

**FINANCE & PROCEDURES OVERVIEW & SCRUTINY COMMITTEE
- 20 JUNE 2002**

Minutes of the meeting of the **Finance & Procedures Overview & Scrutiny Committee** held on **20 June 2002** when there were present:

Cllr T G Cutmore (Chairman)

Cllr D F Flack
Cllr T Livings
Cllr Mrs J R Lumley
Cllr Mrs E Marlow

Cllr J R F Mason
Cllr G A Mockford
Cllr C G Seagers
Cllr M G B Starke

OFFICERS ATTENDING

J Honey Corporate Director (Law, Planning & Administration)
D Deeks Head of Financial Services
S Fowler Head of Administrative & Member Services
T Metcalf Audit & Process Review Manager
S Scrutton Head of Planning Services
N Bishop Principal Auditor
M Martin Committee Administrator

247 MINUTES

The Minutes of the meeting held on 23 April 2002 were agreed as a correct record and signed by the Chairman.

248 OVERALL WORK PROGRAMME

The Committee considered the report of the Chief Executive which outlined the proposed 2002/2003 work programme for this Committee.

The Finance & Procedures Overview & Scrutiny Committee had originally considered its work programme for this municipal year at its inaugural meeting in March in the context of the Council's overall work programme.

With the exception of Planning, a revised scheme of delegations had now been approved. Members noted that:-

- consideration of the White Paper on Local Government should be deferred pending receipt of a consultation paper to be published by the Audit Commission around how Comprehensive Performance Assessment would specifically apply to District Councils.
- the work on early retirement should be considered by the Policy Committee in the first instance.

Resolved

That the following work programme be agreed:-

Before the Summer Recess:

- Planning Scheme of Delegation
- Financial & Contract Standing Orders
- Fees and Charges
- Consultation with Chambers of Trade
- Carer's Allowance
- Out of Pocket Expenses for Advisers

Items to be considered in the Autumn cycle

- Council's Budget
- Monitoring of the Council's Corporate Plan and Best Value Performance Plan
- Financial Services Best Value Review

Early 2003

- External Auditor's Management Letter

Ongoing items

- Audit Reports (CEX)

249 PLANNING – DETAILED SCHEME OF DELEGATIONS

The Committee considered the report of the Corporate Director (Law, Planning & Administration) which sought Members' view on amendments to the detailed scheme of delegations for delivering the planning service, including primarily development control decisions and dealing with planning enforcement matters. The proposed scheme of delegations had been appended to the report.

The general scheme of Delegations had been agreed at Council on 25 April 2002 and contained built in checks and balances. Members noted that:-

- the general scheme is based on broad, functional descriptions and the scheme for planning services would be subject to but provide additional limitations on that general delegation.
- in exercising delegated powers, officers would advise the Chairman of the relevant Committee, together with the affected Ward Members, of any decision to be taken outside the ordinary duties of the service and which would have a significant effect on one or more Wards in the District in terms of service or quality of life in that area.
- having discussed the matter first with officers and taking into account the views of Ward Members the Chairman can decide whether a matter should be called into Committee for determination.
- the Parish List provides a weekly update of all planning applications submitted to the authority for determination.
- minor amendments to approved plans are those which do not require planning consent.

Members were concerned that some of the delegations appeared to be too flexible and open to interpretation. Of particular concern was the delegation authorising officers to dispense informal planning advice and provide an informal consultation process which might lead to applicants being given misleading or confusing information.

Members noted that officers do state when dispensing such advice that it is not to be construed as a decision and that to have to provide a written disclaimer on each occasion would be very time consuming and reduce the service currently available to applicants.

A Member commented that the provision of informal advice by officers can be of particular value to applicants and enable a useful relationship to be built up. An officer has the discretion to choose whether or not to provide that advice.

Recommended to Planning Services Committee

That the revisions to the planning scheme of delegation be adopted, subject to the following amendment to paragraph (a) under section C – General Delegations which is to read:-

“Subject to a suitable disclaimer being given, to authorise officers to dispense, at their own discretion, informal planning and building control advice and informal consultations, taking into account the legislation and regulations in place at the time.”

