

FINANCE AND MANAGEMENT COMMITTEE

4th December 2008

PRESENT:-

Conservative Group

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

Labour Group

Councillors Pabla, Richards, Southerd, Taylor and Wilkins.

In attendance

Councillors Atkin, Mrs. Farrington and Jones (Conservative Group).

APOLOGY

An apology for absence from the Meeting was received from Councillor Bladen (Conservative Group).

FM/64. **MINUTES**

The Open Minutes of the Meeting held on 23rd October 2008 were taken as read, approved as a true record and signed by the Chairman.

FM/65. **DECLARATION OF INTEREST**

Councillor Lemmon declared a prejudicial interest in respect of the item on Council Tax discount changes.

FM/66. **MEMBERS' QUESTIONS**

The Chairman advised of the need to consider an urgent item during the Meeting. This related to the procurement arrangements for the second phase of implementation of the Swadlincote Town Centre Masterplan. Decisions on funding applications were expected within a month and in order to meet the required time scales, the design work needed to be commenced as soon as possible. Any delay would cause programming difficulties. With Members' approval, the Chairman agreed to consider this item during the Exempt part of the Meeting.

MATTERS DELEGATED TO COMMITTEE

FM/67. **HOUSING RELATED SUPPORT FUNDED BY THE SUPPORTING PEOPLE PROGRAMME**

Under Minute No. HCS/43 of 27th November 2008, the Housing and Community Services Committee considered this matter. A report had also been submitted to the Finance and Management Committee for consideration of the financial aspects. The report submitted explained the background of

supporting and changes to the commissioning arrangements. It included a table showing the delivery organisations and the nature of client groups receiving support. The report also outlined the funding aspects, the current annual budget for Supporting People across Derbyshire and expenditure during the last financial year, in delivering services in South Derbyshire.

The County Supporting People Team was releasing additional funding to support existing and new project costs and for each district area this equated to £125,000 of “one off” funding. Districts had been asked to supply proposals of how the additional resources would be committed and a further table provided information on the proposed projects. There was discussion on a particular project and advice was tendered on how the remit of this project might be extended, together with how support was provided for victims of alcohol and drug related abuse.

RESOLVED:-

- (1) That authority be delegated to the Head of Housing, or nominated deputy, for the decision-making powers as a member of the County-wide Core Strategy and Commissioning Body for Supporting People in Derbyshire and to stipulate that prior to attending such meetings, the attending Officer will consult with the Chairman of the Housing and Community Services Committee or his nominated deputy on the agenda items.***
- (2) That the Committee approves the proposals for additional projects to be funded by a grant of £125,000 from the County Supporting People Team.***
- (3) That it be noted that this matter has also been considered by the Housing and Community Services Committee at its Meeting on 27th November 2008.***

FM/68. **ASSET MANAGEMENT PLAN 2008 TO 2011**

It was reported that the Asset Management Plan (AMP) set out the Council’s property-related requirements and the way in which it intended to manage its non-housing related property portfolio. It was the framework that detailed the principles and practices on which the Council dealt with asset management. This policy statement also acted as a status and progress report on current arrangements and where necessary, how these were to be strengthened to improve performance. Sections of the report gave information on the national position, the use of resources assessment and the Council’s portfolio. It included recent and current performance, the staffing resources for Property Services and recognised the importance of good quality up-to-date property records. Other sections of the report looked at the disposal of assets deemed surplus to requirements, planned and backlog maintenance, including a proposed work plan. Energy performance information, benchmarks and certificates were also reported.

A Member commented on the appended work plan document and the need for consistency in applying the principles of option appraisal on investment and disposal decisions.

RESOLVED:-

- (1) That the Council's Asset Management Plan for 2008-2011 is approved.**
- (2) That the Plan is reviewed and updated as necessary, at least on a yearly basis.**

FM/69. **RISK MANAGEMENT – CORPORATE REVIEW AND MONITORING UPDATE**

A report was submitted to provide an update on risk management. It was designed to assist the Council in its day-to-day business by identifying and minimising key risks, in accordance with the Risk Management Policy Statement. The report provided a half-yearly consolidated review across the Council, showing how significant operational and corporate issues were being managed. Background was provided that risk management was a key component of the Corporate Governance Framework. It was subject to regular review and assessment. The report included a risk map, which showed the likelihood and impact of the various risks identified. Overall, there were 58 key risk areas, which were shown in detail in an appendix to the report. The main changes over the last six month period were reported and there were fewer risks in the higher-medium category. Particular reference was made to disabled facility grants. The report then reviewed those higher risks, which could have a significant impact on the Council. These comprised business continuity, public events and flooding.

RESOLVED:-

That the updated risk register and associated analysis is noted.

