

**MINUTES OF A MEETING OF THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 3 DECEMBER 2009**

MEMBERS

* Cllr R J Tucker - Chairman

ø Cllr P W Hitchins - Vice-Chairman

ø Cllr H D Bastone

* Cllr B E Carson

* Cllr J D Hawkins

* Cllr M J Hicks

* Cllr M J Howarth

* Cllr M F Saltern

* Denotes attendance

ø Denotes apology for absence

Also in attendance and participating:

Cllrs K J Baldry, P H Cook, R F Croad, G J Fielden, R M Lawrence, C M Pannell and
J W Squire

Also in attendance but not participating:

Cllrs J I G Blacker, Cllr R J Carter, Cllr P Coulson, Cllr M Hannaford

Officers in attendance:

All Agenda Items: Chief Executive, Strategic Director (Community), Strategic
Director (Resources) and Senior Member Support Officer;

Items 7, 8 and 9 (minutes E.74/09, E.75/09 and E.76/09 below refer): Head of
Financial Services; and

Item 10 (minute E.77/09 below refers): Improvement Programme Manager.

E.70/09 MINUTES

The minutes of the meeting of the Executive held on 19 November 2009 were confirmed as a correct record and signed by the Chairman.

E.71/09 MEMBERS IN ATTENDANCE

It was noted that the following Members were in attendance and participated during the discussion on the under-mentioned items:-

Item 7 (minute E.74/09 below refers) – Cllrs Baldry, Cook, Fielden and Lawrence;

Item 8 (minute E.75/09 below refers) – Cllrs Fielden and Lawrence;

Item 11 (minute E.78/09 below refers) – Cllrs Croad and Pannell.

E.72/09 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but none were made.

E.73/09 PUBLIC QUESTION TIME

It was noted that no public questions had been received.

E.74/09 DRAFT BUDGET PROPOSALS 2010/2011

Consideration was given to a report which updated Members on the budget position and provided a framework for consultation with the Scrutiny and Policy Development Groups. The report and consultation process would help the Executive to identify priorities, prepare the budget and maximise the use of resources.

The Chairman introduced the report by reminding Members of the difficult situation faced by the Council in respect of balancing the budget, and by explaining that this meeting was about tabling the proposals for debate at future meetings of Scrutiny and the Policy Development Groups (PDGs). He also reminded Members that Executive Members would attend the meetings to listen but not to influence. The views of these meetings would then be presented back at the meeting of the Executive to be held on 21 January 2010.

The Chairman emphasised the following parts of the report:

- (i) The financial situation for District Councils being particularly difficult. The Audit Commission reported in August 2009 that redundancies had already begun in nearly half of district authorities;
- (ii) The Parish and Town consultation produced outcomes which were broadly in line with the Council's priorities, although the meeting did not rate Access to Services as highly;
- (iii) Members of the Business Forum who had also attended a budget meeting went away well informed and were impressed by the presentation given by the Head of Financial Services which in turn would also be circulated to all Members;
- (iv) There were a number of core budget pressures, including loss of interest on investments and loss of income as a result of the economic situation;
- (v) The possibility of a reduction in grant of £210,000 in relation to Concessionary Bus Fares.

The Head of Financial Services then presented slides which showed how figures in the report had been calculated. This information would also be circulated to all Members for consideration as part of the consultation process.

During discussion the following points were made:-

- a) A number of Members commented on car park charges and the need to ensure that increases did not damage the prosperity of the towns in the South Hams;
- b) Several Members commented on the seriousness of the current financial situation and the need to keep a close eye on trends;

- c) An Executive Member asked that a strategy be put in place to fill the gaps in the Medium Term Financial Strategy. The Head of Financial Services agreed to this suggestion and work would be undertaken on this during the next year.

It was then:-

RESOLVED

That the Executive:-

1. accept the report; and
2. request the views of Scrutiny and the Policy Development Groups on the budget issues contained within the presented budget report.

E.75/09 WRITE OFF REPORT

Members considered a composite report that detailed the debts for all revenue streams within the Revenue and Benefits Service remit, up to the value of £3,000, written off by the Head of Financial Services under delegated authority, and for those debts in excess of £3,000 for which permission to write off was sought.

The report concluded by reassuring Members that every effort was made to collect all debt owing to the Council, and that the decision to write off any amount was not taken lightly.

During the discussion the following points were raised:

- a) In the current economic climate, the upward trend for bad debts was not as severe as it could have been;
- b) A Member questioned whether our procedures in relation to debt recovery in cases where the debtor had absconded, were robust enough. The lead Executive Member responded that the procedures were as robust as they could be, and the Head of Financial Services added that full advantage was taken of every possible means to recover debts including working with the Department of Work and Pensions and belonging to the Audit Commission National Fraud Initiative, and in relation to bankruptcy cases, going through the appropriate court procedures;
- c) In response to a question the Head of Financial Services responded that the debts were aged between one and six years old;

- d) Concern was raised over the levels of housing benefit overpayment, although the Head of Financial Services advised that in fact these levels were coming down;
- e) The Chairman agreed to write to the Local Government Association on the issue of needing assistance to ensure absconders were unable to claim benefits elsewhere.

