

Meeting of the

CABINET

held on Thursday 7 November 2002

PRESENT:-

Councillor **Mrs HEALY** (Chairman and Leader of the Council), Councillor **TUTT** (Deputy Chairman and Deputy Leader of the Council), Councillors **LEGGETT** and **THOMPSON**.

(An apology for absence was reported from Councillor **Harris**).

63. MINUTES. The minutes of the meeting held on 2 October 2002 were submitted and approved and the Chairman was authorised to sign them as a correct record.

***64. COMPREHENSIVE EQUALITY POLICY.** The Cabinet considered the report of the Corporate Projects Manager presenting a draft comprehensive equality policy. In October 2001 an equality standard for local government had been introduced comprising five levels. A requirement of level one was the adoption of a comprehensive equality policy. The Council had previously approved its race equality scheme on 24 April 2002 and also approved as part of a best value review of equalities an improvement action plan on 24 July 2002. Both these documents would form part of the comprehensive equality policy.

The comprehensive equality policy had expanded the range of equality categories set out in the standard (race, gender and disability) to include religion and belief, marital status, age, sexual orientation, gender identity, and persons with dependants and persons without. This would accommodate anticipated future legislation covering these categories.

The Leader thanked Ms Monica Elsen for her continuing work in the development and implementation of the Council's equality policy.

RESOLVED (Key Decision and Policy Framework): That the Council be recommended to approve the comprehensive equality policy.

***65. HOUSING MANAGEMENT STOCK OPTIONS.** The Cabinet considered the report of the Director of Housing, Health and Community Finance in relation to the Council's review of its options for the management of the housing stock. A best value review had been undertaken and this has submitted a preliminary report to the Cabinet on 31 October 2001 when it was agreed that the feasibility of a larger scale voluntary transfer (LSVT) of the housing stock should be further explored and a timetable drawn up. A further progress report was received by the Cabinet on the 6 March 2002.

The purpose of this report was to update members on further work undertaken to assess the feasibility of LSVT and government policy changes. Whilst it was clear that "no change" was not an option it was apparent that LSVT was unlikely to be appropriate; at least in the short term. The option of an arms length management organisation (ALMO) would now appear to provide for the necessary investment for the Council's housing stock to address the decent homes targets and would not preclude future consideration of LSVT. It was anticipated that the Government would publish revised criteria for ALMO applications in January 2003. In the meantime applications from councils for both LSVT and ALMO options were suspended. The aim would be to establish an ALMO by April 2004 if

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the Council's eventual bid was successful.

RESOLVED (Key Decision and Policy Framework): (1) That the Cabinet note the suspension of applications for large scale voluntary transfer and/or arms length management organisations programmes until January 2003 pending the outcome of key government reviews.

(2) That the outcome of large scale voluntary transfer feasibility investigations contained within the Director's report be noted.

(3) That subject to tenant consultation officers be asked to develop an action plan and commence working towards an arms length management organisation application based upon the results of large scale voluntary transfer feasibility work undertaken to date.

(4) That the Council be asked to endorse this proposed change in approach to the future management of the Council's housing stock.

- *66. IEG2 (IMPLEMENTING ELECTRONIC GOVERNMENT) STATEMENT, INFORMATION TECHNOLOGY PLAN AND INFORMATION TECHNOLOGY LOANS TO STAFF.** The Cabinet considered the report of the Head of I.T. and E-Government presenting the Council's IEG Statement for approval prior to its submission to the Office of the Deputy Prime Minister. In 2002/03 the Council had been allocated £200,000 by the government for the implementation of E-Government initiatives. In 2003/04 a further £200,000 was available subject to the receipt of satisfactory statements. In support of the IEG Statement were further detailed project plans which comprised the Council's Information Technology Plan. Copies of the IEG Statement had been sent to Members of the Cabinet together with the Opposition Leader, Deputy Leader and I.T. Spokesperson and otherwise made available in the Members' Room.

The report also dealt with a proposed change to the scheme to provide loans to members of staff for the purchase of personal I.T. equipment. Only one such loan had been issued to date due to the restrictive nature of the scheme and it was proposed that staff be allowed to choose their own equipment rather than meet a defined specification. The maximum amount of loan available was £1,000.

The Leader thanked Mr Peter Byard and his team for their work in preparing the statement. She emphasised the fact that the government's money was ring-fenced and could not be used for other purposes.

RESOLVED (Key Decision and Policy Framework): (1) That the Council be recommended to approve the Council's IEG2 Statement.

(2) That the Information Technology Plan for 2002/03 be approved.

(3) That the proposed change regarding staff loans for I.T. purchases be approved and the Officer Delegation Scheme be updated accordingly.

- 67. SCRUTINY OF TAXI AND PRIVATE HIRE SERVICES.** The Cabinet considered the report of the Head of Environmental Health on the outcome of a recent scrutiny review of the taxi and private hire services. The Scrutiny Committee at their meeting on 16 September 2002 had endorsed the findings of a task group report on this matter. The Cabinet had no direct role in the licensing of taxis and private hire vehicles as under the Local Government Act 2000 council executives (i.e. the Cabinet) were prevented from carrying out certain regulatory functions.

