

FINANCE AND MANAGEMENT COMMITTEE

29th November 2007

PRESENT:-

Conservative Group

Councillor Harrison (Chairman), Councillor Wheeler (Vice-Chairman) and Councillors Bladen, Mrs. Coyle, Ford, Lemmon (substitute for Councillor Grant), Mrs. Plenderleith and Mrs. Wheeler.

Labour Group

Councillors Mrs. Lane, Pabla, Richards, Tilley (substitute for Councillor Taylor) and Wilkins.

In Attendance

Councillors Atkin and Jones (Conservative Group) and Councillor Southerd (Labour Group).

APOLOGIES

Apologies for absence from the Meeting were received from Councillor Grant (Conservative Group) and Councillor Taylor (Labour Group).

FM/80. MINUTES

The Open Minutes of the Meeting held 18th October 2007 were taken as read, approved as a true record and signed by the Chairman.

FM/81. DECLARATIONS OF INTEREST

On behalf of all Members of the Committee, the Chairman recorded personal interests in respect of the report of the Independent Remuneration Panel, in accordance with Clause 10(2)(c)(iv) of the Members' Code of Conduct, as this matter related to a function of the Authority in respect of an allowance, payment or indemnity for Members.

MATTERS DELEGATED TO COMMITTEE

FM/82. PERFORMANCE MANAGEMENT REPORT (APRIL – SEPTEMBER 2007)

A report was submitted detailing achievements to date and current performance levels for the 6 months ending 30th September 2007 in relation to this Committee's contribution to the:-

- Corporate Plan
- Improvement Plan
- Community Strategy Action Plan
- National Best Value Performance Indicators and
- Service Level Targets

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The report also provided an opportunity for Members to note achievements and performance levels to date, and also to review those areas that were either not "on track or at risk of failure".

The report detailed key achievements in the Corporate Plan under the following themes:-

- Theme 1 - Safer and Healthier Communities
- Theme 2 - You at the Centre
- Theme 3 - Higher Quality Services
- Theme 4 - Prosperity for All
- Theme 5 - Rural South Derbyshire
- Theme 6 - Stronger in the Region

Appended to the report were details of all performance targets relevant to this Committee, grouped by Head of Service, for the following areas:-

- Finance and Property Services
- IT and Customer Services
- Revenues
- Legal and Democratic Services
- Human Resources
- Policy

The next section of the report looked in detail at the Corporate Plan. A series of tables was included, showing projected performance against targets and those targets “at risk” of failure. Similar reports were also provided for the Improvement Plan, the Community Strategy Action Plan and with regard to Best Value Performance Indicators. The report concluded with details of service level targets.

RESOLVED:-

(1) That the Committee notes the key achievements and continuously improving performance within its areas of responsibility.

(2) That the Committee notes where performance is not on track and agrees the proposed remedial measures in those cases.

FM/83. REVIEW OF MEMBERS' ALLOWANCES – REPORT OF THE INDEPENDENT REMUNERATION PANEL

Further to Minute No. CL/78, the Committee gave consideration to the report of the Independent Remuneration Panel (IRP), which had been referred by the Council at its Meeting on 8th November 2007. The Panel report had been circulated and on page 4 it set out a summary of recommendations in terms of the allowances payable. The proposals included for the payment of a telephone allowance, together with a special responsibility allowance for the Chairman of the Licensing and Appeals Committee. The total costs of the proposals, in the sum of £301,300 was compared to the current base budget and resulted in an overall saving of £7,600. In addition, there was already a base budget of £3,200 for the Dependent Carers Allowance. Therefore, if this allowance was adopted, then the budget would be used to meet any costs that might arise.

In presenting the report, the Chief Executive reminded Members that this Committee should look at the financial aspects of the IRP report and final determination of this matter would take place at the next Council Meeting.

Councillor Richards commented initially on those issues raised at the previous Council Meeting. He referred to the figures used in the IRP report and subsequent information received. He spoke about the discount applied for voluntary work and through using examples, showed that many Members did far more voluntary work than had been taken into account. Levels of remuneration should be fit for service and he noted that some Members did not receive paid leave from their employers for Council duties. He commented that the IRP data did not show the previous 2.9% increase and referred to the difference in wage levels between men and women, which had been reflected in the calculations. Councillor Richards used different models to show the potential level of basic allowance which could be provided. He then asked the Committee to consider the withdrawal of the report recommendation which would prevent Members joining the Local Government Pension Scheme (LGPS). He considered that for the purposes of legislation, elected Members were “workers” and as such had the right to join the LGPS. If the proposals were approved, there was the potential for a challenge to an employment tribunal. He quoted from employment guidance and documentation to substantiate this point. He suggested that the matter be deferred to enable further research.

