

Ex.29

MINUTES OF A MEETING OF THE EXECUTIVE

HELD AT THE GUILDHALL,
ABINGDON ON FRIDAY, 5TH
OCTOBER, 2007 AT 2.30PM

Open to the Public, including the Press

PRESENT:

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

OFFICERS IN ATTENDANCE Steve Bishop, Steve Culliford, Nikki Malin, Tim Sadler, Terry Stock, Morgan Einon, Toby Warren, Michael Mackay, William Jacobs, Alison Blyth, Tim Treuherz and Peter Williams

NON-PARTICIPATING MEMBERS: Councillors Alison Thomson and Chris Wise

NUMBER OF MEMBERS OF THE PUBLIC: 9

Ex.55 APOLOGIES FOR ABSENCE

None

Ex.56 MINUTES

The public minutes of the Executive meeting held on Friday 13 July 2007 were adopted and signed as a correct record, subject to the second occurrence of Councillor Tony de Vere's name being deleted from the attendance list.

Ex.57 DECLARATIONS OF INTEREST

Councillor Chris Wise, a District Councillor but in attendance as a member of the public, declared a personal and prejudicial interest in item 11 'Community Grants' as he was the Chairman of the Wootton and Dry Sandford Community Centre Management Committee, which had applied for a grant (minute Ex.65 refers). Councillor Bob Johnston declared a personal interest in item 12 'Draft Open Space, Sport and Recreation Provision Strategy' as he was the Chairman of the Oxfordshire Playing Fields Association (minute Ex.66 refers). Councillor Jenny Hannaby declared a personal and prejudicial interest in item 20 'Building Regulation Charges 2007/08' as she owned a building company that would be affected by the charges (minute Ex.74 refers). Finally, Councillor Jerry Patterson declared a personal interest in exempt item 24 'References from Other Committees' as he knew the case individual in a personal capacity (minute Ex.78 refers).

Ex.58 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 accepted one item as a matter of urgent business, relating to a reference from the Flood recovery Grant Advisory Group. He agreed to take this item under item 8 'Referrals from Other Committees (minute Ex.62 refers).

Ex.59 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER
32

The Executive also received six statements from members of the public all in support of applications for Community Grants.

- (1) Colin Cure made a statement on behalf of the Oxfordshire Association for the Blind in support of its grant application. The Association supported those affected by blindness or who had impaired vision; in the Vale this mounted to 994 people. It was estimated that this figure might double if all those affected used the service. The Association wished to expand its service to those in need, providing advice, support, information and the loan equipment. The service worked closely with Social Services to avoid duplication.
- (2) Eleanor Cowan made a statement on behalf of the South and Vale Carers Centre in support of their grant application. She gave an example of the support that had been provided to a child that had acted as a carer for an adult family member. She outlined the support given and advice and information the service provided for others also. She sought a grant to help run the outreach service provided by the Centre.
- (3) Rita Atkinson made a statement on behalf of Sutton Courtenay Village Hall Management Committee in support of its grant application. The Management Committee had already carried out a first phase to improve the Village Hall car park, toilets, hall floor and kitchen. A grant was being sought for the second phase to improve storage facilities to allow other community groups to use the facilities. The contract for the works to the Village Hall was being managed by the Parish Council to provide efficiency and overcome VAT costs. If successful the grant application would secure third party funding from WREN.
- (4) David Calvert made a statement on behalf of the Wootton and Dry Sandford Community Centre Management Committee that sought funding towards the cost of redeveloping the Centre. The total cost of the project was estimated at £800,000. An application had been made to the National Lottery Fund. This had resulted in a £25,000 development grant to allow a full application to be prepared. An application to the Trust for the Oxfordshire Environment had been made and a grant from the Executive would secure third party funding of £50,000.
- (5) Councillor Chris Wise also made a statement on behalf of the Wootton and Dry Sandford Community Centre Management Committee that sought funding towards the cost of redeveloping the Centre. He supported the contribution of David Calvert and added that it was intended to transform the Community Centre to be fit for purpose for the local community. The project would benefit many community groups and would ensure vitality for the village and provide

much needed recreational facilities. A grant from the Council would be a significant boost and would unlock further funding from third party sources.

(In accordance with the revised Code of Conduct, Councillor Wise left the meeting immediately after making his statement.)

- (6) Elizabeth D'Ahele made a statement on behalf of Charney Bassett Village Hall and Field Trust. Support was sought towards the cost of upgrading the Victorian chapel that was used as the Village Hall. Health and safety requirements meant modernisation of facilities and new storage would be required. The Big Lottery Fund application had been unsuccessful due to insufficient funds being available. However, the Parish Council had been supportive and a further contribution had been received from the Doris Field Trust. A grant from the Council would unlock further third party funding.

The Chair thanked all speakers for their statements and informed them that these would be taken into account during consideration of the Community Grants item later in the meeting (minute Ex.65 refers).

Ex.60 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None

Ex.61 REFERRAL UNDER THE OVERVIEW AND SCRUTINY PROCEDURE RULES OR THE BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

None

Ex.62 REFERRALS FROM THE OVERVIEW AND SCRUTINY COMMITTEES AND OTHER COMMITTEES

- (a) Flood Recovery Grant Advisory Group – 24 August 2007
(Time: 2.52pm to 2.53pm)

At the meeting of the Flood Recovery Group Advisory Group held on 24 August 2007, Members requested the Executive to recommend the Council to meet the cost incurred by this authority in reacting to the flooding in July 2007 at an approximate cost of £20,000.

