

NOTICE IS HEREBY GIVEN that a meeting of **HUNTINGDONSHIRE DISTRICT COUNCIL** will be held in the **COUNCIL CHAMBER, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **WEDNESDAY, 18 APRIL 2007** at **2:30 PM** and you are requested to attend for the transaction of the following business:-

A G E N D A

PRAYER

The Reverend Mark Savage, Team Vicar for Huntingdon will open the meeting with prayer.

APOLOGIES

CHAIRMAN'S ANNOUNCEMENTS

1. MINUTES (Pages 1 - 20)

To approve as a correct record the Minutes of the meeting held on 21st February 2007.

2. MEMBERS' INTERESTS

To receive from Members declarations as to personal and/or prejudicial interests and the nature of those interests in relation to any Agenda item. Please see Notes 1 and 2 below.

3. ADOPTION OF INTERIM PLANNING POLICY STATEMENT (Pages 21 - 26)

To consider a report by the Head of Planning Services requesting the Council to adopt an Interim Planning Policy Statement.

4. GAMBLING ACT 2005 - DELEGATIONS (Pages 27 - 28)

Report by the Head of Administration.

5. REPORTS OF THE CABINET, PANELS AND COMMITTEE

(a) Cabinet (Pages 29 - 34)

(b) Standards Committee (Pages 35 - 38)

(c) Overview and Scrutiny Panel (Corporate and Strategic Framework) (Pages 39 - 40)

(d) Overview and Scrutiny Panel (Service Delivery) (Pages 41 - 44)

- (e) Overview and Scrutiny Panel (Service Support) (Pages 45 - 50)
- (f) Development Control Panel (Pages 51 - 68)
- (g) Licensing and Protection Panel (Pages 69 - 70)
- (h) Corporate Governance Panel (Pages 71 - 124)
- (i) Elections Panel (Pages 125 - 126)

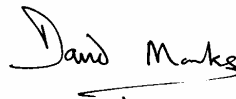
6. ORAL QUESTIONS

In accordance with the Council Procedure Rules (Section 8.3) of the Council's Constitution, to receive oral questions from Members of the Council

7. LOCAL GOVERNMENT ACT 1972: SECTION 85

The Chief Executive to report on absences of Members from meetings.

Dated this 10th day of April 2007



Chief Executive

Notes

1. *A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District –*
 - (a) *the well-being, financial position, employment or business of the Councillor, a partner, relatives or close friends;*
 - (b) *a body employing those persons, any firm in which they are a partner and any company of which they are directors;*
 - (c) *any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or*
 - (d) *the Councillor's registerable financial and other interests.*
2. *A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.*

Please contact Ms C Deller, Democratic Services Manager, Tel No 01480 388007/e-mail: Christine.Deller@huntsdc.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Council.

Agenda and enclosures can be viewed on the District Council's website –
www.huntingdonshire.gov.uk (under Councils and Democracy).

If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Democratic Services Manager and we will try to accommodate your needs.

আপনি যদি এই লিখিত তথ্যের (ডকুমেন্ট) একটি অনুবাদ, একটি বড় অক্ষরে লেখা সংস্করণ অথবা একটি শব্দ যোগ্য (অডিও) সংস্করণ চান, তবে অনুগ্রহ করে আমাদের সঙ্গে ০১৪৮০ ৩৮৮০০৭ নম্বরে যোগাযোগ করুন এবং আমরা আপনার প্রয়োজন মেটাতে চেষ্টা করব।

這份文件，若你想得到一份譯文版、一份字體大的版本或錄音版，請電 01480 388007 與我們聯絡，我們將會盡力來迎合閣下的需要。

اگر آپ کو اس دستاویز کا ترجمہ بڑے الفاظ میں یا آڈیو ٹیپ پر درکار ہو تو براہ مہربانی ہم سے 01480 388007 پر رابطہ کریں، ہم آپ کی ضروریات پوری کرنے کیلئے اپنی طرف سے مکمل کوشش کریں گے

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Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the COUNCIL held in the Council Chamber, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 21 February 2007.

PRESENT: Councillor P A Swales – Chairman.

Councillors J D Ablewhite, R W D Bailey, M G Baker, K M Baker, Mrs M Banerjee, I C Bates, J T Bell, Mrs B E Boddington, P L E Bucknell, Mrs J Chandler, K J Churchill, Mrs D E Collins, S J Criswell, J W Davies, D B Dew, P J Downes, J J Dutton, R W J Eaton, R S Farrer, J E Garner, D A Giles, P M Godfrey, Mrs C A Godley, J A Gray, N J Guyatt, A Hansard, D Harty, C R Hyams, Mrs P J Longford, Mrs S A Menczer, P G Mitchell, I R Muir, M F Newman, R Powell, D J Priestman, Mrs D C Reynolds, K Reynolds, T V Rogers, T D Sanderson, L M Simpson, G S E Thorpe, R G Tuplin, P R Ward, J S Watt, R J West and Ms M Wheeler.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors E R Butler, J D Fell, A N Gilbert, J M Sadler and C J Stephens.

IN ATTENDANCE: Mr D H Bristow.

49. PRAYER

The Bishop of Ely, Bishop A. Russell, opened the meeting with Prayer.

50. CHAIRMAN'S ANNOUNCEMENTS

(a) **New District Councillor**

The Chairman welcomed Councillor P R Ward to his first meeting of the Council following a by-election in the Warboys and Bury Ward.

(b) **Awards and Acknowledgements**

The Chairman indicated that he was pleased to announce that the District Council had received awards from the Association of Town Centre Management for their contribution towards the St. Benedicts Court Environmental Improvements Scheme, a Project of the Year Award in the

Eastern Region for its retail training courses and from the Royal Town Planning Institute for the regeneration project for the Oxmoor area of Huntingdon.

51. PETITION

The Chairman invited Ms N Tinn from the Offords Action Group to present a petition containing 128 signatures which called upon the Council to express a "preference for the 'brown route' as the route which has the least harmful overall impact for all communities concerned" in terms of the proposed improvements of the A14 from Ellington to Fen Ditton. The petitioners submitted the following reasons for their position -

- “◆ the number of properties which would suffer an increased noise nuisance by 2029 is less than for any other route, whereas the number who will benefit from less noise is greatest;
- ◆ the shorted viaduct over the Great Ouse and the railway on the brown route significantly reduces the environmental and visual impact;
- ◆ although initially more expensive, when viewed over the 60 year lifetime of the road, the differences are minimal and therefore costs should not influence the decision".

Following questions from Members, it was

RESOLVED

that the content of the petition be noted and taken into account during consideration of Minute No. 56 post.

52. MINUTES

Subject to the deletion of the name of Councillor K Reynolds from Minute No. 41, the Minutes of the meeting of the Council held on 6th December 2006 were approved as a correct record and signed by the Chairman.

53. MEMBERS' INTERESTS

Councillors I C Bates, Mrs B E Boddington, S J Criswell, P J Downes, J J Dutton, R S Farrer, D Harty, C R Hyams and K Reynolds declared a personal interest in Minute No. 59(a) (Item Nos. 89 and 90) by virtue of their membership of Cambridgeshire County Council.

Councillor J A Gray declared a prejudicial interest in Minute No. 59 (f) (Item No. 31) by virtue of his family relationship with a land owner who might be affected by the proposals contained therein.

54. BY ELECTION - 15TH FEBRUARY 2007

The Chief Executive reported that Mr P R Ward had been elected to the office of District Councillor at the by-election held on 15th

February 2007 in the Warboys and Bury Ward. In so doing, he extended his appreciation to candidates and their agents for their co-operation during the election and his gratitude for the contribution made by staff employed during the day.

55. FINANCIAL PLAN, MEDIUM TERM PLAN AND 2007/08 BUDGET: UPDATE AND ADJUSTMENTS

In conjunction with a report by the Head of Financial Services (a copy of which is appended in the Minute Book) and Item Nos. 85 and 86 of the Report of the Cabinet, the Executive Councillor for Finance, Councillor T V Rogers addressed the Council on the financial strategy, medium term plan for 2008/2012, 2007/08 budget, and related Prudential Indicators contained in the Treasury Management Strategy. In accordance with Section 30 (2) of the Local Government Finance Act 1992, the Council also considered draft resolutions as to the levels of Council Tax in 2007/08 for the various parts of Huntingdonshire District.

Councillor Rogers commenced his presentation by thanking Officers, the Overview and Scrutiny Panels, individual Members and the Liberal Democrat Group for their contributions to the budgetary process and the identification of savings. He reminded Members that the challenges to which the Council had to respond included pressures for increased service spending, above average inflation, falling reserves and the threat of capping by the Government. He added that the existing programme of efficiencies and other savings would be required to continue.

Councillor Rogers drew attention to specific changes which had taken place since the Council had considered the budget and Medium Term Plan 2007 – 2012 in December (Minute No. 45 (a) refers) and to several late adjustments relating to electricity and gas costs and the re-phasing of the Pathfinder House/Operations Centre project. Turning specifically to the recommendations of the Cabinet for an increase in Council Tax of £5.22 in 2007/08 for a Band D property, Councillor Rogers explained that, in the Cabinet's view, this figure met the need to balance the demand for improved services against the desire to retain an affordable Council Tax for those households on fixed incomes.

In response, Councillor P J Downes, on behalf of the Liberal Democrat Group reiterated his disappointment that not all of the savings proposals submitted by his Group had been accepted but he acknowledged that other savings would need to be identified in subsequent years. He indicated his desire to see greater flexibility in the budget to enable the Council to respond to unforeseen expenditure such as the action plan arising from the Environment Strategy and suggested that consideration should be given to the possibility of shared services with other authorities which presented opportunities to secure cost savings.