The Chairman responded to the points raised by Councillor Richards. He expressed a view about approving levels of remuneration above those proposed. He recognised the excellent voluntary work undertaken by all Members and the level of discount applied by the Panel. He agreed with Councillor Richards’ points regarding attracting people to seek election from all groups within society. However, he balanced this with the financial implications and Councillors should not consider their role as an employment, but more as contributing to their community. He responded to the points raised regarding eligibility to join the LGPS and the Chief Executive would investigate the legal implications associated with this. In the meantime, it was felt that the potential cost of up to £50,000, if all Members chose to participate in the LGPS, was unaffordable.

Councillor Richards clarified that the decisions reached in 2003 by the previous controlling group, made specific reference to levels of affordability and he questioned where this was reflected in the report submitted. Councillor Wilkins spoke of the historical loss of earnings approach that was subsequently replaced by attendance allowances and then the current arrangements. There was an impact for Members in terms of lost salaries and associated pension contributions. Councillor Ford spoke about the recent adverse publicity associated with financial issues and national government.

With the approval of the Chairman, Councillor Southerd also spoke to this item and he sought clarification of how telephone allowance payments would be made. The Director of Corporate Services provided further information. The Chairman gave supplementary information regarding Inland Revenue dispensations and the potential liability for taxation. Councillor Southerd felt that residents might be surprised at the relatively low level of remuneration that Councillors received. He reiterated the amount of voluntary work undertaken and compared the role of a Member, in taking executive decisions, to the duties of other employments. He felt that Members were undervaluing themselves.

The Leader of the Council commented on the role of Members and this was not an employment or a long-term career. The Government required the use of Independent Remuneration Panels and the same Panel had been used for the two previous reviews. She did not feel the Council could afford to meet

the costs of allowing Members to join the LGPS. Councillor Richards asked Officers to look at the legal issues raised with regard to Members joining the LGPS and the Chief Executive requested information from Councillor Richards, to assist in this research. Councillor Richards also questioned the calculation of costs associated with Members joining the LGPS.

RESOLVED:-

(1) That the Committee receives the report of the Independent Remuneration Panel (IRP) and recommends to Council the adoption of the Scheme of Members' Allowances submitted, subject to recommendations (2) and (3) below.

(2) That the Council be recommended to appoint a permanent Chairman of the Licensing and Appeals Committee and its associated Sub-Committees, to approve the consequential amendments to its Constitution and that this position receives a Special Responsibility Allowance equal to Band 4 in the report of the IRP.

(3) That on this occasion, the Council does not take up the option to enable its Members to join the Local Government Pension Scheme.

FM/84. COMMUNICATIONS STRATEGY

The Committee's approval was sought to a draft Communication Strategy and its related Action Plan. The documents were appended to the report submitted and Members were reminded of the purpose of a Communications Strategy. It was intended to compliment a number of existing strategies that were detailed in the report.

Good communication was essential to fulfil the Council's duty to engage effectively with local residents, businesses, visitors, stakeholders and its staff. Communication needed to be a two-way process, with the Council enabling its audiences to express their views and opinions as well as providing information. It was believed that these groups should be consulted and informed regularly, so they could influence the quality and nature of services available. The draft Communications Strategy proposed general principles to carry out effective, inclusive communication and set out the various channels in which this would be developed further to support the Council's core values.

A Member expressed disappointment that there appeared nothing imaginative within the Strategy. The Leader of the Council referred to plans for electronic communication, the plans for annual reports on a number of service areas and the desire to build a rapport with the business sector.

RESOLVED:-

That the Committee approves the Communications Strategy and related Action Plan, a copy of which is incorporated in the Signed Minute Book at Annexe SMB1.

