

CABINET MEETING

29 October 2001

Present: Mr Egleton (Leader), Mr Whitehouse (Deputy Leader),
Mr Bowater (Environment), Mrs Mallowan (Community), Mr McKenzie (Safety Health and Well-Being) and Mr Sheasby (Resources).

Also Present: Dr Kennedy (Chairman of the Council), Mr Greer, Mr Lidgate, Mr Rigby, Mrs Temple and Mr Winterbourn.

45. MINUTES

The minutes of the meeting of the Cabinet held on 1 October 2001 were confirmed and signed by the Leader.

46. IMPLEMENTING ELECTRONIC GOVERNMENT - REVISED STATEMENT

The Cabinet considered a report from the Resources Portfolio Holder seeking approval to a revised statement on Implementing Electronic Government (IEG).

The Council's initial IEG statement had been approved by the Council in July 2001 and submitted to the DTLR. The Department had requested further work on the IEG statement, particularly in relation to back office preparations; commissioning and procuring effective delivery vehicles; and risk analysis. As a result a revised IEG statement had been produced and strengthened in all respects and was submitted for approval. It was noted that resubmitting a satisfactory statement by 7 November 2001 would mean that the Council was still eligible for funding for 2002/03.

Mr Sheasby stressed the importance of ensuring that the Council's IEG strategy and the services delivered were focused on the needs and requirements of customers and would meet the needs and aspirations of the community. In reply to questions raised, it was recognised that the statement was a broad strategy and that a more detailed programme of implementation would be developed as part of the drawing up of the ICT strategy in 2002, taking account of information about the availability of resources for this. This would also enable further consideration to be given to the development of services for Members to assist them in their role including the provision of proper support and training required. The importance of obtaining adequate government funding was emphasised since without it, it was unlikely the strategy could be delivered entirely.

RESOLVED that the Implementing Electronic Government statement be approved.

47.

PUBLIC SERVICE AGREEMENT

The Cabinet considered a report from the External Partnerships and Communications Portfolio Holder about the proposed Buckinghamshire Public Service Agreement (PSA).

The Government had introduced an opportunity for County and Unitary authorities to sign up to some challenging targets to deliver national and local priorities. In return, the authorities would receive operational freedoms and flexibilities, pump-priming funds together with financial rewards for meeting the targets. Additional incentives were available in multi-tier areas and Buckinghamshire County Council had prepared a submission in conjunction with the District authorities in the County. This was the first County and District joint submission for a public service agreement.

It was understood the County was close to an agreement with the Government over the PSA. In return for working with the County, District authorities would receive a fair proportion of the hoped for financial rewards.

The report set out a summary of the target areas with current performance and target figures together with details of how any reward grant or pump-priming funding received would be distributed. It was likely that the final version of the PSA contract would need to be approved and signed off before the next meeting and delegated authority for this was sought.

RESOLVED that:-

1. The report together with the emerging contract of the PSA be noted.
2. Delegated authority be given to the Chief Executive, in consultation with the Leader, to approve the PSA on behalf of the Council.

48. COMMUNITY GRANTS

The Cabinet considered a joint report of the Portfolio Holders for External Partnerships and Communications and Community concerning two applications for Community Grants.

A total of £8,951 had been distributed from the current year's budget of £31,000 leaving £22,049 available for allocation in the remainder of the year. The report detailed the two applications for grants, which had been measured against the Grants Policy and the Community Plan objectives, as follows:-

1. Evreham Gymnastics Club - to purchase mini gymnastic equipment - £835 requested.
2. St Andrews Church and Centre, Stoke Poges - to rebuild and extend the existing kitchen - £5,000 requested.

The report set out details of each organisation and their applications. At the request of the Community Portfolio Holder, the application for St Andrews Church Centre was deferred while further information was sought.

RESOLVED that a grant be approved for the Evreham Gymnastics Club in the sum of £835.

49.

DISTRICT SETTLEMENT SIGNS

The Cabinet considered a report from the Environment Portfolio Holder concerning the proposal to fund new District settlement signs.

The report summarised the protracted negotiations with Buckinghamshire County Council about providing new settlement signs which would include the District Council name and crest. Such signage would contribute to the visual appearance of the District and help reinforce its identity, as well as complying with a specific Community Plan objective.

