

EXECUTIVE

Minutes of the meeting held on Monday 24 October 2005 in the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillor Crowther (Chair), Councillors Mrs Begg, Boad, Gill, Mrs McFarland and Tamlin.

ALSO PRESENT: Councillor Doody (Chairman of the Executive Overview and Scrutiny Committee);

Councillor Caborn (Chairman of the Audit and Resources Overview and Scrutiny Committee)

Councillor Hammon (Conservative Group Observer); and

Councillor Coker.

(An apology for absence was received from Councillor Gifford)

561. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

562. **MINUTES**

The minutes of the meeting held on 12 September 2005 were taken as read and signed by the Chair as a correct record.

563. **APPROVAL OF FEES AND CHARGES 2006/2007**

The Executive considered a report from Finance on the determination of the levels of fees and charges under the responsibility of business units in light of the Financial Strategy.

In implementing the Financial Strategy guidelines it was appropriate to consider certain other factors when deciding what the Council's fees and charges should be:

- (a) The impact of the fees and charges levels on the implementation of the Council's overall Corporate Strategy, including the Community Plan, and the requirements of business unit's individual service plans.
- (b) The level of prices the market could bear including comparisons with neighbouring and other local authorities.
- (c) The level of prices to be sufficient to recover the cost of the service.

The Audit and Resources Overview and Scrutiny Committee expressed concern with regard to the decline in income for the Land Charges Service and that the new Head of Legal Services investigates this problem as a matter of urgency.

EXECUTIVE MINUTES (Continued)

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

The Executive noted that the Head of Legal Services would be investigating the decline in income for the Land Charges Service as a matter of urgency.

RECOMMENDED that

- (1) the Fees and Charges identified in Appendix 'A', to the report, to operate during 2006/2007, be approved;
- (2) an increase in the medical inspection fee for hackney carriage and private hire licence drivers from £38 to £57 with immediate effect, be approved; and
- (3) the Head of Planning and Engineering be given delegated authority in consultation with the Portfolio Holder to review the building control charges when the LGA revised model scheme is available later in the year.

(The Portfolio Holders for this item were Councillors Mrs Begg, Boad, Crowther, Gill, McFarland, Tamlin)

564. FINANCIAL MONITORING TO 31ST AUGUST 2005

The Executive considered a report from Finance on the financial monitoring to 31 August 2005.

The current monitoring system required quarterly reports to be submitted to the Executive. This arrangement complemented the monthly monitoring reports prepared for the Corporate Management Team, and provided the structure within which management control of the Council's budgets was achieved.

This was the second report to the Executive for 2005/2006 and detailed the results up to the end of August 2005. It detailed the activities on Revenue and Capital for both General Fund and Housing Revenue Account. It also included the effects of the use of the Council's reserves and reflected any known changes to income received from interest on balances.

The Audit and Resources Overview and Scrutiny Committee supported the recommendations in the report.

The Executive Overview and Scrutiny Committee supported the recommendations in the report, and referred to the potential loss of income as stated in paragraph 6.8.1 and the Capital Programme as stated in paragraph 8.1.1 to the Audit and Resources Overview and Scrutiny Committee.

RESOLVED that

- (1) the contents of the August financial monitoring report for 2005/2006, be noted; and

EXECUTIVE MINUTES (Continued)

- (2) the changes proposed in the capital programme and associated funding as detailed in Section 8 of the report, be approved.

(The Portfolio Holders for this item were Councillors Mrs Begg, Boad, Crowther, Gill, McFarland, Tamlin)

565. DEVELOPMENT ITEMS FOR BENEFIT FRAUD INVESTIGATION

The Executive considered a report from Finance on the development items for benefit fraud investigation.

The Benefit Fraud Investigation function currently lay within the Audit and Risk Division of the Finance Service Area, part of the Community Services Directorate. The Section was therefore in a different Directorate to that of the Benefits and Revenues Service which was part of the Customer Services Directorate. Although the Benefit Fraud Investigation Section had, since its inception in 1989, been separate from the Benefits service, this arrangement had been reviewed two years ago as part of the general organisational restructure. It was to be reviewed again after 31 March 2006.

The Section comprised 3.1 established posts comprising a Benefit Fraud Investigation Manager, 1.5 FTE benefit fraud investigators and a part-time administrative assistant.

The performance of the Benefit Fraud Investigation Section had always been measured by the Authority in terms of its success in earning income: Ideally, the Section should be self-financing. The Government-set rules by which income was earned were explained in Appendix 1 to the report.

