

# Executive Cabinet

## Minutes of meeting held on Thursday, 7 January 2010

**Present:** Councillor Peter Goldsworthy (Executive Leader in the Chair) and Councillors Eric Bell, Kevin Joyce, Peter Malpas, Greg Morgan and John Walker.

**Also in attendance:**

**Lead Members:** Councillors Harold Heaton (Lead Member (Development Control)) and Keith Iddon (Lead Member (Licensing)).

**Other Members:** Councillors Terry Brown, Dennis Edgerley, Anthony Gee and Ralph Snape.

### 10.EC.124 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of the Deputy Leader of the Council (Councillor Pat Case) and Councillors Henry Caunce, Laura Lennox, Adrian Lowe and Marion Lowe.

### 10.EC.125 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest by any of the Executive Cabinet Members in any of the meeting's agenda items.

### 10.EC.126 MINUTES OF LAST MEETING

The minutes of the last meeting of the Executive Cabinet held on 3 December 2009 were confirmed as a correct record for signature by the Executive Leader.

### 10.EC.127 PUBLIC QUESTIONS

The Executive Leader reported that there had been no requests from any member of the public to speak on any of the meeting's agenda items.

### 10.EC.128 EXECUTIVE AND ELECTORAL ARRANGEMENTS

The Executive Cabinet considered a report of the Executive Cabinet on the implications of the Local Government and Public Involvement in Health Act 2007 which required the Council to consult the public prior to the amendment of its executive arrangements. The Act also provided an opportunity for the Council to amend its electoral arrangements.

The Council was statutorily required to alter its executive arrangements and adopt either an elected mayor and cabinet or a new style of "strong" leader and cabinet executive. While the Council was required to determine its new executive arrangements by 31 December 2010, as the decision was likely to impact on Councillors standing for election in May 2010, it was accepted that the Council's decision would need to be made as early as practicable. The consultation exercise was likely to entail the publication of a consultation document on the Council's website and an approach to the citizens' panel.

The report suggested that the Council be recommended to agree that no steps be taken to alter the Council's current electoral arrangements, in view of the unlikelihood of the necessary two thirds Council majority supporting the option of all out elections once every four years being achieved. However, the Executive Cabinet accepted the suggestion of a Councillor that, for reasons of consistency and accountability, the

Council's public consultation exercise should also seek feedback on the available options for future electoral arrangements.

**Decision made:**

**That the Council be recommended to instruct the Chief Executive to commence the required public consultation exercise on the available options to revise both the current executive and electoral arrangements, with a view to a feedback report being presented to the Special Meeting of the Council on 2 March 2010.**

**Reason for decision:**

It is a legal requirement for the Council to consult the public in advance of any alteration to its executive arrangements.

The extension of the consultation to include options for future electoral arrangements will ensure a consistent approach to the exercise.

**Alternative option(s) considered and rejected:**

Immediate determination of the Council's future electoral arrangements.

## **10.EC.129 GREEN TRAVEL PLAN**

The Corporate Director (Business) presented a report seeking endorsement of the Green Travel Plan which sought to promote and improve travel sustainability amongst Council employees.

The Plan aimed to address the over-dependency on cars by encouraging the exploration of all possible alternatives to single occupancy car use through, for example, car sharing, home working and use of alternative modes of transport (bicycle, public transport, walking, etc), whenever practicable.

The Green Travel Plan incorporated an action plan for the delivery of changes to staffs' travel patterns, together with a comprehensive list of targets to be achieved over the plan period. The successful implementation of the Plan was expected to reduce business travel mileage, travel costs for both staff and the Council and a reduction in the Authority's CO<sub>2</sub> emissions.

**Decisions made:**

- 1. That the objectives and actions contained within the Green Travel Plan, as now presented, be endorsed for application by the Council's staff.**
- 2. That further consideration of the proposal to extend and apply the provisions of the Plan to Council Members in future years be given at a later date.**

**Reason for decisions:**

It is important that the objectives and actions contained within the Green Travel Plan help to achieve Corporate Strategy targets. The objectives aim to reduce the environmental impact of travel to work and business travel by offering alternatives to car travel by increasing awareness of, and promoting, sustainable transport options and improvements to current facilities. Increasing the use of sustainable transport options such as walking and cycling will help reduce the authority's CO<sub>2</sub> emissions, thereby meeting Corporate Strategy target 4.1.1.

**Alternative option(s) considered and rejected:**

None.