A copy is attached as an Appendix to the signed copy of the Minutes. (CD(LPA))

250 FEES AND CHARGES – INTRODUCTORY REPORT

The Committee considered the report of the Head of Financial Services relating to the determination of the policies relating to the determination of the schedule of fees and charges.

At a meeting of the Member Budget Monitoring Sub Committee held on 20 November 2001 Members had agreed that the determination of a charging policy framework be referred to this Committee for consideration.

Pending the review, charges for the areas covered by this report, had not been adjusted for 2002/2003 with the exception of those relating to Land Charges and season tickets for ‘The Approach’ car park in Rayleigh.

This Council’s schedule of Discretionary Charges covers all areas of the Council’s activities. This report would be the first stage in the process, dealing only with the major areas of income where the Council has a large discretion in the setting of charges.

Members noted that the Audit Commission had produced a list of key points which fit into the Best Value approach to services and which should be considered

before charges are set. The report addressed these questions in relation to Local Land Charges, Cemeteries and Churchyards, Hackney Carriage Licensing and Car Parking. Estimates and schedules of the current charges were appended to the report.

Members noted that for car parking, asset rental and depreciation had been shown. The cost of using an asset needs to be taken into consideration before a decision relating to fees and charges is taken. Members requested that more information on asset rentals and depreciation be provided to this Committee.

Members agreed the suggested actions in the first stage of looking at determining fees and charges. This would include consultation at various levels.

Concern was expressed that the issue of whether the use of taxis be financially subsidised should be considered and on a Motion moved by Cllr M G B Starke and seconded by Cllr J R F Mason it was:-

Recommended to the Environment Overview & Scrutiny Committee

That, within their review of Hackney Carriage Licensing, the criteria of fees covering costs be considered, together with the issue of whether a social subsidy would be appropriate.

Resolved

- (1) That any Council owned land suitable for a cemetery be identified and reported back to this Committee.
- (2) That the suggested actions detailed in the paragraphs entitled 'The Way Forward' for the review of charges in the Land Charges, Cemeteries, and Car Parking be carried out. (HFS)

251 GOVERNMENT CONSULTATION PAPER – e-Gov@Local – TOWARDS A NATIONAL STRATEGY FOR LOCAL E-GOVERNMENT.

The Committee considered the report of the Corporate Director (Law, Planning & Administration) which summarised the content of the Government's Consultation Paper on the proposed National Strategy for Local e-Government and contained a proposed response.

The Consultation Paper had been published jointly by the Department of Transport, Local Government and the Regions and the Local Government Association and aimed to provide a central and local vision of e-government, a clear route map to its delivery and a strategy for the use of Local Government On-Line funding.

Members noted that the Council had received the £200,000 central Government funding for 2002/3 and an update on the implementation of the Implementing e-Government (IEG) plan would be reported to the next meeting of this Committee.

A similar sum would be available in 2003/4, subject to the Council's demonstration that satisfactory progress is being made in this direction.

Members wished to congratulate officers on the work involved in securing funding to date. Members agreed that any systems which are put in place in the future address the needs of those people with whom the Council interfaces.

Resolved

That the comments outlined in the report (a copy of which is attached to the signed copy of these minutes) form the basis of the Council's response to the consultation paper. (CD(LPA))

EXCLUSION OF THE PRESS AND PUBLIC

Resolved

That the press and public be excluded from the meeting for the remaining business on the grounds that exempt information as defined in paragraphs 1 and 14 of Part 1 of Schedule 12A of the Local Government Act 1972 would be disclosed.

252 AUDIT REPORT

The Committee considered the exempt report of the Chief Executive which drew Members' attention to completed audit investigations and provided an update of audit recommendations.

Resolved

That the updated information on the audit recommendations be agreed. (CEX)

253 GRADING APPEALS PROCEDURE

The Committee considered the exempt report of the Corporate Director (Law, Planning & Administration) which outlined a suggested grading appeals procedure for the Council.

Recommended to the Policy & Finance Committee

- (1) That the Grading Appeals Procedure as set out in the exempt Appendix to the signed copy of the Minutes be adopted.
- (2) That authority be delegated to the Head of Paid Service to determine grading appeals within a maximum of 4 additional incremental points. (CD(LPA))

The meeting closed at 9.25 pm.

Chairman

Date