

# Minutes

## Cabinet

25<sup>th</sup> September 2006



Present:

Cabinet Members	Portfolio	Present
Councillor G Butland	Leader	Yes
Councillor M G Gage	Environment	Yes
Councillor N R H O Harley	Economic Development and Transportation	Yes
Councillor M C M Lager	Finance and Assets	Apologies
Councillor Mrs W D Scattergood	Planning and Rural Issues	Yes
Councillor Mrs J W Schmitt	Public Protection and Healthy Living	Yes
Councillor S M Walsh	Housing and Customer Services	Yes
Councillor R G Walters	Efficiency and Performance	Yes

Lead Members	Portfolio	Present
Councillor Mrs J C Beavis	Customer Services	Yes
Councillor Lady Newton	Health and Children and Young People	Yes
Councillor T S Wilkinson	Management of Change	Apologies

Also present were Councillors J E Abbott [until 7.40pm], J E B Gyford, E R Lynch, D Mann, R A G Tincknell and Ms L Watson.

#### 44 DECLARATIONS OF INTEREST

Councillors S M Walsh and R G Walters both declared a personal interest in the item relating to the local government pension scheme consultation paper for reasons of them being members of a local government pension scheme but not one relating to this authority.

In accordance with the Code of Conduct for Members, they both remained in the meeting for the discussion of this item and the vote thereon.

#### 45 MINUTES

**DECISION:** That the minutes of the meeting of the Cabinet held on 4<sup>th</sup> September 2006 be approved as a correct record and signed by the Leader.

46 **PUBLIC QUESTION TIME**

There were no questions asked or statements made.

47 **RESPONSE TO INVESTIGATION INTO PLANNING ENFORCEMENT.**

Councillor Mrs Scattergood, Cabinet Member for Planning and Rural Issues, presented to Cabinet an Action Plan which set out the progress made against each of the recommendations of the Scrutiny Panel in respect of its investigation into Planning Enforcement, the vast majority of which have now been implemented. It was noted that those which have not been implemented are those which have cost or significant resource implications. Cabinet was updated with the latest position with regard to some of the outstanding recommendations and was advised that some would need to be dealt with through the forthcoming business planning and budget bids process.

**DECISION:**

(1) That the progress that has been made to date be received and noted;

(2) That a full business case be made for any additional resources required to meet the outstanding recommendations of the Scrutiny Panel as part of the forthcoming 2007/08 business planning and budget bids process.

Cllr Mrs  
Scattergood

(3) That, as part of the budgetary consultation process, the Scrutiny Panel be advised of the costs associated with those outstanding recommendations which have cost implications

Cllr. Lager

(4) That further investigations be made on the use of stop notices.

Cllr Mrs  
Scattergood

48 **QUARTERLY PERFORMANCE REPORT FOR APRIL TO JUNE 2006.**

Cabinet received the first quarter performance report on corporate performance using a new range of indicators. It was noted that the Council now monitors 48 performance indicators on a monthly and quarterly basis. 24 of the indicators are 'dashboard' indicators, which the authority considers reflect a range of key services. The remaining 24 indicators measure an additional range of services but these 24 will only be reported by exception, that is, if a target is not being delivered.

Cabinet was advised that performance reporting was linked to traffic light targets, green - within 1% or above target, amber - up to 5% within target and red - 6% or more off target. It was noted that during the first quarter, 85% of

the indicators were on target to reach or improve on existing targets by 31<sup>st</sup> March 2007.

Councillor Roger Walters, Cabinet Member for Efficiency and Performance, presented the report to Members and drew their attention to the indicators which had improved over the last quarter. The Leader then invited the relevant Cabinet Members to explain the reasons for those indicators which were red and the corrective action that was being taken.

On discussing the report it was agreed that the relevant Cabinet Members would seek to establish whether any of the indicators were working against the policies of the Council. Members were also encouraged to use the Covalent Management System to monitor the performance indicators.