The Audit and Resources Overview and Scrutiny Committee supported the recommendations in the report and commended all involved for their work on benefit fraud.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that the revised sanctions policy and strategic plan, be approved.

(The Portfolio Holder for this item was Councillor Crowther)

566. REVIEW OF RURAL INITIATIVES SCHEME

The Executive considered a report from Finance on a review of the Rural Initiatives Scheme.

The Rural Initiatives Scheme had operated for several years now. The scheme supported capital projects outside the three largest towns within the District so as to encourage the communities within these areas to become more sustainable.

EXECUTIVE MINUTES (Continued)

Up until 31 March 2004 £295,000 had been awarded under the scheme, supporting a variety of projects. The Capital Programme for the period 2004/05 to 2006/07 included a further budget allocation of £100,000 per annum.

Details of the amended scheme were attached as Appendix 1 to the report. Since the scheme was amended £62,000 had been awarded by the Executive in December 2004 and a further £126,000 in July 2005. Details of the bodies receiving grants were shown within Appendix 2, to the report.

The Executive Overview and Scrutiny Committee supported the recommendations in the report and the Town and Parish Council's be contacted again with information about the scheme.

RESOLVED that

- (1) Rural Initiatives applications be considered throughout the year in future, with no annual cut-off, and the scheme details be duly amended;
- (2) the standard Application Pro-Forma, as shown in appendix 3, be issued to assist applicants to provide the required information; and
- (3) the scheme continue to run beyond 2006/07 until the current budget has been fully committed.

(The Portfolio Holder for this item was Councillor Mrs McFarland)

567. QUARTERLY CORPORATE RISK REGISTER REVIEW

The Executive considered a report from the Strategic Director (Corporate Resources) on the quarterly corporate risk register review.

At the June meeting of the Executive a report was considered on Risk Management and the Executive asked for all items which scored 12 or above on the Corporate Risk Register, be monitored and reported on a quarterly basis.

The register was based on the Council's corporate priorities and key strategic projects. The risk and effect columns in the appendix to the report, highlighted how the risks related to the Policy and Budget Framework, and whether they had any environmental impact.

The Audit and Resources Overview and Scrutiny Committee supported the recommendations in the report. However concern was expressed regarding the risk of tourism declining in Corporate Priority No.4 as this could be magnified by any decrease in funding to South Warwickshire Tourism. Concern was also expressed over Strategic Project 11, that with regard to undertaking new initiatives as it could lead to insufficient capacity to fulfil legal requirements. The Committee welcomed that the Chief Executive would be producing proposals with regard to this matter, but stressed that this should be done as a matter of urgency.

EXECUTIVE MINUTES (Continued)

The Executive Overview and Scrutiny Committee supported the recommendations in the report, and would like a further report on the risk of a decline in tourism in the District. *(The Environment & Economic Policy Committee were due to start a scrutiny of tourism at their meeting on 7 December 2005 and this could form part of their review).*

The Executive noted that the risks associated with cleanliness of the environment would be scaled downwards.

RESOLVED that

- (1) the Corporate Risk Register be noted; and
- (2) a further report be submitted to the Executive on 13 February, 2006.

(The Portfolio Holder for this item was Councillor Crowther)

568. WARWICK DISTRICT COUNCIL'S INVOLVEMENT IN SOUTH HOUSING MARKET AREA CO-ORDINATION GROUP

The Executive considered a report from Housing Strategy on Warwick District Council's involvement in South Housing Market Area Co-ordination Group.

The South Housing Market Area (SHMA) had only recently been defined. It had been formed in response to the development of the Regional Housing Strategy for the West Midlands. The bulk of resources had been allocated on a regional basis and were directed towards the areas of housing market failure. However, recent working by members of the SHMA, had resulted in the recognition of the need of the rural southern end of the Region, with its particular problem of affordability. By formalising the arrangements it was anticipated the group and case could be strengthened. The draft constitution was detailed in appendix A to the report.

The Executive Overview and Scrutiny Committee supported the recommendations in the report and would like further information about affordable housing in the District.

RESOLVED that

- (1) participation in the South Housing Market Area Co-ordination Group (SHMACG), be approved, subject to the Strategic Director (Corporate Resources) in consultation with the Portfolio Holder being satisfied that the officer/member policy links are further developed to their satisfaction; and
- (2) the draft constitution for the SHMACG as detailed in Appendix A to the report, subject to (1) above, be approved.

(The Portfolio Holder for this item was Councillor Boad)

EXECUTIVE MINUTES (Continued)

569. ALLOCATIONS POLICY AND CHOICE BASED LETTINGS

The Executive considered a report from Strategic Director (Corporate Resources) on the allocations policy and choice based lettings.