The County Council's permission, as Highway Authority, was required for the erection of signs and in all approaches to date, the County had been resolutely opposed to allowing any logos or crests on the signs, either for the District Council or the relevant Parish. It was considered that the prescriptive layout of signs preferred by the County Council would not achieve the objective of improving visual appearance and identity.

The report referred to a survey of existing signage carried out which indicated a minimum of 38 replacement signs would be required or if an entirely uniform approach across the District

was employed a total of 55 signs would be needed. Some existing signs were in poor condition and it was suggested that the County Council be advised of these and requested to replace them as a priority.

It was noted that the Government were currently consulting on a review of the regulations concerning highway signage and a response had been made that any regulatory controls regarding boundary/settlement signs be kept to a minimum compatible to road safety requirements. It was considered that notwithstanding previous rebuttals, the County Council should be further pressed to alter its view on this matter.

RESOLVED that:-

1. The proposal to fund new District settlement signs be not pursued at present.
2. The matter be re-evaluated in the light of any forthcoming legislative changes or change in position of the County Council.
3. The Leader of the Council be asked to write to the Leader of Bucks County Council requesting further re-consideration of the position on boundary/settlement signs seeking more flexibility in the application of the policy/regulations.
4. The Director of Services write to Bucks County Council advising them of existing signs requiring repairs or replacement and a further letter be sent to Parish Councils advising of the position.

50. ENVIRONMENTAL HEALTH ENFORCEMENT POLICIES

The Cabinet considered a joint report of the Portfolio Holders for Environment and Safety, Health and Well-Being concerning endorsement of enforcement policies covering the areas of licensing, pollution control, pest control and housing.

A Best Value Performance Indicator required all local authorities to have written enforcement policies covering aspects of Environmental Health activity to ensure the authority complied with best practice in its enforcement role. Food and Health and Safety policies had previously been approved and policies for the remaining areas of licensing, pollution control, pest control and housing, prepared to comply with the guidance issued by DEFRA, were submitted. The policies were largely an expression of the existing practice and set out the criteria to be met before formal enforcement action was taken. The policies complied with the Human Rights Act 1998 by balancing the rights of businesses and the public in the areas of Environmental Health enforcement.

RESOLVED that the enforcement policies for licensing, pollution control, pest control and housing be endorsed.

51.

DEVELOPMENT CONTROL STAFFING

The Committee considered a report of the Environment Portfolio Holder reviewing the position regarding frozen posts within the Development Control Unit.

The establishment of the Development Control Unit included two scale 3/5 Technical/Planning Assistant posts which had been vacant since the previous postholders were appointed to the scale 6 Assistant Planner posts created as a result of the Council's restructuring during the early part of 2001. The posts had remained vacant firstly owing to recruitment difficulties and subsequently as a result of a decision to freeze them as part of the Budget Review approved by the Council in June/July 2001.

The report detailed the rising workload of the Unit, as demonstrated by the number of applications received. The Best Value Inspection Service had taken the view that the 1999/00 figure of 129 cases dealt with per annum per case officer was "well above average" and during the 2000/01 year that figure had risen to 155. Current performance was set out which showed that in the last two quarters there was a significant continuing decline in the number of applications determined. This had been exacerbated by the departure of an Assistant Planner for whom attempts to recruit a replacement had so far proved unsuccessful. Steps taken to deal with the position, including the use of some Enforcement Officer time for Development Control were also outlined. The report recognised that the key to improving and then maintaining performance on all applications lies in the efficient processing of householder applications, which account for a large proportion of the Unit's collective caseload. These were the applications that the Technical/Planning Assistant Postholders would be able to deal with speedily enabling other Development Control staff to concentrate more fully on the efficient processing of more complex applications. While the most advantageous solution would be to unfreeze the two posts and fill them at the earliest opportunity, an alternative was suggested which would help maintain the budgetary savings. This involved transfer of one of the two scale 5 Enforcement Officers currently undertaking some of the duties of the Technical/Planning Assistant posts to be recruited into one of those positions on a permanent basis. The report set out the resource and policy implications of the proposed changes which would result in an excess on budget of £2,000 in the current year and £16,000 in 2002/03. Savings had been identified elsewhere in the budget to cover the 2001/01 shortfall but had yet to be found to cover the 2002/03 shortfall