**DECISION:**

- (1) That the first quarter report be received and noted;
- (2) That Cabinet Members review any Performance Indicators that work against current Council policies and report options when considering the next quarterly performance report.
- (3) That the overall performance report be more succinct and focused on key performance challenges and rectification to meet targets.

All Cabinet  
Members

Cllr. Walters

49 **ACCESS TO SERVICE STRATEGY.**

Members considered a report which set out to revisit and restate the Council's approach and Customer Service and Access to Services Strategy in the light of the recent protocol on collaboration with Essex County Council, joint access and shared service delivery together with the customer access arrangements for Greenfields Housing Association and best practice in Local Authority customer service and the national e-service delivery standards for customer service.

Councillor S M Walsh, Cabinet Member for Housing and Customer Services, presented the report and reminded Cabinet that in 2003 the Council embarked on a transformational change programme to improve access to services, improve standards of customer care and deliver efficiency savings. This approach was delivered in association with the drive towards e-government, making more services available on line and using technology to work smarter. This was known as the Customer First Programme and the Council's access to services approach was embodied in that programme. The report set out in detail the progress of the programme and the objectives of the strategy.

Members conveyed their thanks to Roger Bramwell, Head of Customer

Services for all his hard work on this and other related issues and wished him well in his forthcoming retirement.

**DECISION:**

- (1) That the Customer Service and Access to Services Strategy, as set out in the report, and the BDC/ECC Working Better Together protocol be endorsed as the agreed way forward for the Council; Cllr. Walsh
- (2) That the Council's preferred access to services model of a long term relationship with public bodies and Greenfields Housing Association providing for joint customer access arrangements through the use of the Customer Service Centre for telephone contact and appropriate face-to-face facilities in each of the three towns, be endorsed. Cllr. Walsh
- (3) That compliance with the I&Dea Benchmark for Customer Service and the National e-Service Delivery Standards as described in the appendices to the report be adopted as the Council's target and performance measure for its Customer and Access to Services Strategy. Cllr. Walsh

50 **WRITE OFF OF IRRECOVERABLE DEBT.**

Cabinet considered a report on the measures taken to prevent fraudulent Housing & Council Tax Benefit claims and Members were asked to consider the future resource levels for the Housing & Council Tax Benefit Fraud Section. Cabinet was advised that the workload of the Housing Benefit Fraud Investigation Service was received from a number of sources including referrals from staff, members of the public and District and Parish Councillors and the results received from data matching exercises undertaken by the Department of Works and Pensions (DWP) and the Audit Commission. Two Investigation Officers currently undertake the work of the service with administrative support from the Exchequers Systems Control Team.

It was noted that the Audit Panel had considered this issue at its meeting held on 21<sup>st</sup> September 2006 and it had recommended to Cabinet that " *it is imperative that the current level of resources within the Benefit Fraud Section be retained with an aim to maintaining the current level of performance. This will require the anticipated loss of Housing Benefit Subsidy from 2007/8 being addressed corporately in the forthcoming estimates process. Whilst this should allow the effectiveness of the section to remain high, it should be recognised that an additional £35,000 for a third Fraud Investigator would increase the viability of the service, this being the Panel's preferred option.*

On discussing this issue, Members agreed that it needed to be looked at as

part of the whole budget making process. In answer to a question relating to calls to the Fraud Hotline, It was agreed that a written response be provided to Councillor Tincknell setting out the number of calls received and the percentage of calls made which were productive. It was noted that the loss of Housing Benefit Subsidy made up only 10% of the overall finance and it was felt that measures should be put in place to address how the remaining 90% should be dealt with and that consideration should be given to the best use of resources.

**DECISION:**

- (1) That the report and the decision of the Audit Panel be received and noted;
- (2) That the issue of the loss of housing benefit subsidy be looked at as part of the whole budgetary process, with consideration being given to the use of existing resources;
- (3) That a written response be provided to Councillor Tincknell on the use of the Fraud Hotline, as set out above.