HomeChoice was the new way of matching those registered for Council housing, housing association properties and low cost home ownership with suitable available properties. The scheme would be administered by the District Council, working in partnership with all the local housing associations. The Council would also continue to maintain the Common Housing Register of people who needed housing and wanted to live in the Warwick District Council area. Under HomeChoice, applicants on the Register would now have to bid for properties; this would mean people were really interested in the properties they bid for making the allocation process more efficient by reducing the number of refusals of housing offered.

The Council agreed to introduce HomeChoice and with it a revised Allocations Policy in October 2002. A comparison of the old and the agreed revised policy was detailed in appendix A to the report.

It had taken some time to introduce the new way of working because it required a new IT platform, provided through the integrated modular Housing IT system currently being implemented. However, the Lettings element of this system had been delayed as it required significant customisation to ensure it delivered the requirements of the Council's homelessness responsibilities in addition to the new choice based lettings system.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that

- (1) the revised Allocations Policy as detailed in Appendix C to the report, be approved, subject to a minor alteration; and
- (2) the Cultural and Social Policy Committee be asked to review HomeChoice, after 6 months of its operation.

(The Portfolio Holder for this item was Councillor Boad)

570. FUTURE PROCUREMENT OF RESPONSIVE REPAIRS TO COUNCIL OWNED DWELLINGS

The Executive considered a report from the Head of Housing Services on the future procurement of responsive repairs to Council owned dwellings.

Responsive repairs to the Council's housing stock and associated areas were currently procured from a range of local contractors. Most repairs were ordered through a 'Schedule of Rates' (SOR) which listed a specification for each type of repair. Contractors were invited to submit a price for each separate SOR item.

EXECUTIVE MINUTES (Continued)

When a repair was to be ordered staff would select the contractor offering to undertake the required SORs at the lowest cost.

However, there were certain difficulties with the current system. There was no contractual relationship with any of the current contractors and they were free to accept or refuse work as they wished. This meant the Council were often unable to select the lowest priced contractor and significant levels of staff time were needed to allocate repairs as an indication that the contractor would accept a job was required before an order could be raised. The lack of contractual relationships hindered effective contractor management with consequent poor contractor performance on meeting repair response times and sometimes on quality of work. It was also difficult to manage repair costs as many contractors, who appeared to be the lowest priced for any given SOR, actually submitted high levels of 'variation orders', where the price charged for the work varies from the order price, for example where additional SORs had been claimed. The range of contractors used meant it was unrealistic for sufficient inspections to be made to determine if the overall level of price variations was justified or not.

To address these issues it was proposed that in future all SOR responsive repair work would be put out to tender to suitable local contractors. Tendering was already used for void repairs and responsive repairs undertaken out of office hours as well as for the routine maintenance of corporate property. By extending this approach to the remainder of day to day responsive repairs it was anticipated that significant performance, efficiency and cost benefits would be realised.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that

- (1) the principle of tendering responsive repair contracts for Council owned dwellings and associated areas, be approved; and
- (2) the Head of Housing Services be authorised to tender the work, and accept the best offer(s), for the revised procurement arrangements by April 2006.

(The Portfolio Holder for this item was Councillor Boad)

571. CAPITAL STRATEGY AND ASSET MANAGEMENT PLAN

The Executive considered a report from Strategic Director (Community Resources) on the Capital Strategy and Asset Management Plan.

The Capital Strategy and related projections showed that at the end of the current Corporate Strategy there were estimated to be nearly £6m of unused capital resources generated from General Fund Sources, and £7m from housing sources. Officers were to be encouraged to bring forward 'Invest to Save Schemes' which would use capital to make ongoing revenue savings and so relieve the revenue budget.

EXECUTIVE MINUTES (Continued)

The current E.Government programme was scheduled to be nearing completion in the next two years. If further expenditure was required on E.Government schemes and system replacements, then financing would need to be agreed. If borrowing were to be used to support the expenditure then each £100,000 would require approximately £9,000 of borrowing charges in a full year equivalent to approximately £0.18 on the Council Tax per annum. Any new requests for E.Government schemes would need to come forward as part of the Service Area Planning Process.

The Asset Management Plan identified the Council's Key Objectives in respect of utilising its resources to meet its aims and objectives and was now included the new Community Plan.

Both the Audit and Resources and the Executive Overview and Scrutiny Committees supported the recommendations in the report.