The Cabinet could however comment and seek to provide a strategic overview.

The review findings were set out in a detailed appendix to the report and raised issues and made proposals in respect of (among others):-

- Installation of in-car CCTV cameras.
- More cars available at night.
- Greater availability of wheelchair accessible taxis.
- A small increase in the number of licence plates for wheelchair accessible vehicles.
- Pick-up and drop-off in Terminus Road.
- Driver standards and courtesy.
- Enforcement.

Councillor Lacey, Chairman of the Scrutiny Committee, was invited to report on the findings of the task group and proposals now put forward by the Scrutiny Committee.

Mr David Stonecox, Chairman of Eastbourne and Country Taxis, was permitted to address the Cabinet. He raised a number of concerns including the taxi trade's dissatisfaction with the use of white livery for private hire vehicles. He expressed his overall satisfaction for the findings of the task group. The Leader advised him that the discussions on these matters would be on-going and that the Licensing Panel would be asked to take account of the views of the taxi and private hire trades. It was noted that a recent letter sent to Councillors by Mr John Hake, independent taxi proprietor, would be referred to the Licensing Panel.

RESOLVED (Key Decision): (1) That the findings and way forward identified by the Scrutiny Committee task group be endorsed.

(2) That the Licensing Panel, as the body responsible for the regulation of taxi and private hire services, be asked to consider those proposals requiring action on their part (i.e. changes in the licensing regime) and where necessary make recommendations to the Council.

- 68. CIVIC BUDGET 2002/03 – UPDATE** (page 167 minute 55). The Cabinet considered the report of the Director of Finance and Corporate Services on the Council's financial position after six months of the financial year. Since the last meeting of the Cabinet further savings had been identified in a series of meetings held between each of the Directors, together with their respective Cabinet member, and the Director of Finance and Corporate Services and Councillor Tutt, the Cabinet lead member for finance. Details of the savings were set out in the appendix to the report. Councillor Tutt said that the savings would have little effect on front-line services to the public.

The Director of Housing, Health and Community Finance commented that the "risk area" in respect of housing benefit subsidy was now the subject of discussions with the Department of Work and Pensions.

RESOLVED (Key Decision): (1) To note that the general fund revenue net expenditure is under budget at the end of September by £9,000.

(2) To note the previous forecast for general fund revenue net expenditure to be £324,000 over budget at 31 March 2003.

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(3) That savings options totalling £323,000 as detailed in appendix A to the report be approved.

(4) That in consequence to the savings approved above approve a general fund forecast outturn in line with the original budget.

(5) To note that the housing revenue account net expenditure is under budget at the end of September by £205,000.

(6) To note that the housing revenue account net expenditure is currently forecast to be £250,000 under budget at 31 March 2003.

(7) To note the current position on the capital programme showing actual expenditure to date of £2.832m against a full year budget of £10.702m.

- 69. CORPORATE PERSONNEL STANDARDS – DELEGATION SCHEME.** The Cabinet considered the report of the Chief Executive and Head of Personnel setting out a revised scheme of officer delegation in respect of personnel matters. The Chief Executive said that there were no changes of substance in the revised scheme that had been reviewed following the adoption of the Council's new Constitution.

RESOLVED (Key Decision): That the revised scheme of officer delegation in respect of employment matters be approved.

- 70. LAND DISPOSAL POLICY.** The Cabinet considered the report of the Estate Manager reviewing the Council's policy for the disposal of land and properties and for the agreement of terms on lettings, rent reviews and lease renewals. The report also dealt with the issue of the policy for rent to be charged to "not for profit" tenant organisations. It was proposed that in future, rental negotiations would be conducted on an open market basis and that any dispensation would be off-set by grant aid.

The Local Government Ombudsman had recently published guidance for local authorities in connection with the way and the processes in which they dealt with the disposal of land. The procedures set out in the report were intended to ensure that the Council followed best practice.

RESOLVED (Key Decision): That the protocol be adopted and be incorporated within the Council's Constitution at the time of the next review.

- 71. MANOR GARDENS COTTAGE, MANOR GARDENS.** The Cabinet considered the report of the Director of Tourism and Leisure and Director of Finance and Corporate Services proposing the sale of this cottage. The Council had already approved the sale of the Towner Art Gallery building to help fund the new Cultural Hub at Devonshire Park. Sale of the Manor Gardens Cottage would contribute towards the Council's wider capital strategy. The building was currently leased to the contractors responsible for the parks, grounds and maintenance. The lease was due to expire in March 2005.

A planning brief to guide development on the site would be prepared and would be referred to the Planning and Licensing Committee for consideration prior to the marketing of the site. The property was situated in a sensitive location being in a parkland setting in the Old Town Conservation Area. The adoption of a planning brief would help ensure that the sensitivity of the environment was taken into account in the development of the site.

