

Ex.19

MINUTES OF A MEETING OF THE EXECUTIVE

HELD AT THE GUILDHALL,
ABINGDON ON FRIDAY, 1ST
AUGUST, 2008 AT 2.30PM

Open to the Public, including the Press

PRESENT:

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

OFFICERS IN ATTENDANCE: Bob Akers, Helen Bishop, Steve Bishop, Alice Brander, Steve Culliford, Morgan Eion, Rodger Hood, William Jacobs, Steve Lawrence, Tim Treuherz and Gavin Walton

NON-PARTICIPATING MEMBERS: Councillors Zoë Patrick and Melinda Tilley

NUMBER OF MEMBERS OF THE PUBLIC: Nil

Ex.36 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Jenny Hannaby.

Ex.37 MINUTES

The public minutes of the Executive meeting held on 6 June 2008 were adopted and signed as a correct record.

Ex.38 DECLARATIONS OF INTEREST

Councillor Richard Farrell declared a personal interest in item 12 'Treasury Management Review' as he used to work for the Council's external fund managers, Investec (minute Ex.47 refers). Councillor Jerry Patterson declared a personal interest in the urgent item 'Partial Review of RPG9 (Regional Planning Guidance) and the South East Plan' as he was Vice-Chair of the South East England Regional Assembly's Planning Committee (minute Ex.50 refers).

Ex.39 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair accepted one item as a matter of urgent business relating to the partial review of Regional Planning Guidance note 9 and the South East Plan (minute Ex.50 refers). This was accepted as a matter of urgent business due to the short timescale in which to respond to the Government's consultation.

Ex.40 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None

Ex.41 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None

Ex.42 REFERRALS FROM THE OVERVIEW AND SCRUTINY COMMITTEES AND OTHER COMMITTEES

- (a) Scrutiny Committee – 12 June 2008
(Time: 2.34pm to 2.35pm)

At its meeting on 12 June 2008, the Scrutiny Committee considered the Corporate Governance Report for the fourth quarter of 2007/08. This had been presented to the Executive on 6 June 2008. The Scrutiny Committee had recommended to the Executive that BVPI 8, relating to invoices paid on time, should be retained as a Local Performance Indicator for financial services.

The Executive concurred with the Scrutiny Committee, believing that it was important to continue to monitor this.

RESOLVED

that BVPI 8, relating to invoices paid on time, be retained as a Local Performance Indicator for financial services.

- (b) Council - 16 July 2008
(Time: 2.35pm to 2.47pm)

At the meeting of the Council held on 16 July 2008, the following motion was referred to the Executive for consideration and determination:

“This Council recognises the work of local residents and councillors to find solutions to issues surrounding a footpath running through The Westfield and Willows Park and agrees to refer this matter to the Vale's Executive to consider what action this Council can take to address the concerns raised.”

Councillors James McGee and Bill Melotti had been invited to the meeting as proposer and seconder of the motion respectively.

Councillor McGee had apologised for his absence but had submitted a written statement to the Executive; this was read out at the meeting. Grove accommodated a retirement mobile home park called Westfield and Willows. A petition and several letters had been submitted by the owners regarding anti-social behaviour and to ask for help. It was stated the problem was with a public footpath which ran through the park, providing a short cut. However, people returning from the pubs at night and other anti-social behaviour had resulted in a number of problems for local residents, including vandalism, theft and intimidation.

Problems persisted and were increasing in both the number and severity of crimes. Councillor McGee had attended the local Neighbourhood Action Group,

run by selected persons and the police as a liaison group to discuss options on how the issues could be dealt with. It was concluded that the site was in need of change and diverting the pathway would be the only logical answer. The pathway could be diverted less than 50 yards to the right to connect to the playing fields. The Parish Council was content with this suggestion and was itself looking to fund a surfaced pathway to complete the work on its recreation Park. Councillor McGee had met on site with two officers from the County Council. The County's Officers believed that the diversion would work, yet due to the legal implications of such a task, it could take around five years to complete.

As far as funding was concerned, the Trust for the Oxfordshire Environment could fund up to £10,000 towards the project and the park owners would pay up to £8,000 to seal the park off. This would leave the County Council with only legal fees of £2000 to £3000 to contend with. The biggest issue was the waiting list. However, with the Vale's support, this could be considerably reduced. There were no other reasonable options. The park owners could only do so much before its residents were 'imprisoned' between fences and CCTV. Councillor McGee was trying to speed up the process to help achieve peace for these elderly people. He sought the Executive's support.

