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MINUTES OF A MEETING OF THE EXECUTIVE

HELD AT THE GUILDHALL,
ABINGDON ON FRIDAY, 5TH
MAY, 2006 AT 2.30PM

Open to the Public, including the Press

PRESENT:

MEMBERS: Councillor Tony de Vere (Vice-Chair), Mary de Vere, Richard Farrell, Joyce Hutchinson and Tessa Ward

OFFICERS IN ATTENDANCE Steve Bishop, Steve Culliford, Nikki Malin, Tim Sadler, Terry Stock, Sam Turner, Andrew Morgan, Robert Woodside and Nick Burroughs

NON-PARTICIPATING MEMBERS: Councillors Derek Rawson

NUMBER OF MEMBERS OF THE PUBLIC: Nil

Ex.284 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jerry Patterson (Chair) and Roz Smith.

Ex.285 MINUTES

The minutes of the meeting of the Executive held on 21 April 2006 were adopted and signed as a correct record.

Ex.286 DECLARATIONS OF INTEREST

None

Ex.287 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair accepted three urgent items in order that they were dealt with before the next meeting of the Executive. The first item was a report on Best Value Performance Indicator 166 was taken in the open agenda (minute Ex.288 refers). The second was about a Dispersal Order for South Abingdon (minute Ex.289 refers), and the third was a property matter which was considered under the Exempt part of the meeting under 'Property Matters' (minute Ex.308 refers).

Ex.288 BEST VALUE PERFORMANCE INDICATOR 166

(Time: 2.36pm to 2.39pm)

The Executive received and considered a tabled report from Councillor Tessa Ward, updating on progress with the Best Value Performance Indicator 166. This involved a range of tasks for the Vale to accomplish in Environmental Health, Private Sector Housing and Taxi Licensing. Within the Council's Performance Indicator's Improvement Plan the key areas that required further work related to:

- corporate enforcement policy review and update
- enforcement policy development for environmental health, private sector housing and for taxi licensing
- targeted educational and information programmes
- consultation with stakeholders, both on the development of detailed enforcement policies and on satisfaction with services

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The current upper threshold for the bottom quartile of the Performance Indicator was 79.1%. It was intended to improve performance out of the bottom quartile by the end of the 2006/07 financial year. A target of 83% for 2006/07 was proposed, followed by 93% by the end of 2007/08.

The Assistant Director (Environmental Health) was working with other officers to improve performance. Taxi licensing had recently merged with Licensing and this would help to give greater focus to improving the score for taxi licensing. Consultation had already begun on an enforcement policy for licensing and this was to be followed by housing, planning, health and safety, and food safety. The consultations would be held with service users and/or members of the public. A steering group to work on enforcement policies had also been formed. A consolidation process following consultation was to follow in September 2006, followed by a report to Members in November. Customer Satisfaction surveys would also be carried out during 2006.

RESOLVED

that the progress made on improving Best Value Performance Indicator 166 be noted.

Ex.289 DISPERSAL ORDER - SOUTH ABINGDON
(Time: 2.39pm to 2.45pm)

The Chief Executive announced that, following a meeting with Thames Valley Police, actions were being taken to issue a Dispersal Order to allow the Police to disperse groups in designated parts of South Abingdon. This affected the areas around Reynolds Way and the shops, the Southern Town Park and the Marina. The Order would have to be signed by both a Police Officer of at least Superintendent rank and the Council's Chief Executive. It would come into effect on 22 May 2006 and last for six months initially. Members welcomed this action.

RESOLVED

that the action taken by the Chief Executive in signing a Dispersal Order be endorsed.

Ex.290 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None

Ex.291 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None

Ex.292 REFERRAL UNDER THE OVERVIEW AND SCRUTINY PROCEDURE RULES OR THE BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

None

Ex.293 REFERRALS FROM THE OVERVIEW AND SCRUTINY COMMITTEES AND OTHER COMMITTEES

None

Ex.294 ITEMS DEFERRED FROM THE PREVIOUS MEETING

None

Ex.295 FINANCIAL MONITORING

None

Ex.296 FORWARD PLAN

(Time: 2.45pm to 2.49pm)

The Executive received the Forward Plan setting out Executive decisions to be taken from May to August 2006.