FM/85. BUDGET AND FINANCIAL MONITORING 2007/08

A comprehensive monitoring report was submitted on the Council's financial position at September 2007. Initially, the report focused on the General Fund Revenue Account, providing an analysis of expenditure by main service area, comparing the approved budget for 2007/08 to projected variances at August and September 2007. Approved changes to the budget were provided for information and the major variances were analysed for the following areas:-

- Environmental Services
- Management, Finance and Property
- Housing and Public Building Maintenance
- Human Resources
- Customer Services, Central Expenses and IT
- Legal and Democratic Services
- Leisure and Community Services
- Planning Services
- Income from Development Control
- Major Sites Appeal Inquiry
- Revenue Services
- Concessionary Travel
- Insurance Premiums
- Pay Award

Consideration was given to the Housing Revenue Account and a further table provided an analysis of expenditure by main service area, again comparing the approved budget for 2007/08 to projected variances at August and September 2007. Similar information was provided for Capital Expenditure and Financing. Under this heading, particular reference was made to Capital Receipts from council house sales and the actual receipts to date. Finally, the report updated on the Council's cash flow position in terms of borrowing and short-term investments/bank deposits.

Councillor Southerd sought further information on the variances relating to income from Development Control. The projected shortfall of £130,000 was due to the type, rather than volume of applications being submitted. The impact of the Local Plan Inquiry was explained and it was anticipated that there would be a number of significant planning applications relating to reserved matters, later in the year.

RESOLVED:-

- (1) That the latest budget and financial monitoring figures for 2007/08 be approved.***
- (2) That remedial action is undertaken to contain the projected overspends within the base budget and that this be reported back in the next monitoring report.***

FM/86. ASSET MANAGEMENT PLAN

An update was provided on the Council's Asset Management Plan (AMP) and the Committee was asked to consider and review its arrangements for managing the Council's assets, prior to the 2008/09 budget round.

The AMP set out the Council's property related requirements for its non-housing portfolio. It acted as a current status and progress report on how current arrangements could be strengthened where necessary, to improve

performance. There was a clear signal from Government that it wished to see Councils' arrangements improved and that asset management contributed to the new Value for Money agenda announced in the Comprehensive Spending Review.

Asset management was currently reviewed by the Audit Commission and the Government was presently consulting on increasing this assessment from 2009. The AMP reflected these proposals. In particular, the associated work plan highlighted the need to assess more formally the suitability of assets and how they could be made more efficient. This included a focus on disposing or replacing inefficient assets.

The report looked at the Council's Portfolio and currently, there was a mixture of operational assets and non-operational or investment assets. The overall property portfolio was vast, with some 143 properties. In addition, the Council owned 370 acres of parks and open spaces and 21 acres of land awaiting development.

Subsequent sections of the report looked at recent and current performance, resourcing property services and property records. Information was provided on the disposal of assets deemed surplus to requirements, planned maintenance, the current backlog of maintenance and the proposed work plan.

The Chairman commented on the improved assessment of this service and asked Officers to record Members' thanks to the staff involved for this achievement and to wish them well for the next assessment.

RESOLVED:-

(1) That the Council's Asset Management Plan for 2007/10 be approved.

(2) That the Plan is reviewed and updated as necessary and at least on a yearly basis.

FM/87. EQUALITY STANDARD FOR LOCAL GOVERNMENT

It was reported that the Equality Standard for Local Government was established in 2001, through a partnership between a number of organisations and agencies. There was a major review of the Standard in 2006, with a revised Standard being issued in May 2007. It had been extended to include all six equality strands: Age, Disability, Gender, Race, Religion & Belief and Sexual Orientation.

The Committee was reminded that South Derbyshire achieved Level 1 under the 2001 Standard. In order to maintain this level, the Council had to modify some of its policies and practices and details were set out within the report. The Council was committed to achieving Level 2 of the Standard by March 2008 and to do this there were a number of further measures, that were also set out within the report. An outline timetable was submitted for the achievement of Level 2 of the Equality Standard.

RESOLVED:-

(1) That in order to maintain Level 1 under the Revised Equality Standard, the Council makes the commitments detailed within the report.

(2) That the Committee approves the timetable and proposed actions contained within the report to achieve Level 2 of the Equality Standard by March 2008.

FM/88. COMPLAINTS AND FREEDOM OF INFORMATION REQUESTS – 1ST APRIL TO 30TH SEPTEMBER 2007

A report was submitted for the Committee's information, to give a summary of official comments, compliments and complaints together with Freedom of Information (FOI) requests received by the Council for the period 1st April to 30th September 2007. Comparative figures were provided for the preceding six months.