Cllr. Lager

Cllr. Lager

51 **LOCAL GOVERNMENT PENSION SCHEME CONSULTATION PAPER**

The views of Members were sought on the continuing consultation process on the future direction of the Local Government Pension Scheme (LGPS), as set out in a detailed report. It was noted that, in June, the Department for Communities and Local Government issued a further consultation paper entitled :- "Where next ? – options for a new look Local Government Pension Scheme in England and Wales - June 2006" The contents of this document were summarised in the report.

Cabinet was advised that Ministers are seeking views on four options for a new look scheme which have been developed with Employers' organisations and Staff side representatives over the past 6 months, and builds on the responses received to the October 2004 Green Paper "Facing the Future – Principles and propositions for a new look Local Government Pension Scheme in England and Wales". The four options are:-

- A) An updated current scheme, with additional benefit improvements;
- B) A new, final salary scheme with an improved accrual rate;
- C) A new career-average scheme; and
- D) A new, hybrid arrangement, based on career-average core with final salary option

The consultation concludes on the 29<sup>th</sup> September 2006 and it is intended that the New scheme be in place to all new entrants and existing scheme

members from 1<sup>st</sup> April 2008. The above options were set out in detail in the report for Members' consideration.

**DECISION:** That the Government be advised that Members have signalled their support for Option A as part of the National review of the Local Government Pension Scheme as it remains a final salary scheme and represents the most cost effective of the four options.

Cllr. Lager

52 **ESSEX PARTNERSHIP 101 SINGLE NON EMERGENCY NUMBER PROJECT**

Members received a report updating them on the latest position regarding the roll out of the Single Non-Emergency [telephone] Number (SNEN) across Essex. The national 101 project is funded by the Home Office and the Department for Communities and Local Government and the 101 project in Essex is being driven by Essex Police and being managed by the Essex 101 Partnership. Councillor Mrs J C Beavis, Lead Member for Customer Services, presented the report and advised Cabinet that there were many operational issues in need of addressing but the scheme was still in its early stages and discussions were ongoing.

On discussing the report, Members were unclear regarding the operational proposals and whether this would be a benefit to the residents of the district, but were willing to be convinced, acknowledging that careful examination and robust questioning were required. They also asked for feedback on some of the pilot schemes running in other parts of the country.

**DECISION:**

- (1) That the Council continues in its partnership discussions on the implementation of the 101 number;
- (2) That a report be presented to Cabinet on the experience of phase 1 and the benefits to citizens;
- (3) That concern be expressed to the partnership on the operational arrangements and the areas when the 101 number should be used by the public.

Cllr Beavis

Cllr Beavis

Cllr Beavis

53 **AGREEMENT WITH THE MID-ESSEX PRIMARY CARE TRUST**

Members were reminded that, in October 2003, the Council transferred its Housing Elderly Services Team into the newly established Witham, Braintree and Halstead Care Trust. Thirty- eight members of staff from the service, including sheltered housing Scheme Managers and cleaners, Carecall officers and service managers were transferred into the new

organisation. The partnership was entered into between the Council, Essex County Council and the WBH Care Trust. The new Mid Essex Primary Care Trust commences on the 1<sup>st</sup> October 2006. The Primary Care Trust (Establishment & Dissolution) England Order 2006 dissolves the current Care Trust, however it also transfer its rights, obligations etc to the new Primary Care Trust which effectively also means the partnership agreement, so long as all parties are supportive of this. On this basis, representatives from the three organisations have met to consider how the spirit and intent of the meeting can be delivered to continue the partnership agreement.

Details of the options and the proposal were set out in the report presented by Councillor S M Walsh, Cabinet Member for Housing and Customer Services.