In the ensuing discussion, the Leader, Councillor I C Bates, assured the Council that all opportunities for savings to enable the continued provision of good quality services and a low council tax would be

considered and this process would allow for new initiatives, such as the Environment Strategy to proceed as appropriate. Whereupon, it was

RESOLVED

- (a) that the proposed budget, Medium Term Plan and financial strategy, as set out in Annexes A4, A5 and A7 to the report now submitted be approved;
- (b) that the revised Treasury Management Strategy and Prudential Indicators as described in Annex B to the report now submitted be approved;
- (c) that a Council Tax increase of 4.99% representing a Council Tax of £109.91 for a Band D property in 2007/08 be approved;
- (d) that the following amounts be calculated by the Council for 2007/08 in accordance with Sections 32 and 36 of the Local Government and Finance Act 1992 (the Act):-

	£
(i) the aggregate of the amounts which the Council estimates for the items set out in Section 32(2) (a) to (e) of the Act <i>Gross revenue expenditure including benefits and Parish Precepts</i>	66,700,085
(ii) the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act <i>Gross revenue income including reimbursement of benefits and use of reserves</i>	45,176,156
(iii) the amount by which the aggregate at (b) (i) above exceeds the aggregate at (b) (ii) above in accordance with Section 32 (4) of the Act <i>Budget requirement (item i minus item ii)</i>	21,523,929
(iv) the aggregate of the amounts payable into the General Fund for the items set out in Section 33 (1) of the Act. <i>Government support</i>	11,649,631
(v) the aggregate of the amounts	6,718

payable from the General Fund
for the items set out in Section
33 (3) of the Act

Collection Fund surplus

- | | | |
|--------|---|---|
| (vi) | the basic amount of Council Tax for 2007/08 in accordance with Section 33 (1)
District plus average Town/Parish Council Tax | 171.81
<i>per band D property</i> |
| (vii) | the aggregate of special items referred to in Section 34 (1)
Total Town and Parish Council precepts | 3,554,747 |
| (viii) | the basic amount of Council Tax for 2007/08 for those parts of the District to which no special item relates
District Council Tax per band D property | 109.91 |
| (ix) | the basic amounts of Council Tax for 2007/08 for those parts of the District to which one or more special items relate in accordance with Section 34 (3) of the Act are shown by adding the Huntingdonshire District Council amount to the appropriate Parish Council amount in column "band D" set out in table 1 hereto; | |
| (x) | the amounts to be taken into account for 2007/08 in respect of categories of dwellings listed in the different valuation bands in accordance with Section 36 (1) of the Act are shown by adding the Huntingdonshire District Council amount to the appropriate Parish Council amount for each of the valuation bands in the columns "bands A to H" set out in table 1 hereto; | |
- (e) that the amounts of precept issued to the Council by Cambridgeshire County Council, Cambridgeshire Police Authority and Cambridgeshire & Peterborough Fire Authority for each of the categories of dwellings listed in different valuation bands in accordance with Section 40 of the Act shown in table 1 hereto; and
- (f) that, having regard to the calculations above, the Council, in accordance with Section 30 (2) of the Local Government and Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for 2007/08 for each of the categories of dwelling shown in table 2 hereto.

TABLE 1	BAND A £	BAND B £	BAND C £	BAND D £	BAND E £	BAND F £	BAND G £	BAND H £
Cambridgeshire County Council	621.66	725.27	828.88	932.49	1139.71	1346.93	1554.15	1864.98
Cambridgeshire Police Authority	99.60	116.20	132.80	149.40	182.60	215.80	249.00	298.80
Huntingdonshire District Council	73.27	85.49	97.70	109.91	134.33	158.76	183.18	219.82
Cambridgeshire Fire Authority	34.92	40.74	46.56	52.38	64.02	75.66	87.30	104.76
PARISH COUNCILS :-								
Abbotsley	39.15	45.68	52.20	58.73	71.78	84.83	97.88	117.46
Abbots Ripton	27.36	31.92	36.48	41.04	50.16	59.28	68.40	82.08
Alconbury	28.93	33.76	38.58	43.40	53.04	62.69	72.33	86.80
Alconbury Weston	19.11	22.30	25.48	28.67	35.04	41.41	47.78	57.34
Alwalton	13.02	15.19	17.36	19.53	23.87	28.21	32.55	39.06
Barham and Woolley	12.82	14.96	17.09	19.23	23.50	27.78	32.05	38.46
Bluntisham	81.55	95.14	108.73	122.32	149.50	176.68	203.87	244.64
Brampton	50.86	59.34	67.81	76.29	93.24	110.20	127.15	152.58
Brington and Molesworth	15.17	17.70	20.23	22.76	27.82	32.88	37.93	45.52
Broughton	21.71	25.32	28.94	32.56	39.80	47.03	54.27	65.12
Buckden	35.13	40.98	46.84	52.69	64.40	76.11	87.82	105.38
Buckworth	52.53	61.29	70.04	78.80	96.31	113.82	131.33	157.60
Bury	16.58	19.34	22.11	24.87	30.40	35.92	41.45	49.74
Bythorn and Keyston	5.44	6.35	7.25	8.16	9.97	11.79	13.60	16.32
Catworth	42.16	49.19	56.21	63.24	77.29	91.35	105.40	126.48
Chesterton	11.30	13.18	15.07	16.95	20.72	24.48	28.25	33.90
Colne	28.72	33.51	38.29	43.08	52.65	62.23	71.80	86.16
Conington	10.96	12.79	14.61	16.44	20.09	23.75	27.40	32.88
Covington	18.70	21.82	24.93	28.05	34.28	40.52	46.75	56.10
Denton and Caldecote	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Diddington	13.33	15.56	17.78	20.00	24.44	28.89	33.33	40.00
Earith	32.47	37.88	43.29	48.70	59.52	70.34	81.17	97.40
Easton	24.89	29.03	33.18	37.33	45.63	53.92	62.22	74.66
Ellington	27.07	31.58	36.09	40.60	49.62	58.64	67.67	81.20
Elton	18.39	21.46	24.52	27.59	33.72	39.85	45.98	55.18
Eynesbury Hardwicke	8.67	10.11	11.56	13.00	15.89	18.78	21.67	26.00
Farcat	31.58	36.84	42.11	47.37	57.90	68.42	78.95	94.74
Fenstanton	26.96	31.45	35.95	40.44	49.43	58.41	67.40	80.88
Folksworth and Washingley	34.53	40.29	46.04	51.80	63.31	74.82	86.33	103.60
Glatton	9.95	11.61	13.27	14.93	18.25	21.57	24.88	29.86
Godmanchester	32.48	37.89	43.31	48.72	59.55	70.37	81.20	97.44
Grafham	26.61	31.05	35.48	39.92	48.79	57.66	66.53	79.84
Great and Little Gidding	45.69	53.31	60.92	68.54	83.77	99.00	114.23	137.08
Great Gransden	21.83	25.47	29.11	32.75	40.03	47.31	54.58	65.50
Great Paxton	23.87	27.85	31.83	35.81	43.77	51.73	59.68	71.62
Great Staughton	23.58	27.51	31.44	35.37	43.23	51.09	58.95	70.74
Haddon	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hail Weston	39.58	46.18	52.77	59.37	72.56	85.76	98.95	118.74
Hamerton	7.93	9.26	10.58	11.90	14.54	17.19	19.83	23.80

TABLE 1 Cont.	BAND A £	BAND B £	BAND C £	BAND D £	BAND E £	BAND F £	BAND G £	BAND H £
Hemingford Abbots	30.30	35.35	40.40	45.45	55.55	65.65	75.75	90.90
Hemingford Grey	23.13	26.98	30.84	34.69	42.40	50.11	57.82	69.38
Hilton	27.91	32.56	37.21	41.86	51.16	60.46	69.77	83.72
Holme	24.89	29.04	33.19	37.34	45.64	53.94	62.23	74.68
Holywell-cum-Needingworth	57.73	67.36	76.98	86.60	105.84	125.09	144.33	173.20
Houghton and Wyton	29.89	34.87	39.85	44.83	54.79	64.75	74.72	89.66
Huntingdon	56.62	66.06	75.49	84.93	103.80	122.68	141.55	169.86
Kimbolton	51.28	59.83	68.37	76.92	94.01	111.11	128.20	153.84
Kings Ripton	36.53	42.61	48.70	54.79	66.97	79.14	91.32	109.58
Leighton Bromswold	27.50	32.08	36.67	41.25	50.42	59.58	68.75	82.50
Little Paxton	33.64	39.25	44.85	50.46	61.67	72.89	84.10	100.92
Morborne	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Offord Cluny	28.59	33.36	38.12	42.89	52.42	61.95	71.48	85.78
Offord D'Arcy	27.56	32.15	36.75	41.34	50.53	59.71	68.90	82.68
Oldhurst	9.03	10.53	12.04	13.54	16.55	19.56	22.57	27.08
Old Weston	7.41	8.64	9.88	11.11	13.58	16.05	18.52	22.22
Perry	23.81	27.77	31.74	35.71	43.65	51.58	59.52	71.42
Pidley-cum-Fenton	4.27	4.99	5.70	6.41	7.83	9.26	10.68	12.82
Ramsey	27.69	32.31	36.92	41.54	50.77	60.00	69.23	83.08
St.Ives	55.53	64.78	74.04	83.29	101.80	120.31	138.82	166.58
St.Neots	50.99	59.49	67.99	76.49	93.49	110.49	127.48	152.98
St.Neots Rural	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Sawtry	62.48	72.89	83.31	93.72	114.55	135.37	156.20	187.44
Sibson-cum-Stibbington	36.67	42.78	48.89	55.00	67.22	79.44	91.67	110.00
Somersham	39.39	45.96	52.52	59.09	72.22	85.35	98.48	118.18
Southoe and Midloe	40.34	47.06	53.79	60.51	73.96	87.40	100.85	121.02
Spaldwick	25.53	29.78	34.04	38.29	46.80	55.31	63.82	76.58
Steeple Gidding	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Stilton	43.29	50.51	57.72	64.94	79.37	93.80	108.23	129.88
Stow Longa	33.33	38.89	44.44	50.00	61.11	72.22	83.33	100.00
Tetworth	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
The Stukeleys	15.51	18.09	20.68	23.26	28.43	33.60	38.77	46.52
Tilbrook	15.57	18.17	20.76	23.36	28.55	33.74	38.93	46.72
Toseland	7.89	9.21	10.52	11.84	14.47	17.10	19.73	23.68
Upton and Coppingford	19.16	22.35	25.55	28.74	35.13	41.51	47.90	57.48
Upwood and the Raveleys	16.63	19.40	22.17	24.94	30.48	36.02	41.57	49.88
Warboys	25.19	29.38	33.58	37.78	46.18	54.57	62.97	75.56
Waresley	15.63	18.23	20.84	23.44	28.65	33.86	39.07	46.88
Water Newton	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Winwick	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Wistow	19.09	22.28	25.46	28.64	35.00	41.37	47.73	57.28
Woodhurst	15.25	17.80	20.34	22.88	27.96	33.05	38.13	45.76
Woodwalton	18.61	21.71	24.81	27.91	34.11	40.31	46.52	55.82
Yaxley	44.28	51.66	59.04	66.42	81.18	95.94	110.70	132.84
Yelling	5.71	6.67	7.62	8.57	10.47	12.38	14.28	17.14
	2114.46	2466.92	2819.29	3171.72	3876.52	4581.36	5286.18	6343.44