FM/70. **BUDGET AND FINANCIAL MONITORING 2008/09**

The latest budget and financial monitoring report was presented for the Committee's consideration. Initially, this focused on the General Fund Revenue Account and a summary was given from the previous monitoring reports. It included a table to provide an update on the agreed actions. A subsequent table reported an analysis of expenditure by main service area and details were provided of the major variances for the following service areas:-

- Environmental Services
- Management, Finance and Property
- Housing and Public Buildings
- Legal and Democratic Services
- Leisure and Community Services
- Planning Services
- Customer Services (including Revenues and Benefits)

Updates were also provided with regard to Concessionary Travel and the Housing Benefit Subsidy, together with the respective impacts on the Council's financial position. Overall, there was a projected overspend on the General Fund of £408,760. This was a worsening position compared to the previous report in October. It was due mainly to the reduction in interest from short-term investments, reductions in income from Building Regulations, Land Charges, together with the additional cost of planning

inquiries. Whilst the Council's reserves could sustain this for a period, the longer-term position could come under severe pressure.

The next section of the report focused on the Housing Revenue Account (HRA). A table was submitted to provide an analysis of expenditure by main service area. This showed that the net surplus on the HRA was projected to be approximately £115,000 higher than estimated, but Members were reminded of the expenditure approved at the previous Meeting on a stock condition survey and the Stock Options Review. Next, the report looked at Value for Money efficiency savings.

Capital Expenditure and financing were reported and a further table analysed spending by main service or project area. The programme had recently been updated to reflect additional contributions for Disabled Facility Grants and the Get Active in the Forest project at Rosliston. Updates were then provided on specific capital projects. Capital receipts from Council house sales and a treasury management analysis of the Council's borrowing and short-term investments/bank deposits were also reported.

There was a discussion about the economic climate and the impact of reducing interest rates for the Council. A related question was submitted about the pension fund and it was confirmed that Derbyshire County Council planned to undertake a mid-term review during 2009.

RESOLVED:-

- (1) That the latest budget and financial monitoring figures for 2008/09 are approved.***
- (2) That the ongoing remedial actions to contain the projected overspend within the base budget continue and that this is reported back in the next monitoring report.***

FM/71. **PERFORMANCE MANAGEMENT REPORT (1ST APRIL TO 30TH SEPTEMBER 2008)**

A report was submitted to detail performance levels and achievements for the quarter ending 30th September 2008, in relation to this Committee's contribution to the four key strands of the Council's Performance Management Framework. The report looked at the key achievements made during the second quarter, relating to the Corporate Plan, together with performance to 30th September 2008. Information was provided on the National Indicator set of performance indicators and local performance indicators. A series of tables was included in the report showing performance against targets, those targets "at risk" and those recorded as a "probable failure". Finally, the report looked at service level key tasks, again with a table of targets at risk and those likely to fail.

In receiving the report, a Member referred to the appended Health and Safety information and particularly the higher level of non-RIDDOR accident statistics for certain periods. An explanation was provided of the likely causes. It was questioned whether this information could be categorised by the type of accident and was noted that a full breakdown of statistics was provided to the Officer Health and Safety Group. It was agreed that such information would also be circulated to all Members. In response to a related

question about the electrical testing of Members' portable equipment, the Officer agreed to pursue this and to respond to Members. Clarification was then provided on the performance reporting schedule, where periodic data was not available.

RESOLVED:-

- (1) That the Committee notes the key achievements and performance for the quarter ending 30th September 2008.**
- (2) That where performance has failed to achieve the specified target, the Committee accepts the adequacy of the responses submitted.**
- (3) That the Committee receives an annual overview of the number of accidents, as part of the Council's Health and Safety performance management framework.**

FM/72. **SAFEGUARDING CHILDREN AND VULNERABLE PEOPLE POLICY**

A report was submitted to explain the Council's statutory responsibilities under the Children Act 2004. The Committee's approval was sought to adopt a Safeguarding Children and Vulnerable People Policy and related action plan. The Council provided services and worked with children and vulnerable adults in a variety of settings. The 2004 Act placed new obligations on local authorities, including a duty "to make arrangements to ensure that in discharging their functions they had regard to the need to safeguard and promote the welfare of children". The Council also had the responsibility to work with partners, to ensure that vulnerable adults received protection and support.

Further sections of the report looked at the responsibilities under the legislation, the policy, definitions contained within it and the lead agencies involved. The detailed policy was appended to the report for Members' consideration.

This was a topical subject presently and Members wished to be kept informed of further information, as it was received. It was noted that a conference would be held in 2009, involving various agencies to discuss this and related issues. There was a need to ensure that front line staff were trained, so that they could handle potential cases with sensitivity, whilst asking appropriate questions.

RESOLVED:-

That the Safeguarding Children and Vulnerable People Policy and Action Plan be adopted and published.

FM/73. **COUNCIL TAX DISCOUNT CHANGES**

Note: At 6.35 p.m. Councillors Lemmon and Pabla left the Meeting.

The Committee was asked to consider the implementation of discretionary Council Tax powers, introduced by the Local Government Act 2003. The Act and subsequent regulations gave councils discretion to reduce the national

discount currently applied to a number of classes of dwellings. The report detailed the reasoning behind reducing levels of discount for second homes, to encourage local occupation by local people. Discounts relating to properties occupied as a condition of employment and those relating to long-term empty properties were also reported.

