

Date: 29 June 2006

TO: All Members of the Executive
FOR ATTENDANCE

TO: All Other Members of the Council
FOR INFORMATION

Dear Sir/Madam

Your attendance is requested at a meeting of the **EXECUTIVE** to be held in the **GUILDHALL, ABINGDON** on **Friday, 7th July, 2006** at **2.30 pm.**

Yours faithfully

Terry Stock
Chief Executive

Members are reminded of the provisions contained in Part 2 of the Local Code of Conduct, and Standing Order 34 regarding the declaration of Personal and Prejudicial Interests.

A G E N D A

Open to the Public including the Press

A large print version of this agenda is available. Any background papers referred to may be inspected by prior arrangement. Contact Steve Culliford, Democratic Services Officer on telephone number (01235) 540307.

Map and Vision

(Page 11)

A map showing the location of the venue for this meeting, together with a copy the Council Vision is attached.

STANDING ITEMS

1. Apologies for Absence

To receive apologies for absence.

2. Minutes

To adopt and sign as a correct record the public minutes of the meeting of the Executive held on 2 June 2006, (previously circulated).

3. Declarations of Interest

To receive any declarations of Personal or Personal and Prejudicial Interests in respect of items on the agenda for this meeting.

In accordance with Part 2 of the Local Code of Conduct and the provisions of Standing Order 34, any Member with a personal interest must disclose the existence and nature of that interest to the meeting prior to the matter being debated. Where that personal interest is also a prejudicial interest, then the Member must withdraw from the room in which the meeting is being held and not seek improperly to influence any decision about the matter unless he/she has obtained a dispensation from the Standards Committee.

4. Urgent Business and Chair's Announcements

To receive notification of any matters which the Chair determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the Chair.

5. Statements and Petitions from the Public Under Standing Order 32

Any statements and/or petitions from the public under Standing Order 32 will be made or presented at the meeting.

6. Questions from the Public Under Standing Order 32

Any questions from members of the public under Standing Order 32 will be asked at the meeting.

7. Referral under the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules

(Pages 12 - 15)

Call-In of Executive Decision – Internal Audit Plan 2005/06 Outturn Improvements in the Internal Control Environment

In the 2005/06 Internal Audit annual report, which was considered by the Executive on 5 May (ref. 287/05), the Assistant Director (Audit) highlighted three areas of the internal control environment which needed to be improved:

- (a) The full implementation of the Debt Strategy, which is essential to achieving and maintaining robust control over debt [owed to the Council]
- (b) The review of the Council's risk registers following the senior management restructure and the production of business continuity plans
- (c) Improvements in reconciliation of income and the resolution & ownership of discrepancies

At its 18th May meeting the Scrutiny Committee recommended that the Executive receives a progress report on each of these areas. The Executive agreed to this recommendation.

A progress report is attached. Members are asked to note progress made to date in context. The Chief Finance Officer is satisfied that the internal control environment is adequate. As

more of the outstanding actions are completed, so the control environment will further improve. However, none of the outstanding actions are critical and should not displace service plan priorities.

Recommendation

Members are asked to consider the progress made to date and indicate, if necessary, whether further action is required.

8. Referrals from the Overview and Scrutiny Committees and Other Committees

(Pages 16 - 18)

Notice of Motion – Referred from Council 17 May 2006

At its meeting held on 17 May 2006. the Council received the following motion and referred it to the Executive for determination:

Motion to be proposed by Councillor Peter Saunders, seconded by Councillor Robert Sharp:

“This Council requests the Executive to reconsider how rural parishes can get fairer funding from the Vale for street cleansing and grass cutting”.

This item was deferred at the last meeting of the Executive on 2 June 2006 to allow the collation of further information to assist the Executive.

To receive and consider the attached briefing paper of the Strategic Director.

9. Financial Monitoring

(Pages 19 - 21)

Members are requested to consider any significant budget variances and any requests for virement or permanent budget adjustment.

KEY DECISIONS

10. Forward Plan

(Pages 22 - 25)

To receive the Forward Plan containing Executive decisions to be taken from July to October 2006.

Recommendation

that the Forward Plan be received.

OTHER MATTERS

11. Local Area Agreement

The Local Area Agreement for Oxfordshire was due to be signed by the County Council by 30 June 2006. An oral report will be made at the meeting.