TABLE 2	TOTAL CHARGES							
	BAND A £	BAND B £	BAND C £	BAND D £	BAND E £	BAND F £	BAND G £	BAND H £
Abbotsley	868.60	1013.38	1158.14	1302.91	1592.44	1881.98	2171.51	2605.82
Abbots Ripton	856.81	999.62	1142.42	1285.22	1570.82	1856.43	2142.03	2570.44
Alconbury	858.38	1001.46	1144.52	1287.58	1573.70	1859.84	2145.96	2575.16
Alconbury Weston	848.56	990.00	1131.42	1272.85	1555.70	1838.56	2121.41	2545.70
Alwalton	842.47	982.89	1123.30	1263.71	1544.53	1825.36	2106.18	2527.42
Barham and Woolley	842.27	982.66	1123.03	1263.41	1544.16	1824.93	2105.68	2526.82
Bluntisham	911.00	1062.84	1214.67	1366.50	1670.16	1973.83	2277.50	2733.00
Brampton	880.31	1027.04	1173.75	1320.47	1613.90	1907.35	2200.78	2640.94
Brinton and Molesworth	844.62	985.40	1126.17	1266.94	1548.48	1830.03	2111.56	2533.88
Broughton	851.16	993.02	1134.88	1276.74	1560.46	1844.18	2127.90	2553.48
Buckden	864.58	1008.68	1152.78	1296.87	1585.06	1873.26	2161.45	2593.74
Buckworth	881.98	1028.99	1175.98	1322.98	1616.97	1910.97	2204.96	2645.96
Bury	846.03	987.04	1128.05	1269.05	1551.06	1833.07	2115.08	2538.10
Bythorn and Keyston	834.89	974.05	1113.19	1252.34	1530.63	1808.94	2087.23	2504.68
Catworth	871.61	1016.89	1162.15	1307.42	1597.95	1888.50	2179.03	2614.84
Chesterton	840.75	980.88	1121.01	1261.13	1541.38	1821.63	2101.88	2522.26
Colne	858.17	1001.21	1144.23	1287.26	1573.31	1859.38	2145.43	2574.52
Conington	840.41	980.49	1120.55	1260.62	1540.75	1820.90	2101.03	2521.24
Covington	848.15	989.52	1130.87	1272.23	1554.94	1837.67	2120.38	2544.46
Denton and Caldecote	829.45	967.70	1105.94	1244.18	1520.66	1797.15	2073.63	2488.36
Diddington	842.78	983.26	1123.72	1264.18	1545.10	1826.04	2106.96	2528.36
Earith	861.92	1005.58	1149.23	1292.88	1580.18	1867.49	2154.80	2585.76
Easton	854.34	996.73	1139.12	1281.51	1566.29	1851.07	2135.85	2563.02
Ellington	856.52	999.28	1142.03	1284.78	1570.28	1855.79	2141.30	2569.56
Elton	847.84	989.16	1130.46	1271.77	1554.38	1837.00	2119.61	2543.54
Eynesbury Hardwicke	838.12	977.81	1117.50	1257.18	1536.55	1815.93	2095.30	2514.36
Farcet	861.03	1004.54	1148.05	1291.55	1578.56	1865.57	2152.58	2583.10
Fenstanton	856.41	999.15	1141.89	1284.62	1570.09	1855.56	2141.03	2569.24
Folksworth and Washingley	863.98	1007.99	1151.98	1295.98	1583.97	1871.97	2159.96	2591.96
Glatton	839.40	979.31	1119.21	1259.11	1538.91	1818.72	2098.51	2518.22
Godmanchester	861.93	1005.59	1149.25	1292.90	1580.21	1867.52	2154.83	2585.80
Grafham	856.06	998.75	1141.42	1284.10	1569.45	1854.81	2140.16	2568.20
Great and Little Gidding	875.14	1021.01	1166.86	1312.72	1604.43	1896.15	2187.86	2625.44
Great Gransden	851.28	993.17	1135.05	1276.93	1560.69	1844.46	2128.21	2553.86
Great Paxton	853.32	995.55	1137.77	1279.99	1564.43	1848.88	2133.31	2559.98
Great Staughton	853.03	995.21	1137.38	1279.55	1563.89	1848.24	2132.58	2559.10
Haddon	829.45	967.70	1105.94	1244.18	1520.66	1797.15	2073.63	2488.36
Hail Weston	869.03	1013.88	1158.71	1303.55	1593.22	1882.91	2172.58	2607.10
Hamerton	837.38	976.96	1116.52	1256.08	1535.20	1814.34	2093.46	2512.16
Hemingford Abbots	859.75	1003.05	1146.34	1289.63	1576.21	1862.80	2149.38	2579.26
Hemingford Grey	852.58	994.68	1136.78	1278.87	1563.06	1847.26	2131.45	2557.74
Hilton	857.36	1000.26	1143.15	1286.04	1571.82	1857.61	2143.40	2572.08

TABLE 2 Cont.	TOTAL CHARGES							
	BAND	BAND	BAND	BAND	BAND	BAND	BAND	BAND
	A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£	£
Holme	854.34	996.74	1139.13	1281.52	1566.30	1851.09	2135.86	2563.04
Holywell-cum-Needingworth	887.18	1035.06	1182.92	1330.78	1626.50	1922.24	2217.96	2661.56
Houghton and Wyton	859.34	1002.57	1145.79	1289.01	1575.45	1861.90	2148.35	2578.02
Huntingdon	886.07	1033.76	1181.43	1329.11	1624.46	1919.83	2215.18	2658.22
Kimbolton	880.73	1027.53	1174.31	1321.10	1614.67	1908.26	2201.83	2642.20
Kings Ripton	865.98	1010.31	1154.64	1298.97	1587.63	1876.29	2164.95	2597.94
Leighton Bromswold	856.95	999.78	1142.61	1285.43	1571.08	1856.73	2142.38	2570.86
Little Paxton	863.09	1006.95	1150.79	1294.64	1582.33	1870.04	2157.73	2589.28
Morborne	829.45	967.70	1105.94	1244.18	1520.66	1797.15	2073.63	2488.36
Offord Cluny	858.04	1001.06	1144.06	1287.07	1573.08	1859.10	2145.11	2574.14
Offord D'Arcy	857.01	999.85	1142.69	1285.52	1571.19	1856.86	2142.53	2571.04
Oldhurst	838.48	978.23	1117.98	1257.72	1537.21	1816.71	2096.20	2515.44
Old Weston	836.86	976.34	1115.82	1255.29	1534.24	1813.20	2092.15	2510.58
Perry	853.26	995.47	1137.68	1279.89	1564.31	1848.73	2133.15	2559.78
Pidley-cum-Fenton	833.72	972.69	1111.64	1250.59	1528.49	1806.41	2084.31	2501.18
Ramsey	857.14	1000.01	1142.86	1285.72	1571.43	1857.15	2142.86	2571.44
St.Ives	884.98	1032.48	1179.98	1327.47	1622.46	1917.46	2212.45	2654.94
St.Neots	880.44	1027.19	1173.93	1320.67	1614.15	1907.64	2201.11	2641.34
St.Neots Rural	829.45	967.70	1105.94	1244.18	1520.66	1797.15	2073.63	2488.36
Sawtry	891.93	1040.59	1189.25	1337.90	1635.21	1932.52	2229.83	2675.80
Sibson-cum-Stibbington	866.12	1010.48	1154.83	1299.18	1587.88	1876.59	2165.30	2598.36
Somersham	868.84	1013.66	1158.46	1303.27	1592.88	1882.50	2172.11	2606.54
Southoe and Midloe	869.79	1014.76	1159.73	1304.69	1594.62	1884.55	2174.48	2609.38
Spaldwick	854.98	997.48	1139.98	1282.47	1567.46	1852.46	2137.45	2564.94
Steeple Gidding	829.45	967.70	1105.94	1244.18	1520.66	1797.15	2073.63	2488.36
Stilton	872.74	1018.21	1163.66	1309.12	1600.03	1890.95	2181.86	2618.24
Stow Longa	862.78	1006.59	1150.38	1294.18	1581.77	1869.37	2156.96	2588.36
Tetworth	829.45	967.70	1105.94	1244.18	1520.66	1797.15	2073.63	2488.36
The Stukeleys	844.96	985.79	1126.62	1267.44	1549.09	1830.75	2112.40	2534.88
Tilbrook	845.02	985.87	1126.70	1267.54	1549.21	1830.89	2112.56	2535.08
Toseland	837.34	976.91	1116.46	1256.02	1535.13	1814.25	2093.36	2512.04
Upton and Coppingford	848.61	990.05	1131.49	1272.92	1555.79	1838.66	2121.53	2545.84
Upwood and the Raveleys	846.08	987.10	1128.11	1269.12	1551.14	1833.17	2115.20	2538.24
Warboys	854.64	997.08	1139.52	1281.96	1566.84	1851.72	2136.60	2563.92
Waresley	845.08	985.93	1126.78	1267.62	1549.31	1831.01	2112.70	2535.24
Water Newton	829.45	967.70	1105.94	1244.18	1520.66	1797.15	2073.63	2488.36
Winwick	829.45	967.70	1105.94	1244.18	1520.66	1797.15	2073.63	2488.36
Wistow	848.54	989.98	1131.40	1272.82	1555.66	1838.52	2121.36	2545.64
Woodhurst	844.70	985.50	1126.28	1267.06	1548.62	1830.20	2111.76	2534.12
Woodwalton	848.06	989.41	1130.75	1272.09	1554.77	1837.46	2120.15	2544.18
Yaxley	873.73	1019.36	1164.98	1310.60	1601.84	1893.09	2184.33	2621.20
Yelling	835.16	974.37	1113.56	1252.75	1531.13	1809.53	2087.91	2505.50
	71788.26	83753.72	95718.25	107682.84	131611.96	155541.96	179471.10	215365.68