RESOLVED (Key Decision): That the sale of Manor Gardens Cottage be approved in principle.

- 72. EAST SUSSEX COUNTY COUNCIL'S SUPPLEMENTARY PLANNING GUIDANCE – "A NEW APPROACH TO DEVELOPMENT CONSULTATIONS" (CONSULTATION DRAFT).** The Cabinet considered the report of the Director of Planning, Regeneration and Amenities and Head of Planning on the contents of draft supplementary planning guidance on development contributions towards county services and infrastructure costs. The aim was to develop a countywide approach and agreed format for the preparation of detailed individual supplementary planning guidance by each local authority in East Sussex which would integrate with the County Council's document.

A number of specific concerns regarding the implications of the guidance for the Council had been identified. Chief among these were the reduced the thresholds above which developers would be expected to make contributions to fund education, highway and other county function costs. In addition there would be a significant staffing impact on local planning authorities in setting up the necessary legal agreements.

It was proposed that representations be made and that East Sussex County Council be asked to consult again on a revised draft prior to adoption of the guidance.

This report had been considered by the Planning and Licensing Committee on the 5 November 2002. The committee had agreed on the need to make representations.

RESOLVED: That the Cabinet fully endorse the approach recommended by the officers and agreed by the Planning and Licensing Committee to ask the County Council to reconsider and consult again.

- 73. EASTBOURNE AREA COMMITTEE.** Area Committees for both Hastings and Eastbourne had been established in 1995 and 1998 respectively. The Committees comprised the local county councillors and a matching number of borough councillors. The objective of the meeting was to facilitate and promote partnership working and bring local government closer to communities.

The Cabinet considered the report of the Member Services Manager advising that the County Council's Governance Committee had on 22 October 2002 proposed that the Area Committee be wound up. The matter was due to be considered by the County Council on 3 December 2002 and the views of this Council had been sort. A copy of the County's report and subsequent letter were appended to the report.

The Leader referred to the special meeting of the Area Committee that had been convened by the Committee's Chairman for 19 November 2002 for the purpose of considering this matter. She believed that the meeting provided the most appropriate means by which local councillors could make their views known.

RESOLVED: That a formal response be sent to the County Council following the meeting of the Area Committee and that the response be based upon the views of the members of the Area Committee.

- 74. EASTBOURNE BUSES LIMITED – ANNUAL GENERAL MEETING.** The Cabinet considered the report of the Director of Planning, Regeneration and

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Amenities concerning the bus company's annual general meeting which was due to be held on 14 November 2002. The Cabinet gave consideration to the bus company's business plan as a separate item in the confidential part of the agenda. Mr Steven Barnett, Managing Director of the Company was invited to answer Members' questions.

RESOLVED: That at the company's annual general meeting the Leader of the Council, Councillor Mrs Healy, vote the Council's shares in favour of adopting the accounts and reappointing the auditors.

75. EXCLUSION OF THE PUBLIC.

RESOLVED: That the public be excluded from the remainder of the meeting as otherwise there was a likelihood of disclosure to them of exempt information as defined in Schedule 12A of the Local Government Act 1972. The relevant paragraph of Schedule 12A and a description of the exempt information is shown in the summary below.

76. SUMMARY OF CONFIDENTIAL PROCEEDINGS FOR INFORMATION.

(Note: The full minutes of the under-mentioned items are set out in the confidential section of these minutes. The reports remain confidential).

- (a) **Eastbourne Buses Business Plan.** The Cabinet approved the bus company's business plan for 2003/05.

(Note: Councillor Leggett declared a personal and prejudicial interest in this matter by virtue of his being a Council appointed non-executive director of the bus company).

(Exempt information reason – Paragraph 7 – Information on the financial and business affairs of the company).

- (b) **Eastbourne Theatres In-House Productions.** The Cabinet received a report on the continuous success of the Council's in house theatre productions and authorised the Director of Tourism and Leisure in consultation with the lead cabinet member for culture to agree further such productions without the necessity for prior approval by the Cabinet.

(Exempt information reason – Paragraph 7 – Financial and business information).

- (c) **Future Housing Revenue Account Capital Programming and the Role of the Property Services Team.** The Cabinet received a report upon the action being taken to ensure an effective response to the challenges of delivering the decent homes standards to the Council's housing stock and the effective delivery of future capital programmes and approved changes to staffing arrangements which would result in additional costs of approximately £45,000 per annum. These would be funded through the housing revenue account.

(Exempt information reason – Paragraph 1 – Information relating to employees).

- (d) **Employment Stability Procedure – Community Finance Restructure.** The Cabinet noted that as a consequence of restructuring within the Community Finance Division two members of staff were the subject of the

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Council's employment stability procedures. The Cabinet noted the current position and financial implications of potential decisions which might be made by a Council panel meeting to determine the future employment of the two members of staff.

(Exempt information reason – Paragraph 1 – Information relating to employees).

The meeting closed at 7.45 p.m.

Mrs B Healy
Chairman

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