Councillor Melotti also apologised for being unable to attend the Executive's meeting but submitted a written statement to the Executive. This was read out at the meeting. He understood that Councillor McGee had been working on the problems of anti-social behaviour now for some time at the Willows Park in Grove. As part of those discussions the idea was put forward that the footpath, currently going through the estate, should be diverted around the estate. This would not create inconvenience for footpath users but would relieve the park of the pedestrian traffic which brought a small element of criminal and anti-social behaviour which was intimidating for local residents. He believed that the end of the path exiting onto Cane Lane had steps and was inaccessible for wheelchair and pushchair users.

Councillor Melotti recognised that the proposal to move the path could take years to implement but the Council's support for it could reduce that time. He understood that the proposal was also supported by the Parish Council. As well as negotiating with the various bodies for agreement, Councillor McGee had also identified some sources of funding, thus reducing the burden on local taxpayers of this change.

Essentially Councillor Melotti:

- supported Councillor McGee in proposing this measure.
- was sure the Executive would have its own ideas about how to deal with this, and for this reason he was happy to allow the motion related to this proposal to come to Executive for consideration
- he urged the Executive to support this proposal in addition to any ideas it might have of its own. He believed that multiple tracks of activity on this were needed. Trying one thing and then another before looking at pathway diversion as the last option, could leave residents living with this problem for years.

Local Member Councillor Zoë Patrick attended the meeting to speak to this motion. She believed that access should be retained by a new footpath to help wheelchair and pushchair users and that the nuisance caused to local residents should be removed. She understood that a 'no cycling' sign was to be installed as an immediate measure. The ownership of the footpath was complicated but with this Council's help she believed that a solution could be found sooner than the County Officers' estimated timescale. She urged the Council to write to the County Council to ask for quick action in this case.

The Executive considered that the proposals worked up by local Members were sensible but believed that the process should start with an approach by the Leader of this Council to Oxfordshire County Council's Leader and a similar approach should be made by Chief Executive to his County Council counterpart. Moving the footpath appeared to be the sensible solution, at the same time as improving its accessibility.

However, the Executive urged Members in future to first pursue anti-social behaviour issues through the Council's Community Safety Officers. These officers would also be consulted for advice on this case.

RESOLVED

that approaches be made by the Council's Leader and Chief Executive to their County Council counterparts to ask for urgent action to move the footpath near Westfield and The Willows in Grove to alleviate anti-social behaviour problems experienced by local residents.

Ex.43 FINANCIAL MONITORING
(Time: 2.47pm to 2.49pm)

The Executive received and considered a request to approve one virement of £22,080. Members also noted that a further five requests for virements had been approved under delegated authority to a total of £18,860.

RESOLVED

that the virement requests set out in the agenda report be approved.

Ex.44 FORWARD PLAN
(Time: 2.49pm to 2.51pm)

The Executive received the Forward Plan setting out Executive decisions to be taken from August to November 2008.

It was noted that the review of public conveniences would be considered by the Executive in October 2008 and consideration of the Local Development Framework options might be delayed until December 2008.

RESOLVED

that the Forward Plan for August to November 2008 be noted.

Ex.45 CORPORATE GOVERNANCE - FIRST QUARTER 2008/09
(Time: 2.51pm to 3.08pm)

The Executive received and considered report 50/08 of the Senior Management Team. The Corporate Governance report looked at the key areas of:

- Corporate Priorities
- National Indicators
- Progress against Service Prioritisation Plans
- Key staffing data (sickness levels and turnover)
- Progress with Business Process Improvement Reviews
- A financial commentary

The Senior Management Team had considered the first quarter 2008/09 Corporate Governance Report: an exception report covering all aspects of corporate governance. The Senior Management Team had agreed the exceptions (where performance or actions were not on target) to be reported to the Executive.

Members noted that the income from planning application fees was difficult to predict in the current economic climate as developers were not building homes until they had received firm customer orders. This affected the Council's income for completion of developments. However, the Deputy Director would offset the loss of income by not recruiting to a vacant post and by using Planning Delivery Grant to meet any shortfall (i.e. not spending it for other purposes). Members noted that the economy was also having an effect on Land Charges income due to a slow housing market.

Conversely, Members welcomed the news that the Planning Delivery Grant had been awarded by the Government in the sum of £344,000. The planning officers were thanked for their hard work, resulting in this grant award.

Turning to performance indicators on the Council's priorities, Members questioned whether the Council actively encouraged Parish Councils to recommend 'Grot Spots' to be cleaned up. The Strategic Director agreed to check this and update Members outside the meeting.

With regard to the payments for the brown bins service, Members asked that a smoother process was established.

