

**MINUTES OF POLICY & RESOURCES COMMITTEE
HELD ON**

29 January 2009

7.30pm-8.04pm

PRESENT

COUNCILLORS

Simon Carter (Chairman)

Manny Doku
Chris Millington

Andrew Johnson
Russell Perrin
Mark Wilkinson

Eddie Johnson
Clive Souter

ALSO PRESENT

Joel Charles

107. **DECLARATIONS OF INTEREST**

None.

108. **MINUTES**

RESOLVED that the minutes of the meetings held on 27 November 2008 and 18 December 2008 be agreed as a correct record and signed by the Chairman.

109. **MATTERS ARISING**

None.

110. **WRITTEN QUESTIONS AND PETITIONS**

None.

111. **NON-CONTENTIOUS BUSINESS**

RESOLVED that the following items be taken as non-contentious business:-

- | | |
|-----------|--|
| 7 | Committee Work Plan. |
| 10 | Standing Orders Relating to Contracts – Action Taken Under Delegated Powers. |
| 12(a)-(c) | Working Party/Group/Committee Minutes. |

112. **COMMITTEE WORK PLAN**

RESOLVED that the Committee Work Plan be noted.

113. **COMMISSION CHARGES FOR CREDIT CARD PAYMENTS**

The Committee received a report proposing the introduction of commission charges for credit card payments. Currently, the Council paid the merchant provider commission charges, which had amounted to £18,000 in the 2007/08 financial year.

Members asked that credit card users be informed of the charge at the time of the transaction and that information be provided of other methods of payment.

RESOLVED that

- (a) commission charges be introduced in respect of payments received for all charges raised except sundry debtor charges, housing benefit overpayments and car parking penalty charge notices with effect from 1 April 2009;
- (b) the commission rate be set at 2% per £1 received.

114. **DEBT WRITE OFFS**

The Committee received a report proposing the write off of irrecoverable debts. Members requested that, in future reports, each debt in the list be given a sequential number for ease of reference.

RESOLVED that

- (a) irrecoverable Council Tax amounting to £75,188.67 and un-refundable credit balances of £8,347.37 be written off;
- (b) irrecoverable Non Domestic Rates amounting to £38,732.39 be written off;
- (c) irrecoverable sundry debtors and miscellaneous income amounting to £23,157.21 be written off;
- (d) irrecoverable Housing Benefit overpayments amounting to £24,102.09 be written off.
- (e) in future reports, each debt in the list be given a sequential

number for ease of reference.

115. **STANDING ORDERS RELATING TO CONTRACTS – ACTION TAKEN UNDER DELEGATED POWERS**

The Committee received a report on action taken under delegated powers in respect of Standing Orders Relating to Contracts for the period 22 August 2008 to 22 December 2008.

RESOLVED that the report be noted.

116. **POLICY FOR REGULATION OF INVESTIGATORY POWERS ACT 2000**

The Committee received a report proposing the formal adoption of the policy for the regulation of investigatory powers. The Council had been applying this draft policy and had found it fit for purpose. It had also been approved by the Surveillance Commissioner's office during the Council's last routine inspection.

Members asked if it would be possible, in some circumstances, for them to be informed of investigations and it was agreed that consideration would be given to the possibility of Members reviewing individual investigations.

RESOLVED that

- (a) the Council's Policy for Regulation of Investigatory Powers Act 2000 be approved subject to the following amendments:-
 - (i) At paragraph 26 of the policy, delete all but the first bullet point and add a new second bullet point to read "For the prevention of disorder".
 - (ii) At Appendix 1 of the policy, add a fourth bullet point under "Manager of Legal Services" to read "Legal Team Leader"
- (b) an report on the number and type of investigations that had been undertaken in the previous 12 months, be submitted to this Committee annually.

117. **WORKING PARTY/GROUP/COMMITTEE MINUTES**

- (a) **Budget & Performance Monitoring Working Party**

RESOLVED that the minutes of the Budget & Performance Monitoring Working Party held on 21 January 2009 be noted.

(b) Theatre Development Working Group

RESOLVED that the minutes of the Theatre Development Working Group held on 26 November 2008 be noted.

(c) Safety Committee

RESOLVED that the minutes of the Safety Committee held on 9 December 2008 be noted.

118. **REFERENCES FROM OTHER COMMITTEES**

(a) Environment & Community Committee
20 January 2009

Traffic Regulation Orders

The above Committee recommended to the Policy and Resources Committee that capital expenditure, as set out in paragraph 4, be approved.

RESOLVED that capital expenditure, as set out in paragraph 4 of the report, be approved.

(b) Special Environment & Community Committee
22 January 2009

Award of Waste and Recycling Contract

The above Committee recommended to the Policy and Resources Committee that the Waste and Recycling Contract be awarded to the preferred contractor (as detailed in the report) for a seven year period commencing 29 June 2009, subject to approval of the 2009/10 budget and Medium Term Financial Strategy (2009/10 – 2013/14) by Council and formal contract.

The Committee resolved that the call-in procedure would not apply to this decision on the basis that it was urgent and any delay that may result from the call-in process would be prejudicial to the interests of the Council or any third party. The reasons for this are that it is likely to (i) result in a the Council being unable to determine budget estimates for 2009/10 and (ii) delay the award of the contract which could mean that the successful contractor would be unable to commence upon the expiry of the current contract.

RESOLVED that

- (i) the call-in procedure shall not apply to this decision on the basis that it is urgent as any delay that may result from the call-in process would be prejudicial to the interests of the Council or any third party. The reasons for this are that it is likely to (1) result in the Council being unable to determine budget estimates for 2009/10 and (2) delay the award of the contract which could mean that the successful contractor is unable to commence upon the expiry of the current contract;
- (ii) the Waste and Recycling Contract be awarded to the preferred contractor (as detailed in the report) for a seven year period commencing 29 June 2009, subject to approval of the 2009/10 budget and Medium Term Financial Strategy (2009/10 – 2013/14) by Council and formal contract.

119. **MATTERS OF URGENT BUSINESS**

None.

CHAIRMAN OF THE COMMITTEE