

Ex.107

MINUTES OF A MEETING OF THE EXECUTIVE

HELD AT THE GUILDHALL, ABINGDON ON
FRIDAY, 2ND MARCH, 2007 AT 10.00 AM

Open to the Public, including the Press

PRESENT:

MEMBERS: Councillor Jerry Patterson (Chair), Tony de Vere (Vice-Chair), Mary de Vere, Richard Farrell, Joyce Hutchinson, Bob Johnston and Roz Smith

OFFICERS IN ATTENDANCE: Steve Bishop, Steve Culliford, Tim Sadler, Terry Stock, Morgan Einon, Bill Farrar, Gavin Walton and Peter Williams

NON-PARTICIPATING MEMBERS: Councillors Derek Rawson and Melinda Tilley

NUMBER OF MEMBERS OF THE PUBLIC: Nil

Ex.195 APOLOGIES FOR ABSENCE

None

Ex.196 MINUTES

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

Ex.197 DECLARATIONS OF INTEREST

Councillor Bob Johnston declared a personal interest in item 15 'Local Development Framework: Core Strategy Sustainability Appraisal Scoping Document' as he was employed by the Office of National Statistics that he referred to in speaking to this matter (minute Ex.209 refers).

Ex.198 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair reported that nearly one hundred replies had been received from prospective developers to the invitation to redevelop the Old Gaol site in Abingdon.

Ex.199 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

It was noted that one member of the public had submitted a written statement regarding item 22 'Property Matters', which would be considered along with that exempt item (minutes Ex.216 refers).

Ex.200 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None

Ex.201 REFERRAL UNDER THE OVERVIEW AND SCRUTINY PROCEDURE RULES OR THE BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

None

Ex.202 REFERRALS FROM THE OVERVIEW AND SCRUTINY COMMITTEES AND OTHER COMMITTEES

(Time: 10.02am to 10.03am)

Scrutiny Committee - 15 February 2007

At its meeting on 15 February 2007, the Committee received a presentation from the Strategic Director and Monitoring Officer regarding "Paypoint", a nationwide service operated by the Co-Operative Bank to assist the public in making payments for Council Tax, parking fines and other services such as utility bills and television licences. Paypoint was being considered by officers as part of the Council's Customer Contact Strategy.

It was noted that a report on the strategy would be submitted to the Executive in due course. However, the Committee resolved:

"that the Executive be advised that the Scrutiny Committee supports the principle of using the Paypoint scheme to receive payments for Council services as part of the Customer Contact Strategy and asks that the Co-op be recommended to encourage any rural Post Offices that had not joined the scheme to do so."

RESOLVED

that the recommendations of the Scrutiny Committee be noted and be taken into account when an officer report is submitted to the Executive on the Customer Contact Strategy in due course.

Ex.203 ITEMS DEFERRED FROM THE PREVIOUS MEETING

None

Ex.204 FINANCIAL MONITORING

(Time: 10.03am to 10.05am)

The Executive received and considered requests to approve three virements totaling £7,460 and noted other virements not requiring the Executive's approval. The Executive also approved six requests for Permanent Budget Adjustments totaling £35,740 and noted two supplementary estimates that had been approved under delegated authority. Members noted that the total of the supplementary estimates report did not equal the requests made. Members asked that the details were reported to the next meeting for completeness.

RESOLVED

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

Ex.205 FORWARD PLAN

(Time: 10.05am to 10.06am)

The Executive received the Forward Plan setting out Executive decisions to be taken from March to June 2007.

Members asked that the Sports Strategy was added to the next Forward Plan to be considered by the Executive in April 2007.

RESOLVED

that the Forward Plan for March to June 2007 be received.

Ex.206 CORPORATE GOVERNANCE - THIRD QUARTER 2006/07
(Time: 10.06m to 10.16am)

The Executive received and considered report 158/06 of the Directors' Group reporting on Corporate Governance for the third quarter of 2006/07. The report looked at progress with corporate priorities, performance of Best Value and Local Performance Indicators, financial information and key staffing data for the period.