12. Revised Comprehensive Performance Assessment Action Plans

To note that the revised Comprehensive Performance Assessment (CPA) Action Plans

(referred to at the last meeting in the Corporate Governance report) have been produced and are included in the Best Value Performance Plan. The Best Value Performance Plan was due to be approved by 30 June 2006, under delegated authority.

13. Securing Improvement - Audit Commission Report

(Pages 26 - 44)

To receive the attached Audit Commission report on Securing Improvement and invite the Strategic Director to bring back to a future meeting of the Executive a proposed response to its recommendations.

14. Performance Management - Audit Commission Report

(Pages 45 - 60)

To receive the attached Audit Commission report on Performance Management and invite the Strategic Director to bring back to a future meeting of the Executive a proposed response to its recommendations.

15. Affordable Housing Inspection

(Pages 61 - 64)

To receive and consider report 36/06 of the Strategic Director.

Introduction and Report Summary

The Executive will be aware that the Housing Inspector carried out an inspection of the Council's Affordable Housing Service during April 2006.

The Council has now received the final report from the Housing Inspector and a copy is available on the web site. This report summarises the findings of this report, and sets out the key messages for the Council as it seeks to drive forward continuous improvement.

The contact officer for this report is Paul Staines, Assistant Director (Housing & Community Safety) 01235-547621

Recommendations

That the Executive receive and note the findings of the Housing Inspector and

Request that the Assistant Director (housing and community safety) ensure that the recommendations of the inspector are incorporated into the service development plans for the housing service

Request that officers use the recommendations of the Inspector to drive service developments across the Authority as part of the Council's drive towards an improved CPA rating.

16. Financial Out-turn 2005/06

(Pages 65 - 84)

To receive and consider report 37/06 of the Strategic Director.

Introduction and Report Summary

The report details, in accordance with the Corporate Planning Framework, the outturn position for 2005/06, subject to audit.

The Contact Officer for this report is Steve Bishop, Strategic Director (& Chief Finance Officer),

(01235 540332).

Recommendations

Members are requested to:

Note the overall outturn position of the Council as well as the outturn of individual service areas and cost centres; and,

Take into account the impact of the outturn position in the Integrated Service and Financial Planning process when setting the 2006/07 Revised Budget and 2007/08 Original Budget.

17. Vale of White Horse Local Plan to 2011 - Supplementary Planning Guidance

To receive and consider report 27/06 of the Strategic and Local Planning Advisory Group and the recommendations of the Development Control Committee.

MEMBERS ARE REQUESTED TO BRING TO THIS MEETING THE SUPPLEMENTARY PAPERS SENT WITH THE DEVELOPMENT CONTROL COMMITTEE AGENDA FOR THE MEETING HELD ON 3 JULY 2006. THIS DOCUMENT WAS SEPARATELY STAPLED FROM THE MAIN AGENDA.

18. Didcot Growth Point Bid

South Oxfordshire District Council has made an initial submission to the Department for Communities and Local Government expressing interest in the designation of Didcot as a growth point. Designation could unlock additional funding for services and infrastructure which South Oxfordshire District Council feel would assist in making Didcot a more sustainable and self-contained community. South Oxfordshire has not yet formally decided that it wishes to seek growth area status for Didcot as councillors do not want to commit themselves to such a significant decision without understanding the scale of Government investment that might be available. The submission is caveated by two provisos that South Oxfordshire District Council will want to see met before taking a formal decision. The provisos are:

- i) any decision to expand Didcot above the current level of growth proposed in the South East Plan must go through the proper planning process; and
- ii) the level of investment offered by Government must be sufficient to enable real inroads to be made into delivering the infrastructure that Didcot needs.

An increase of 1,500 dwellings above the current allocation of 3,000 dwellings for Didcot is proposed to meet the criteria laid down by Government for being designated as a new growth point.

Clearly this Council will need to be involved in the growth point bid. At this stage it is not appropriate for this Council to say whether it supports the growth point bid or not as more information is needed as to what it would involve. However, it is necessary for officers of this Council to work with officers of South Oxfordshire District Council to clarify the nature of the growth bid and the potential impact of the proposed increased levels of growth. It is also suggested that members of the two Councils may wish to discuss together the implications of such a significant decision. Nevertheless, the ultimate decision of whether to support the growth point bid must remain with each District Council separately.

Recommendation

that authority be delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Executive portfolio holder for planning to set up an appropriate mechanism at officer and member levels to work with South Oxfordshire District Council to assess the implications of making a growth point bid for Didcot to the Department of Communities and

Local Government.