56. A14 ELLINGTON TO FEN DITTON - FURTHER PUBLIC CONSULTATION

Further to Minute No. 51 ante, the Executive Councillor for Environment and Transport presented a report by the Head of Planning Services (a copy of which is appended in the Minute Book) in response to the latest public consultation by the Highways Agency regarding the proposed improvement of the A14 between Ellington and Fen Ditton.

In the light of the petition presented by Ms N Tinn from the Offords Action Group under Minute No. 51 ante and in conjunction with Item No. 103 of the Report of the meeting of the Cabinet held on 15th February 2007, Councillor N J Guyatt, invited Members to consider the Council's response to the latest consultation proposals published by the Highways Agency. Councillor Guyatt referred to the contribution made by the A14 to the economic strength of the District and also to the problems this created for local communities. He acknowledged that the proposals could not resolve all of the difficulties created by the A14 and that, inevitably, a balance would have to be drawn taking into account economic, engineering and environmental factors. Councillor Guyatt considered that a new three-lane A14 with the existing A14 becoming a local road was essential if the District was to maintain its economic viability. He concluded that the proposed 'Orange route' with modifications around Brampton to achieve the best possible environmental solution, should be the Council's preferred option. He therefore moved, and it was duly seconded, the recommendations contained in the report now submitted.

As a Ward Councillor affected by the proposals, Councillor Mrs B Boddington, moved and it was duly seconded –

- “(i) that the word 'Orange' in the fifth line of recommendation (a) (i) be deleted and replaced by the word 'Brown';
- (ii) that the word 'Brown' in the first line of recommendation (a) (iii) be deleted and replaced by the word 'Orange';
- (iii) that after the word 'rejected' in recommendation (c) the words 'on the grounds of the potential impacts on the Buckden North and South landfill and associated issues that may arise from the adoption of that element of the route' be deleted and replaced by the words –

'for the following reasons –

- ◆ the number of properties which will suffer an increase in noise nuisance by 2029 is less than for any other route, whereas the number who will benefit from less noise is greatest;
- ◆ the shorter route over the Great Ouse and the

- ◆ railway on the Brown route significantly reduces the environmental and visual impact; and
- ◆ although initially more expensive, when viewed over the 60 year lifetime of the road, the differences are minimal and therefore costs should not influence the decision.’ “

Councillor R J West also indicated his support of the Motion.

Following debate and upon being put to the vote, the amendment was declared to be LOST.

In the ensuing discussion on the substantive Motion, Councillor Downes indicated his support for the ‘Orange’ route but, in light of other proposals to widen the A1, he suggested that the ‘Brown’ route would be preferable in the vicinity of Brampton and that mitigation measures also should be implemented to the A1. Whilst accepting that detailed work still was required, Councillor Downes suggested that an alternative traffic link from the Cardinal Distribution Park might benefit Brampton, Godmanchester and Huntingdon in the event of the removal of the Huntingdon viaduct.

In terms of the effect of the proposed improvements on the A428, Councillor A Hansard suggested that the Council should continue to champion improvements to the A428 between Caxton Gibbet and the Black Cat roundabout. Councillor Mrs B E Boddington concurred with this view and that of Councillor T V Rogers who had made similar comments about the effect of construction on local traffic and the A1123. In the light of further support for this view from Councillor D A Giles, the Leader, Councillor I C Bates, reiterated the importance of the East/West rail link and the carriage of freight by rail and considered that the Council’s response should make reference to the issues relating to the A428. Whereupon, it was

RESOLVED

- (a) that the ‘Orange’ route be supported as part of the current A14 Ellington to Fen Ditton Further Public Consultation, subject to the Highways Agency’s consideration of the best alignment and environmental solution for Brampton between the Orange and Brown routes to the west of the A1, as outlined in the report now submitted;
- (b) that the Blue route, including Variation 2, be rejected on the grounds of the detrimental, unacceptable impacts on both Brampton and Fenstanton;
- (c) that the Brown route be rejected on the grounds of the potential impacts on the Buckden North and South landfill and associated issues that may arise from the adoption of that element of the route;
- (d) that the Director of Operational Services be authorised, after consultation with the Executive Councillor for

Environment and Transport, to submit a formal response to this consultation to the Highways Agency; and

- (e) that the Director of Operational Services be authorised, after consultation with the Executive Councillor for Environment and Transport to agree a Statement of Principles with other Cambridgeshire stakeholders as a joint position statement for submission to the Highways Agency.

57. ADJOURNMENT

At 3.45 pm, it was

RESOLVED

that the meeting stand adjourned.

Upon resumption at 4.04pm.

58. MEMBERS' ALLOWANCES

A report by the Head of Administration was presented (a copy of which is appended in the Minute Book) summarising the outcome of the fifth review of Members' Allowances by the Independent Advisory Panel. A copy of the report of the Advisory Panel had been circulated separately to Members.

Members were reminded that the Panel had been convened principally to –

- ◆ respond to a Motion moved by Councillor M G Baker referred to it by the Council on 28th September 2005 in respect of car travel allowances;
- ◆ to consider Members' representations in respect of the special responsibility allowance for Members of the Development Control Panel;
- ◆ to reaffirm the retail price index as the automatic index mechanism for the annual adjustment to the basic allowance and special responsibility allowances for a further four year period; and
- ◆ to review allowances to ensure that the current Huntingdonshire scheme is comparable with similar types/sizes of authority.

Thereupon the recommendations contained in the report were moved by Councillor J E Garner and it was duly seconded.

Councillor M G Baker moved the following amendment which was duly seconded -

“that in recommendation (c) of the report now submitted the words "travelling and" and "casual users mileage and" be deleted and the following words added to the

recommendations listed in paragraph 3.1 -

- "(i) that the three-tier system of Members' car travel allowance be scrapped and replaced with a single mileage payment rate of 37.0p per mile irrespective of car engine size. This rate should be paid, as at present, up to 8,500 miles per annum and the rate above that mileage should be at 10.8p per mile."

Following debate and on being put to the vote, the amendment declared to be LOST.

Subsequently, Councillor P J Downes moved and it was duly seconded –

“that the words in recommendation (a) be deleted and replaced by the words “the level of basic allowance for all District Councillors be aligned to the median of the CIPFA comparative authorities as indicated on page 3 of the report of the Independent Panel”; and

“that the words in recommendation (f) be deleted and replaced by the words “(f) the formula to be adopted for the SRA of the Leader of the principal opposition group be aligned to the Chairman of an Overview and Scrutiny Panel for the fixed component and £120 per Member for the variable element”.

Following debate and upon being put to a vote, the amendment was declared to be LOST. On the original Motion being put to the vote, it was

RESOLVED

- (a) that the Chief Executive be authorised to prepare a new scheme of Members Allowances to come into effect on 16th May 2007 and to implement the following –
- ◆ the level of basic allowance for all District Councillors as outlined in the Appendix to the report now submitted;
 - ◆ the levels of special responsibility allowance as outlined in the Appendix to the report now submitted;
 - ◆ the continuation of the payment of travelling and subsistence allowances in line with National Joint Council – casual users' mileage and subsistence rates for local government employees;
 - ◆ the payment of a co-optee's allowance of £2,690 per annum to an independent Chairman of the Standards Committee which is the sum equivalent to that which would be payable were that position held by an elected Member;

- ◆ the continuation of the use of the retail price index (RPI) as an automatic index mechanism to enable the Members' Allowances Scheme to be adjusted, as necessary, to reflect inflation until 30th April 2011;
- ◆ the adoption of a formula for calculating the standard and variable elements of the special responsibility allowance for the Leader of the principal opposition group;
- ◆ the remuneration of the Leader of other opposition groups should that group comprise more than two Members and be registered as a political group on the Council; and
- ◆ the Head of Human Resources and Payroll be authorised to invite Members to consider whether they wish to join the Local Government Pension Scheme in terms of their receipt of basic and special responsibility allowances; and

(b) that, upon the coming into effect of the revised Members' Allowances Scheme with effect from 16th May 2007, the existing scheme be revoked.