In summary, two comments, eight compliments and eighteen complaints were received for the period in question. A total of 34 FOI requests were submitted during the period. A number of tables were included within the report to provide a breakdown by Division or where appropriate, the stage at which complaints had been resolved and the speed in which FOI requests had been dealt with.

Councillor Wilkins referred to vexatious requests and Officers confirmed there was a procedure in place to deal with such requests.

RESOLVED:-

That the Committee notes the content of the report.

FM/89. GET SOUTH DERBYSHIRE PLAYING

Further to Minute No. HCS/48 of 22nd November 2007, the Committee's approval was sought to the appointment of a Play Officer, on a part-time basis. This was to deliver the "Get South Derbyshire Playing" portfolio, which was being funded by the "Big Lottery". This matter had been considered by the Housing and Community Services Committee and a copy of its report was provided as background. The personnel implications were presented for this Committee's consideration and a copy of the proposed Job Description and Person Specification were also provided. In terms of grade, the post had been evaluated under the Temporary Regrading Procedure at Scale 6 and it would also be subject to the Council-wide review of pay and grading.

Members spoke about the funding secured and recorded their praise to the staff involved, particularly with regard to the successful "Big Lottery" bid.

RESOLVED:-

That the Committee approves the appointment of a part-time Play Officer for 22 hours per week on a three-year fixed term contract at Salary Scale 6, the grade being subject to formal assessment under the Council's temporary re-grading procedure and then included in the Council's Pay and Grading Review.

FM/90. GET SOUTH DERBYSHIRE ACTIVE

Further to Minute No. HCS/49 of 22nd November 2007, the Committee's approval was sought to the appointment of an additional Community Sports Coach and a Club Development Officer, to deliver the Sport England funded "Get South Derbyshire Active" project.

This matter had been considered by the Housing and Community Services Committee and a copy of its report was provided as background. The personnel implications were reported together with a copy of the proposed Job Descriptions and Person Specifications. Information was provided on the proposed grades for each post, which had been evaluated using the Temporary Re-grading Procedure. It was noted that both posts would be subject to the Council-wide Pay and Grading Review.

Members commented that between this and the preceding item, the Council had secured nearly £¼ million in grant funding and they recorded their congratulations to the Officers involved. It was noted that this was the largest ever award made through the “Big Lottery”. The Chief Executive added that a presentation on the work of this section had been well received at the recent Parish Liaison Meeting and he spoke of the enthusiasm of the Officers involved.

RESOLVED:-

- (1) That the Council appoints an additional Community Sports Coach and a new post of Club Development Officer, both on a fixed-term 3 year contract.***
- (2) That the grades of the post be subject to formal assessment under the Temporary Re-grading Procedure and then included in the Council’s Pay and Grading Review.***
- (3) That for the purpose of this report the Grade be set at Scale 5, in line with the current post of Community Sports Coach.***

FM/91. LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 18th October 2007 were duly received and approved.

CORPORATE PRINTING REQUIREMENT REVIEW – CONSULTATION FEEDBACK (Paragraph 4)

The Committee approved a revised organisational structure for Procurement and the Print Room.

RE-STRUCTURE OF CORPORATE SERVICES DIRECTORATE (Paragraph 4)

The Committee approved proposals for a review of the organisational structure of the Corporate Services Directorate.

LAND AT CHURCH GRESLEY (Paragraph 3)

The Committee approved terms for the disposal of an area of Council-owned land between York Road and Wood Street, Church Gresley.

CHANGE IN LINE MANAGEMENT FOR SHELTERED HOUSING CLEANERS (Paragraph 1)

The Committee approved in principle an amended staffing structure for Housing Services, subject to a period of consultation.

PLANNING SERVICE RE-ENGINEERING – SERVICE STRUCTURE REVIEW (Paragraph 1)

The Committee approved in principle proposals for the restructuring of this Division, subject to a period of consultation.

FORMATION OF A PARTNERSHIP FOR THE DELIVERY OF THE COUNCIL'S BUILDING CONTROL SERVICE (Paragraph 3)

The Committee authorised a supplementary estimate, to contribute towards the development of a joint Building Control Service.

J. HARRISON

CHAIRMAN