The reduction in the Enforcement Officer resource would need to be monitored closely for any adverse effects and it was noted that a further follow up report on the Best Value Review was due which could look at this

RESOLVED that:-

1. The two frozen scale 3-5 Technical/Planning Assistant posts within the Development Control Unit be filled subject to (2) and (3) below.
2. One of the two scale 5 Enforcement Officers currently undertaking some of the duties of the Technical/Planning Assistant post be recruited into one of the unfrozen posts at his existing salary point.
3. Authority be given to fill the second Technical/Planning Assistant post subject to Officers having first identified sustainable offsetting savings from within the existing budgets.
4. The then vacated scale 5 Enforcement Officer be frozen, but retained on the Unit's establishment.
5. The implications resulting from the freezing of the Enforcement Officer post, in terms of any adverse effects on service levels, be closely monitored and reviewed.

52. STOKE COMMON WORK PROGRAMME FOR 2001/2002

The Cabinet considered a report from the Environment Portfolio Holder on approval of the Stoke Common Work Programme for 2001/02.

Work on the management of Stoke Common fell into two general categories: firstly, the ongoing restoration of the heathland as set out in the approved management plan and secondly, the general maintenance of the common itself including repair of fences, gates, ditch clearance works and maintenance of the firebreaks. Most of the annual heathland management tasks had already been agreed and formed part of the stewardship management plan. These items of work were covered within the ongoing three-year grazing/management contract and included for clearance of areas of bracken, clearance of three areas of scrub and coppicing of trees. The total cost for these works together with the annual cost of grazing was £13,000.

The general maintenance and management works proposed included for replacement corral fencing, and new fire gate at the entrance to the Vine Road firebreak, completion of bridlepath surfacing, ditch clearance and retaining a contingency for urgent works at £2,000. However, if it was apparent that this sum would not be required towards the end of the current financial year then it was proposed that the balance be spent on further ditch or scrub clearance works.

The estimated total cost of the proposed work and that already undertaken and committed utilised the total repairs and maintenance budget for Stoke Common of £26,000. Of this expenditure £6,464 was provided by the Countryside Commission in the form of a Stewardship Grant.

RESOLVED that

1. The work programme and approximate budget allocations from the Stoke Common Budget for 2001/02 be approved as set out in the report.
2. Any underspend remaining towards the end of the financial year, from either the urgent works budget or the proposed works, be spent on scrub or ditch clearance works to be agreed in consultation with the Portfolio Holder.

53.

THAMES VALLEY MAGISTRATES' COURTS COMMITTEE - PROPERTY STRATEGY

The Cabinet considered a report of the Safety Health and Well-Being Portfolio Holder on a response to a consultation on the Thames Valley Magistrates' Courts Committee Property Strategy, with particular reference to proposals for Beaconsfield Magistrates' Courthouse.

The Magistrates' Courts Committee was responsible for all the courthouses in Berkshire, Buckinghamshire and Oxfordshire and was consulting on the level of use of the courthouses, any maintenance or improvements required to the buildings and hence their perceived viability. Most courthouses required major expenditure to improve facilities for staff, defendants, advocates and the public and the review carried out identified a number of courthouses that were under utilised and this included both Beaconsfield and Amersham Magistrates' Courts. The property strategy set out arguments for and against closure of each courthouse, which had been circulated with the report, and concluded by recommending that Beaconsfield courthouse be closed and the work transferred to Amersham producing annual savings of £39,892.

It was an aim of the Community Plan to ensure that residents and business had access to local services. The proposed closure of Beaconsfield courthouse would remove the administration of justice and other services provided by Magistrates' Courts (e.g. liquor licensing, certain appeals against Council notices and prosecution for breaches of planning control from South Bucks District). Attendance by Council Officers and advocates at courthouses outside the District Council would increase travel costs. In response to a similar consultation in 1999, the Council had objected to the adoption of proposed criteria for courthouse provision on the grounds that this would be likely to lead to closure of part-time courthouses such as Beaconsfield, because this would not serve the interests of access to local justice for court users.