59. REPORTS OF THE CABINET, PANELS AND COMMITTEES

(a) Cabinet

Councillor I C Bates, Leader and Chairman of the Cabinet presented the Report of the meetings of the Cabinet held on 21st December 2006, 11th January, 1st and 15th February 2007.

.....

In connection with Item Nos. 85 and 86, it was noted that the recommendations had been considered previously under Minute No. 55 ante.

.....

In connection with Item No. 90 and in response to a question from Councillor G S E Thorpe, the Executive Councillor for Operations, Councillor Mrs P J Longford replied that the proposed private finance initiative between Cambridgeshire County Council and Cambridgeshire principal authorities would not effect the District Council's waste collection service.

.....

In connection with Item No. 99 and in response to concern expressed by Councillor P J Downes at the timescale for progressing the programme of work on the Environment Strategy, the Executive Councillor for Environment and Transport, Councillor N J Guyatt replied that three Working Groups had been established to progress elements of the strategy which would be issued for public consultation in April with a view to the production of a fully costed Action Plan by October.

.....

In connection with Item No. 103, it was noted that the recommendations had been considered previously under Minute No. 56 ante.

.....

Whereupon, it was

RESOLVED

that, subject to the foregoing paragraphs, the Report of the meetings of the Cabinet held on 21st December 2006, 11th January 2007, 1st and 15th February 2007 be received and adopted.

(b) **Standards Committee**

Mr D H Bristow presented the Report of the meetings of the Standards Committee held on 7th December 2006 and 17th January 2007.

.....

In connection with Item No. 8, Mr Bristow reiterated that the training offered to Little Paxton Parish Council was intended to be an opportunity to avoid problems in the future and not as any indication of failure on their part.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Standards Committee held on 7th December 2006 and 17th January 2007 be received and adopted.

(c) **Overview and Scrutiny Panel (Service Delivery)**

Councillor S J Criswell presented the Report of the meetings of the Overview and Scrutiny Panel (Service Delivery) held on 5th December 2006, 2nd January and 6th February 2007.

.....

In connection with Item No. 24 and in response to a question from Councillor R W J Eaton, Councillor Criswell replied that he also looked forward to the outcome of the study on small scale environmental improvements being undertaken by a Working Group appointed by the Panel.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny

Panel (Service Delivery) held on 5th December 2006 and 2nd January and 6th February 2007 be received and adopted.

(d) **Overview and Scrutiny Panel (Service Support)**

Councillor J A Gray presented the Report of the meetings of the Overview and Scrutiny Panel (Service Support) held on 12th December 2006 and 9th January 2007.

.....

In connection with Item No. 25 and in response to a question from Councillor T D Sanderson, Councillor Gray concurred with the questioner's view that although there had been an improvement, the Section 106 funding still unexpended remained at a high level and that he would forward to him a copy of the revised position statement.

.....

In connection with Item No. 30 and in response to a question from Councillor P J Downes regarding the undertaking by Cambridgeshire County Council of a speed limit implementation review, Councillor Gray assured the questioner that the Panel would seek to influence the content of the Department of Transport Guidance to the benefit of villages in Huntingdonshire.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny Panel (Service Support) held on 12th December 2006 and 9th January 2007 be received and adopted.

(e) **Overview and Scrutiny Panel (Corporate and Strategic Framework)**

Councillor J A Gray presented the Report of the meeting of the Overview and Scrutiny Panel (Corporate and Strategic Framework) held on 30th January 2007.

.....

In connection with Item No. 8 and in response to questions from Councillor P J Downes, Councillor Gray undertook to ensure that appropriate publicity would be issued on the progress and impact upon immediate neighbours of the project to redevelop Pathfinder House. Councillor T D Sanderson added that as Ward Councillor for St. Mary's Street, Huntingdon he and his colleague Ward Councillor would keep residents informed of the progress of the scheme.

.....

Whereupon, it was

RESOLVED

that the Report of the meeting of the Overview and Scrutiny Panel (Corporate and Strategic Framework) held on 30th January 2007 be received and adopted.

(f) **Development Control Panel**

Councillor P G Mitchell presented the Report of the meetings of the Development Control Panel held on 18th December 2006, 15th January and 5th February 2007.

.....

Whereupon, it was

RESOLVED

that the Report of the meeting of the Development Control Panel held on 18th December 2006, 15th January and 5th February 2007 be received and adopted.

(g) **Employment Panel**

Councillor K Reynolds presented the Report of the meeting of the Employment Panel held on 7th February 2007.

.....

Whereupon, it was

RESOLVED

that the Report of the meeting of the Employment Panel held on 7th February 2007 be received and adopted.

(h) **Corporate Governance Panel**

Councillor K J Churchill presented the Report of the meeting of the Corporate Governance Panel held on 13th December 2006.

.....

Whereupon, it was

RESOLVED

that the Report of the meeting of the Corporate Governance Panel held on 13th December 2006 be received and adopted.

(i) **Elections Panel**

Councillor D Harty presented the Report of the meeting of the Elections Panel held on 15th December 2006.

.....

In connection with Item No. 3 and in response to a question from Councillor M G Baker, Councillor Harty assured the Council that

the Panel would take into account all submissions made by Parishes and in particular as part of the current Parish Review he had offered to visit Ellington Ward to look at the proposals individually.

.....

Whereupon, it was

RESOLVED

that the Report of the meeting of the Elections Panel held on 15th December 2006 be received and adopted.

60. ORAL QUESTIONS

In accordance with the Council's Procedure Rules (Section 8.3 of the Council's Constitution), the Chairman proceeded to conduct a period of oral questions addressed to Executive Councillors and Panel Chairmen as follows:-

Question from Councillor Mrs C A Godley to the Executive Councillor for Headquarters and Information Technology, Councillor L M Simpson

In response to a question regarding the adequacy of the IT systems allocated to Members for Council work, Councillor Simpson replied that as part of the flexible working project he was hopeful that a programme for connecting Councillors to broadband could be progressed as soon as possible.

Question from Councillor D A Giles to the Executive Councillor for Planning Strategy, Councillor P L E Bucknell

In response to a question regarding the possible imposition of charges for car parking at the Riverside and Lidl's car parks, St. Neots, Councillor Bucknell replied that the car parking strategy was in the course of preparation and that this would incorporate a review of car parking charges across the District.

Question from Councillor J J Dutton to the Executive Councillor for Leisure Strategy, Councillor Mrs J Chandler

In response to a question regarding the resources available to ensure that the Council's leisure centres were able to continue to promote healthy lifestyles, Councillor Mrs Chandler replied that leisure centre staff continued to work hard to encourage all sectors of the community to participate in recreational activities and that the Cabinet had commissioned a review of leisure service provision in the District.

Question from Councillor P J Downes to the Executive Councillor for Planning Strategy, Councillor P L E Bucknell

In response to a question regarding the timescale for the publication of the car parking strategy, Councillor Bucknell confirmed that proposals would be published shortly.

Question from Councillor T D Sanderson to the Executive Councillor for Planning Strategy, Councillor P L E Bucknell

In response to a question regarding the progress of the proposed establishment of a cycle/pedestrian link and review of the HGV weight limit on St. Peter's Road, Huntingdon, Councillor Bucknell reported that both issues were still being discussed with Cambridgeshire County Council.

Question from Councillor J S Watt to the Executive Councillor for Planning Strategy, Councillor P L E Bucknell

In response to a question regarding the extent of the District Council's support for the Sustainable Communities Bill, Councillor Bucknell advised that he would prefer to await the third reading of the Bill in Parliament before giving any consideration to its application within communities in Huntingdonshire and that he would write to the questioner when in receipt of any further information.

Question from Councillor G S E Thorpe to the Leader of the Council, Councillor I C Bates

In response to a question in respect of the District Council's plans to sell or redevelop Council owned land and property in St. Neots, Councillor Bates undertook to respond to the questioner in writing given the complex nature of the information which needed to be conveyed.

61. MEMBERSHIP OF CABINET, COMMITTEES AND PANELS

RESOLVED

- (a) that Councillor P R Ward be appointed to the Development Control Panel to replace Councillor P J Downes;
- (b) that Councillor G S E Thorpe be appointed to the Standards Committee;
- (c) that Councillor R W J Eaton be appointed to the Licensing and Protection Panel and Licensing Committee; and
- (d) that Councillor P J Downes be appointed to the Elections Panel.

62. LOCAL GOVERNMENT ACT 1972: SECTION 85

The Chief Executive reported that there were no absences of Members from meetings for consideration in accordance with Section 85 of the Local Government Act 1972.

The meeting concluded at 5.16 pm.

Chairman

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Adoption of Interim Planning Policy Statement

Report by Head of Planning Services

1. INTRODUCTION

- 1.1 The purpose of this report is to request that the Council adopt the attached Interim Planning Policy Statement.