However, the Strategic Director and Chief Finance Officer reported that any costs which could be claimed under the Government's Bellwyn Scheme would be, but any amount unclaimable would have to be met by the Council. If this could be met from Contingency it would be funded by way of a supplementary estimate, otherwise it would be an unbudgeted overspend.

Members noted the Strategic Director's advice.

- (b) Personnel, Regulatory and Appeals Committee - 28 September 2007
(Time: 2.53pm to 2.54pm)

The Personnel, Regulatory and Appeals Committee met on 28 September 2007 and considered four reports containing recommendations to refer matters on to the Executive. The first was considered below; the others were considered in Exempt session later in the meeting.

Establishment of Post - Client Monitoring Officer for Leisure Facilities Contracts

The Personnel, Regulatory and Appeals Committee established a part-time post of Client Monitoring Officer for Leisure Facilities Contracts. The post was on scale 4 for a fixed term period of two years from the date of appointment, after which it would be subject to review. The Executive was asked to approve a permanent budget adjustment of £11,600 (full year) to fund the new post from the permanent Wantage Civic Hall Facility Manager vacancy.

RESOLVED

that a permanent budget adjustment of £11,600 be approved to fund the full year effect of establishing the Client Monitoring Officer post for Leisure Facilities Contracts, to be funded from the Wantage Civic hall Facility Manager vacancy.

- (c) Scrutiny Committee - 19 July 2007 – Waste Management Contract
(Time: 2.54pm to 2.59pm)

At its meeting held on 19 July 2007, the Scrutiny Committee received and considered the Waste Contract Annual Report 2006/07. In considering the report, Members recognised that the next Waste Management contract could usefully find a more effective way of both penalising poor performance and rewarding good performance. Scrutiny Members had also stressed the importance of clear performance management requirements. The Committee asked that these concerns were brought to the attention of the Executive.

The Executive supported the views expressed by the Scrutiny Committee and agreed to take these into account when reviewing the contract. However, Members suggested that this might be extended to cover waste collection, disposal and recycling.

RESOLVED

that the views of the Scrutiny Committee be supported and be taken into account when the waste management contract is reviewed to find a more effective way of both penalising poor performance and rewarding good performance.

Ex.63 FINANCIAL MONITORING
(Time: 2.59pm to 3.03pm)

The Executive received and approved requests for four virements totalling £99,700 and noted another virement approved under delegated authority of £7,000.

The Executive also approved requests for four permanent budget adjustments totalling £89,030 and noted that six supplementary estimates had been approved by the Strategic Director and Chief Finance Officer under delegated authority resulting in a £14,550 saving. This was largely due to £62,000 being returned from the property consultancy budget to Contingency.

RESOLVED

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

Ex.64 FORWARD PLAN
(Time: 3.03pm to 3.04pm)

The Executive received the Forward Plan setting out Executive decisions to be taken from October 2007 to January 2008.

It was noted that both Councillors Richard Farrell and Tony de Vere would be consultees on the 'Review of National Non-Domestic Rates Discretionary Relief', an item on the Forward Plan for consideration in October. It was noted that this would now be considered by the Executive in December along with reports on the Procurement Strategy and the Payments Strategy.

RESOLVED

that the Forward Plan for October 2007 to January 2008 be noted.

Ex.65 COMMUNITY GRANTS
(Time: 3.04pm to 3.17pm)

(Councillor Chris Wise declared a personal and prejudicial interest and in accordance with the revised Code of Conduct he made a statement to the meeting under Standing Order 32 (minute Ex.59 refers) and left the meeting immediately after making his representations and before this debate.)

The Executive received and considered report 72/07 of the Strategic Director and Monitoring Officer, which set out two applications for community grants and a further three applications for grants under the Lottery and Other Grants Support Fund. The Executive also heard from Councillor Alison Thomson who spoke in favour of the application from the South and Vale Carers Centre, supplementing the statement made by Eleanor Cowan earlier in the meeting.

The Executive noted that it only had £5,914 remaining in its Community Grants budget for 2007/08 but had two applications seeking grants of £15,000. Members debated

how to split the remaining budget between the two worthy causes and by four votes to three decided to share the remaining budget equally.

The Executive had a separate fund for applications which sought grants to provide matched funding. Each of the three applications in this category received support. In the case of Charney Bassett Village Hall, it was suggested that the Parish Council should be encouraged to increase its precept to raise further funds for this project. In the case of Sutton Courtenay Village Hall it was suggested that the applicants might wish to approach the County Council for further assistance.

RESOLVED

- (a) *that the Executive's remaining budget for 2007/08 for Vale-wide grants of £5,914 be noted;*
- (b) *that the following grant applications be approved, splitting the remaining budget equally (by four votes to three):*
 - (i) *Oxfordshire Association for the Blind, £2,957 towards the cost of services for blind and visually-impaired residents in the Vale, Social Agenda, Access priority;*
 - (ii) *South and Vale Carers Centre, £2,957 towards the cost of running the Outreach Service, Social Agenda, Access priority;*
- (c) *that the following applications for funding from the Lottery and Other Grants Support Fund to release a grant from TOE (Trust for Oxfordshire's Environment) or WREN (Waste Recycling Environmental Ltd) be approved:*
 - (i) *Charney Hall and Field Trust, £5,000 to secure a TOE grant of £50,000, towards the redevelopment of Charney Bassett Village Hall (by seven votes to nil);*
 - (ii) *Sutton Courtenay Parish Council, £5,318.83 to secure a WREN grant of £48,353 towards phase 2 of the Village Hall refurbishment (by seven votes to nil); and*
 - (iii) *Wootton and Dry Sandford Community Centre, £5,000 to secure a TOE grant of £50,000 towards the redevelopment of the Community Centre (by seven votes to nil).*

Ex.66 OPEN SPACE, SPORT AND RECREATION PROVISION STRATEGY AND A SUPPLEMENTARY PLANNING DOCUMENT

- (a) Draft Open Space, Sport and Recreation Provision Strategy
(Time: 3.17pm to 3.35pm)

(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 73/07 of the Strategic Director and Chief Finance Officer regarding a draft Open Space, Sport and Recreation Provision Strategy that had been prepared by consultant Kit Campbell.