Members noted progress on the corporate priorities:

- The new website had been implemented, designed to facilitate more interactive services and be compliant with the highest standards of accessibility
- The Abingdon Air Quality Management Area Declaration had been made
- There had been progress with the review of enforcement policies which in turn would lead to an improved score for Best Value Performance Indicator (BVPI) 166 (Environmental Health Enforcement Checklist)
- New appraisal schemes had been introduced, linking more explicitly to corporate priorities with a focus on improvement
- The management development programme had been commenced
- The Ridgeway Shared Service Partnership had been commenced
- Action planning had been commenced to address issues raised in the Staff Attitude Survey in June 2006
- Responding to a request from the Scrutiny Committee, those issues where the Directors were concerned about progress had been highlighted in red in the appendix to the report
- Service review meetings would be cascaded down to third tier level

The Executive also noted the latest position with the Best Value Performance Indicators in the bottom quartile, and noted updates from Portfolio Holders, which were tabled at the meeting:

- BVPI 2a and b: Equalities - limited progress had been made regarding equalities. BVPI 2a had been re-evaluated and the percentage score had been reduced from 47% to 31.6%. Development work, including an update of the Council's Race Equality Scheme, would take place by the end of March. The target for the end of March was 63.2%. The post of Equalities Officer had been filled and the successful candidate would start in mid-March. Filling this post was key to driving forward improvements for these performance indicators
- BVPI 9 and 10: Collection Rates for Council Tax and Business Rates; BVPI 79a: Benefits, % of cases where calculation was correct – the BVPI data was audited nationally within guidelines set by the Audit Commission. Within the guidelines there were variations in the calculation methodology. In outsourcing the collection operations to a contractor (BVPI 9 and 10), and bringing together the client teams (BVPI 79a), the calculation methods had been modified which had an adverse effect on our performance indicators compared with those previously reported
- BVPI 64: Number of vacant private sector dwellings returned to occupation – a revision of the method used to calculate this indicator, in line with other Councils, had improved performance
- BVPI 82a(ii): Total tonnage of waste recycled – this indicator was contrary to waste minimisation
- BVPI 82b(i): Percentage of household waste composted – this indicator was contrary to Council policy to encourage homeowners to compost their own waste. This Council had achieved much success in persuading 62% of homeowners in the Vale to do so

Ex.110

- BVPI 109a, b, c: Processing planning applications – the significant improvement in performance reported at the end of the second quarter had been maintained. All three parts of this indicator had made further significant improvements in performance during the third quarter
- BVPI 166: Environmental Health Checklist – the work programme was on course to exceed 83.3% target score for 2006/07, based on exceeding 2004/05 bottom quartile of 79.1%. Following public consultation, draft enforcement policies were reported to the Council in December 2006 and approval was delegated to Strategic Directors to finalise in 2007. This, together with development and reporting of education and information programmes, would achieve 93% by the end of the year. This extra score was considered a necessary contingency against the bottom quartile for 2005/06 increasing over the previous year. This had occurred, and the bottom quartile had increased to 85%
- BVPI 218b: Removal of abandoned vehicles – more work was needed to encourage the contractor to faster remove abandoned vehicles

The Executive also noted that budget holders had predicted that the budgets for whole authority at the year-end were estimated to overspend by just 0.1%. Members were pleased to note the very small predicted outturn variance.

RESOLVED

- that the Corporate Governance Report for the third quarter 2006/07 be noted;*
- that all officers involved in the compilation of the report be thanked; and*
- that the Chief Executive be requested to write to the Audit Commission expressing disappointment at the continued use of Best Value Performance Indicators 82b(i) (percentage of household waste composted) and 82b(ii) (total tonnage of waste composted) as attempts to achieve "good" BVPI scores runs contrary to the spirit of the Government's own "waste hierarchy".*

Ex.207 BEST VALUE PERFORMANCE INDICATORS – PERFORMANCE AGAINST TOP AND BOTTOM QUARTILE 2005-06 (Time: 10.16am to 10.37am)

The Executive received and considered report 159/06 of the Strategic Director and Monitoring Officer, which compared performance for 2005/06 against that of the national top and bottom quartile data for 2005/06 which was published by the Audit Commission in late December 2006. Tabled at the meeting were reports from Portfolio Holders on Best Value Performance Indicator (BVPI) results from the third quarter, which were also reported alongside the previous item on Corporate Governance and are minuted therein (minute Ex.206 refers).

In addition to the comments made on the previous item, Members asked that the Scrutiny Committee should be requested to review current procedures to ensure there was no indirect discrimination against employing women as top earners (BVPI 11a).

With regard to BVPI 84a: household waste collected per head, and BVPI 86: cost of waste collected, comparisons with other Oxfordshire Councils showed that the Vale had the lowest amount of waste collected and the lowest cost. Members congratulated the staff on these results.