2. BACKGROUND

- 2.1 As Members' will be aware the Council has had to, on the advice of the Secretary of State and the Planning Inspectorate, request that it's Submitted Core Strategy be withdrawn.
- 2.2 Accordingly, having regard to the fact that the adopted Development Plan is somewhat dated, it is considered vital that this Interim Planning Policy Statement be adopted in order to provide for effective continuity of decision making pending the resubmission of the Council's updated Development Plan Documents.

3. THE INTERIM PLANNING POLICY STATEMENT

- 3.1 Attached for Members' information is a copy of the proposed Interim Planning Policy Statement. In essence it is intended to clarify that the Council, acting in respect of its role as the Local Planning Authority, will be adopting, and therefore taking into account in respect of its decision making processes, the relevant saved policies from the current Development Plan, already adopted supplementary planning policy guidance and the specifically identified policies from the (withdrawn) Core Strategy. It is considered that the combination of these three inter-related areas of policy guidance will create a suitably robust interim policy position.

4. RECOMMENDATION

- 4.1 **That the Council adopts, for Development Control and other related decision making purposes, the attached Interim Planning Policy Statement**

BACKGROUND PAPERS

The Huntingdonshire Local Plan 1995
The Huntingdonshire Local Plan Alteration 2002
The Cambridgeshire and Peterborough Structure Plan 2003
The Huntingdonshire Submitted Core Strategy 2006 (withdrawn)

CONTACT OFFICER: Steve Ingram, Head of Planning Services
☎ 01480 388400

HUNTINGDONSHIRE DISTRICT COUNCIL

INTERIM PLANNING POLICY STATEMENT

The Secretary of State has recommended that the submitted Huntingdonshire Core Strategy Development Plan Document, April 2006, be withdrawn in order to enhance its spatial content and therefore its overall soundness. Huntingdonshire District Council has resolved to accept this recommendation and to request that the Secretary of State formally withdraws that document.

Therefore the Development Plan for Huntingdonshire remains as -

- ◆ The Huntingdonshire Local Plan 1995.
- ◆ The Huntingdonshire Local Plan Alteration 2002.
- ◆ The Cambridgeshire and Peterborough Structure Plan 2003.
- ◆ The Cambridgeshire Aggregates (Minerals) Local Plan 1991.
- ◆ The Cambridgeshire and Peterborough Waste Local Plan 2003.

Specific saved policies from these adopted Structure and Local Plans will retain their status until they are replaced by adopted new Development Plan Documents. The Huntingdonshire Local Development Scheme, March 2007, in Appendix 2 outlines the basis of these saved policies and notes their relationship to the emerging new policy areas whilst Appendix 3 clarifies which supplementary planning policy guidance will also remain material.

The Regional Spatial Strategy (RSS) for the East of England is also at an advanced stage of preparation with its formal adoption programmed for July 2007 (at which point it will also become part of the Development Plan).

In order to maintain an appropriate and up to date local planning policy framework (for development control and other planning decision making purposes) the Council, acting in respect of its role as the Local Planning Authority, and upon advice from the Government Office (GO-East) and the Planning Inspectorate, therefore intends to adopt, as well as the relevant saved Structure and Local Plan policies, the following policies from the (withdrawn) Huntingdonshire Core Strategy 2006. The Council considers that these policies have been subject to substantial public participation and take full account of recent Government Guidance. It is intended that this Interim Planning Policy Statement will guide the Council's decision making processes pending the preparation of its updated Development Plan Documents.

(Withdrawn) Huntingdonshire Core Strategy Policies to be adopted by the Interim Planning Policy Statement:

- ◆ Chapter 3 Key Principles -
 - Policy P1 Sustainable Development.
 - Policy P2 Natural Resources.

- Policy P3 Social and Economic Well-being.
 - Policy P4 Settlement Strategy.
 - Policy P5 Settlement – Market Towns.
 - Policy P6 Settlement Hierarchy – Key Centres.
 - Policy P7 Settlement Hierarchy – Smaller Settlements.
 - Policy P8 Development in the Countryside.
 - Policy P9 Mixed Development.
 - Policy P10 Flood Risk.
 - Policy P11 Infrastructure requirements.
- ◆ Chapter 4 Greenspace -
- Policy G1 Open Space and recreational land.
 - Policy G2 Landscape Character.
 - Policy G3 Trees, hedgerows and other environmental features.
 - Policy G4 Protected habitats and species.
 - Policy G5 Historic Parks and Gardens.
 - Policy G6 Areas of Strategic Open Space.
 - Policy G7 Biodiversity.
- ◆ Chapter 5 Built Environment -
- Policy B1 Design Quality.
 - Policy B2 Street scene.
 - Policy B3 Accessibility, adaptability and security.
 - Policy B4 Amenity.
 - Policy B5 Energy and Water use.
 - Policy B6 Re-use and redevelopment of buildings in the countryside.
 - Policy B7 Listed Buildings.
 - Policy B8 Conservation Areas.
 - Policy B9 Sites of archaeological interest.
- ◆ Chapter 6 Housing -
- Policy H1 Location of housing development.
 - Policy H2 Housing density.
 - Policy H3 Mix of dwelling sizes.
 - Policy H4 Alteration or replacement of existing dwellings in the countryside.
 - Policy H5 Housing for agricultural and related workers.
 - Policy H6 Affordable housing.
 - Policy H7 Affordable housing targets and thresholds.
 - Policy H8 Rural exceptions sites.
 - Policy H9 Retirement housing.
 - Policy H10 Nursing and care homes.
 - Policy H11 Accommodation for gypsies, travellers and travelling showpeople.

- ◆ Chapter 7 Economy and Tourism -
 - Policy E1 Location of office development.
 - Policy E2 location of industrial and warehouse development.
 - Policy E3 Redevelopment of office, industrial and warehouse sites.
 - Policy E4 Location of tourist facilities.
 - Policy E5 Farm Diversification.
 - Policy E6 Town centres, primary shopping areas and primary frontages.
 - Policy E7 Location of retail and leisure development.
 - Policy E8 Retention of key local services and facilities.

- ◆ Chapter 8 Transport and Utilities -
 - Policy T1 Transport impacts.
 - Policy T2 Car and cycle parking.
 - Policy T3 Rights of way and other public routes.
 - Policy T4 Telecommunications.
 - Policy T5 Renewable energy.

- ◆ Appendix 1 - Car and cycle parking standards.

- ◆ Appendix 2 – Sustainable development checklist.

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Gambling Act 2005 - Delegations

Report by the Head of Administration

1. INTRODUCTION

- 1.1 The Gambling Act 2005 will be implemented shortly which will establish new responsibilities for the Council to license premises that are used for gambling in the District.
- 1.2 The Act provides that the functions of the Council as the licensing authority will be carried out by its Licensing Committee created in accordance with the Licensing Act 2003. There are three exceptions where powers are specifically reserved to the Council in the legislation, two of which cannot be delegated. These are a resolution not to issue casino licences and functions in relation to the three-year statement of gambling principles, the latter having been approved by the Council in December 2006. The third exception where delegation is at the discretion of the Council is the setting of fees (to the extent that the Council has delegated power in this respect).

2. DELEGATION

- 2.1 With regard to fees, some are fixed by Regulations made by the Secretary of State. The Council has discretion to set its own fees in other areas, subject to maximum amounts set in the Regulations and income not exceeding the costs incurred. The Council's Code of Financial Management delegates responsibility for reviewing and varying fees and charges to Heads of Service after consultation with the relevant executive councillor or chairman. It therefore seems inappropriate for the setting of relevant fees under the Gambling Act to be retained by the Council in this instance.

3. RECOMMENDATION

- 3.1 It is therefore

RECOMMENDED

that the Council delegate the authority to set fees for licences, permits etc. under the Gambling Act 2005 (where such discretion is provided for in the Act) to the Licensing Committee.

BACKGROUND PAPERS

Nil

Contact Officer: Roy Reeves, Head of Administration
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Cabinet

Report of the meetings held 22nd February,
15th March and 5th April 2007

Matters for Information

104. GENDER EQUALITY SCHEME

The Cabinet has endorsed the contents of a draft Gender Equality Scheme, together with an associated action plan. The Sex Discrimination Act 1975 (as amended) places a duty on public bodies to promote gender equality with effect from 6th April 2007. The scheme will integrate with the Council's current Race and Disability and Equality Schemes.

105. EXPANSION OF CUSTOMER SERVICES IN ST. IVES AND ST. NEOTS

The Cabinet has approved proposals to re-model the cash offices in St. Ives and St. Neots as Customer Service Centres. The proposals will expand the range of services provided at these offices and is in accordance with the Council's policy to promote the development of sustainable communities.

106. CASH PAYMENTS

The Cabinet has approved proposals to move cash payments away from the District Council's Cash Offices to alternative payment providers. As a result, customers will be able to make cash payments using a payment card, at various retail outlets across Cambridgeshire including local post offices and garages. The proposals will not only improve security at the cash offices but will enhance services to customers by enabling payments to be made closer to their homes. Members have been advised that the cost of the proposals will be met from within existing budgets.

107. EAST OF ENGLAND PLAN – PROPOSED CHANGES TO THE DRAFT PROVISION OF THE REGIONAL SPATIAL STRATEGY AND STAGEMENT OF REASONS

The Cabinet has considered the Secretary of State's proposed changes to the draft provision of the regional spatial strategy for the East of England and statement of reasons. In discussing the conclusions emerging from the paper, the Cabinet has expressed apprehension with regard to the delivery of the proposals to achieve sustainable development and were of the opinion that a regional

aspiration of 35% of affordable housing provision for the District would not be sufficient. In terms of the infrastructure, Members voiced concern over the lack of improvements given the proposed increase in new housing, the District's demographic profile and the existing infrastructure deficit in the eastern region. Attention also was drawn to the continued importation of waste by road to Cambridgeshire landfill sites from the London area and the need to introduce measures to minimise and manage this waste.