Mr Campbell gave a brief presentation to highlight the main points of the draft strategy. The strategy had derived from Government guidance set out in Planning Policy Guidance note 17 (PPG 17). It was based on a wide ranging assessment of provision established through a detailed audit of all facilities across the Vale, both publicly and privately owned. A Vale Voice Panel survey and consultation with Parish Councils had also been used to gather data.

The strategy identified the key issues for the Council and provided a vision and plan to address the issues. It also provided an evidence base for the Local Development Framework and strengthened the Council's ability to justify and secure Section 106 contributions towards such facilities from developers. Following approval of the draft strategy, consultation would take place before adoption in the spring 2008.

It was recognized that implementation of the strategy through the Delivery Plan would be constrained by the Council's financial position and other resource constraints. Successful implementation would also require Town and Parish Councils to play their part in partnership with the Vale. There were four potential resource implications consequent upon the implementation of this strategy:

1. Maintaining the integrity of the survey data – it was recommended that 20% of facilities were re-audited every year. There might be costs in carrying out the surveys and maintaining the database, estimated to be £10k per annum.
2. The majority of the open spaces in the District belonged to Town and Parish Councils and these locations were most in need of improvement. There were potential costs in supporting Town and Parish Councils and local communities in managing and developing the quality of their open spaces. However, the objective would be to provide this support through re-prioritising workload within the Leisure Services team and through community grants and/or charging for our services to ensure this support was cost neutral to the Council.
3. It was likely that the Council would incur additional costs in enhancing existing poor quality open space, particularly in providing better access for the disabled. A provisional capital sum of £20k was suggested.
4. The implementation of the strategy and the associated Supplementary Planning Document would enable the Council to improve its performance in obtaining Section 106 contributions from developers but this would require additional resource in Leisure Services, expected to be a part-time Section 106 officer post, the annual cost of such a post was estimated at £20k per annum.

All of the costs were provisional and would be finalised as part of the budget setting process for 2008/09. It was predicted that these would be far outweighed by the Section 106 contributions which would be made possible by the adoption of the strategy.

In summing up, Mr Campbell urged the Executive to continue to fund the maintenance of the background information contained in the Draft Strategy. He believed that this could date quickly and needed to be kept up to date to bolster

the Council's ability to continue to secure developer contributions. He believed that this would pay in the long term.

Members thanked Mr Campbell for his report, draft strategy, and his presentation.

RESOLVED

that the draft Open Space, Sport and Recreation Provision Strategy be approved.

(b) The Strategy and a Supplementary Planning Document
(Time: 3.35pm to 3.36pm)

To implement the draft strategy referred to in (a) above, Members noted that the officers were producing a Supplementary Planning Document to set out standards for provision which would enable contributions for these facilities to be collected from new housing developments. The draft Supplementary Planning Document would be considered by the Strategic and Local Planning Advisory Group on 22 October 2007.

Under the Local Plan system, the Executive had delegated authority to approve draft Supplementary Planning Guidance for public consultation. It was recommended that a similar process should be established for Supplementary Planning Documents.

RESOLVED

that authority be delegated to the Deputy Director (Planning and Community Strategy), in consultation with the Strategic and Local Planning Advisory Group, to agree all future draft Supplementary Planning Documents for public consultation.

Ex.67 CORPORATE GOVERNANCE REPORT - FIRST QUARTER 2007/08
(Time: 3.36pm to 3.50pm)

The Executive received and considered report 74/07 of the Strategic Director and Monitoring Officer, which set out the Corporate Governance Report for the first quarter of 2007/08, being April to June 2007. The report looked at the key areas of corporate priorities, Best Value Performance Indicators, progress against Service Prioritisation Plans, key staffing data (sickness levels and turnover), and included a financial commentary.

During 2006/07 the Corporate Governance Reports included full versions of the individual reports on each of the key areas listed above. However, for 2007/08 the Executive had asked that exception reporting should be adopted. The Senior Management Team would consider a standard quarterly report, which considered all aspects of corporate governance and the full versions of the individual reports were still available on the Council's website.

The Executive discussed the Best Value Performance Indicator results for the quarter. Invoices paid on time was below target but improving. The latest figure was 91.33%. It was noted that much work had been carried out to solve the problems experienced following the introduction of the new financial management software. It was noted that Capita was putting more resources into this and targeting payment of invoices that had been delayed. Suppliers were being contacted by telephone to inform them of the latest position.

Members again remarked about the performance indicators that gave a misleading impression of the Council's performance on waste management. The Council wanted to minimise waste, and from the waste produced, recycle more and reduce the amount sent to landfill. This was not reflected in the performance indicators.

Turning to the financial commentary, it was noted that although there were some variances across the service areas, none of these were considered to be significant. The latest prediction was that there would be a £75,000 underspend for the authority at the year end. Portfolio Holders did not raise any significant concerns with budget performance in their service areas.

The other sections of the Corporate Governance report were noted.

RESOLVED

that the Senior Management Team's First Quarter 2007/08 Corporate Governance exception report and proposals be noted.