It was noted that there was likely to be a need to consider the draft Local Area Agreement in June and formally adopt it. Also, it was noted that a formal decision would be needed on the Oxfordshire Waste Strategy, possibly in August. Members asked that these were added to the next Forward Plan.

RESOLVED

that the Forward Plan for May to August 2006 be received.

Ex.297 AUDIT AND INSPECTION PLAN 2006/07

(Time: 2.49pm to 2.55pm)

The Executive received the Audit and Inspection Plan 2006/07 from the Audit Commission. Members were asked to agree a formal response.

The Executive asked whether the audit and inspections planned by the Audit Commissions would give good value for money. It was believed that they would add value by bringing an independent assessment.

Members received the plan and noted the requirements that would be placed upon the Council during 2006/07.

RESOLVED

that the Audit Commission's Audit and Inspection Plan for this Council in 2006/07 be welcomed and the Executive looks forward to working with the Audit Commission and receiving value for money from them.

Ex.298 BEST VALUE REVIEW

(Time: 2.55pm to 3.00pm)

The Executive received and considered report 283/05 of the Strategic Director regarding a draft programme of Best Value Reviews for the next two years.

On the 3 March 2006 the Executive had resolved that two Best Value Reviews should be carried out during 2006/07:

- A cross cutting review around the Vale Strategic Partnership and other partnership arrangements
- A review of the White Horse Leisure and Tennis Centre

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It was proposed that further service reviews would be considered once the new senior management structure was in place and asked for a further report identifying appropriate service reviews. This report now proposed a further four service reviews over the next two years. These were:

- Housing Services
- Environmental Health
- Building Control
- Human Resources

The report set out in detail why these services had been chosen for review. The Directors' Group had agreed the proposed review programme. Each of the Deputy Directors / Assistant Directors in the Senior Management Team had a review in one of their Service Areas and Directors saw this as a good development challenge for each of them to undertake. The report also suggested how the reviews should be carried out.

In answer to a question from a Member it was reported that, as far as possible, the consultation to take place as part of the work on the Best Value Performance Indicator 166 would be used to assist the Best Value Review of Environmental Health, thereby avoiding duplication.

Members asked that a timetable was prepared to show Service Areas when they would be required to assist in their reviews so that they could be adequately resourced. The timetable need not be approved by the Executive but should be reported through the Corporate Governance mechanism.

RESOLVED

that the additional service Best Value Reviews set out below, and as detailed in section 5 of report 283/05, be approved:

- *Housing Services*
- *Environmental Health*
- *Building Control*
- *Human Resources*

Ex.299 OXFORDSHIRE'S WASTE STRATEGY (Time: 3.00pm to 3.05pm)

To receive and consider report 284/05 of the Strategic Director. The Oxfordshire Waste Partnership had commissioned work to develop a future waste collection and disposal strategy. The Partnership had recently met with the Leaders and Chief Executives to agree the next steps in establishing a Waste Strategy. The report summarised the way forward for Oxfordshire and highlighted the implications for this District Council.

In summer 2005, ERM and Enviros Consultants were appointed to consider the future waste collection and disposal strategy for Oxfordshire. This work had now been completed and briefings had been given to Members on the future options for Waste collection and disposal. In April 2006, the Partnership met with the Leaders and Chief Executives of Oxfordshire and agreed a way forward as follows:

- (a) to re-affirm a collective commitment to launching a waste strategy for Oxfordshire based on greater joint working and overall benefit to the Oxfordshire residents and Council Tax payers;
- (b) to launch as a preliminary step, subject to agreement of format by Council Leaders by 21 April 2006, a public engagement exercise in May distinguishing clearly between

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those aspects where a clear lead would be given, with the aim of creating better understanding and buy-in and those aspects on which views were required before final decisions were taken;

- (c) subject to consideration of the outcome of the public consultation exercise by Council Leaders and Members of the Oxfordshire Waste Partnership, that Oxfordshire County Council, in consultation with the Oxfordshire Waste Partnership, starts the waste treatment procurement process in August as set out in the current project plan;
- (d) that District Councils give an indication to the County Council (by the end of May 2006) of tonnages in order to provide certainty for procurement to include procurement for food waste;
- (e) to ask Chief Executives to report to the June meeting of the Oxfordshire Leaders' Group on governance and financial arrangements in order to make the Oxfordshire Waste Partnership effective in delivering the forward agenda, whilst ensuring equity between councils.

