

COUNCIL - WEDNESDAY, 13 NOVEMBER 2013

Late Items

6. REPORTS OF THE CABINET, PANELS AND COMMITTEE

- (d) Overview & Scrutiny Panel (Social Well-Being) (Pages 1 - 6)

Report of the meetings held on 1st October and 5th November 2013 - attached

9. REPRESENTATION OF POLITICAL GROUPS ON DISTRICT COUNCIL PANELS, ETC (Pages 7 - 12)

A report by the Head of Legal and Democratic Services reviewing the representation of groups on Panels, etc - attached.

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Overview and Scrutiny Panel (Social Well-Being)

**Report of the meetings held on 1st October and
5th November 2013**

Matters for Information

**21. PROPOSED ESTABLISHMENT OF LOCAL JOINT COMMITTEES
IN HUNTINGDONSHIRE**

Executive Members' deliberations on the establishment of Local Joint Committees (LJCs) in Huntingdonshire have been reported to the Panel. A revised Constitution has been approved, which will allow LJCs to operate in a flexible way and enable each area to develop in accordance with local need, whilst also encouraging public engagement and participation at meetings. Town and Parish Councils have been notified of the opportunity they have to establish their own LJCs in the District.

**22. HOUSING AND COUNCIL TAX BENEFIT CHANGES AND THE
POTENTIAL IMPACT UPON HUNTINGDONSHIRE**

The Panel has been acquainted with the effect of Government changes to the Housing and Council Tax Benefit/Support schemes arising from the Welfare Reform Act. There has been a delay with the introduction of the Universal Credit system. The system is expected to have a major impact on Huntingdonshire's residents. Homelessness trends within the District have also been discussed. The main causes of it are the eviction of households from private sector tenancies, landlords' reluctance to work with benefits claimants and the sale of private rented properties as they have ceased to be sufficiently profitable.

Pensioners are not affected by the welfare reforms. The reforms primarily affect households of working age with the under occupancy element affecting 816 households within the District. Whilst Huntingdonshire has a larger population, the overall impact on the District is comparable to the other Cambridgeshire authorities. Some of Huntingdonshire's data is not available. It has been explained that this can be attributed to the closure of the former Huntingdonshire Citizens Advice Bureau (CAB) which ceased to operate in December 2012. Rural Cambs CAB commenced the delivery of advisory services with effect from 1st April 2013 and will be providing this data in the future.

The Panel has discussed the availability of smaller social rented properties within the District to households wishing to downsize, the number of households who have moved because of the reforms and Luminus' mutual exchange programme. Details of the Council's discretionary housing payments policy have then been received together with the factors considered by the Council when determining households' needs including the receipt of any other benefits such as disability payments and the levels set by the Government for the benefit cap. Having examined the use of emergency accommodation for households evicted from their properties, an outline has been provided of the steps required to evict tenants from their homes and the measures available to prevent this from happening.

The Panel has questioned whether the Council's budget position is likely to be affected by the introduction of the Council Tax Support scheme. Given that the scheme has only been implemented in the last six months, this information will be collected from the Council Tax Team and forwarded to the Panel.

The Panel will continue to receive reports on a six monthly basis and has requested that they should include comparative data for Cambridgeshire. In the meantime, information on the Council's budget position following the introduction of the Council Tax Support scheme has been circulated to Members.

23. AFFORDABLE HOUSING AND HOMELESSNESS

The Panel has been provided with details of how the Council's emerging Affordable Housing Policy will help to meet the identified need for accommodation for homeless households and for those that require supported housing. There are a number of factors that influence the availability of affordable housing and to encourage residents to move out of social housing into the private housing sector remains a challenge both locally and nationally.

The Panel has discussed the Council's duty to prevent homelessness and the scale of housing need within the District. There has been a decline in the number of affordable housing units being built. This is unlikely to change until the construction of large scale strategic housing sites commences. The impact of a reduced new build programme on homelessness and the options available to the Council to meet demand have been reported to the Panel.

