

Review Committee – 12 July 2011

Minutes of the meeting of the **Review Committee** held on **12 July 2011** when there were present:-

Chairman: Cllr Mrs J R Lumley
Vice-Chairman: Cllr Mrs H L A Glynn

Cllr Mrs P Aves
Cllr Mrs A V Hale

Cllr R D Pointer
Cllr I H Ward

VISITING MEMBERS

Cllrs T G Cutmore, Mrs G A Lucas-Gill, Mrs J E McPherson and M J Steptoe.

ALSO PRESENT

K Jones, Green Alchemy Ltd.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr J R F Mason.

OFFICERS PRESENT

P Warren	-	Chief Executive
R Evans	-	Head of Environmental Services
P Gowers	-	Overview and Scrutiny Officer
N Khan	-	Principal Solicitor
A Lowing	-	Community Planning Officer
M Power	-	Committee Administrator

167 MINUTES

The Minutes of the meeting held on 14 June 2011 were agreed as a correct record and signed by the Chairman.

168 DECLARATIONS OF INTEREST

Cllr Mrs P Aves declared a prejudicial interest in the item on the request from Rochford and Rayleigh Citizens Advice Bureau for ex-gratia payment by virtue of being on the Management Committee of the Citizens Advice Bureau and left the room for the duration of this item.

169 REQUEST FROM ROCHFORD AND RAYLEIGH CITIZENS ADVICE BUREAU FOR EX-GRATIA PAYMENT

(Note: Cllr Mrs J R Lumley declared a personal interest in this item by virtue of being a trustee of RRAVS.)

The Committee considered the report of the Head of Legal, Estates and Member Services on the call-in of an Executive Decision around a request from Rochford and Rayleigh Citizens Advice Bureau (CAB) for ex-gratia payment.

The Chairman advised that the Decision had been called in for the following reasons:-

- (1) The ex-gratia payment was outside the £90,000 budget allocated for grants to voluntary organisations for 2011/12.
- (2) There was insufficient information in the decision document to explain the reasons for the ex-gratia payment.

During discussion, the following was noted:-

- A reduced voluntary sector grants allocation of £90,000 had been agreed by Council in January 2011, at which time the voluntary organisations had been put on notice that the grant would be reduced. A Member Advisory Group on Voluntary Sector Grants had assessed all the applications for funding received from voluntary groups/charities and had recommended how the £90,000 should be allocated. All organisations were notified on 19 April 2011 of the amount they would be allocated for 2011/12.
- The grant to the CAB had been administered via a 3-year grant allocation service level agreement that had expired at the end of March 2011. The £84,000 grant to the CAB in 2010/11 had been reduced by almost £25,000 for 2011/12. The CAB had requested the ex-gratia payment to cover the costs of making staff redundant, which had been incurred as a direct result of the late notification of the level of grant funding allocated for 2011/12. An earlier notification to the CAB of the level of grant funding to be allocated would have helped with financial planning.
- The CAB level of reserves was lower than the Charity Commission's recommended amount at the beginning of the new financial year.
- It was appreciated that the Council must continue to develop a supportive relationship with the CAB, which played an important role in the District and benefited residents greatly. It was felt that in the current economic climate there could be an increased use of the CAB by the District's residents.
- The CAB had 70 volunteers and seven employed part-time staff. Two of the seven employed staff were made redundant as a result of the cut in funding from the Council.
- Although the CAB receives small amounts of funding from other sources, its major source of funding is the District Council. The majority of CAB's in

the country rely on local authorities for the majority of their funding.

- The CAB is now exploring additional funding opportunities with social landlords and Parish/Town Councils. The Council is assisting the CAB in finding additional funding via the GRANTnet service. There was no mention in the report that CAB had sought assistance on funding avenues from the RRAVS funding officer.

A Member commented that all the voluntary groups that had applied for a share of the funding pot for 2011/12 were aware that actual levels of funding would take time to sort out prior to any decision being made. The Member Advisory Group had appreciated the important role played by the CAB in the District and as a result had allocated £60,000 of the £90,000 available to the organisation. It was recognised that the £2,250 is a relatively small amount of money considering the Council's unique relationship with the CAB. The ex-gratia payment was taken from the Council's overall 2010/11 under-spend, was a one-off and should not be confused with the £90,000 voluntary grant pot.

In response to concern that this ex-gratia payment may set a precedent, it was noted that no other voluntary sector group is so uniquely dependent on the Council for grant aid. In addition, recently revised Government guidance outlined that decisions around grant allocations for the voluntary sector would need to give three months notice and to comply with this requirement, the Council would need to determine the 2012/13 voluntary grant budget by December 2011 at the latest.

Taking into consideration the above, Members resolved to let the decision stand to allow the payment to be made.

Cllr Mrs H L A Glynn wished it to be recorded that she was opposed to the ex-gratia payment being made to the CAB.