Members noted that the reason for the £60,000 budget variation in the Housing Service Area was due to the slow down in transferring clients from temporary accommodation to lower cost permanent accommodation because of the economic climate.

RESOLVED

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

Ex.46 FINANCIAL OUTTURN 2007/08
(Time: 3.08pm to 3.24pm)

The Executive received and considered report 51/08 of the Head of Finance, which detailed the Council's financial outturn position for 2007/08, subject to audit.

It was noted that the appendices to the report set out the normal Service Area cost centres that comprised the Council's Revenue Account. They did not include corporate revenue items such as property income and investment income. Therefore the appendices did not reflect the complete 'bottom line' revenue outturn position. The overall projected outturn showed a net under-spend of £1,110k from budgets as set in the Council's approved budget from February 2007. The reasons for the variations were set out in the report. The Executive noted these. The service budget under-spend of £202k represented 0.5% of the gross budget of £43m.

The original estimate for capital expenditure for the year was £4.29m. This compared with the capital expenditure for the year which totalled £3.485m, representing 81% of the original estimate. This was due to many of the projects extending over more than one year.

The Executive noted the financial outturn position but asked that a more detailed explanation of the correlation between the tables in the report was given to Executive and Scrutiny Committee Members outside of the meeting.

Members welcomed the introduction of Appendix B which showed explanations of budget variations for each service. In answer to a question from a Member, the Strategic Director agreed to investigate the reasons for the budget variation for the Reprographics service.

RESOLVED

- (a) *that the overall outturn position of the Council as well as the outturn of individual services areas and cost centres for 2007/08 be noted; and*
- (b) *that the impact of the outturn position in the integrated service and financial planning process when setting the 2009/10 original budget be taken into account.*

Ex.47 TREASURY MANAGEMENT REVIEW
(Time: 3.24pm to 3.30pm)

(Councillor Richard Farrell declared a personal interest in this item 12 and in accordance with Standing Order 34 he remained in the meeting during its consideration.)

The Executive received and considered report 52/08 of the Head of Finance regarding the Council's Treasury Management performance in 2007/08. The report detailed the Council's cash investment performance in the financial year; property investment return was included in the 2007-08 Financial Outturn monitoring report considered earlier in the meeting (report no. 51/08, minute Ex.45 refers).

Members noted that higher than expected interest rates had meant that the return on cash invested was higher than expected in 2007/08. However, increasing volatility and uncertainty in the economy was making it harder than usual to forecast investment income returns. The Council's in-house investment income in the year amounted to £575,503 on an average balance of £9.7m - an average return of 5.93%. At the end of March 2008 the cash managed showed a balance of £1.83m. The return for the external fund managers, Investec, achieved a gross rate of return of 5.86% after fees—an improvement on the previous year.

The actual investment income achieved in 2007/08 exceeded the original budget forecast by £74,240 (5%); actual outturn of £1.556m compared to £1.482m in the original budget. This was due to interest rates rising higher than expected, balances held were higher than expected, and the economic uncertainty and “banking crisis” meant that the upward differential between market interest rates and bank rate was much greater than usual.

The Executive concluded that the Treasury Management Strategy was proving to be adequate and there were no treasury management issues to raise at this time. Members once again congratulated the in-house team for its performance and noted that the external fund manager's performance was equal to other investment companies.

RESOLVED

- (a) *that the return on cash invested during 2007/08 and the balances of the funds at 31 March 2008 be noted; and*
- (b) *that the prospects for the return on cash investments in 2008/09 be noted.*

Ex.48 FLOODING PREVENTION SCHEMES

(Time: 3.30pm to 3.42pm)

The Executive received an oral report from the Executive Portfolio Holder with responsibility for flooding under the Commercial Services service area. He reported that the Council's officers were working with other voluntary groups and agencies on flood prevention schemes at various locations in the District.

The Portfolio Holder welcomed the Pitt Review which called on local authorities' leadership to tackle flooding problems. He was determined to do this but, following a motion approved by the Council, was seeking further help from the Government.

One area where progress was being made was in producing new flood maps but this would take time to complete. The areas most affected by recent floods would be given highest priority.

The Pitt Review had also concluded that the use of sandbags was ineffective in stopping flood water if the bags were not laid properly. In response to this, the Council would be offering training to local voluntary action groups.

Members welcomed the progress made, endorsing the work towards more permanent solutions.

RESOLVED

that the progress made on flood prevention schemes be welcomed.

