

FINANCE & PROCEDURES OVERVIEW & SCRUTINY COMMITTEE – 23 April 2002

Minutes of the meeting of the **Finance & Procedures Overview & Scrutiny Committee** held on **23 April 2002** when there were present:

Cllr P D Stebbing – Chairman

Cllr T G Cutmore
Cllr Mrs J Hall
Cllr T Livings
Cllr J R F Mason

Cllr R A Pearson
Cllr S P Smith
Cllr Mrs W M Stevenson

NON-MEMBERS ATTENDING

Members of the former Cherry Orchard Jubilee Park Working Group:
Cllrs R E Vingoe (Chairman), Mrs R Brown, A Hosking, D A Weir, Mrs M A Weir

OFFICERS ATTENDING

P Warren	Chief Executive
R Crofts	Corporate Director, Finance & External Services
J Honey	Corporate Director, Law, Planning & Administration
T Metcalf	Audit & Process Review Manager
M Martin	Committee Administrator

171 MINUTES

The Minutes of the meeting held on 27 March 2002 were agreed as a correct record and signed by the Chairman.

172 DECLARATION OF INTEREST

Cllr R A Pearson declared a prejudicial interest in item 8 on the Agenda by virtue of being the Vice President of the Rayleigh Operatic & Dramatic Society and agreed to leave the meeting during discussion of this item.

173 CHERRY ORCHARD JUBILEE PARK – PROGRESS REPORT

The Committee considered the report of the Corporate Director (Finance & External Services) which updated Members on the progress to date of implementing the first phase of the development.

Members noted that there had been a delay in appointing a qualified arboriculturist on a temporary basis for work on Tree Preservation Orders and advising in respect of planning applications in order that existing staff can give priority to the Cherry Orchard Jubilee Park project. Members noted that contact had been made with two agencies, one of which had responded positively.

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As a result of this delay it had been necessary to withdraw staffing resources for a short period from the site. Priority was being given to grant funded work where the Council has to adhere to a set timescale for the works. Members noted that once the grant aided works were complete, the next phase of the development would need to be agreed and funds released from the capital programme.

The Corporate Director reported that:-

- Work on the site had recommenced.
- Legal formalities had been completed and media interest had now been aroused.
- One candidate had already been interviewed for the temporary position of arboriculturist and a second candidate would be interviewed before a choice is made.
- 70% of the planting was completed and the outstanding work should be completed by 3rd May.
- Ground preparation and watering has started.
- The ditchwork is finished.
- Rubbish clearance on the site is complete.
- Fencing would commence in two weeks' time.
- Vegetation by the stream is being cleared.
- All grant work will be done in accordance with the timetable agreed.
- The Forestry Commission are being kept informed of progress and have already encouraged the Council to put in an interim claim for 70% of the costs.

In response to Member questions, the following was noted:-

- Once all the grant work is completed any remaining work will be addressed.
- Essex County Council had withdrawn their objections regarding possible archaeological remains on the site and the grant amount had been reinstated.
- The position of arboriculturist would initially be for a temporary period of six months, which could be extended if the programme of works demanded this.
- Staffing levels were being kept under review.
- A planning application would be submitted this week for a Change of Use for the site.
- Access would be available once the grant works had been completed.
- Six guided walks would need to be carried out and Members of the former Working Group were assured that they would be invited to join a walk.
- Some signage is a condition of the grant work.
- Officers will be liaising with the County Council on further signage.
- There will not be any large scale public access until Phase 5 of the scheme has been reached and a car park is completed. However, more funding from grants or capital is required to reach this stage.

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The Chief Executive reported that it was hoped to include the Park in the green grid framework being developed as part of the Thames Gateway – South Essex Initiative. This may help attract further funding if secured. Members requested that thanks be passed to officers for the amount of work that had been accomplished in a relatively short time.

Resolved

That an update on the work programme be presented to the Community Overview & Scrutiny Committee during the summer cycle of meetings (CD(F&ES))

174 SCHEME OF DELEGATION

The Committee considered the draft scheme in regard to delegations.

Members noted that:-

- this scheme would replace Part 3 of the existing Constitution.
- as agreed at the meeting of this Committee held on 27 March 2002 the delegations relating to the planning function would form a separate report to be considered at the next meeting of this Committee.
- the scheme was based on broad functional descriptions as discussed at the earlier meeting and included checks and balances as suggested by Members.
- the scheme can be varied or revoked by Council at any time.

Members were in agreement that the wording in the paragraph “Scrutiny and Call-in” should include provision that the Chairman will be expected to acquiesce to a request from Ward Members to call in an Officer’s decision in those circumstances.