19. Draft Regional Spatial Strategy for the South West 2006-2026

(Pages 85 - 101)

(Wards Affected: Craven; Faringdon and The Coxwells; Shrivenham; Stanford;)

To receive and consider report 30/06 of the Deputy Director (Planning and Community Strategy).

Introduction and Report Summary

The draft Regional Spatial Strategy for the South West, (the South West Plan) has been published for consultation purposes. The document looks ahead to 2026, and will supersede the current Regional Planning Guidance for the South West (RPG10). Although the Vale is not in the South West, the Vale's western boundary is co-terminous with part of the south west's regional boundary. Although in the area covered by the South West Plan, the town of Swindon is just 'over the border' and therefore policies in the South West Plan relating to the Borough and its surrounding area are of particular significance to this Council.

The documents published for consultation include; the draft Regional Spatial Strategy itself, an Implementation Plan; a Strategic Sustainability Assessment; and a Pre-Submission Consultation Statement.

These documents are currently held in the Planning Strategy team. Please contact Nick Burroughs or Katie Barrett if you wish to inspect them.

The consultation period runs from 6 June to 30 August 2006.

In summary, Swindon is identified in the South West Plan as one of 21 'Strategically Significant Cities and Towns'. Relevant policies are included to, among other things; realise and develop the role of Swindon as a service and employment centre providing a high quality lifestyle for residents within and adjoining the town (SR1), ensure that social, cultural and educational requirements for the Swindon sub-region are provided for (SR7), maximise economic opportunities within the Swindon travel to work area (SR8), make the best use of land for development by the provision of a strategic urban extension on the eastern side of Swindon to the north and south of the A420 (SR9).

This report summarises key elements of the proposed strategy and outlines suggested responses to the South West Regional Assembly.

The Contact Officer for this report is Nick Burroughs, Planning Strategy team, tel. 01235 520202 extn 496.

Recommendation

It is recommended that the Strategic and Local Plan Advisory Group recommends the Executive to make representations on the South West Plan set out as comments in bold in Section 4 of this report.

20. Planning Delivery Grant

(Pages 102 - 107)

To receive and consider report 38/06 of the Strategic Director.

Introduction and Report Summary

On 5 May the Executive was advised of the details of the 2006/7 Planning Delivery Grant (PDG) awarded to the Council, by the then Office of the Deputy Prime Minister (ODPM) as announced on

30 March. A further report was promised to bring forward spending proposals following discussion with the Executive's Planning Portfolio Holder. These discussions have now taken place and this report provides a brief overview of the current PDG position and puts forward proposals which would commit the remaining uncommitted grant. Delegated authority is sought for the Deputy Director (Planning & Community Strategy) in consultation with the Planning Portfolio Holder, to take forward and implement the proposals.

The Contact Officer for this report is Rodger Hood (Deputy Director, Planning & Community Strategy) (01235 540340).

Recommendations

The Executive is recommended to:

consider and endorse the proposals for planning delivery grant spending as set out in this report;

delegate authority to the Deputy Director (Planning & Community Strategy) in consultation with the Planning Portfolio holder to take forward and implement the proposals ensuring that spending remains within the available budget.

21. Local Environmental Quality Enforcement Strategy

(Pages 108 - 121)

To receive and consider report 39/06 of the Strategic Director.

Introduction and Report Summary

This report recommends the adoption of a Local Environmental Quality Enforcement Strategy to guide the Council's enforcement work on envirocrimes. This will be a working document subject to consultation and finalization in September 2006. In pursuit of this, the report recommends the adoption of a charging regime for Fixed Penalty Notices (FPNs) and other actions to allow their implementation from September 2006 onwards. It also indicates the offences for priority action.