Ex.49 DIDCOT GROWTH POINT BID
(Time: 3.42pm to 3.43pm)

At the meeting of the Strategic and Local Planning Advisory Group held on 18 June 2008, Members recalled that the Council had previously agreed to an additional 750 dwellings being allocated for development in the Vale to the west of Didcot. This supported the Growth Point Bid for Didcot to be submitted to the Government by South Oxfordshire District Council. Members had previously agreed to this because it had been intended that there would be a joint bid between this Council and South Oxfordshire, with any Government funding shared between the Councils on the basis of the number of houses in each District. However, the Government had discounted the possibility of joint bids and therefore South Oxfordshire had taken the bid forward on its own.

This Council's agreement to accept an additional 750 dwellings in the Vale was an offer that could not be reversed. At the Advisory Group meeting, Members queried whether a proportion of the funding would be put towards infrastructure that will benefit Vale residents. The Advisory Group suggested that a Member-level approach should be made to South Oxfordshire to ensure this happened. The Executive concurred with the Advisory Group's view.

RESOLVED

that Member-level discussions be held with South Oxfordshire District Council to ensure that part of the Didcot Growth Bid funding from Government will be spent on schemes to improve infrastructure of benefit to the Vale and that the outcome be fed back to the Strategic and Local Planning Advisory Group.

Ex.50 PARTIAL REVIEW OF RPG9 (REGIONAL PLANNING GUIDANCE) AND THE SOUTH EAST PLAN
(Time: 3.43pm to 3.48pm)

(Councillor Jerry Patterson 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 55/08 of the Deputy Director (Planning and Community Strategy). In its report on the South East Plan the Panel had recommended that the method of calculating the amount of aggregates to be extracted in the South East should be based more on likely demand rather than past sales. The South East England Regional Assembly (SEERA) was consulting all councils on three options for calculating the distribution across the region.

The South East Plan formed part of the Development Plan for the Vale. The part of the South East Plan relating to aggregates was administered by the County Council as the minerals planning authority. However, changes to it were a matter for the Vale's Executive. Views on the options were to be submitted by 8 August 2008.

The three options for calculating the demand for aggregates and how they should be apportioned were:

- 1 a 'demand' option based mainly on the quantity of houses to be built in an area;
- 2 an 'Environmental' option based on the level of national designations in an area, i.e. the highest weighting would be given to avoiding areas of greatest conservation and landscape importance; and
- 3 a 'demand and resources' option based on using both house building and international nature designations.

The areas where minerals could be extracted in the Vale were mostly unaffected by national designations such as those based on landscapes, and there were few international designations in the District. The Executive considered that the 'demand' option would therefore be the most appropriate for the Vale as it led to the lowest contribution from Oxfordshire for combined sand and gravel, compared to the 'environmental' option. Further, it was considered that the demand option tied future minerals working more closely to the expected demand from house-building in an area, which was the prime determinant for aggregate production. It would also minimise the distances over which these bulky goods had to be transported and thereby would reduce carbon emissions.

Members were also asked whether there should be separate figures for sharp sand and gravel and for soft sand. It was considered that this would be a more rational approach as they were two different materials serving different markets: soft sand was mainly used for mortar and sharp sand and gravel mainly for concrete.

Policy M3 in the Draft South East Plan set out the amount of minerals to be derived from each sub-area and the justification for the figures. The consultation asked whether any change to the wording was required. Members considered that there was no perceivable benefit of any changes other than those required by a new basis for apportionment.

It was noted that the South East England Regional Assembly would identify a preferred option and draft an amendment to the policy. This was likely to be submitted to the Government in December 2008. There would then be further public consultation, possibly followed by an Examination in Public. It was expected that the policy would be adopted in late 2009.

RESOLVED

that the following response be made to the South East England Regional Assembly (SEERA) regarding the method of calculating the amount of aggregates to be extracted in the South East:

- (i) *that the 'Demand' option is supported as it is the most appropriate for the Vale and would reduce the proportion of aggregates to be taken in Oxfordshire;*

- (ii) *that the concept of separate figures at a regional level for soft sand and sharp sand and gravel is supported as this is a more rational approach, as the materials serve different markets; and*
- (iii) *that no further change in wording in the South East Plan is required apart from to reflect the new method of apportionment.*

Ex.51 BROWN BINS

(Time: 3.48pm to 3.50pm)

The Executive received and considered an agenda report regarding the Brown Bin recycling scheme. The Council's 2008/09 capital programme had included £16,700 to purchase 1,000 additional brown bins (reference YC07) and this had already been committed. However, since the withdrawal of the green sack scheme, the demand for brown bins had exceeded expectations and it was estimated that a further 3,000 bins would be needed this year. The Executive welcomed this news.