It was requested that in future Members be provided with the officer report as well as the decision notice for non-key portfolio holder decisions. This would provide Members with more information and with officer contact details.

Resolved

- (1) That the Decision to make an ex-gratia payment of £2150 to the Citizens Advice Bureau stand.
- (2) That consideration be given to all Members receiving the report as well as the decision on non-key decisions. (CE/HLEMS)

170 CLIMATE CODE

Cllr Mrs P Aves rejoined the meeting for this and the remaining items.

The Committee considered the report of the Head of Environmental Services, which reviewed progress made with regard to climate change initiatives since approval of the original Climate Change and Sustainability Strategy 2008/13. The report also identified the proposed action plan for the next year.

Kevin Jones, a consultant working for the Council, outlined the work being done developing the sustainability agenda and the Council's Climate Code (action plan). This included a detailed waste composition analysis of the Council's waste, most of which had been revealed as paper that could be recycled. This piece of work helped to inform the Council's continuing work around office recycling. Work was being undertaken around governance, which included establishing a corporate group to oversee the project and a team of environmental champions from among staff members. Work was also underway on developing a green travel plan for the Authority.

Audits of the Council buildings had been undertaken to try to establish where carbon reduction and energy efficiency savings could be made. Energy consumption at the Council offices had been monitored via meter readings. A risk assessment of the impact of climate change on resources was being undertaken. Examples included park maintenance, which could increase as a result of climate change and food hygiene, which could become more of an issue due to an increase in global temperatures. Work was also being done around procurement.

In response to questions, the following was noted:-

- The forthcoming 'Green Deal' will give local authorities greater influence in terms of community engagement, with the Government providing additional funding to deliver it.
- There were specific environmental controls in place relating to the development and usage of London Southend Airport both in terms of noise and air pollution.
- The District was part of the Thames Gateway South Essex Consortium of Local Authorities working through the Groundwork Trust on promoting a programme of carbon reduction initiatives targeted at small and medium sized businesses.
- The Council has already done a lot of work relating to reducing water usage on its premises and is currently implementing a programme of heating and lighting refurbishment at the Rochford Offices which should lead to further savings in energy usage and reduced costs.

- Whilst the Council is part of a Local Authority Consortium for energy purchase, it was felt that more savings could be achieved if there was greater co-operation on procurement across the public sector.

Resolved that the progress made with climate change mitigation measures since approval of the original Climate Change Sustainability Strategy be noted.

It was further:-

Recommended to the Portfolio Holder for the Environment that the proposed 2011/12 Climate CO₂de be approved. (HES)

171 REGULATION INVESTIGATORY POWERS ACT 2000 (RIPA)

The Committee considered the report of the Head of Legal, Estates and Member Services that sought to highlight the key findings of the recent inspection by the Office of Surveillance Commissioner (OSC) and advised on the Council's use of surveillance powers over the last quarter.

A formal written response would be sent to the OSC with confirmation that the Council has implemented its recommendations. Members of the Committee would be supplied with copies of the Codes of Practice on Covert Surveillance and the use of Covert Human Intelligence Source.

RIPA training for Members of the Committee would be run every two years, with the next training to take place in January 2013.

In the event that there is a marked increase in RIPA cases, the frequency of reporting to the Committee could be reviewed. It was noted that surveillance under RIPA is only ever used by the Council as a last resort where the evidence required cannot be obtained by other means.

Recommended to Council that the Office of Surveillance Commissioner's inspection report and the quarterly authorisation statistics be noted and that future reports on RIPA authorisations be considered by the Review Committee on an annual basis when the annual review of the policy takes place. (HLEMS)

172 THE FORWARD PLAN

The Committee reviewed the Forward Plan and noted its contents.

26/10 Eco-Enterprise Centre

The feasibility work has been completed and a report to Members would be prepared around the options for funding the project to see if it is feasible to progress to implementation. Further information on potential new funding

regimes was required, however, before the matter can be reported to Members for a decision.

6/11 Green Travel Plan

Further work is being undertaken on this, including looking at best practice examples around the country. The report should be finalised over the summer recess for consideration by the Executive in September.

173 DISABILITY GRANTS PROCESS

The Committee agreed the Scoping Form and Project Plan for the Review of the Disability Grants Process project.

A presentation by the Portfolio Holder for Community Services and the Head of Community Services on how the disability grants process currently operates would be made to the Committee at its meeting on 27 July. Following this presentation Members could decide which witnesses they would wish to see. Members agreed that the terms of reference should be amended to include the following: 'To determine possible ways in which the Disability Grants process can be improved'.

Resolved

That the scoping form and project plan for the review of the Disability Grants Process project be agreed, subject to the change to the terms of reference as detailed above. (HLEMS)

The meeting closed at 9.22 pm.

Chairman

Date

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