

# CABINET

## 10 SEPTEMBER 2008

*Present:-* Councillor Anne Turrell (Chairman)  
Councillors Lyn Barton, Tina Dopson, Theresa Higgins,  
Martin Hunt, Beverley Oxford, Paul Smith and  
Tim Young

### **22. Minutes**

The minutes of the meeting on 1 September 2008 were confirmed as a correct record.

### **23. Have Your Say!**

Andy Hamilton addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He explained that he had met the Council's auditor on 2 September. He believed that the Audit Commission's Inspection letter for 2007/08 about the Council's accounts was misleading. It should make clear the impact of the Visual Arts Facility on the Council Accounts and make reference to legal actions arising from the Visual Arts Facility. He expressed concern about the way that the Council had treated requests for information on the accounts and believed that the Council had been cavalier in allocating expenditure to the correct account. He had no confidence in the way the Council had spent public money on the Visual Arts Facility. Councillor Anne Turrell, Leader of the Council and Portfolio Holder for Strategy said that a written response would be sent.

Paula Whitney addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2) about the waste strategy. She was pleased with the stance the Council had taken on the waste strategy since the elections in May. She was heartened that the Council had refused to sign the inter-authority agreement and was not supporting the waste strategy or the PFI bid. A recent television programme had shown the dangers of co-mingled collection arrangements. Separated kerbside collection was better and cheaper. Councillor Tina Dopson, Portfolio Holder for Performance and Partnerships, responded and explained that the Council was opposed to inflexible long term contracts and was exploring options for future waste collection arrangements. The Council would work in partnership with Essex County Council where it was able to.

### **24. 2009/10 Revenue Budget and Capital Programme Update**

The Head of Resource Management submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix A to these minutes in the Minute Book together with draft minute 17 of the meeting of the Strategic

Overview and Scrutiny Panel of 8 September 2008.

Ken Jones addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2) in his capacity as former Chairman of Colchester Association of Local Councils. He expressed concern about the proposal to put on hold capital programme funding for support for Parish Councils and maritime projects. He supported the recommendations of the Strategic Overview and Scrutiny Panel. He sought confirmation on how long the projects would be put on hold and invited the Cabinet to consider very carefully support for Parish Councils as these were an important tool in helping the disadvantaged in rural communities.

Peter Lynn addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He expressed concern about the proposal to defer funding of the Local Authority Carbon Management schemes. No indication was given about the length of the deferral. This proposal was contrary to the LACM Implementation Strategy which the Council had adopted. The sooner these schemes were implemented the more benefits would be delivered and greater value for money would be achieved. In addition, delay in implementing these schemes would weaken the Council's position in encouraging and persuading other organisations and residents to take carbon management seriously.

Paula Whitney addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). She noted that the budget included £142 000 for the provision of clear sacks for the collection of recyclable material. The Council should have invested in more suitable vehicles for the collection of plastics and glass. Vehicles were available that would enable glass to be sorted at the kerbside. This would boost recycling: at present the glass that was collected could only be used in aggregates. The plastic sacks had not significantly increased recycling. She also indicated that a reply to a freedom of information query was still outstanding. Councillor Tina Dopson, Portfolio Holder for Performance and Partnerships, responded and explained that consultants had reported that the split body vehicles were not fit for use and the Council was currently looking at this issue.

Councillor Arnold attended and, with the consent of the Chairman, addressed the Cabinet in support of the recommendations of the Strategic Overview and Scrutiny Panel. He supported the comments made by Ken Jones about support to Parish Councils. He queried whether the inflation figure of 2.9% used in calculating the budget was realistic. The aim of the Panel's recommendation about the LACM schemes was to ensure further information about the impact of any deferral was published and to ensure any deferral was for a defined time. In respect of the items at Appendix F of the report, the Panel was seeking to aid good decision making and transparency by ensuring consultation with those affected and the publication of information about the impact of any deferral. Making the findings of reviews available to shadow portfolio holders would aid effective scrutiny.

Councillor Smith, Portfolio Holder for Resources and Business, responded to the points made and introduced the report. In respect of support for Parish Councils, the proposal was simply to remove that part of the programme for which no funding was allocated. The Council remained committed to supporting Parish Councils and £173

000 remained in the capital programme for this purpose. In previous years this funds allocated had not always been fully utilised by Parish Councils. The Council remained committed to the LACM schemes but was looking at how they should be funded. Once the Council was fully aware of the liabilities it faced, it would be in a position to decide on how and when these schemes should be funded. The inflation figure was that used by the previous administration and the inflation that would apply to a Council's budget would be different to the Retail Price Index. The budget gap had been significantly reduced and resources shifted to the new administration's priorities such as the 9.00 am start on the concessionary fares scheme and the introduction of more street wardens. The recommendations made by the Strategic Overview and Scrutiny Panel were accepted.