Members noted that there was a positive outlook for the forthcoming year's Planning Delivery Grant as the performance of BVPI 109a (percentage of major planning applications determined within 13 weeks) was good. However, BVPIs 219b and 219c were both in the

bottom quartile as the Council had very few resources to review Conservation Areas. Members did not believe the benefits of adding resources to this would outweigh the costs, therefore this was not considered a priority.

Members noted that the Council's overall performance, compared to the top and bottom quartile, was improving. While it was noted that the indicators were being amended in some cases and therefore it was difficult to see a performance trend, the Council had 43% of its indicators above average for District Councils and was above average for Councils ranked as "fair" in their Comprehensive Performance Assessments. However, the Council had more than the average number of indicators in the bottom quartile and the officers would continue to direct their focus in these areas. Members agreed with this but noted that there were always going to be a quarter of Councils in the bottom quartile for each indicator. These were Government targets, not the Council's.

RESOLVED

- (a) *that the Council's performance against the national top and bottom quartile results for 2005/06 be noted and that active management of Best Value Performance Indicators be undertaken through the Corporate Governance Reporting process; and*
- (b) *that the Scrutiny Committee be invited to review current procedures to ensure there is no indirect discrimination against employing women as top earners (BVPI 11a).*

Ex.208 TREASURY MANAGEMENT AND INVESTMENT STRATEGY 2007/08

(Time: 10.37am to 10.40am)

The Executive received and considered report 160/06 of the Strategic Director and Chief Finance Officer, which introduced the Treasury Management and Investment Strategy for 2007/08.

The Treasury Management Policy required the approval of an annual Treasury Management Strategy for the next financial year. This was in line with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management and the Secretary of State's guidance. The report put forward an Annual Strategy for 2007/08 which was unchanged from the existing strategy. The strategy was restricted to non-property investments.

RESOLVED

that the Annual Treasury Management and Investment Strategy for 2007/08 and the limits and guidelines specified in it, as set out in Appendix A to report 160/06, be approved.

Ex.209 LOCAL DEVELOPMENT FRAMEWORK: CORE STRATEGY SUSTAINABILITY APPRAISAL SCOPING REPORT

(Time: 10.40am to 10.45am)

(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 report 161/06 of the Strategic Director and Monitoring Officer, regarding the Core Strategy Sustainability Appraisal Scoping Report which was part of the Local Development Framework. The Sustainability Appraisal was one of the Development Plan Documents.

The first stage in the sustainability appraisal process was the production of a scoping report. This was foundation of the Vale's Core Strategy, providing background information together with a suggested assessment framework. A draft scoping report had been considered by the Structure And Local Plan Advisory Group on 3 January 2007 and subsequently all Members of the Council were consulted on the document. The report had been modified in response to comments made.

Consultation on the document had to be undertaken with three designated environmental bodies: English Heritage, the Environment Agency and Natural England, and any other bodies or persons that the Council considered necessary. Following any amendments arising out of the consultation the background information and the framework would be used to assess the sustainability of the Core Strategy. A final report had to be produced to accompany the Core Strategy to submit to the Secretary of State.

The Executive asked that the word "draft" was added to the document's title before it was sent out for consultation and that a check was made to ensure the most up-to-date information was included. Members also asked that a briefing was offered to new Members of the Council after the May 2007 elections on the Local Development Framework.

RESOLVED

- (a) *that the Draft Core Strategy Sustainability Appraisal Scoping Report, as set out in the appendix to report 161/07, be approved;*
- (b) *that the public and relevant organisations be consulted in accordance with the provisions of the Council's Statement of Community Involvement;*
- (c) *that authority be delegated to the Deputy Director (Planning and Community Strategy) to approve any further editorial changes; and*
- (d) *that a briefing be offered to new Members of the Council after the May 2007 elections on the Local Development Framework.*

Ex.210 LOCAL DEVELOPMENT FRAMEWORK: OXFORDSHIRE MINERALS AND WASTE CORE STRATEGY

(Time: 10.45am to 10.46am)

The Executive received and considered report 162/06 of the Strategic Director and Monitoring Officer, regarding the draft Oxfordshire Minerals and Waste Core Strategy, which formed part of the Local Development Framework. Responsibility for minerals and waste planning rested with the County Council, which had to produce Core Strategy and Site Allocations minerals and waste documents.

The first stage in the production of the Minerals and Waste Framework was last year when there was consultation on issues and options for the Core Strategy document. The next stage was preferred options where the policies and proposals were defined for the first time. Following consultation and revisions a final document would then be submitted to the Secretary of State when formal objections could be made.