Ex.68 BUDGET SETTING PROCESS 2008/09 (Time: 3.50pm to 3.52pm)

The Executive received and considered report 75/07 of the Strategic Director and Chief Finance Officer regarding the budget setting process for 2008/09. Following the creation of the finance shared services partnership there was a need to develop common practices across the Council's and South Oxfordshire District Council's finance function to ensure operational efficiencies were realised. A harmonised approach to budget setting was proposed.

The report set out the four stages of the process:

- Stage 1 – gathering of base data and the production of a standstill budget
- Stage 2 – consolidate the standstill budget and share with the Executive
- Stage 3 – budget proposals issued for consultation
- Stage 4 – Final budget proposed and approved

It was noted that although the back-office processes were being harmonised between the two Councils, the processes for Member involvement would be unchanged.

RESOLVED

(a) that the budget setting process, as set out in report 75/07 and summarised in the timetable at appendix 1, be approved; and

- (b) *that authority be delegated to the Head of Finance in consultation with the Portfolio Holder for Finance to develop virement and supplementary estimate procedures appropriate to the budget setting process.*

Ex.69 COMMUNICATIONS STRATEGY

(Time: 3.52pm to 3.59pm)

The Executive received and considered report 76/07 of the Strategic Director and Monitoring Officer, which proposed the adoption of the communications strategy for the Vale as part of the corporate priority to improve internal and external communications. The strategy was based on information from the Senior Management Team and the service areas, the staff and Member survey and the public general satisfaction survey completed last financial year by polling company Ipsos MORI, as part of the Best Value Performance Indicator requirement. The strategy was built from the Council's current position and its aims for the next three years.

Members welcomed the strategy and congratulated the Communications Team for its hard work and success. It was noted that since the introduction of the team, the percentage of negative press the Council received was reducing. However, Members asked that as part of the strategy efforts were made to make the Council's website one of the best.

RECOMMENDED

- (a) *that the draft strategy to implement the Communications Policy be approved in principle; and*
- (b) *that the following Communications Policy, which underpins the communications strategy, be adopted:*

"The Council will adopt and implement a Communications Strategy which aims to safeguard and continuously improve:

- *Customer satisfaction*
- *Involvement, engagement and information flow with staff and the community*
- *The Vale's reputation*
- *The Vale's website"*

Ex.70 SOUTH EAST PLAN - THE PANEL'S REPORT

(Time: 3.59pm to 4.03pm)

The Executive received and considered an agenda item regarding the report of the Panel that considered the draft South East Plan. The Panel's report was published at the end of August and was considered by the Strategic and Local Planning Advisory Group on 24 September 2007. Appended to the agenda was Annex 1 which contained a summary of those issues in the Panel's report affecting the Vale.

There was no formal opportunity for the Council to comment at this stage; the next opportunity would be to respond to the Government's proposed modifications to the draft Plan due to be published at the end of 2007. However, the Advisory Group had raised

concerns and asked that a letter was sent to the Government Office to influence its consideration of the Panel's report and the subsequent modifications. The Advisory Group considered there were three areas to raise:

1. The Government Office should be advised that there was an error in the housing figures for the Vale;
2. It should be pointed out that full funding for the Harwell by-pass had not been identified but that every effort should be made to secure funding, including developer contributions. The Panel's recommendation to refer to the pooling of developer contributions in the lower case text should be strongly supported; and
3. Objection should be raised to the reference in the Panel's report to the Upper Thames reservoir being developed in Oxfordshire.

The Executive largely concurred with the Advisory Group's views and asked that these points were raised with the Government Office. However, Members suggested additional wording to clarify the Council's objection to the inclusion of the reference to the reservoir.

RESOLVED

that the Deputy Director (Planning and Community Strategy) be asked to write to the Government Office about the Panel's report on the draft South East Plan to:

- (i) Advise that there is an error in the housing figures for the Vale;*
- (ii) Point out that full funding for the Harwell by-pass has not yet been identified but that every effort should be made to secure funding, including developer contributions. The Council therefore strongly supports the Panel's recommendation to refer to the pooling of developer contributions in the lower case text; and*
- (iii) Object to the reference in the Panel's to the Upper Thames reservoir being developed in Oxfordshire because the applicants have yet to clearly demonstrate the need for a reservoir to this Council, Oxfordshire County Council and the Environment Agency.*

Ex.71 PARTIAL REVIEW OF THE SOUTH EAST PLAN - PROVISION OF CARAVAN SITES FOR GYPSIES AND TRAVELLERS

(Time: 4.03pm to 4.13pm)

The Executive received and considered report 77/07 of the Strategic Director and Monitoring Officer. SEERA (the South East England Regional Assembly) was undertaking a partial review of the South East Plan relating to the provision of sites for gypsies and travellers in the South East. The first stage of the review was an opportunity for councils to submit their advice on the expected numbers and distribution of sites in their areas. In Oxfordshire a steering group of Councillors representing the County Council and the five District Councils had worked with the support of an officer working group to provide a response. This work had involved consultation with stakeholders, a recalculation of the expected need as set out in the Association of Councils of the Thames Valley Regions (ACTVaR) Gypsy and Traveller Accommodation Assessment, and an alternative disaggregation of the County figure down to District level. The recalculated need for the County to 2016 was 42 pitches in comparison to the original figure of 98.

Advice on travelling showpeople was also requested but it was not considered that it was advisable to carry out a survey in the summer. It was intended that a survey would be carried out this winter. In line with other areas it was considered that advice could not be submitted to SEERA on transit provision and detailed costings.