RESOLVED that Capital Strategy and Asset Management Plan be approved.

(The Portfolio Holder for this item was Councillor Crowther)

572. CONSULTATION RESPONSE ON DISTRICT COUNCIL CPA

The Executive considered a report from Policy and Performance on the consultation response on the District Council CPA.

In their consultation on Comprehensive Performance Assessment (CPA) for district councils, the Audit Commission had set out the guiding principles for future assessment of district councils and a series of 5 options on which they were asking for feedback. This consultation continued until 30 November 2005.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that

- (1) the comments as detailed in the appendix to the report as Warwick District Council's response to the Audit Commission consultation entitled "The Framework for Comprehensive Performance Assessment for district councils from 2006 – consultation document," be approved; and
- (2) the comments be sent to the Audit Commission before the deadline of 30 November.

(The Portfolio Holders for this item were Councillors Mrs Begg, Boad, Crowther, Gill, McFarland, Tamlin)

573. GENERAL REPORT

(A) GRANTS FOR RURAL INITIATIVE SCHEME

The Executive considered a report from Finance on an application from Leek Wootton Parish Council for a grant of £1,299.

Applications had to have regard to the criteria laid down in the current Guidance Notes which had been approved by the Executive on 15th September 2004. As the application from Leek Wootton concerned a scheme costing less than £5,000, it could under the current scheme, be considered at any time of the year.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that the request from Leek Wootton Parish Council for a grant of £1,299, under the Council's Rural Initiatives Scheme, be approved.

(The Portfolio Holder for this item was Councillor Mrs McFarland)

(B) OFFICE CLEANING

The Executive considered a report from Members' Services on the office cleaning contract.

The office cleaning contract for Riverside House, the Town Hall, Pageant House and Southbank Road offices had been awarded in 1998 for a five year period.

However, one of the conditions in the contract was that "At the sole option of the Council, which shall be exercised by the Contract Administrator, the Contract Period may be extended with agreement with the contractor."

The contract had been operating relatively satisfactorily with no major increases in costs other than annual cost of living and minimum wage adjustments and therefore the contract had been extended on an annual basis, in accordance with this clause.

An internal audit had recently been carried out into the cleaning contract and one of the findings was that the extension clause was out of step with the Council's Code of Contract Practice. Under this, if tenders were not sought for a contract, a report must be made to the Executive seeking approval for an extension.

It was intended to seek tenders with a view to a new contract commencing during 2006/07, and this clause would be reviewed in preparation for the new contract.

EXECUTIVE MINUTES (Continued)

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

RESOLVED that

- (1) the circumstances under which the office cleaning contract has been extended be noted; and
- (2) retrospective approval be given for the extension of the contract period.

(The Portfolio Holder for this item was Councillor Crowther)

(C) DELEGATED AUTHORITY - ASSISTED TRAVEL SCHEME

The Executive considered a report from Finance requesting delegated authority be given to the Strategic Director (Finance) to approve a revised assisted travel scheme.

The Transport Act 2000 required that revisions to concessionary fares schemes, effective from the following April, had to be approved by the preceding 1st December. A new scheme could not be finalised, however, until a countywide review of concessionary fares had been completed and, although this was imminent, it did not occur in time for this meeting and the next opportunity for Executive to approve a scheme was not until its December meeting – after the deadline of 1st December 2005.

The suggested way of dealing with this was to set up a working party with member representatives from all four political groups who would advise the Strategic Director (Finance) on the most appropriate action.

The Executive Overview and Scrutiny Committee supported the recommendations in the report and the four nominees for the Working Party be Councillors Ashford, Copping, Doody and Mrs Hodgetts.

RESOLVED that

- (1) authority be delegated to the Strategic Director (Finance) to approve a revised assisted travel scheme; and
- (2) the Political Groups nominate one member from each Group to serve on an Assisted Travel Scheme Working Party.

(The Portfolio Holder for this item was Councillor Mrs McFarland)

EXECUTIVE MINUTES (Continued)

(D) FUTURE AGREEMENT WITH THE ENVIRONMENT AGENCY TO UNDERTAKE THE MAINTENANCE OF RIVERS, FORMALLY KNOWN AS 'CRITICAL ORDINARY WATERCOURSES'

The Executive considered a report from Planning and Engineering on the future agreement with the Environment Agency to undertake the maintenance of rivers, formally known as 'critical ordinary watercourses.'