As the Minerals and Waste Development Framework would form part of the Development Plan for the Vale, it had to be considered by the Council. However, responsibility for making comments had been delegated by the Council to the Chief Executive, in consultation with the Executive and the Opposition Spokesman on the Strategic and Local Planning Advisory Group. The closing date for responses was 23 March 2007. The Executive was now being asked for its views.

The report considered the preferred options most likely to affect the Vale, as prepared by the County Council, and recommended comments to form the basis of the Council's response. The Executive welcomed the report and supported the comments contained therein.

RESOLVED

that the comments on the Minerals and Waste Framework Core Strategy Preferred Options document, as set out in report 162/06, be forwarded to the Chief Executive for consideration in his response to the County Council's consultation.

Ex.211 WASTE ACTION PLAN

(Time: 10.46am to 10.52am)

The Executive received and considered report 163/06 of the Strategic Director and Chief Finance Officer, regarding a District Waste Action Plan. On 1 September 2006, the Executive endorsed the Oxfordshire Joint Waste Strategy. This required partner Councils to prepare a District Waste Action Plan detailing changes and developments in local service provision each year and demonstrating adherence to the Strategy's policies and targets. The Executive supported the draft Action Plan.

In answer to a question, it was reported that Veolia had taken over Cleanaway as the Council's waste collection contractor. Members asked that care was taken over any change in livery of the Council's vehicles; Members preferred to retain the Vale's blue and green colour scheme; they asked that the contract details were checked. The Executive also asked that all Members of the Council were informed of the change of contractor.

RESOLVED

- (a) *that the District Waste Action Plan 2007/08 be approved;*
- (b) *that the Deputy Director (Contracts and Procurement) be requested to check the waste management contract and assess whether the Council's waste collection vehicles can retain their livery following the recent take over of the contractor Cleanaway by a Veolia; and*
- (c) *that all Members of the Council be advised that the waste collection contractor is now Veolia.*

Ex.212 DIRECT SERVICES ORGANISATION BUSINESS PLAN

(Time: 10.52am to 10.54am)

At its meeting on 7 July 2006, the Executive considered the report from the Deputy Director (Commercial Services) regarding the Direct Service Organisation's (DSO) performance and financial review and its viability as a Council service. The Executive resolved:

- (a) that the high performance of the DSO during the past 12 months and its continuing improvement be recognised; and
- (b) that the continuation of the DSO be endorsed, subject to its ongoing financial viability and achievement of its Business Plan.

In accordance with that resolution, the Deputy Director (Commercial Services) confirmed the ongoing financial viability of the DSO and had attached DSO Business Plan 2007-2010 for approval by the Executive.

Members commended the Business Plan and asked that it be held up to all staff as a model of good business planning.

RESOLVED

- (a) *that the Direct Services Organisation (DSO) Business Plan 2007-2010, which requires the DSO to breakeven by the end of 2008/09, be approved;*
- (b) *that the Business Plan be commended to all staff as a model of good business planning.*

Ex.213 CORPORATE BUSINESS CONTINUITY PLAN

(Time: 10.54am to 10.57am)

The Civil Contingencies Act 2004 required the Council to manage the risks to the smooth running of its organisation and the delivery of services and to ensure the continuity of critical functions in the event of a disruption, and effective recovery afterwards. It was suggested that the Council should work towards a common and shared approach in Oxfordshire. There was evidence of a successfully completed joint project with other neighbouring Councils. South Oxfordshire and Oxford City had recently completed their respective bespoke Business Continuity Plans by jointly commissioning consultancy advice from Garrison Continuity, which specialised in Business Continuity Plans, and offered independent advice and assistance in the implementation of business continuity programmes. The Deputy Director (Commercial Services) recommended that the Council should use the same consultant as they had built up the relevant knowledge base and would provide the most cost effective solution. The overall cost was estimated to be £14,000 to be met from existing budgets.

Members approved an exception to Contract Standing Orders to allow the most effective method to procure this specialist advice.

RESOLVED

that, in accordance with Contract Standing Order 2C(4), the requirement to obtain three quotations under paragraph 12C(3) be waived to allow specialist consultancy advice to be sought for the Council's Business Continuity Plan.

Ex.214 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 an 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.)

**SUMMARY OF EXEMPT ITEMS CONSIDERED AT THE MEETING OF THE EXECUTIVE ON FRIDAY
2 MARCH 2007 AT 10.00 AM**

Ex.215 MINUTES

The exempt minutes of the meeting held on 5 January 2007 be adopted and signed as a correct record.

Ex.216 PROPERTY MATTERS

The Executive considered a property matter and rejected an offer to sell some of its property portfolio.