**DECISION:**

- |  |                                      |
|--|--------------------------------------|
| (1) That the Cabinet commits in principle to an agreement to extend the current working arrangements until 31 <sup>st</sup> March 2007.  | Cllr. Walsh                          |
| (2) That the Cabinet nominates the Cabinet Member for Housing and Customer Services to serve on the Partnership Board that will be established to manage the interim arrangements;   | Cllr. Walsh                          |
| (3) That authority be delegated to the Cabinet Member for Housing and Customer Services in consultation with the Lead Member for Health and Children and Young People, to negotiate and confirm the detailed arrangements. | Cllr. Walsh/<br>Cllr. Lady<br>Newton |

54 **PARTNERSHIP WORKING – DISCOVERY CENTRE/COUNTRY PARK**

Cabinet received a report giving an update on preliminary discussions held with Essex County Council's Country Parks Service on proposals for the development of a partnership for the future operation of the Discovery Centre and Country Park at Great Notley. The report, presented by Councillor Gage, Cabinet Member for the Environment, outlined the potential for the creation of an outstanding countryside recreation facility and flagship Country Park at Great Notley that will directly benefit local communities and visitors to the district. The proposed partnership supports the joint protocol of 'Working Better Together' that was recently signed by the respective Authorities and provides the option to explore in more detail, opportunities for sharing services through more joint working.

On discussing the report, Members raised a number of issues which they asked to be taken into consideration when decisions are made on the provisions of the park. These were:-

- Screening between the park and the nearby development area
- Enforcement of dog fouling
- Provision of a bird hide
- Partitioning of the park to protect areas of natural beauty
- Welcome relocation of archaeology unit
- Improved catering facilities
- Provision of disabled access
- Retention of open space for walking.

**DECISION:**

- (1) That an Officer Working Group comprising representatives from this Council and Essex County Council explore in detail the potential case for operating Great Notley Country Park on a partnership basis and produce a Business Case and Project Plan for consideration by Cabinet at a future meeting.

Cllr. M Gage

- (2) That detailed consideration be given on consulting and engaging Councillors and the wider community on the future activities and development of the Discovery Centre and Country Park.

Cllr. M Gage

55 **REFERENCES FROM AREA COMMITTEES, PARTNERSHIP BOARDS AND OTHER GROUPS (PUBLIC SESSION)**

Audit Panel – 21<sup>st</sup> September 2006 - Housing & Council Tax Benefit Fraud Section

This reference has been covered in minute 50 above.

56 **DELEGATED DECISIONS**

There was nothing to report.

57 **REPORTS FROM CABINET MEMBERS ON ISSUES THAT NEED TO BE BROUGHT TO THE CABINET'S ATTENTION**

**Local Democracy Week**

Councillor Lady Newton, Lead Member for Health and Children and Young People, reminded Members that Local Democracy Week was taking place between 15<sup>th</sup> and 20<sup>th</sup> October 2006 and urged all Members who had not yet done so, to return their forms to Ms Reynoldson, Democratic Services, as soon as possible to advise of their availability.

All Members

**EXCLUSION OF PUBLIC AND PRESS**

**DECISION:** That under Section 100 (A) (4) of the Local Government Act

1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12 (A) of the Act.

*Whilst the following item of business was discussed in private session, the minutes do not contain any confidential information and are therefore admissible in the public domain.*

58 **ACQUISITION OF LAND IN WITHAM**

Members received a report on the options and financial implications surrounding the proposed acquisition of a piece of land situated in Witham.

**DECISION:** That it be **recommended to Council** that the acquisition of the land in Witham, the full details of which are contained in the Cabinet report, be approved.

Cllr. Lager

59 **REFERENCES FROM AREA COMMITTEES, PARTNERSHIP BOARDS AND OTHER GROUPS (PRIVATE SESSION)**

INFORMATION: There was nothing to report.

The meeting commenced at 7.15pm and closed at 8.39pm.

G BUTLAND

(Leader)