Members noted that following submission of the advice to SEERA there would be public consultation on the draft preferred option document and Sustainability Appraisal by SEERA from May to July 2008, followed by submission of a draft Partial Review document and Sustainability Appraisal to Government in December 2008 and then an Examination in May 2009.

The Executive preferred option A, believing this to be fairer on this Council and Oxford City in that it related to demand and provision in each District, rather than simply taking a fifth share of the County total for each District.

RESOLVED

- (a) that, in accordance with the agreed process, the suggested overall provision of 42 pitches in Oxfordshire and provision for the Vale of either 1 pitch under option A or 8 pitches under option B be agreed, and that a very strong preference for option A be recorded by the Executive for reference in future consultations;*
- (b) that the participation in a joint study on travelling showpeople in winter 2007/08 be approved; and*
- (c) that no response be made to the request for transit site provision, as this should be considered by SEERA, or to the request for detailed implementation costs.*

Ex.72 JOINT PROCUREMENT OF WASTE MANAGEMENT SERVICES - MEMORANDUM OF UNDERSTANDING (Time: 4.13pm to 4.29pm)

The Executive received and considered report 78/07 of the Strategic Director and Chief Finance Officer regarding the joint procurement of Waste Management Services. The Vale had been working for a year with West Oxfordshire District Council and South Oxfordshire District Council to jointly procure the next contract for waste collection services. A recent report produced for the Oxfordshire Waste Partnership indicated that this was the lowest risk/best option for Oxfordshire's waste collection authorities in terms of achieving financial efficiencies within the time frame of placing new contract(s) in 2009/10.

Two options for delivering the new contract(s) were being explored: a tri-partite approach by West and South Oxfordshire and the Vale; or support for the South East Centre of Excellence to put in place Regional Framework Agreements for use by waste collection authorities in the South East.

If the joint working option was chosen by the three authorities, this would be greatly assisted by a Memorandum of Understanding. The Memorandum would be signed by

each participating authority as part of the governance arrangements. This was not a legally binding document but would show strong commitment by each authority to the joint procurement exercise, hopefully leading to the signing of a legal agreement later.

In answer to a question, the Strategic Director reported that it was clearly understood by all parties that the joint working option would lead to significant savings through the use of a single contractor, a common contract specification, and a single client monitoring team reporting to all three Councils. These elements would form part of the Memorandum of Understanding. When asked if other Councils could be part of this arrangement, it was reported that other authorities could join the arrangement later if they wished but to reach agreement with more than three Councils in the short timescale available was unlikely.

Members supported the proposed joint procurement on the basis that the Memorandum of Understanding set out the need to use a single contractor, a common contract specification, and a single client monitoring team.

RESOLVED

- (c) *that a Memorandum of Understanding be signed committing the Council to a joint procurement exercise for waste collection services with South and West Oxfordshire District Councils; and*
- (d) *that authority be delegated to the Strategic Director and Chief Finance Officer, in consultation with the Head of Legal Services and the Portfolio Holder for Waste Procurement, to agree and sign a suitably worded Memorandum of Understanding on Joint Waste Procurement.*

Ex.73 PLANNING DELIVERY GRANT 2007/08 – PROVISIONAL SECOND TRANCHE ALLOCATIONS

(Time: 4.29pm to 4.31pm)

The Executive received and considered an agenda report regarding the Planning Delivery Grant for 2007/08. The Department for Communities and Local Government had announced the latest provisional allocations of Planning Delivery Grant. The Vale was likely to receive in the order of £389,000. The Government had advised that this additional funding was to enable local authorities to improve their planning resources and services and to assist in the introduction of the many changes involved in its programme of planning reforms. The grant was required to be split 75%-25% between the recipient authority's resource and capital budgets.

The Vale's 2007/08 grant award was made up of the following award elements:

- Development Control performance: £147k
(Reward for meeting application processing targets for major, minor and other applications in 2006/7)
- Housing: £180.5k
(Reward for housing delivery in a "High Demand" area based on the net additions to housing stock over a rolled forward three year period)
- Plan making £ 58.5k

(Meeting the milestone targets in the Local Development Scheme and the extent to which the authority is able to report on a range of National Core Output indicators in its Local Development Framework Annual Monitoring Report)

- E-Planning £ 3k
(Reward for achieving e-planning targets)

The Executive noted that the exact amount of the grant award would not be confirmed until later in the year. However, as the Executive would be preparing its revenue budget and capital programme over the next few months Members agreed to put a mechanism in place to authorise Planning Delivery Grant expenditure, in particular where this could be seen to relieve pressures on the Service Area budget. Proposals designed to accord with the Government's grant objectives were being drafted to ensure planning performance could be maintained and enhanced and also to invest in schemes that would be of corporate wide benefit.

RESOLVED

that authority be delegated to the Deputy Director (Planning and Community Strategy), in consultation with the Executive Portfolio holder for Planning and Community Strategy and the Opposition Planning Spokesman, to agree expenditure of the Council's 2007/08 Planning Delivery Grant award.

Ex.74 BUILDING REGULATION CHARGES 2007/08

(Time: 4.31pm to 4.32pm)

(Councillor Jenny Hannaby declared a personal and prejudicial interest in this item and in accordance with Standing Order 34, she left the meeting during its consideration).

The Executive received and considered report 79/07 of the Strategic Director and Chief Finance Officer regarding proposals to update the Council's Scheme of Charges for Building Regulations. The changes were intended to ensure that the charges:

- did not fall below the "proper costs" of the service provided
- were maintained at competitive and reasonable levels
- were presented in a simple and logical format and
- continued to represent best value and the provision of a quality service

The Executive supported the proposals.