There is a need for 21,000 new homes to be built in Huntingdonshire by 2036, of which 8,188 will need to be affordable units. Housing need will be met through the forthcoming Local Plan via a number of means including a reinvigorated supply of housing land. Although the affordable housing target is likely to be reduced, the potential reduction in site thresholds from 15 to 10 homes and the development of a number of large strategic housing sites over the Plan period mean that the number of affordable units constructed should at least be maintained. The draft enabled exceptions policy and policies designed to reflect and meet the needs of the ageing population will further assist in this respect. The actions the Council

will take to meet the need for supported housing, particularly in cases where commissioners identify a particular need have also been discussed.

The Council is actively looking at options to deliver more supported housing and ways of generally promoting the local housing market. However, the Panel has highlighted the need to future proof new homes and the challenges that exist to deliver rural exception sites.

24. OVERVIEW AND SCRUTINY INVOLVEMENT IN IDENTIFYING PRIORITY AREAS FOR SAVINGS

(Part of the discussion on the following item was considered as a confidential item under paragraphs 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972.)

The three Overview and Scrutiny Panels have been asked to assist in the process to identify additional savings of £3,694,000 by 2018/19 and to make significant changes to the way the Council currently operates. Their role will be to undertake reviews of all the Council's services and to prioritise areas where savings can be achieved. The Panel has endorsed their involvement in this process.

There is a need for the reviews to be completed by December 2013 to enable the outcome of the Panels' deliberations to be reported to the Cabinet's January 2014 meeting. It has, therefore, been agreed that two additional meetings will be held on 19th November and 11th December 2013 for this purpose.

At the October meeting the Panel has reviewed an example of a template for a service area which shows the range of information that will be presented at the forthcoming meetings, namely statutory duties, service standards and current performance, manpower including any vacancies and financial data including historic spending. An explanation of each element of the template has been provided to enable Members to gain a feel for the information that will be produced.

Whilst the Panels will be undertaking reviews of Council service areas, the Cabinet will continue to explore a number of overarching strategic issues, such as pay and the LGSS human resources function. The schedule of work for November and December 2013 has been submitted to the Cabinet at its October 2013 meeting for approval.

The Panel has commenced the process with the first of its "Facing the Future" service reviews at the November meeting. Consideration has been given to the Development Management, Planning Policy and Strategic Housing areas of the Council. Members have challenged various aspects of each service and agreed a proposed priority order of actions for each service together with some additional suggestions for investigation. The Overview and Scrutiny Panels will collectively report to the Cabinet in January 2014 on the outcome of their reviews.

25. UPDATE ON REDESIGN OF LOCAL MENTAL HEALTH SERVICES

The Panel has received a position statement on the on-going implementation of the redesign of local mental health services. A question on the number of acute referrals made from the Hinchingsbrooke catchment area to Fulbourn and to Peterborough will be put to representatives of the Clinical Commissioning Group when they attend the Panel's January 2013 meeting. Assurances also will be sought on the support provided to mental health patients whom have been discharged into the community.

Redesigned community services are in the process of being implemented. The Panel will postpone its planned public consultation on mental health services until this process has been completed.

26. CAMBRIDGESHIRE ADULTS, WELLBEING AND HEALTH OVERVIEW AND SCRUTINY COMMITTEE

The Panel has received an update on matters currently being considered by the Cambridgeshire Adults, Wellbeing and Health Overview and Scrutiny Committee. Councillor J W Pethard, the Council's representative on the Committee, has been appointed to a Working Group to consider the future commissioning of older peoples services and investigations are being made into the retirement/sheltered housing at Langley Court, St Ives.

Councillors C R Hyams and I J Curtis have reported on their experiences of patient care at Hinchingsbrooke Hospital and have drawn the Panel's attention to a number of problems and suggestions for improvement to the current working practices employed at the Hospital. Councillor J W G Pethard has undertaken to raise these issues at the next meeting of the Committee.

Other Matters of Interest

27. OVERVIEW AND SCRUTINY PANEL (SOCIAL WELL-BEING) – PROGRESS

The Panel has reviewed its work programme. The Corporate Plan Working Group has met since the last meeting and a further meeting will be held in December 2013. The new Delivery Plan is expected to be launched in April 2014.