The Cabinet therefore has requested the Director of Operational Services, after consultation with the Leader and Executive Councillor for Planning Strategy, to reflect these concerns in the District Council's response to the Secretary of State.

108. REVIEW OF CONSTITUTION

As part of the biennial review of the Council's Constitution by the Corporate Governance Panel, the Cabinet has reiterated their view that substitution arrangements for meetings should not become part of the Council's Constitution.

109. TREASURY MANAGEMENT INVESTMENT PERFORMANCE

The Cabinet has noted the performance of the District Council's Fund Managers for the period 1st October - 31st December 2006.

110. LAND AT BURY ROAD INDUSTRIAL ESTATE, RAMSEY

The Cabinet has approved terms for the full and final settlement of a claim against the Council by the purchaser of the freehold reversion of land at Bury Road, Ramsey.

111. CORPORATE EQUALITY POLICY AND ACTION PLAN

The Cabinet has endorsed the contents of a suggested draft Corporate Equality Policy which is a requirement of Level 2 of the Equality Standard for Local Government. This is a standard against which the Council is judged by the Audit Commission in terms of meeting statutory equality and diversity responsibilities and is regarded as a statutory performance indicator. The policy will gradually be updated to reflect the activities that the Council needs to undertake to gain Level 3 of the standard and is supported by a seven page action plan which lists the targets and resources required as part of the attainment process.

112. REQUEST FOR THE RELEASE OF FUNDS

The Cabinet has approved the release of appropriate funding for the Council's contribution towards the commissioning of an assessment of housing needs in the Cambridge sub region. The assessment is a Government requirement and will be used to inform and support the Council's housing strategy and planning policies.

The Cabinet also has agreed to release appropriate funding for the installation of broadband for Members and for the award of disabled facilities grants and discretionary housing repair loans/grants. Disabled facilities grants enable elderly and disabled people to live independently and therefore contribute towards the quality of life for vulnerable people. With regard to repair loans/grants, these are made according to a tightly-defined criteria based on the urgency of the repair and the ability of the owner to finance. The Council's policy is to issue interest free loans to eligible owner occupiers whereby a charge is placed on their property and the loan is repaid when the property is sold. Grants are given in exceptional circumstances if there is inadequate equity in the property to support the charge.

**113. LOCAL DEVELOPMENT SCHEME:
UPDATE/INTERIM PLANNING POLICY STATEMENT**

The Cabinet has reviewed the Council's overall current planning policy position in light of advice received from Go-East and the Planning Inspectorate. The Council submitted its Core Strategy in April 2006 but the planned examination into its soundness was subsequently postponed in September 2006 by the Planning Inspectorate in order that the Council could consider submitting additional supporting information regarding the spatial elements of the proposed strategy. The Council has now been recommended by Go-East to revise the Local Development Scheme and change the Core Strategy to reflect current guidance.

As a result, the Cabinet has approved for submission to the Secretary of State the contents of a revised Local Development Scheme, incorporating a robust timetable for the delivery of the resubmitted Core Strategy and Development Control Policy Documents and has authorised the Head of Planning Services to request the withdrawal of the previously submitted Core Strategy Development Plan document. In recognising the need to provide for effective continuity of the development control function whilst the documents are re-submitted, the Cabinet, in conjunction with the Development Control Panel, has considered the content of an Interim Planning Policy Statement. A separate report on the subject appears elsewhere on the agenda for the Council to consider.

**114. USE OF COMPULSORY PURCHASE ORDERS TO ACQUIRE
RESIDENTIAL PROPERTY**

The Cabinet has approved the use of compulsory purchase powers to acquire long term vacant residential properties where there appears to be no other prospect of them being brought back into residential use. Having stressed that the process should only be used where there is a compelling case in the public interest and in considering the recommended procedure to be followed, the Cabinet has authorised the Director of Operational Services to appoint the appropriate Officers to exercise and complete the CPO procedure. In so doing, the Cabinet has requested the submission of further reports, as necessary, addressing those properties considered suitable for compulsory purchase, the case for compulsory purchase, a

statement of reasons and a draft CPO. The Head of Housing Services has been requested by the Cabinet to seek a developer prepared to take over any property acquired by CPO from the Council at the established market value and to transfer ownership on those terms. Finally, the Cabinet has approved the use of the Repairs Assistance budget to fund the cost of a CPO procedure, estimated at £21,600 per property, subject to a maximum of two acquisitions per annum.

115. CAR PARKING STRATEGY FOR THE MARKET TOWNS

The Cabinet has reviewed the initial findings of consultants engaged by the Council to undertake a review of the current car parking strategy. In discussing the key recommendations made by the consultants, the Cabinet recognised that certain issues should be investigated further to alleviate parking problems in town centres including the viability of Park & Ride schemes, better signage and the management of disabled parking. In that respect, the Cabinet has requested that a formal car parking strategy and action plan be developed for their consideration and a Members' Car Parking Working Group comprising five Conservative, one Liberal Democrat and one Independent Member will be established for the strategy's development.

116. HEALTH ACT 2006: SMOKING

The Cabinet has been acquainted with the requirements of the Health Act 2006 in terms of prohibiting smoking in public places and the consequential enforcement and other implications for Council services. From the 1st July 2007, the Act will prohibit smoking in virtually all enclosed public and work places in England. To ensure the successful implementation of the legislation a comprehensive programme of education and an enforcement framework will be required along with authorised Officers to undertake the enforcement duties. In that respect, the Cabinet has authorised the Head of Environmental and Community Health Services and the Director of Operational Services to appoint suitably qualified Officers and after consultation with the relevant Executive Councillor to institute legal proceedings for contravention of the Act.

The Cabinet has welcomed funding amounting to £80,431 from the Department of Health for undertaking enforcement in the first year. However having expressed concern about funding thereafter, Executive Councillors have requested that appropriate representations regarding the potential financial impact of implementing this legislation in the longer term be made to the Local Government Association and the Members of Parliament for the Huntingdon and North West Cambridgeshire constituencies. A further report will be considered by the Cabinet in January 2008 on progress in implementing and enforcing the relevant legislative and regulatory requirements.

117. SALE OF COUNCIL OWNED LAND

The Cabinet has approved the disposal of Council-owned land at Priory Park, St Neots, Stukeley Road, Huntingdon and at Westwood Road, St Ives. Executive Councillors have requested that the Director of Central Services consult them on the terms for the sale of the land at Priory Park and Westwood Road.

I C Bates
Chairman

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Standards Committee

Report of the meeting held on 8th March 2007

Matter for Decision

14. APPOINTMENT OF INDEPENDENT MEMBERS

Article 9 of the Council's Constitution requires Independent Members to be appointed to serve on the Standards Committee for a term of four years from the date of their appointment. As the term of office of the current Independent Members on the Committee is coming to a close, the Director of Central Services and Monitoring Officer has been authorised to commence the process for the appointment of independent persons to serve on the Standards Committee for a new four year term. A copy of the report by the Director of Central Services & Monitoring Officer is appended hereto.

In the light of the qualifying criteria and mindful of the short period during which candidates would have to be shortlisted, interviewed and appointed, the Committee

RECOMMEND

that a Members' Panel comprising Councillors Mrs B E Boddington, T D Sanderson and G S E Thorpe and Mr G Watkins, Parish Council representative (or their representatives) be appointed to shortlist, interview and recommend candidates for appointment as Independent Members of the Committee for the Municipal Year commencing 16th May 2007.

15. CONSULTATION ON AMENDMENTS TO THE MODEL CODE OF CONDUCT FOR LOCAL AUTHORITY MEMBERS

Having been invited to submit their views on a proposed new Model Code of Conduct for Members, the Committee has responded to the consultation paper "Amendments to the Model Code of Conduct for Local Authority Members" and requested the Director of Central Services and Monitoring Officer to convey, on behalf of the District Council, their views to the Department of Communities and Local Government.

A copy of the consultation paper is available on request from Democratic Services, together with the Committee's response.

16. CODE OF CONDUCT – STANDARDS BOARD NOTIFICATIONS

In accordance with the procedure adopted by the Standards Board for England, the Committee have been informed that the Board has decided not to take any further action in relation to allegations made against Councillors serving on Huntingdon Town and Houghton and Wyton Parish Councils.

17. CASE ALERT NOS. 2 AND 3

In Item No. 4 of their Report to the meeting of the Council held on 27th September 2006, the Committee welcomed the introduction of the "Case Alert" published by the Standards Board for England. The case alert provides an in-depth analysis of significant cases and best practice guidance drawn from decisions by Standards Committees, the Adjudication Panel for England and the High Court.

The Committee now has noted the content of case alert nos. 2 and 3 and in particular the judgement made in no. 3 which suggests that a more restricted view is to be taken of that part of the Code of Conduct relating to the actions of a Member in his/her private life. The outcome of this case is to be reflected in the proposed new Model Code of Conduct which it is anticipated will be published in May.

D H Bristow
Chairman

**APPOINTMENT OF INDEPENDENT MEMBERS
(Report by the Director of Central Services and Monitoring Officer)**

1. INTRODUCTION

- 1.1 The Local Government Act 2000 and the Relevant Authorities (Standards Committee) Regulations 2001 determine the minimum size and the composition of Standards Committees. These Regulations state that when a Standards Committee has more than three Members, at least 25% of the total membership must be Independent Members.
- 1.2 At its meeting on 14th May 2003, the Council re-appointed Mr D Pattison as an Independent Member of the Standards Committee and invited Mr D H Bristow and Mr D L Hall to serve as Independent Members.
- 1.3 Article 9 of the District Council's Constitution states that Independent Members shall be appointed to serve on the (Standards) Committee for a term of four years from the date of their appointment.
- 1.4 In July 2006, Mr D Pattison, former Chief Executive of Hinchingsbrooke Healthcare Trust tendered his resignation as an Independent Member.
- 1.5 Given the term of office of the remaining two Independent Members is coming to a close and the requirement to fill the outstanding vacancy, it is necessary to consider arrangements for commencing the process for the appointment of three Independent Members to the Committee to take effect from May 2007.