It was noted that in the short term, this Council should also consult locally on the waste strategy in parallel with the county-wide public engagement launched in May. In the meantime, the officers would be considering the full implications of the emerging strategy together with a provisional programme for implementation. It was noted that a final strategy document would be submitted to the Executive, hopefully in August, for adoption.

RESOLVED

- (a) *that the latest position be noted and the agreement made at the Oxfordshire Waste Partnership meeting on 7 April 2006 be endorsed;*
- (b) *that authority be delegated to the Chief Executive, in consultation with the Executive Portfolio holder for Waste Management, to agree and implement the public engagement consultation exercise.*

Ex.300 PLANNING DELIVERY GRANT (Time: 3.05pm to 3.07pm)

On 30 March 2006, the Office of the Deputy Prime Minister announced details of the 2006/07 Planning Delivery Grant award to planning authorities. In total, £135m was being made available to support planning services through the financial year and, as in previous years, the funding was to enable local authorities to improve their planning resources and introduce the changes the Government was bringing in as part of its programme to reform planning. Planning Delivery Grant was not ring-fenced for expenditure on planning but local authorities were expected to invest the money in their planning services, as future grant award would depend on performance improvement. To encourage this investment, 25% of each local authority's 2006/07 grant would be tied to capital expenditure.

Details released on 30 March indicated that the Vale would receive a total of £258,770 in Planning Delivery Grant this year, made up as follows:

£ 67,248	for development control performance
£ 14,652	for online planning capabilities
£124,093	for housing consideration
£ 52,525	for plan making performance
£ 252	upward adjustment

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A further report would be made to the Executive in due course seeking authority to commit the award money, together with the balance of uncommitted grant from previous awards, following discussion of spending options with the Planning Portfolio holder.

The Executive congratulated the planning officers on bringing in a higher than expected Planning Delivery Grant. This was down to the good work undertaken by staff over the past year.

RESOLVED

that the agenda report be noted.

Ex.301 SWINDON LOCAL PLAN - PROPOSED MODIFICATIONS
(Time: 3.07pm to 3.11pm)

The Executive received and considered report 285/05 of the Strategic Director regarding proposed modifications to the Swindon Borough Local Plan. The Council, as a neighbouring authority, was asked for its comments by 5 April 2006. In order to meet this timetable, objections to a number of the modifications were duly submitted by officers on the basis that when the Executive had considered the relevant modifications, any additional views would be forwarded to Swindon Borough Council.

The objections submitted by the officers related to the proposed modifications to designate a new 25 hectare area for employment land to the east of the A419 and south of the A420. In summary, the objections were on the grounds that this additional area of employment land:

- would result in an over-supply of employment land in the local plan period
- would pre-empt and prejudice the Regional Spatial Strategy, which was the proper context through which development east of Swindon should be progressed, and
- that the way in which the designation had been formulated was not easily understood, it lacked certainty and did not demonstrate how the strategy of the Local Plan would be implemented in practical terms

The Executive supported these objections.

RESOLVED

that the conclusions set out in section 8 of report 285/05 be confirmed and be sent to Swindon Borough Council as this Council's objections to the Swindon Borough Local Plan 2011 Proposed Modifications.

Ex.302 CAPITAL MONITORING REPORT WHOLE COUNCIL
(Time: 3.11pm to 3.16pm)

The Executive received and considered report 286/05 of the Head of Asset Management. This report formed part of the continuing provision of financial information to allow the Executive to review the performance of the Council's services. The report set out the capital expenditure in 2005/06 (subject to audit) on projects in the agreed capital programme, and requested budgets to be carry-forward where necessary.

The Executive supported the requests for carry forwards of capital schemes.

RESOLVED

(a) that the expenditure on capital projects in the financial year 2005/06 be noted;

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- (b) *that the revised expenditure profile for capital projects and carry-forward of budgets to 2006/07 (net total £472,220), as shown in Appendix A of report 286/05, be agreed.*

Ex.303 LIMBOROUGH ROAD, WANTAGE - COMPULSORY PURCHASE ORDER
(Time: 3.16pm to 3.19pm)

The Executive received and considered an agenda report regarding the Limborough Road development at Wantage. The main portion of the Limborough Road redevelopment project was proceeding to plan. Preliminary works by way of site investigation had already been largely completed. Negotiations had been conducted by Master Property Trading Limited to purchase the remaining interests that comprised the Phase 2 development land. Those negotiations had been largely successful, with agreement for the acquisition of a number of interests being obtained.