The Cabinet considered that the case had not made for closure of courts such as Beaconsfield where justice should be seen to be administered locally. Members suggested that contact be made with local media in relation to the Council's response.

RESOLVED that an objection be made to the proposed closure of Beaconsfield courthouse and the transfer of its work to Amersham. The closure was not in the interest of access to local justice and would increase costs to defendants and other court users, including this Council. Should a decision be made to close Beaconsfield, further consideration be given

how to best redistribute its workload so as to cause the minimum inconvenience to court users.

(Note: Mrs Mallowan declared a pecuniary interest in this item as an employee of the Thames Valley Magistrates' Courts Committee and withdrew from the meeting during consideration of it).

54. REVIEW CO-ORDINATION GROUP

The Cabinet considered the minutes of a meeting of the Review Co-ordination Group held on 15 October 2001, which had considered business including the call-in process, the Cabinet work programme, monitoring the work of the Review Panels, Training of Overview and Scrutiny Members, referring of matters to Review Panels, and future external involvement including publicising the scrutiny role.

Arising therefrom, the Review Co-ordination Group had noted that the Cabinet had asked for future Housing Strategy Monitoring Reports to be referred to the Environment and Housing Review Panel and had requested clarification on what was required from the Panel and how this linked to the Portfolio Holders overview of the statistics. The Cabinet stressed that the monitoring report provided statistics and key measures of performance which were essential for use by the Safety Health and Well-Being Portfolio Holder in discharging his housing strategy responsibilities, for which he would retain ownership. Nevertheless, it was considered useful for the monitoring report to be reviewed independently by the Housing and Environment Review Panel. Where appropriate, the Portfolio Holder could also report to the Review Panel with any standards or targets set, comments on performance or any action taken or planned.

RESOLVED that the Housing Strategy Monitoring Report be considered as set out above.

55.

SEVEN YEAR BUDGET MODEL - 2002/03 TO 2008/09

The Cabinet considered a report of the Resources Portfolio Holder about the results of the seven year budget modelling exercise carried out by the Director of Resources.

The report was intended as a high level review of the Council's finances over the medium to long term. The Council had previously received a report that identified projected shortfalls between projected standard spending assessments (SSA) and the amounts required to meet ongoing services. Following the review of services carried out in the summer of 2001 savings totalling approximately £70,000 had been identified in the current year and as a result spending was online to be contained within SSA during 2001/02.

The results of the financial modelling exercise carried out were contained in appendices to the report:-

Appendix B - Details of the significant items in the forecast

Appendix C - Summary of the Council's seven year capital programme

Appendix D - Summary of the Council's revenue reserves forecast position over the next seven years.

Appendix A, containing a summary of the Council's seven year revenue budget forecasts, was appended to the report in Part II of the meeting as it contained exempt information related to proposed expenditure under contracts.

The summary of the seven year model had been split into three parts:

- i. Base Budget/Forecast - Includes items already approved plus the previous year's original budget.

Other Adjustments:

- a. Unavoidable Costs - ongoing: includes items in the pipeline but not yet approved/exact details unknown e.g. increase in employers pension contributions. These items will have to be funded as the Council is committed to them.
 - b. Optional Extras - These include items not yet committed e.g. requested growth items put forward by service unit heads.
- ii. **Sensitivity Analysis - details of movements which could result if assumptions for "sensitive" areas change.**

The report set out the assumptions used in the budget model and sensitivities. The results showed that the shortfall between the Council's projected SSA and its base budget to meet ongoing services for 2002/03 was forecast at £78,000. If unavoidable ongoing costs were taken into account this shortfall increases to £1,394,000. The shortfall for 2003/04 was £979,000 (after unavoidable costs); from 2004/05 onwards the shortfall ranges from £700,000 to £1.1 million.