The report also recommends consolidation of already agreed envirocrimes policies into a consolidated Environmental Health Enforcement Policy for consultation and finalization in September 2006

The contact officer for this report is David Stevens, Assistant Director (Environmental Health) telephone 01235 540378

Recommendations

- (a) *that Members approve the draft Local Environmental Quality Enforcement Strategy attached at Appendix 1.*
- (b) *that Members recommend to Council the Charging Scheme for FPNs as attached at Appendix 3*
- (c) *that Members note the level of existing support for a Local Environmental Quality Enforcement Strategy outlined in Appendix 2 and agree that the proposed route for consultation and engagement should be to:*
 - (i) *apply the draft Strategy as an interim strategy pending consultation*
 - (i) *address the outcome of public consultation over July and August 2006*
 - (ii) *finalise the Strategy in September 2006*

- (d) *that Members approve the approach to enforcement policy changes, namely to
 - (i) *consolidate previously agreed FPN criteria and Fly-Tipping prosecution presumption into the Environmental Health Enforcement Policy*
 - (ii) *consult on the consolidated Environmental Health Enforcement Policy*
 - (iii) *bring the Environmental Health Enforcement Policy to September Council**
- (e) *that Members note the proposed implementation and priorities for FPNs from September 2006 after a period of public awareness raising*
- (f) *that Members note that with existing resources it will be possible to provide a low level reactive response to incidents but not to extend this to patrolling or surveillance activities and that both the level of activity and related resource needs will be kept under review.*

22. Tree Policy

(Pages 122 - 158)

To receive and consider report 40/06 of the Strategic Director.

Introduction and Report Summary

The Government recognizes the value of trees and the need to plan for a more sustainable future so it encourages Local Authorities to produce long term plans for the care of its trees. This policy document is our response to this encouragement and it sets out a series of actions that will help maintain and increase the number of trees within the Vale.

The contact officer for this report is George Reade, Landscape Officer (Arboriculture) 01235 520202 x 504.

Recommendations

that the Council adopts the policy document.

23. Viability of the Direct Services Organisation

(Pages 159 - 166)

To receive and consider report 41/06 of the Strategic Director.

Introduction and Report Summary

This report relates to the Direct Services Organisation (DSO) performance and financial review and its viability as a Council service.

It also relates to Address Management which has been integrated into the DSO administration.

The Contact Officer for this report is Bill Farrar, Deputy Director (Commercial Services), Tel: 01235 540202 ext 356

Recommendation

The Executive is recommended to:

Recognise the high performance of the DSO during the past 12 months and its continuing improvement.

Endorse the continuation of the DSO subject to its ongoing financial viability and achievement of its Business Plan.

24. Gambling Act 2005 – Draft Statement of Gambling Policy

(Pages 167 - 169)

Appended to this agenda is the covering report 35/06 of the Assistant Director (Environmental Health) to the Licensing Committee. The Committee met on the 5th July to consider the report in detail and make recommendations to Council. The covering report is on this agenda for the Executive's information only.

The Gambling Bill was introduced into Parliament on 18th October 2004. Following consideration by the House of Commons and the House of Lords, it received Royal Assent on 7th April 2005, and became the Gambling Act 2005.

The Gambling Act 2005 will modernise gambling legislation, which is currently regulated by the Gaming Board, local magistrates and local authorities. The existing three Acts, the Betting, Gaming and Lotteries Act 1963; the Gaming Act 1968; and the Lotteries and Amusements Act 1976 will be consolidated into a single Act. These will all be repealed in September 2007.

The purpose of this report is to advise Members of the scope of the Gambling Act. It also sets out a programme to develop a draft statement of policy, to consult upon its contents and to publish a final statement in line with legal requirements.

Recommendation

Members are requested to note the scope and likely implications of the Gambling Act 2005 and the proposals for drafting, consultation and finalisation.

25. Green Travel Plan

(Pages 170 - 179)

Attached is the final version of the Green Travel Plan and Members' endorsement is sought.

Recommendations

- (a) *that the Green travel Plan be adopted;*
- (b) *that authority be delegated to the Deputy Director (Planning and Community Strategy) to make any minor editorial amendments; and*
- (c) *that authority be delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Executive Portfolio Holder with responsibility for the Green Travel Plan to approve arrangements for its launch.*

26. Exclusion of the Public, including the Press

The Chair to move 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:-

- Item 27 Minutes
(Category 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information.)

Item 28 Energy Contracts
(Category 3)

Item 29 Property Matters
(Category 3)

EXEMPT INFORMATION UNDER SECTION 100A(4) OF THE LOCAL GOVERNMENT ACT 1972

STANDING ITEMS

27. Minutes

To adopt and sign as a correct record the Exempt minutes of the meeting of the Executive held on 2 June 2006, (previously circulated).

OTHER MATTERS

28. Energy Contracts

(Page 180)

To receive and consider the attached briefing note of the Assistant Director (Estates).

29. Property Matters

(Pages 181 - 185)

To consider any property matters.