The Environment Agency were now responsible for all rivers presenting the greatest flood risk. The Agency had already carried responsibility for main rivers, but they would now become responsible in England and Wales for the 'Critical Ordinary Watercourses', previously the responsibility of Local Authorities (LA's). The change process for this would be through the enmainment of the Critical watercourses.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that

- (1) the Council enter into an agreement to act as an Agent to the Environment Agency to maintain the rivers within the District; and
- (2) minor alterations to the Engineering establishment to meet the technical and operating requirements of the Agency, as detailed in the report, be approved.

(The Portfolio Holder for this item was Councillor Mrs Begg)

(E) BEST VALUE REVIEW FOR OUTDOOR RECREATION

The Executive considered a report from Leisure and Amenities on the Best Value Review for outdoor recreation.

The Council had been given a 3 star award for its Best Value Review after a week long review by Government inspectors who had interviewed a number of councilors, officers, societies and members of the general public. The Council became one of only eight Local Authorities to score the top award possible, and the first and only one ever to have been awarded it for Outdoor Recreation.

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

EXECUTIVE MINUTES (Continued)

RESOLVED that

- (1) the progress made since the Outdoor Recreation Best Value report be noted; and
- (2) the actions now completed, be written off.

(The Portfolio Holder for this item was Councillor Gill)

(F) PROPOSED AMENDMENTS TO THE COUNCILS CONSTITUTION

The Executive considered a report from Strategic Director (Corporate Resources) and Assistant Chief Executive (Personnel).

The changes referred to in paragraphs 5.5. to 5.7 of the report, demonstrated good governance, and codified the current good practice for all to see. It would not be possible to achieve Use of Resources level 2 without the changes in paragraph 5.5 of the report, and it would not be possible to achieve level 3 in future years without the changes proposed in paragraph 5.7 of the report.

In paragraphs 5.8 to 5.10 of the report, the changes regarding the making of appointments reflected the procedure which was followed in practice and was therefore a tidying of the wording.

Both the Audit and Resources and the Executive Overview and Scrutiny Committees supported the recommendation in the report.

RECOMMENDED that the changes to the Constitution as detailed in paragraphs 5.5 to 5.10 of the report be approved.

(The Portfolio Holder for this item was Councillor Crowther)

574. MINUTES OF THE OVERVIEW AND SCRUTINY AND POLICY COMMITTEES

RESOLVED that the minutes of the Executive and Audit & Resources Overview and Scrutiny Committees held on 6 September 2005 and the Environment & Economic and Social & Culture Policy Committees held on 7 September 2005 be noted.

575. PUBLIC AND PRESS

RESOLVED that that under Section 100A of the Local Government Act 1972 the public and press be excluded from the meeting for the following items by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972 as set out below:

EXECUTIVE MINUTES (Continued)

Item Nos.	Para Nos.	Reason
576	9	Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services. [for so long as disclosure would prejudice the Council in consultations or negotiations]
577	1	Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under, the authority. [but the information must relate to the person in the capacity of the description given]

576. NEWBOLD COMYN GOLF

The Executive considered a report from Leisure and Amenities on the Newbold Comyn Golf Course.

Glendale had decided not to proceed with the original offer for the reasons outlined in the report and there were now a number of options available to the Executive. It was intended that the Golf Working Party would consider all these options before recommending the best options to the Executive.

Both the Audit and Resources and the Executive Overview and Scrutiny Committees supported the recommendations in the report.

RESOLVED that

- (1) it be noted that it has not been possible to proceed with the proposed extension to the grounds maintenance contract with Glendale;
- (2) the Executive will decide on the appropriate future arrangement or alternative for the course (in due course) after receiving the recommendations of the Golf Working Party;
- (3) it be noted that on 4 October, the Working Party considered that the best short term option is to extend the current arrangements with Glendale until the end of March 2006; and
- (4) after advertising for expressions of interest, the Golf Working Party be authorised to go through a short list \ interview process with a view to making a formal recommendation to the Executive on February 13th 2006

(The Portfolio Holder for this item was Councillor Gill)

EXECUTIVE MINUTES (Continued)

577. REGENESIS FORWARD STRATEGY AND ACTION PLAN

The Executive considered a report from Strategic Director (Customer Information and Advice) & Deputy Chief Executive on the Regenesi Forward Strategy and Action Plan

The Executive agreed the Forward Strategy for Regenesi (the SRB5 scheme for Leamington Old Town) at its meeting in July 2005 and requested that a detailed Action Plan be provided. The action plan was detailed in appendix 1 to the report.

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

RESOLVED that the Regenesi action plan, be approved.

(The Portfolio Holder for this item was Councillor Tamlin)

(The meeting ended at 7.25 pm)