

*(Category 3)*

Referrals from the Overview and Scrutiny Committees and Other Committees

*(Category 1)*

*(Category 2)*

*(Category 3)*

**SUMMARY OF EXEMPT ITEMS CONSIDERED AT THE EXECUTIVE MEETING ON FRIDAY 7 DECEMBER 2007 AT 2.30PM**

Ex.106 Minutes

The exempt minutes of the Executive meeting held on 5 October 2007 were adopted and signed as a correct record.

Ex.107 Old Gaol, Abingdon

The Executive received and considered the report of the Chief Executive and selected a preferred development partner. The Executive also agreed not to release any

further information into the public domain until a development agreement had been concluded.

Ex.108 Re-tendering the Bank Contract

The Executive agreed to offer a contract for the Council's banking services.

Ex.109 Property Matters

The Executive surrendered the lease on one property and gave authority to complete a new lease on another.

Ex.110 Referrals from the Overview and Scrutiny Committees and Other Committees

The Executive approved funding for a market premium payment.