R E C O M M E N D E D

that the revised "Scheme for the Recovery of Building Regulation Costs and Associated Matters", as appended to these minutes, be adopted as the Council's formal charging scheme, made under the Building (Local Authority Charges) Regulations 1998, to take effect from 6 October 2007.

Ex.75 COMMENTS, COMPLAINTS AND COMPLIMENTS – ANNUAL REVIEW 2006/07
(Time: 4.32pm to 4.46pm)

The Executive received and considered the Comments and Complaints Annual Review for 2006/07. The review showed that 125 complaints were received at Stage 1 under the Council's Comments and Complaints procedure and 99 compliments were recorded. The Executive noted that majority of complaints were in connection with the procedures adhered to by Council staff and as part of the complaints process recommendations would be discussed with relevant Service Areas to find ways of improving procedures where necessary. This often proved to be time consuming.

The Executive welcomed the report, believing that the recording of comments and complaints continued to be a positive way of highlighting residents' concerns. However, Members asked that future reports contained data for the previous year to show trends. It was noted that the Ombudsman had again found no instances of maladministration against the Council in 2006/07 and had complimented the Council for its exemplary performance in this area.

RESOLVED

that the Comments and Complaints Annual Review for 2006/07 be received.

Ex.76 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(1) of Part 1 of Schedule 12A, as amended, to the Act when the following items are considered:

- Item 22 Minutes
(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).)*
- Item 23 References from Other Committees
(Category 1 - Information relating to any individual.)
(Category 2.)
(Category 3.)*
- Item 24 Property Matters
(Category 3.)*

SUMMARY OF EXEMPT ITEMS CONSIDERED AT THE MEETING OF THE EXECUTIVE ON FRIDAY 5 OCTOBER 2007 AT 2.30PM

Ex.77 Minutes

The Exempt minutes of the Executive meeting held on 13 July 2007 were adopted and signed as a correct record.

Ex.78 References from Other Committees

The Executive approved funding sources for additional costs following recommendations from the Personnel, Regulatory and Appeals Committee.

Ex.79 Property Matters

None



**THE SCHEME FOR THE RECOVERY OF
BUILDING REGULATION COSTS
AND ASSOCIATED MATTERS**

FOR

THE VALE OF WHITE HORSE DISTRICT COUNCIL

To Be Read In Conjunction With

The Building [Local Authority Charges] Regulations 1998

This Scheme is effective as of 1 October 2007

SCHEME FOR THE RECOVERY OF COSTS

Principles of this Scheme

1. This Authority has set a range of Charges for functions relating to Building Regulations as prescribed in **Regulation 4** of the **Building (Local Authority Charges) Regulations 1998**:
 - **Plan Charge**: payable when Full Plans of the building work are deposited with this Authority.
 - **Inspection Charge**: payable after the first inspection is made by this Authority.
 - **Building Notice Charge**: payable when a Building Notice is given to this Authority.
 - **Reversion Charge**: payable for building work in relation to buildings
 - that have been substantially completed before plans are first deposited with this Authority in accordance with Regulation 20 of the Approved Inspectors Regulations, or
 - in respect of which plans for further building work have been deposited with this Authority in accordance with Regulation 20 of the Approved Inspectors Regulations,
 - on the first occasion on which those plans have been deposited.
 - **Regularisation Charge**: payable at the time of making an application to this Authority.
2. All Charges, other than the Regularisation Charge, which are payable to this Authority shall be subject to Value Added Tax at the standard rate.
3. The sum of the Plan Charge and the Inspection Charge shall be equal to the Building Notice Charge.
4. The Reversion Charge shall be equal to the Building Notice Charge.
5. The Regularisation Charge in respect of any work shall be 20% greater than the respective Building Notice Charge.
6. In the case of a Full Plans application the Inspection Charge is payable as a single payment.
7. In the case of an extension to a dwelling, which has a floor area exceeding 60m² and is based on the estimated cost of the work (in accordance with Schedule 3), the Building Notice Charge or the sum of the Plan Charge and the Inspection Charge payable to this Authority shall be not less than that specified in Band D in Schedule 2 (i.e. £536.17).
8. In the case of an extension or alteration to a dwelling consisting of one or more rooms in a roof space the Charge payable to this Authority shall be not less than that specified in Band C in Schedule 2 (i.e. £400.00).
9. Where a Plan Charge has been paid and not refunded, this Authority may, in any case they consider reasonable, decide not to make a further Plan Charge in respect of plans subsequently deposited for substantially the same building work.
10. Any Plan Charge, Inspection Charge, Reversion Charge, or Building Notice Charge is to be payable by the person who carries out the building work, or on whose behalf the building work is carried out, and any Regularisation Charge is to be payable by the owner of the building.

11. Where for any reason notice of passing or rejection of plans is not given within the period required by Section 16 of the Act, the Plan Charge paid shall be refunded;
12. Non-Payment of a Charge - in accordance with Regulation 10(2) of the Building (Local Authority Charges) Regulations 1998, Full Plans are not treated as deposited for the purposes of Section 16 of the 1984 Act or Building Notices given unless this Authority has received the correct Charge.
13. Charges are not payable in respect of work, which is carried out for the benefit of a disabled person in accordance with Regulation 9 of the Building (Local Authority Charges) Regulations 1998, which states:

"A Local Authority is not authorised to fix by means of a scheme and recover a Charge

- a. *where they are satisfied that the whole of the building works in question consists of an alteration and*
- b. *where the building work is*
 - i. *solely for the purpose of providing means of access to enable disabled persons to get into or out of an existing building and to or from any part of it or of providing facilities designed to secure the greater health, safety, welfare or convenience of such persons; and*
 - ii. *is to be carried out in relation to*
 - a) *an existing building to which members of the public are admitted (whether on payment or otherwise) or*
 - b) *an existing dwelling which is, or is to be, occupied by a disabled person".*