In order to bring a higher degree of certainty to delivery of Phase 2, acquisition of all interests required to facilitate the development would be required. As the negotiated settlement route had not produced all of the agreements necessary to facilitate development, it was suggested that it was appropriate to use a Compulsory Purchase Order.

The Executive considered that, due to the failure of a negotiated settlement for all legal interests, a compelling case in the public interest now existed for the Compulsory Purchase of the remaining land within the site outlined in red on the plan attached to the agenda report. It is therefore agreed that under The Acquisition for Land Act 1981, as amended by the Planning and Compulsory Purchase Act 2004, that the relevant Order should be sought to facilitate Phase 2 of the Limborough Road development. It was noted that Master Property Trading would bear all reasonable costs and expenses including fees, disbursements and compensation in relation to the Order. The Executive noted that the Order would bring certainty to the Phase 2 development and would enhance the town centre.

RESOLVED

that the making of a Compulsory Purchase Order be confirmed to encompass all land and legal interests which exist within the red lined site at Limborough Road, Wantage as identified by Plan A appended to the agenda.

Ex.304 INTERNAL AUDIT PLAN – 2005-06 OUT-TURN
(Time: 3.19pm to 3.24pm)

The Executive received and considered report 287/05 of the Assistant Director (Audit), which summarised the out-turn of the 2005/06 Internal Audit Plan, and provided a summary of all assignments completed from the 2005/06 plan and unplanned assignments carried out. The report also highlighted any unactioned Internal Audit reports, i.e. those where the Action Plan containing our recommendations had not been returned to Audit with the proposed corrective actions. The report served as the Annual Report on Internal Audit, as required by the CIPFA Code. (Chartered Institute of Public Finance and Accountancy - Code of Practice for Internal Audit in Local Government in the United Kingdom).

The Assistant Director reported that in relation to the work relating to temporary accommodation, no action plan had been necessary. Only one action plan was now outstanding, this relating to the Recycling audit. The other two outstanding responses from Human Resources had since been received. The Strategic Director responsible for the Recycling service was asked to ensure that the officer response to this action plan was given high priority. The Executive asked that services were made aware that responding to audit action plans should be given high priority.

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RESOLVED

- (a) *that the report be noted; and*
- (b) *that services be made aware that where an audit has been undertaken, responding to audit action plans should take high priority.*

Ex.305 TUGWELL FIELD, WANTAGE
(Time: 3.58pm to 4.02pm)

The Executive agreed to bring this item into the public domain.

Members received and considered a Briefing Note of the Strategic Director regarding progress with negotiations for the future use of Tugwell Field at Wantage. The Executive recalled that the Council's officers had held a series of meetings with the Wantage Silver Band, Wantage Concorde Football Club and Oxfordshire County Council to progress the development of Tugwell Field to accommodate football pitches, changing accommodation, car parking and a band hall. The land was leased to the Vale by the County Council as part of a section 106 agreement related to the Garston Lane development. Funding had been made available to allow the Vale to provide vehicular access, repairs to the perimeter fence and some car parking.

Discussions with the Band and the Football Club were based on the assumption that they could generate additional funding to allow the development of a hall for band practice and additional parking and changing rooms for the Football Club.

A meeting had been held with the County Council in April 2006 to progress amendments to the lease to facilitate a sub-lease to allow development of the band hall. It was anticipated that approval to the lease changes could be given in May, thereby allowing detailed plans to be placed with the planning authority for a total development scheme for the site in the Autumn and works commencing in the latter part of 2006.

RESOLVED

that the agenda report be noted.

Ex.306 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(I) and Part 1 of Schedule 12A, as amended, to the Act when the following items are considered:

Internal Audit Plan - 2005/06 Out-turn

(Category 1 - Information relating to any individual.)

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

Property Matters

(Category 3)

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SUMMARY OF THE EXEMPT ITEMS CONSIDERED AT THE MEETING OF THE EXECUTIVE HELD ON FRIDAY 5 MAY 2006 AT 2.30PM

Internal Audit Plan - 2005/06 Out-turn

The Executive noted the Exempt appendices to 287/05 of the Strategic Director, which summarised the out-turn of the 2005/06 Internal Audit Plan.

Property Matters

The Executive approved noted progress on several property schemes.