**10.EC.130 MEMBERS' E-MAIL, INTERNET AND TELEPHONE ACCEPTABLE USAGE POLICY**

The Executive Cabinet was recommended to approve for adoption a revised policy which set out and defined the general rules for Councillors' and Officers' acceptable use of the e-mail, internet and telephone facilities provided by the Council.

The current policy was now several years old and did not reflect recent changes in technology, legal requirements or best practice.

The policy proposed for Members' use primarily replicated the policy regulating staffs' usage of ICT and telephony systems. While breaches of the policy by staff could result in disciplinary action, breaches by Members could result in Code of Conduct issues being considered by the Standards Committee.

A few Members questioned the validity of Clause 4.3 of the policy which prohibited the use of the Council's e-mail address by Members and Officers using public websites for non-business purposes (eg on-line shopping). In response, the Executive Member (Resources) and the Chief Executive reminded the meeting that the principal purpose of the ICT equipment was to improve the efficiency and effectiveness of the delivery of the Council's business and that transactions with public websites could result in the Council's network being inundated with unnecessary e-mails. The Executive Cabinet did, however, appreciate the concerns of Members who had disposed of personally owned computer equipment and agreed to the specific issue being debated by the Member Support Working Group.

**Decision made:**

**That the revised policy for Councillors' and Council Officers' acceptable use of e-mail, internet and telephone facilities, as now presented, be accepted in principle, but that, following consideration of the proposed policy by the respective political groups, the Member Support Working Group be requested to address the implications of Clause 4.3 prohibiting the use of the Council e-mail address when using public websites for non-business purposes (eg on-line shopping), particularly in relation to Members who have dispensed with their personal computer equipment, and make any recommendation as to how the issue might be practically resolved.**

**Reason for decision:**

The Council's policy for Members' and Officers' acceptable use of the Council's IT and telephony systems no longer reflects changes in technology, legal requirements and best practice. The reference to the Member Support Working Group will allow the Group to debate the implications of Clause 4.3 of the policy and determine whether any consequent revision will be justified.

**Alternative option(s) considered and rejected:**

The adoption of the acceptable usage policy in whole at this stage.

## **10.EC.131 CAPITAL PROGRAMME, 2009/10 TO 2011/12 - MONITORING REPORT**

The Executive Cabinet considered a report of the Assistant Chief Executive (Business Transformation) on proposals to revise the Council's Capital Programme for 2009/10 to 2011/12.

While the decision on the Council's application for the capitalisation of redundancy payments and pension strain costs arising from the restructuring of Directorates in 2009 was not yet known, the report recommended the estimated costs of the recent senior management and Corporate Services restructures to be also capitalised, taking the total of the capitalised restructuring costs to £1,150,000.

Rephrasing of certain capital schemes to 2010/11 would offset part of the net increase in expenditure and other additions to the programme were expected to be financed through external resources.

The borrowing requirement to fund the 2009/10 programme had increased by £550,280, principally as a consequence of the capitalised restructuring costs. The cost of the increased borrowing, as well as the revenue savings in the region of £600,000 anticipated from the restructures, would be taken into account in the draft revenue estimates for 2010/11 onwards.

The proposed virements, rephrasing of expenditure and projected savings within the Capital Programme were shown in an appendix to the report.

### **Decision made:**

**That the Council be recommended:**

- 1. to approve the revised Capital Programme for 2009/10, as shown in Appendix 1 to the submitted report;**
- 2. to note the amendments to the provisional Capital Programme for 2010/11, as shown in Appendix 1 to the submitted report;**
- 3. to note the inclusion of the additional restructuring costs in the December 2009 applications for Directions to capitalise redundancy and pension strain costs in 2009/10;**
- 4. to request budget holders to continue to review their uncommitted 2009/10 budgets in order to identify any further expenditure that can be rephased to a later financial year in order to reduce the borrowing requirement in 2009/10 and the revenue costs in 2010/11.**

### **Reason for decisions:**

The 2009/10 Capital Programme has been updated to add, rephrase and vire budgets and to reflect the estimated availability of capital resources.

The provisional Capital Programmes for 2010/11 and 2011/12 have been updated to take account of the rephrasing of expenditure and the resources estimated to be available.

### **Alternative option(s) considered and rejected:**

The redundancy and pension strain costs arising from the recent restructures, if not capitalised, would need to be charged to the revenue budget for 2009/10.

Executive Leader