Recommended to Council

That, the revised Scheme of Delegations, a copy of which is attached to the signed copy of these Minutes, replace Part 3 of the Council’s Constitution.(CD(LPA))

175 AUDIT PLAN PROGRESS REPORT

The Committee considered the report of the Chief Executive which updated Members on the performance of the Audit and Process Review Unit in meeting the 2001/02 audit plan.

Members noted that:-

- the Audit Committee had originally agreed the Audit Plan for 2001/02 on 29 March 2001.

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- details of achievement after six months had been reported to Members on 29 November 2001.
- 85% of the original audit plan had been achieved.
- no significant weaknesses had been identified in the Authority's arrangements for preventing and detecting fraud.
- Internal Audit had taken part in a Benchmarking exercise co-ordinated by Wansbeck District Council, as a result of which they had been placed 35th out of 104; this exercise would be carried out again in eighteen months.
- details relating to the benchmarking exercise had been appended to the report.
- The External Auditors had particularly praised the work in the area of Performance Indicators.
- A poor score was achieved in the section on qualifications of staff, because apart from the Audit Manager no other member of staff had more than five years' audit experience.

Resolved

- (1) That the report on completing 85% of the audit plan be agreed.
- (2) That the position regarding the Anti-Fraud and Corruption Policy Statement be noted.
- (3) That the action plan following the Benchmarking exercise be agreed.
- (4) That the Audit Section be congratulated on their efforts throughout the life of this Council. (CEX)

176 RAYLEIGH OPERATIC & DRAMATIC SOCIETY (RODS) – UPDATE ON SCENERY STORE

The Committee considered the report of the Corporate Director (Finance & External Services) which updated Members on the progress being made by RODS to relocate their scenery store from the Market Car Park, Rayleigh.

It had been resolved at a meeting of the Corporate Resources Sub-Committee held on 19 June 2001 that officers should negotiate the relocation of the occupants of the scenery store and subsequent demolition of the building. An update on progress had been reported to the meeting of the Sub-Committee held on 6 February 2002.

At that time, Members considered that as so little progress had been made, a time limit should be imposed. The Finance & General Purposes Committee held on 14 February 2002 had resolved that the store be vacated with effect from 1 May 2002 unless firm plans for alternative premises were presented.

The Corporate Director reported that:-

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- RODS had commissioned an Architect and the drawings should be available within the next two weeks.
- Funds were available for the planning application.
- RODS would hope to move out by September if the planning application is successful.

Members agreed with the decision of the Policy and Finance Committee held on 11 April 2002 that the Rayleigh Operatic & Dramatic Society be given an extension of three months from the date of receiving planning approval and that if planning approval is refused, the Rayleigh Operatic & Dramatic Society be given two months to bring forward revised proposals subject to Officers advising RODS that this decision could not fetter the discretion of the Planning Committee when considering any planning application. (CD(F&ES))

177 RATING ASSESSMENT – CLEMENTS HALL LEISURE CENTRE

The Committee considered the report of the Head of Revenue and Housing Management which invited Members to consider the outcome of protracted negotiations with the Valuation Office Agency (VOA) on the rating assessment of Clements Hall Leisure Centre and the resultant effect on local authority trading premises across the United Kingdom.

Members were reminded that in 1998 this Council had joined forces with three other authorities to attempt to secure a fairer deal in the assessment of their leisure premises and other similar trading ventures. The support of the Local Government Association had been sought and obtained and two further local authorities had joined the management consortium.

Members noted that subsequent to this Council's appeals against the rateable value entered in the Rating List for the years 1990 and 1995, a national formula for rateable value assessment for Leisure Centres was agreed and the aforementioned appeals were settled on 28 March 2002. A total of £778,680 would now be refunded to the Council. The 2000 List is still under negotiation.

As the Council had been reasonably confident of the likely outcome of the appeals, £555,000 had been built into the 3 year budget strategy, with any residual value being used to achieve Leisure related objectives.

Members congratulated Mr Clarkson, the Head of Revenue and Housing Management and his team for all the work they had put in to achieve this very satisfactory outcome

Resolved

- (1) That, in noting the report, the outcome be taken into account in the future development of the Council's budget strategy.

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- (2) That the Committee note, in accordance with Council policy, that the residual sum will be dedicated to the Park School Leisure Centre project.
- (3) That the Head of Revenue and Housing Management and his support staff be thanked for all their efforts on behalf of this Authority in securing such a favourable outcome. (HRHM)

178 50-54 WEST STREET ROCHFORD

The Committee considered the report of the Head of Legal Services which updated Members on the progress of discussions with the owners of 50-54 West Street, Rochford in bringing forward an acceptable scheme of development for the derelict and fire damaged buildings.

Members were informed that the planning application had been submitted on 15 April 2002.

Resolved

That the Committee keeps this matter under review and considers further the case for compulsory purchase if satisfactory progress is not made in achieving an acceptable development of the site. (HLS)

The meeting closed at 8.25 pm

Chairman

Date