It was then:-

RESOLVED

1. That in accordance with Financial Regulations, the write-off of individual debts totalling £74,130.97, together with £16,404.11 of Non Domestic Rate Debt which is collected on behalf of the Government, as detailed in Tables 1 and 2 of the presented report, be noted;
2. That the write off of individual debts in excess of £3,000, as detailed in Table 3 of the presented report, be approved.

E.76/09

EXEMPTIONS TO STANDING ORDERS RELATING TO CONTRACTS AND FINANCIAL INSTRUCTIONS

The Executive was presented with a report which informed Members of the exemption(s) to the Standing Orders Relating to Contracts and Financial Instructions since the previous Executive meeting, in accordance with the procedure approved by Council (Minutes 70/07 and 49/07 also refer).

In conclusion, the report informed that the process for providing officers with approval for exemptions to the Standing Orders Relating to Contracts and Financial Instructions, in certain circumstances, provided more flexibility and the ability to react promptly to situations that arise. It was also a more efficient and less bureaucratic approach than was previously in place.

The Lead Executive Member introduced the report and advised those present that the number of requests to make exemptions to standing orders was creeping up, and that this would be checked and monitored with officers.

It was then:-

RESOLVED

That the exemptions to the Standing Orders Relating to Contracts and Financial Instructions (attached at Appendices A and B of the presented report) be noted.

E.77/09

COMPREHENSIVE AREA ASSESSMENT AND ORGANISATIONAL ASSESSMENT – UPDATE REPORT

Consideration was given to a report which updated Members on the latest position with regard to the operation of Comprehensive Area Assessment (CAA) and its operation at the local level by the Audit Commission.

The Chairman stated his concerns over the Council being in a Devonwide group that did not include Plymouth City or Torbay Councils. He felt that both unitary authorities could impact on South Hams by virtue of being neighbours.

During discussion, the following points were made:-

- a) The Improvement Programme Manager advised that scores would be available on the 9 December 2009, and the Chief Executive informed Members about the 'One Place' website where interested parties would be able to access this information;
- b) An Executive Member had recently attended a meeting of the Audit Committee and felt that the Council was responding well to what was expected and that good work was being carried out;
- c) The Local Government Association was asking for support in requesting a review of the CAA process and the monies spent on inspection regimes in general, which it felt would be better spent by local authorities. The Chairman intended to put a motion to the next Council meeting on 17 December 2009 to this effect and to also add an extra recommendation to this report. This was **PROPOSED** and **SECONDED** and on being put to the vote was unanimously declared **CARRIED**.

RESOLVED

That the Executive:

1. has noted and commented upon the Comprehensive Area Assessment (CAA) and the Councils Organisational Assessment; and
2. support the LGA in its request for a review of the CAA process.

E.78/09 **REPORTS OF OTHER BODIES**

RESOLVED

That the following be received and that any recommendations contained therein be approved:

a) Scrutiny – 24 September 2009

SC.18/09: Street Sweeping

RESOLVED

1. That Members be provided with an update on the status of BV199c Fly Posting;
2. That Members be provided with Revenue Budget figures regarding the reallocation of Employees Headquarters for 2009/10; and
3. That the Head of Environment Services arrange for notices to be issued to Town and Parish Councils to provide advance warning prior to an area being mechanically swept and whether there were any areas which required particular attention.

b) Prosperity Policy Development Group – 18 November 2009

PPDG.18/09: Review of Car Park and Pannier Markets – Mayor's Avenue

NOTED

That following on from the Lead Executive Member for Community Affairs findings in respect of Mayor's Avenue Car Park, Dartmouth, the Prosperity Policy Development Group make the following recommendation for the 2010/11 financial year:

1. That from 1 May 2010 to 30 September 2010, the car park would be equally split between pay and display users and permit holders; and
2. That permit holder use would not change from 1 October 2010 to 30 April 2011.

**PPDG.19/09: Review of Car Park and Pannier Markets –
continued from 21 October 2009**

NOTED

1. That the proposed increase in pay and display charges for 2010/11 should be as set out in the presented report, with the exception of the half hour charge for Standard 1 and 2 car parks remaining at 30p, with the Day charge (e.g. parking for over six hours) for all car parks being increased by a further 10p (making a 20p increase overall); and
2. That the charge for the concessionary resident car parking permit should be set at £22.00 (including VAT) for 2010/11.

(NOTE: In relation to items PPDG.18/09 and PPDG.19/09, the Executive noted the recommendations of the Prosperity Policy Development Group, but did not wish to make any further recommendations, as these would be debated as part of the wider 2010/11 budget setting process.)

(NOTE: THESE DECISIONS WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 14 DECEMBER 2009, UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00am and concluded at 10.55am).

Chairman