Under the financial implications, details were provided of the number of properties falling under each of the three categories and the potential additional income that would be generated in each case, together with how this would be distributed. Derbyshire County Council would be the major beneficiary, unless an agreement could be reached whereby the District Council retained a larger share of the income generated. The report concluded with the corporate and community implications. With regard to negotiating with Derbyshire County Council, a Member referred to successful agreements reached elsewhere and explained how those resources had been used.

RESOLVED:-

- (1) That the discount for second homes be reduced to 10% from 1st April 2009.***
- (2) That the current 50% discount in respect of long-term empty homes be removed from 1st April 2009.***
- (3) That an agreement be reached with Derbyshire County Council for the retention by South Derbyshire District Council of an increased share of the additional income generated.***

FM/74. **CORPORATE DEBT MANAGEMENT POLICY**

Note: At 6.40 p.m. Councillor Lemmon rejoined the Meeting.

The Committee was asked to consider the adoption of a Corporate Debt Management Policy for the collection and enforcement of Council Tax and Business Rates, benefit overpayments and sundry debtors. A copy of the draft policy had been circulated for the Committee's consideration. Members were reminded of the creation of a specialist recovery team for this area of Council activity. It was proposed to underpin the work of the team with formal guidelines, to provide a framework for service delivery. Whilst the policy would direct the general scope of activity and responsibility, this service area was reliant heavily on knowledge of the individual circumstances of each case. The policy would therefore be used in a flexible, rather than a prescriptive manner. The report demonstrated the benefits of effective and faster debt collection processes.

RESOLVED:-

That the Council adopts the Corporate Debt Management Policy with immediate effect.

FM/75. **FREEDOM OF INFORMATION ACT 2000 PUBLICATION SCHEME**

It was reported that the Freedom of Information Act required each local authority to have a publication scheme. Authorities were required to make

certain kinds of information available to the public easily and routinely. The Council's current publication scheme would expire at the end of December 2008 and there was a requirement to adopt a new publication scheme. The Information Commissioner's Office (ICO) had produced a model publication scheme, details of which were reported. Sector specific manuals had also been produced by the ICO and these had been used for the proposed Council publication scheme, a copy of which was appended to the report. The document would need to be kept up to date on a regular basis and the proposals for periodic review were also reported. A Member highlighted a minor amendment required to the document.

RESOLVED:-

- (1) That the Committee approves the Freedom of Information Publication Scheme, as submitted.***
- (2) That the Committee delegates responsibility to the Freedom of Information Officer (Head of IT and Business Improvement) to ensure that the Publication Scheme is kept up to date.***

FM/76. **SOUTH DERBYSHIRE ARTS PROJECT**

Further to Minute No. HCS/18 of the Housing and Community Services Committee held on 2nd September 2008, a report was submitted to seek approval for the appointment of an Arts Officer, to deliver the Lottery funded South Derbyshire Arts Project. A copy of the earlier report was appended to provide background and it included the Job Description and Person Specification for this post.

A further aspect of the project had been the development of the "Glade in the Forest" performance arena. The report outlined the successful grant application, the revenue funding secured and the staffing implications.

The Arts Officer contract was on a fixed-term basis for a minimum of 2 years, linked directly to the funding secured. The employment implications associated with fixed term contracts were also reported. The grade of this post would be evaluated under the Temporary Grading Procedure, but had currently been set at an indicative level of Scale 6. There was a consequential amendment to the post of Performance and Marketing Officer, associated with the development of the Glade in the Forest Arena. Members were reminded that both posts would be subject to the Council's pay and grading review.

RESOLVED:-

- (1) That the Committee approves the appointment of a new post of part-time Arts Officer, on a minimum fixed-term two year contract, the grade of the post being subject to formal assessment under the Council's temporary grading procedure and the Pay and Grading Review, but for the purpose of this report the indicative grade is Scale 6.***

- (2) *That the Committee notes the change in duties of the Performance and Marketing Officer post, in taking on responsibility for the management, marketing and programming of the “Glade in the Forest” performance arena.*

FM/77. **WORK PROGRAMME**

Further to Minute No. FM/57 of 23rd October 2008, the Committee received an update on its Work Programme for the remainder of the municipal year.

RESOLVED:-

That the Committee receives the updated Work Programme.

FM/78. **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 23rd October 2008 were received.

LAND AT REPTON (Paragraph 3)

The Committee approved terms for the disposal of an area of land at Main Street, Repton.

LOCAL AREA NETWORK INFRASTRUCTURE UPGRADE (Paragraph 3)

The Committee awarded a contract for a necessary Local Area Network Infrastructure upgrade.

SWADLINCOTE TOWN CENTRE STUDY AND MASTERPLAN PHASE 2 PROCUREMENT (Paragraph 3)

The Committee approved the procurement arrangements for the second phase of implementation of the Swadlincote Town Centre Masterplan.

J. HARRISON

CHAIRMAN
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