"A Local Authority is not authorised to fix by means of a scheme and recover a charge which consists solely of a Charge in respect of building work for the provision or extension of a room in a dwelling where they are satisfied that the sole use of the room is or will be

- a. *for the carrying out of medical treatment of a disabled person which cannot reasonably be carried out in any other room in the dwelling or*
- b. *for the storage of medical equipment for the use of a disabled person or*
- c. *to provide necessary accommodation or a necessary facility by adapting or replacing accommodation or a facility which already existed within the building which was incapable of being used, or used without assistance, by the disabled person.*

In this regulation, "disabled person" means a person who is within any of the descriptions of persons to whom section 29(1) of the National Assistance Act 1948 applied, as that section was extended by virtue of section 8(2) of the Mental Health Act 1959, but not taking into account amendments made to section 29(1) by paragraph 11 of Schedule 13 to the Children Act 1989".

Transitional Provisions

The Council's scheme for the recovery of Charges dated 1st April 2002 continues to apply in relation to building work for which plans were first deposited or a building or initial notice given between 1st April 2002 and 31st March 2003 (inclusive).

Estimates

In order to determine the correct Charge, this Authority requires a written estimate of the cost of the building work to be submitted together with the any application for Building Regulations

A written estimate is also required when building work reverts to this Authority in accordance with Regulation 11(2) of the Building (Local Authority Charges) Regulations 1998.

The "estimate" is required to be an amount as would be reasonably charged by a person in business carrying out such building work (excluding value-added tax)

Reductions

1. Except as detailed in paragraph 2 below, where one application for Building Regulations is in respect of two or more buildings, or building works, all of which are substantially the same as each other a reduction in the Charge may be applied by this Authority.
2. Where an application for Building Regulations relates to the replacement of windows, roof lights, roof windows and external doors and the building work is substantially the same a reduction in the relevant Charge may be applied by this Authority.
3. In accordance with Regulation 8b of the Building (Local Authority Charges) Regulations 1998, a reduction in the relevant Charge may be applied by this Authority provided
 - (a) an application for Building Regulations relates to building work that is substantially the same as:
 - i. plans that have previously been approved by this Authority or
 - ii. building works that have previously been inspected by this Authority, and
 - (b) this Authority is satisfied that the applicant is the same person who submitted the original application

Charges for New Dwellings or Conversions into Dwellings

Where building work relates to new buildings of houses, flats or maisonettes not exceeding 3 storeys in height or 300 m² in total floor area the Charges for that building work are detailed in Schedule 1.

1. The Plan Charge payable in respect of the erection, or creation, of one or more dwellings is shown in column (2) of Schedule 1
2. The Inspection Charge payable in respect of the erection, or creation, of one or more dwellings is shown in column (3) of Schedule 1.
3. The Building Notice Charge payable in respect of the erection, or creation, of one or more dwellings is shown in column (4) of Schedule 1.
4. The Reversion Charge payable in respect of the erection, or creation, of one or more dwellings is shown in column (4) of Schedule 1.
5. The Regularisation Charge payable in respect of the erection, or creation, of one or more dwellings is an amount equal to 120 percent of the relevant Building Notice Charge and as shown in column (5) of Schedule 1.
6. Interpretation of Schedule 1.

For the purposes of the Schedule, the reference in the heading to column (1) is a reference to the number of dwellings in the building or buildings referred to.

Schedule 1 - Charges for New or Converted Dwellings

Number of Dwellings (1)	Plan Charge £ (2)	Inspection Charge £ (3)	Building Notice or Reversion Charge £ (4)	Regularisation Charge £ (5)
1	150	410	560	672
2	200	510	710	852
3	250	610	860	1,032
4	300	710	1,010	1,212
5	350	810	1,160	1,392
6	400	910	1,310	1,572
7	450	1,010	1,460	1,752
8	500	1,110	1,610	1,932
9	550	1,210	1,760	2,112
10	600	1,310	1,910	2,292
11	650	1,410	2,060	2,472
12	700	1,510	2,210	2,652
13	750	1,610	2,360	2,832
14	800	1,710	2,510	3,012
15	850	1,810	2,660	3,192
16	900	1,910	2,810	3,372
17	950	2,010	2,960	3,552
18	1,000	2,110	3,110	3,732
19	1,050	2,210	3,260	3,912
20	1,100	2,310	3,410	4,092
21	1,150	2,410	3,560	4,272
22	1,200	2,510	3,710	4,452
23	1,250	2,610	3,860	4,632
24	1,300	2,710	4,010	4,812
25	1,350	2,810	4,160	4,992
26	1,400	2,910	4,310	5,172
27	1,450	3,010	4,460	5,352
28	1,500	3,110	4,610	5,532
29	1,550	3,210	4,760	5,712
30	1,600	3,310	4,910	5,892
31 and over	1,600+	3,310+	4,910+	5,892+
Add for every dwelling more than 30 no.	30	70	100	108

Charges For Garages, Carports and Domestic Extensions and Alterations

1. Where building work comprises:

- (a) the erection of a detached or attached building consisting of a garage or carport (or both) having a total floor area not exceeding 40m², is intended only to accommodate vehicles and is used in common with an existing dwelling or
- (b) the extension of any dwelling by a floor area not exceeding 60m².

the Charges for that building work are set by reference to the floor area of the building or extension.