Owing to the extent of the work required by the Panel in identifying priority areas for savings (Item No. 24 refers) the Panel has deferred those items scheduled for November and December 2013 to the January and February 2014 meetings.

28. WORK PLAN STUDIES

The Panel has received details of studies being undertaken by the other Overview and Scrutiny Panels.

29. NOTICE OF EXECUTIVE DECISIONS

The Panel has been acquainted with the current Notice of Executive Decisions at its meeting.

30. SCRUTINY

The Panel has considered the latest edition of the Decision Digest and discussed matters contained therein.

S J Criswell
Chairman

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Representation of Political Groups on District Council Panels, etc.

Report by the Head of Legal and Democratic Services

1. INTRODUCTION

- 1.1 The Local Government and Housing Act 1989 and associated Regulations describe arrangements for achieving a balance on Panels etc, to reflect the representation of political groups and independent Members on the District Council. The Act requires the District Council to review the representation of different political groups at the time when the Authority holds its Annual Meeting and as soon as practicable and over one month after the last review if the Proper Officer receives a request to undertake a further review of the allocation of seats given a change to membership of a political group. Since the last review was undertaken at the Annual Council meeting in May, the Head of Paid Service has received notification from Councillors K J Churchill and R S Farrer that they have joined the UKIP Group. Both Councillors were treated, for the purposes of the calculations in May, as non aligned conservatives.

2. PRINCIPLES OF PROPORTIONALITY

- 2.1 In performing the duty to review representation, the Council must, so far as reasonably practicable, only determine the allocation of seats having regard to the following principles -
- ◆ that not all the seats are allocated to the same political group;
 - ◆ that the majority of seats are allocated to the political group which forms a majority of the Council's membership; and
 - ◆ that the number of seats allocated is in the same proportion as is borne by the number of Members of a political group to the membership of the Council.
- 2.2 Currently it is open to the Council to approve alternative arrangements otherwise than in accordance with the principles of proportionality providing that the alternative arrangements are approved without any Member voting against them.

3. CONSTITUTION OF POLITICAL GROUPS

- 3.1 Therefore, following the changes to the membership of the UKIP Group, the constitution of political groups on the Council is as follows:-

Name of Group	No. of Members
Conservative	37
Liberal Democrat	6
UKIP	5
Labour	1

There are now three Members of the Council who are not aligned to a political group.

- 3.2 The membership of groups in proportion to the total membership of the Council is therefore as follows:-

	%
Conservative	71.15
Liberal Democrat	11.54
UKIP	9.62
Labour	1.92

The Independent Members represent 5.77 % of the membership of the Council.

4. LOCAL GOVERNMENT ACT 2000

- 4.1 Under the Local Government Act 2000, the proportionality requirements do not apply to the Cabinet or to any Sub-Groups or Sub-Committees, which the Cabinet may appoint. Appointment of the Cabinet also lies with the Executive Leader of the Council. Recent changes to the Constitution and the impact of the Localism Act 2011 on the standards regime have varied and increased to 88, the number of seats to which the Council can appoint.

- 4.2 The following requirements of the Act also need to be adhered to by the Council in determining the membership of Panels, etc. -

- ◆ the Cabinet may not include either the Chairman or Vice-Chairman of the Council;
- ◆ Overview and Scrutiny Panels may not comprise any Member of the Cabinet;
- ◆ the Executive Leader, Deputy Executive Leader and any Member of the Cabinet shall not be elected as Chairman of any Committee or Panel other than any that may be appointed by the Cabinet.

- 4.3 The Constitution also provides for the Development Management Panel, Licensing and Protection Panel, the Employment Panel and the Licensing Committee to include the relevant Executive Councillor within their respective membership. The Council has previously appointed the Standards Committee to include one Member of the Executive.

Every Member of the Council shall be appointed to serve on a minimum of one Overview and Scrutiny Panel, Committee or Panel of the Council or the Cabinet.