*RESOLVED* that:-

- (i) The updated 2009/10 budget forecast as set out at paragraph 6.2 of the Head of Resource Management's report showing a gap of £63 000 be noted;
- (ii) It be noted that officers were working towards delivering a balanced budget and that a plan had been agreed setting out the delivery of the budget strategy which included reallocation of funding to priorities (see section 9 of the Head of Resource Management's report).
- (iii) The proposed changes to the 2008/09 revenue budget set out in Section 5 of the Head of Resource Management's report be agreed.
- (iv) The cost pressures set out at paragraph 7.1 of the Head of Resource Management's report be included in the 2009/10 budget forecast.
- (v) The growth items set out at paragraph 8.1 of the Head of Resource Management's report be included in the 2009/10 budget forecast.
- (vi) The provisional savings set out at paragraphs 9.1, 9.3 and 9.6 of the Head of Resource Management's report be included in the 2009/10 budget forecast.
- (vii) The potential 2009/10 budget forecast variables and risks set out in Section 10 of the Head of Resource Management's report be noted.
- (viii) The current position on the capital programme be noted and the item on Local Authority Carbon Management be rephrased to give more assurance and greater clarification to the programme.
- (ix) The specific projects as shown at paragraph 12.6. of the Head of Resource Management's report be put on hold, the Heading of Appendix F of the Head of Resource Management's report to be amended to read "Projects put on hold" and when Cabinet proposed to withdraw or suspend funding for an item for which funding had previously been agreed, as shown in Appendix F of the Head of Resource Management's report, a description of the impact of the change(s) should be published simultaneously.

*REASONS*

The Council was required to approve a budget strategy and timetable in respect of the year 2009/10.

### *ALTERNATIVE OPTIONS*

There were different options that could be considered and as the budget progresses changes and further proposals would be made and considered by Cabinet and in turn Full Council.

## **25. Request from Portfolio Holder for Policy Review and Development Panel to Review Issues**

The Head of Corporate Management submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix B to these minutes in the Minute Book.

Peter Lynn addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2) in support of the review of 20 mph speed limits within the urban areas of the borough. A 20 mph speed limit in urban areas would reduce road traffic accident casualties and encourage more sustainable forms of transport. He suggested that the review look at experiences from other towns which had introduced 20 mph speed restrictions, such as Norwich and Portsmouth.

*RESOLVED* that:-

(i) The Policy, Review and Development Panel be requested to undertake reviews of the following issues:

- 20mph speed limits within the urban areas of the Borough and
- Certain issues relating to the Mayoralty.

(ii) In the light of the work programme proposed by the Policy Review and Development Panel, the following reviews be undertaken by Task and Finish Groups immediately:-

- 20mph speed limits within the urban areas of the Borough
- Certain issues relating to the Mayoralty.
- Night Time Economy

Once the first of these reviews was completed, the review by a Task and Finish Group of the Historic Town Centre Improvements could commence.

(iii) Arrangements be put in place to ensure that the conclusions of the reviews were reviewed after an appropriate period of time.

## *REASONS*

It was within the remit of the Cabinet to seek the review of issues, strategies and policies by the Policy Review and Development Panel.

## *ALTERNATIVE OPTIONS*

It was for the Cabinet to determine whether it considered the proposals put forward merit the use of the Panel's resources. The Cabinet could therefore have approved both issues for review, one issue for review or chosen not to pursue either. In determining an order of priority, this would assist the Panel in determining the appropriate allocation of resources.

## **26. Allocation of Housing and Planning Delivery Grant 2008/09**

The Head of Strategic Policy and Regeneration and the Head of Environmental and Protective Services submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix C to these minutes in the Minute Book.

Councillor Barton, Portfolio Holder for Planning and Regeneration, supported the proposal in the report. It was proposed to merge the funding of the Strategic Infrastructure Study and the Stanway Masterplanning Work set out in Appendix 2 of the Head of Strategic Policy and Regeneration and the Head of Environmental and Protective Services' report as this would give greater flexibility.

*RESOLVED* that the expenditure from the provisional allocation of the Housing and Planning Delivery Grant 2008/09 be agreed subject to the merging of the funding of the Strategic Infrastructure Study and the Stanway Masterplanning Work.

## *REASONS*

The Housing and Planning Delivery Grant allocation for 2008/9 was announced on 16 July 2008. The allocation for Colchester was £918,487, which was a very good award reflecting the progress made on the Local Development Framework, housing completions and good performance in development control.

It was proposed that just under half of the grant was retained within the planning service in Strategic Policy and Regeneration and Environment and Protective Services. This should ensure the Council was able to meet the Government's performance targets for the planning service and deliver on infrastructure and housing growth to secure a good grant allocation next year.

A decision was required to enable this grant to be built into the budget and to ensure that long term commitments could be provided by carrying forward a proportion of the grant to be spent in 2009/10.

## *ALTERNATIVE OPTIONS*

The Housing and Planning Delivery Grant was not 'ring fenced' and therefore could be allocated to another service/function of the Council. Although the grant was not ring-fenced, the Government strongly encouraged local authorities to invest the money in their planning services.

If the Council decided to allocate all the money to another function either an alternative source of funding or a reduction in the scope of the planning service would need to be considered. This would need to be built into the Council's budget requirements and budget process for 2009/10. It would also mean several key projects could not progress which would impact on performance, delivery and in turn, PDG for 2008/09.

## **27. Annual Ombudsman Letter**

The Monitoring Officer submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix D to these minutes in the Minute Book.

*RESOLVED* that the contents of the Local Government Ombudsman's Annual Letter for 2007/2008 be noted.

### *REASONS*

To inform the Cabinet of the number and type of decisions made by the Local Government Ombudsman during 2007/2008.

### *ALTERNATIVE OPTIONS*

No alternative options were presented to the Cabinet.

## **28. Progress of Responses to the Public**

The Head of Corporate Services submitted a progress sheet a copy of which had been circulated to each Member and a copy of which appears as Appendix E to these minutes in the Minute Book.

*RESOLVED* that the contents of the Progress Sheet be noted;

### *REASONS*

The progress sheet was a mechanism by which the Cabinet could ensure that public statements and questions were responded to appropriately and promptly.