2. In the case of 1(c) above,

- where there is more than one extension to a building used (or intended to be used) for the purposes of a single dwelling, the floor area of all such extensions shall be aggregated to determine the relevant Charge payable
- where the aggregate of the floor area of all extensions does not exceed 60m², the relevant Charge is based on the total floor area of the extensions.
- where the aggregate of the floor area of the extension(s) exceeds 60m², the relevant Charge is based on the estimated cost of the building work as prescribed in Regulation 6 of the Building (Local Authority Charges) Regulations 1998 and shall be determined in accordance with Schedule 3.

3. Details of Charges are given in Schedule 2 in respect of extensions of any dwelling by a floor area not exceeding 60m² and of the erection of a detached or attached building which consists of a garage or car port or both with a total floor area not exceeding 40m² and intended for use with an existing dwelling.

4. **Calculation of Charges**

For work specified in column (1) of Schedule 2:

- (a) the Plan Charge payable is the amount shown in column (2) of the Schedule
- (b) the Inspection Charge payable is the amount shown in column (3) of the Schedule
- (c) the Building Notice Charge payable is the amount shown in column (4) of the Schedule
- (d) the Reversion Charge payable is the amount shown in column (4) of the Schedule
- (e) the Regularisation Charge payable is the amount shown in column (5) of the Schedule

5. **Interpretation of Schedule 2**

- (a) Where the work comprises, or includes, the erection of more than one extension to a building, used or intended to be used for the purposes of a single private dwelling, the total floor areas of all such extensions shall be aggregated in determining the Charge payable in accordance with Schedule 2.
- (b) Where the aggregated floor area is greater than 60m² the Charge payable is calculated in accordance with Schedule 3.
- (c) In the Schedule below an extension is defined as having no more than three storeys, each basement level counting as one storey.

Schedule 2 - Garages, Carports and Domestic Extensions

Band	Type of Work (1)	Plan Charge £ (2)	Inspection Charge £ (3)	Building Notice or Reversion Charge £ (4)	Regularisation Charge £ (5)
A	Erection or extension of a detached or attached building which consists of a garage or carport having a floor area not exceeding 40m ² and is intended to only accommodate vehicles	136.17	-	136.17	163.40
B	Extension of a dwelling the total floor area of which does not exceed 10m ²	136.17	144.68	280.85	337.02
C	Extension of a dwelling the total floor area of which exceeds 10m ² but does not exceed 40m ²	144.68	255.32	400.00	480.00
D	Extension of a dwelling the total floor area of which exceeds 40m ² but does not exceed 60m ²	153.19	382.98	536.17	643.40

Work Other Than To Which Schedules 1 and 2 Apply (i.e. Schedule 3)

1. All Charges other than those referred to above are determined by reference to the estimated cost of the building work and are detailed in Schedule 3 (*Estimated Cost*).
2. Where building work relates to:
 - (a) new buildings of houses, flats or maisonettes exceeding 3 storeys in height 300 m² in total floor area, or
 - (b) existing buildings which are to be extended or altered and converted into dwelling units
 the Charges for that building work are detailed in Schedule 3.
3. Where building work consists of alterations to a dwelling to form a room (or rooms) in a roof space the Charge payable shall be determined in accordance with Schedule 3.
4. Charges relating to cavity wall insulation, unvented hot water systems or any extension or alteration of a dwelling creating one or more rooms in a roof space, are subject to Schedule 3
5. The Plan Charge is payable in respect of any work is shown in Schedule 3 based on the estimated cost of that work.
6. The Inspection Charge is payable in respect of any work is shown in Schedule 3 based on the estimated cost of that work.
7. The Building Notice Charge and Reversion Charge
 - (a) Subject to (b) below, the Building Notice Charge or Reversion Charge in respect of any work is shown in Schedule 3 based on the estimated cost of that work.
 - (b) Where building work is carried out to an existing dwelling and the work consists of the provision or replacement or extension of windows, roof lights, roof windows or external doors the Building Notice Charge shall be £70.00 and the Regularisation Charge shall be £72.00.

Schedule 3 - Charges for All Other Building Work

Band	Type of Work		Plan Charge £	Inspection Charge £	Building Notice or Reversion Charge £	Regularisation Charge £
	(1)		(2)	(3)	(4)	(5)
A	£1,000	or less	90	-	90	108
B	£1,001	to £2,000	150	-	150	180
C	£2,001	to £4,000	190	-	190	228
D	£4,001	to £5,000	55	145	200	240
E	£5,001	to £6,000	60	150	210	252
F	£6,001	to £7,000	65	155	220	264
G	£7,001	to £8,000	70	160	230	276
H	£8,001	to £9,000	75	165	240	288
I	£9,001	to £10,000	80	170	250	300
J	£10,001	to £11,000	85	175	260	312
K	£11,001	to £12,000	90	180	270	324
L	£12,001	to £13,000	95	185	280	336
M	£13,001	to £14,000	100	190	290	348
N	£14,001	to £15,000	105	195	300	360
O	£15,001	to £16,000	110	200	310	372
P	£16,001	to £17,000	115	205	320	384
Q	£17,001	to £18,000	120	210	330	396
R	£18,001	to £19,000	125	215	340	408
S	£19,001	to £20,000	130	220	350	420
T	£20,001	to £100,000	130	220	350	420
		Base				
		Add for every £1,000 (or part) over £20,000	3	7	10	12
U	£100,001	to £1million	2,830	6,520	9,350	11,220
		Base				
		Add for every £1,000 (or part) over £100,000	1.50	3.00	4.50	5.40

Where estimated costs exceed £1 million please contact the office for a quote