In answer to questions put to him, Mr Sheasby confirmed that expenditure on amenity grass cutting by the District Council which was introduced when the County reduced its expenditure on this item was included in base budgets. It would be proper for this to be highlighted for consideration in the budget review process. The additional expenditure adjustments for Beaconsfield CCTV had also been included in base budgets. Whilst it was recognised that other areas would not be precluded from bidding for funding for CCTV, no other sums had been included in budgets since there were no schemes with a known timetable or budget in preparation. As regards the Building Control and Development Control Best Value Reviews, no specific budget reductions had been agreed as a result of these reviews and accordingly reductions had not been made in base budgets. Again however, these were matters open to discussion in the budget review process. This process would begin with the budgets produced by officers with portfolio holders being referred to Review Panels for consideration. Following this the budgets would be reported to Cabinet to consider and make recommendations to the Council on the level of Council Tax.

After considering the detailed matters reserved in the Part II report, the Cabinet considered the main options available to the Council with regard to dealing with a shortfall between SSA and what the Council required to run ongoing services. The report contained a number of suggested ways forward and consideration was given to some specific recommendations from the Portfolio Holder for guidance on development of the 2002/03 budget. The guidance set out steps designed to sustain the Council's firm policy of several years standing that its net expenditure budgets be set at a level consistent with SSA and the Council Tax be set accordingly. After consideration it was

RECOMMENDED that the following steps be taken in development of the 2002/03 budget:-

1. Specific significant elements of the SSA shortfall be funded from Reserves,

namely:

- Certain contractual costs, net of any income, should be charged to Reserves (as detailed in minute 57 below). The 2002/03 projected shortfall, after unavoidable costs, will be reduced by £958,000 by this step. However:
 - Interest loss at 6% per annum will be charged to Revenue on all amounts charged to Reserves. (NB: the interest income rate of 6% built into next year's budget, will be held at that level by any necessary drawing on the interest reserve of £1.9 million, which has accumulated over several years).
- 2. The remaining 2002/03 SSA shortfall (after unavoidable costs) will be allocated to portfolio holders pro-rata to gross running expenses, with the objective that this shortfall be eliminated during the budget development process. In other words, the gross running costs in next year's budget will be cash limited.
- 3. Gross income in each portfolio holders' base budget will be quantified. If a viable case can be made to increase that income projection in 2002/03 and sustain it in subsequent years (by price or volume increases or by the identification of new sources of income) then that additional income, net of any additional costs of generating it, can be applied to reduce the shortfall referred to in (2) above.
- 4. Throughout the 2002/03 budget process, the objective of all concerned should be to align the budget spending with Community Plan priorities, focusing expenditure on high priority items and eliminating or deferring low priority spending. At the same time, appropriate resources must be applied to statutory services.
- 5. Starting next year, capital expenditure on fixed assets (computing and communications equipment, significant proprietary software, furniture, etc) will be capitalised and depreciated over the useful lives of those assets. This replaces the past practice of creating R& R reserves for replacement of such assets.
- 6. The Asset Management strategy will focus initially on those property assets which have the potential for development or disposal, thereby creating significant incremental income opportunities to be applied as described in (3) above. Alternatively, disposal proceeds could be reinvested in more appropriate property assets. If the view is taken that certain existing property assets have the potential to grow in value to a significant extent, as economic conditions recover, then a case may be made that realisation should be deferred and reserves utilised to cushion the temporary loss of interest income.

56.

EXCLUSION OF PUBLIC

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act:-

Seven Year Budget Model - 2002/03 to 2008/09

(Paragraph 9 – terms proposed in the course of negotiations for a contract).

The Cabinet considered a report from the Resources Portfolio Holder on the results of the seven year budget modelling exercise, including confidential information relating to current contract negotiations. After consideration the Cabinet agreed to recommend steps be taken as set out in minute 55 above.

Revenue and Benefits Contract

(Paragraph 8 – proposed expenditure on a contract).

The Cabinet considered a report from the Resources Portfolio Holder on the outcome of negotiations with the Revenues and Benefits contractor. It was agreed to recommend terms for settlement with the contractor.

Health and Safety at Work etc Act 1974

(Paragraph 12(a) – legal proceedings).

(The Cabinet considered a report of the Safety Health and Wellbeing Portfolio Holder about taking proceedings following an accident at Lent Rise House, Coulson Way, Burnham. It was agreed to authorise proceedings against the operator of the premises, a recruitment agency, and an agency nurse in respect of the accident.