Prices of wheeled bins had risen to approximately £20 per bin. In order to meet the extra demand, the officers had requested that the capital budget was increased by a further £60,000. The Executive recognised that as the operation of the scheme was fully funded by charges made, there would be no adverse implications to revenue budgets. The increase in this scheme's capital budget would be offset by underspends and slippage elsewhere in the capital programme, so the overall Council budget was unaffected. Therefore this could be approved by the Executive without the need for a recommendation to the Council.

It was pointed out that recycling had increased since the introduction of the brown bins scheme. Members called for a press release to be prepared to publicise this.

RESOLVED

that the 2008/09 Brown Bin capital scheme budget be increased by £60,000 to meet demand.

Ex.52 HACKNEY CARRIAGE TARIFFS

(Time: 3.50pm to 3.53pm)

The Executive received and considered report 53/08 of the Deputy Director (Environmental Health) which reviewed the Hackney Carriage tariffs: the amounts taxi companies could charge customers in the Vale District. The report set out the results of a consultation exercise with Hackney Carriage companies and asked the Executive to determine the tariff levels for the next year. It was noted that the tariff structure and charges had last been reviewed in April 2007.

The report set out four options at different pricing levels. The Executive had some sympathy with the taxi trade for the need for an increase following the recent increases in fuel costs but also believed that the Council had a duty to protect the public, including vulnerable groups, from unprecedented increases. Members sought a compromise and approved option 2 as the maximum charges that could be levied.

It was noted that following the Executive's decision, the proposed tariff must be published in a local newspaper so the public or taxi trade could make representations to the Council. Any objections must be considered and the tariff (with any necessary amendments) must be introduced within two months of the original publication date. The Executive delegated authority to finalise the tariff.

RESOLVED

- (a) *that the proposal to increase the tariff for Hackney Carriages within the District to the average amounts (rounded to the nearest 0.5 pence) arising from the recent consultation exercise, as given in the table below, be approved for consultation:*

	Charge for cleaning ('Soiling charge')	Tariff One (£)				Tariff Two (£)			
		Less than $\frac{7}{10}$ Mile	More than $\frac{7}{10}$ Mile	Subsequent $\frac{1}{10}$'s Mile	Waiting Time (per minute)	Less than $\frac{7}{10}$ Mile	More than $\frac{7}{10}$ Mile	Subsequent $\frac{1}{10}$'s Mile	Waiting Time (per minute)
Option 2	56.5	3.50	3.50	0.20	0.20	4.63	4.63	0.30	0.30

- (b) *that this proposed tariff be published for consultation no later than 14th August 2008, and taking effect from 18 days after publication, provided that no objections have been received; and*
- (c) *that authority be delegated to the Portfolio Holder with responsibility for Environmental Health to consider any objections which are received and approve a final tariff, with any necessary amendments.*

Ex.53 COMMENTS AND COMPLAINTS

(Time: 3.53pm to 3.59pm)

The Executive received and considered a report on comments and complaints received during 2007/08. Members noted that 146 complaints had been received under the Council's Comments and Complaints procedure, only 13 of which had proceeded to stage 2 of the procedure—a formal investigation by the Chief Executive. This was consistent with the level of comments and complaints received in recent years.

The majority of complaints related to either Council policy or procedures. As part of the process, corrective and preventive actions were investigated to find ways of improving procedures where necessary. A total of 139 compliments were recorded for the year.

The Executive noted that the level of complaints was low and many surrounded the loss of the concessionary fares scheme and the new rules of the new bus pass scheme for those over 60 years old. Other complaints related to process changes following the move of Revenues and Benefits to Capita.

In answer to a question from a Member, the Deputy Director (Organisational Development and Support) reported that outside of the meeting, she would clarify the terminology “ombudsman’s discretion”.

RESOLVED

that the Comments and Complaints Annual Review for 2007/08 be received.

Ex.54 EXCLUSION OF THE PUBLIC, INCLUDING THE PRESS

RESOLVED

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

Minutes

(Category 1 - Information relating to any individual.)

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

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

Vale Halls Catering Contract

(Category 3)

Property Matters

(Category 3)

Ex.55 MINUTES

The Exempt minutes of the Executive meeting held on 6 June 2008 were adopted and signed as a correct record.

Ex.56 VALE HALLS CATERING CONTRACT

The Executive received and considered a report regarding catering at the Vale Halls and agreed to test the market to let a contract.

Ex.57 PROPERTY MATTERS

There were no property matters considered by the Executive at this meeting.