5. PROPORTIONALITY

5.1 Excluding the Cabinet, the aggregate number of seats on Panels is now 88. Using the proportionality percentage referred to in paragraph 3.2 and rounding up or down as appropriate, produces the following entitlement –

	Seats
Conservative Group	63
Liberal Democrat Group	10
UKIP	8
Independent Members	5
Labour	2

5.2 Applying the principles of the Act and, similarly, rounding the figures as necessary, gives the distribution as set out in the Annex.

5.3 The principles of proportionality apply similarly to advisory/sub-groups appointed or nominated by panels and regard must be given to the following examples of entitlements to seats:-

No. of Members on Sub-Group, etc	Proportion of Members from Political Groups				
	Cons	Lib Dem	UKIP	Indep	Lab
3	2	1	0	0	0
4	3	1	0	0	0
5	4	1	0	0	0
6	4	1	1	0	0
7	5	1	1	0	0
8	6	1	1	0	0
9	6	1	1	1	0
10	7	1	1	1	0

5.4 The Cabinet may not delegate any of its functions to non-Cabinet Members. Therefore any Sub-Group of the Cabinet that is exercising any decision-making powers delegated to it by the Cabinet must include only Cabinet Members. This does not prevent any Advisory Group appointed by the Cabinet that has no decision-making powers and whose terms of reference are merely advisory from including non-Cabinet Members.

5.5 It should be noted that the 2000 Act requires the appointment of a minimum of one Cabinet Member to a Joint Committee exercising executive functions. Other Members may be appointed to a Joint Committee and the political balance requirements do not apply although circumstances will vary as to whether those Members can vote on executive decisions.

6. CONCLUSION

- 6.1 The Council is invited to determine the allocation of seats on District Council Panels to political groups and to the non-aligned Members in accordance with the distribution illustrated in the attached Appendix and to note the requirements for appointments to advisory/sub groups etc, in paragraph 5.3. The proportionality requirements do not apply to the Cabinet and its membership will be determined by the Executive Leader
- 6.2 The opportunity otherwise is available currently to allocate seats in accordance with an alternative arrangement, with the exception of the Cabinet, provided this arrangement is approved by the Council with no Member voting against.

BACKGROUND PAPERS

Local Government and Housing Act 1989
Local Government Act 2000
Localism Act 2011
District Council Constitution

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APPENDIX

Panel/ Committee	No. of Seats*	No. of Ex-officio	Title of Ex-officio	Cons	Lib Dem	UKIP	Indep.	Lab	Cons	Lib Dem	UKIP	Indep.	Lab
Corporate Governance Panel	8	0		5.69	0.92	0.76	0.46	0.15	5	1	1	0	1
Development Management Panel	16	1	Not defined	11.38	1.85	1.53	0.92	0.30	11	2	2	1	0
Employment Panel	8	1	Not defined	5.69	0.92	0.76	0.46	0.15	6	1	0	1	0
Licensing & Protection Panel/ Committee	12	1	Not defined	8.54	1.38	1.15	0.69	0.23	9	1	1	1	0
Overview & Scrutiny Panel (Economic Well- Being) **	12	0		8.54	1.38	1.15	0.69	0.23	9	2	1	0	0
Overview & Scrutiny Panel (Environmental Well-Being) **	12	0		8.54	1.38	1.15	0.69	0.23	9	1	1	1	0
Overview & Scrutiny Panel (Social Well- Being) **	12	0		8.54	1.38	1.15	0.69	0.23	8	1	1	1	1
Standards	8	1	Not defined	5.69	0.92	0.76	0.46	0.15	6	1	1	0	0
TOTAL	88			63	10	8	5	2	63	10	8	5	2

* The allocation of these seats must be balanced so that the total entitlement to seats on each group is not exceeded.

** Across all Overview & Scrutiny Panels, the total entitlement to seats is as follows-

Conservative – 26, Liberal Democrat – 4, UKIP – 3, Independent – 2, Labour -1.

The above assumes the appointments held by all the other groups remain unchanged.. There is one vacancy on the Overview & Scrutiny Panel (Social Well Being) to be filled by a nomination from the Conservative Group

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