2. APPOINTMENT PROCESS

- 2.1 Members are reminded that under the Regulations, a person may serve as an independent representative only if –
- ◆ he or she has not been a Member or employee of the Council within the five years before the date of appointment;
 - ◆ he or she is not a relative or close friend of the Member or employee of the council;
 - ◆ he or she has filled in an application for the position;
 - ◆ he or she has been approved by the majority of Members; and
 - ◆ the position has been advertised in at least one local newspaper.
- 2.2 For the purposes of the selection process, Members may wish to consider whether they consider it appropriate to recommend to full Council the establishment of a Panel, perhaps comprising three Members of the Committee, to short-list, interview and then recommend to Council candidates for appointment as Independent Members.


3. CONCLUSION AND RECOMMENDATION

3.1 Given the nature of the process required to be undertaken to appoint Independent Members and the time needed to advertise and seek the submission of formal applications, the Committee is recommended to –

- (a) authorise the Director of Central Services and Monitoring Officer to commence the process for the appointment of independent persons to serve on the Standards Committee with effect from commencement of the Municipal Year 2007/08; and
- (b) request full Council to appoint a Members' Panel to short-list, interview and recommend candidates for appointment as Independent Members of the Standards Committee for the Municipal Year commencing 16th May 2007.

BACKGROUND PAPERS

The Relevant Authorities (Standards Committee) Regulations 2001.

Contact Officer: Christine Deller, Democratic Services Manager,
 (01480) 388007.

Overview and Scrutiny Panel (Corporate & Strategic Framework)

Report of the meeting held on 20th February 2007

Matter for Information

9. ENVIRONMENT STRATEGY

The Panel has received a presentation on the draft Environment Strategy which has been approved by the Cabinet for consultation with Members, the Council's partners and other organisations. It is intended that a final Strategy will be adopted in the Autumn for implementation in 2008/09 with any financial implications being considered as part of the Medium Term Plan from 2008/09 onwards.

The Panel's attention has been drawn to the growing problem of climate change and those aspects of the Council's strategic and policy framework which impact on the environment. Draft action plans will be prepared as part of the Strategy implementation process which will provide the Council with an opportunity to balance environmental aspirations against the cost of their achievement and assess the pace at which progress can be made.

The Panel raised a series of questions concerning green technologies, best practice at other local authorities, governance arrangements for delivery of the Strategy, monitoring of environmental change, the financial implications of the Strategy, the role of building control and sustainable drainage. Whilst some Panel Members expressed the view that the Strategy should be more focused in order to promote public engagement, others formed the opinion that a comprehensive document should be produced which could be used to inform future spending decisions. It was also suggested that the problems of noise and light pollution should be included in the Strategy.

Members discussed the role of Overview and Scrutiny in the Strategy's development. In order to enable detailed scrutiny to take place it has agreed that the project group to be established to deal with "Greening the Business" should be scrutinised by the Service Support Panel and that dealing with "Service Impacts" by the Service Delivery Panel. The "Sustainable Communities" project group will be dealt with on a more ad-hoc basis as appropriate.

S J Criswell
Chairman

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Overview and Scrutiny Panel (Service Delivery)

Report of the meetings held on 6th March and
3rd April 2007

Matters for Information

30. HOME ENERGY EFFICIENCY ENVIRONMENT STRATEGY

At the meeting in March the Panel has received a presentation by Mr C Jablonski, Environment Team Leader, and Mrs J Thackray, Home Energy Efficiency Officer, on energy efficiency, which initially referred to global climate change, the energy consumed by individuals, the references in the Local Government White Paper to sustainability and the Council's leadership role in relation to the environment. With regard to the latter, the draft Environment Strategy contains three challenges and the Council has devised an internal structure to address them. The most important step individuals could take to reduce their impact on the environment is the installation of home energy efficiency measures, which includes loft insulation, cavity wall insulation, double glazing and energy saving lighting and appliances. A breakdown also has been provided of the associated costs and potential savings from solar panels and wind turbines. The presentation concluded with details of grant schemes that currently are available for measures to reduce household impact on the environment.

The Panel has established that the Council actively promotes various grant schemes that are available and provides advice on the schemes of other organisations. However, it appears that the current system of grant funding for measures to improve energy efficiency is excessively complicated and inconsistent.

The Panel has reached the conclusion that planning permissions should require developers to incorporate energy efficiency and renewable energy measures in new developments over a certain size. This would have the knock-on effect of creating demand amongst the building trade for their installation, thereby reducing the cost of such works. In addition, a pilot initiative at the London Borough of Merton Council to require developers to install a percentage of renewable energy measures in housing developments over a certain size has been rolled out to approximately 300 other local authorities and Members have expressed the view that a similar policy should be implemented in Huntingdonshire. The delay in the

adoption of the Core Strategy presents an opportunity to develop this idea.

The Panel has discussed the possibilities for local renewable energy generation by creating a system involving farmers growing crops with a view to producing bio-ethanol. This is a widespread practice in some other countries but that before it could happen in this country the tax system needs to be changed to make it feasible.

At the subsequent meeting in April the Panel has reviewed progress with current and proposed projects under the “service impact” and “sustainable communities” strands of the Environment Strategy’s delivery structure. The initial tasks will be to “scope” each of the projects and prioritise them. A five year action plan will be produced which then will be reviewed annually.

The Panel has discussed various projects. Particular concern has been expressed at the implications of reducing the depth of the Council’s swimming pools in terms of the potential to discourage their use and their reduced effectiveness as swimming teaching facilities. Comment has also been made on projects to encourage farming including providing a permanent outlet for local produce and the production of bio-ethanol. Although not included in the report, the latter is already being pursued by Officers.

With regard to transport, the Panel has suggested that the standard of buses needs to be improved, that taxi “routes” should be investigated and that consideration should be given to extending bus passes to include free taxi journeys.

Having reiterated their view that enhanced requirements to include renewable energy sources should be placed on larger developments through the Core Strategy, the Panel has stressed the need to develop a methodology to assess the environmental benefit of projects against their cost. The Panel also has requested sight of the final Strategy document before its publication, which should include project costings.

31. CORPORATE EQUALITY POLICY AND ACTION PLAN

The Panel has endorsed the draft Corporate Equality Policy and Action Plan for submission to the Cabinet. Councillor A Hansard has informed the Panel that the Action Plan has links to the Council’s Corporate Plan “Growing Success”, which will allow the Council’s performance to be measured against its objectives. The Policy contains a number of actions, which the Council need to achieve to reach Level 2 of the Equality Standard.

The Panel also has been informed that the existing Policy has been reviewed and that most of the actions have been completed. New actions will now be identified which will assist the Council in obtaining Level 3 of the Equality Standard.

In response to a comment that the Policy should contain details of service specific measures it has been pointed out that this level of detail will be addressed in the Level 3 Action Plan. Comment also has been made on the need for equal benefits for employees, the lack of travellers' sites in the District and accommodation for migrant workers. Equality Impact Assessments of services now will be carried out.

**32. CHOICE BASED LETTINGS –
CONSULTATION LETTINGS POLICY**

The Panel has reviewed the Choice Based Lettings Consultation Lettings Policy. Having been reminded of its background, Members have been informed that the new sub-regional system will have the same eligibility to apply as the old one, that it contains local connection criteria and enables cross boundary moves. It will be based on bands rather than a points system, which will reflect the length of time applicants have been registered within a band and it provides assistance for vulnerable people. In response to concerns that the Council would have to compromise within a sub-regional system, the Panel has been informed that each Council will have its own policy, which will remain the same.

The Panel has discussed detailed aspects of the bidding process and the ways and length of time properties will be advertised. The latter has yet to be finalised, but will be subject to budget provision. With regard to the Council's wider housing responsibilities, the Panel has been acquainted with the eligibility criteria and options available under the various schemes operated by the Council. Members have stressed the need to manage expectations that the new system could provide increased numbers and quality of accommodation. This will be taken care of through the feedback generated by the automated bidding system.

33. THE GENDER EQUALITY DUTY

The Panel has reviewed the Gender Equality Scheme, which has been produced on the basis of feedback on the Council's services and in the light of a duty on all public bodies to promote gender equality. Although the figures have revealed little difference by gender, the Council is actively required to promote gender equality in the same way as it is required to promote race and disability equality. The Action Plan may be subject to change following consultation with employees and then will be used to conduct impact assessments of all the Council's services.

34. STUDY – GRANT AID

The Panel has extended the remit of the working group looking at the Small Scale Environmental Improvements Scheme to include all of the Council's grants schemes. The Working Group has been asked to look at the schemes' criteria, publicity, application processes, officer involvement and approval process. The exception is the

Shopmobility grant aid, which will be considered as part of the Disability Access Study.

Other Matters of Interest

35. LOCAL GOVERNMENT ACT 2000: FORWARD PLAN

The Panel has been acquainted with details of the relevant Forward Plan of Key Decisions at its meetings.

36. OVERVIEW AND SCRUTINY PANEL (SERVICE DELIVERY) - PROGRESS

The Panel has reviewed its programme of studies at each of its meetings. Members have discussed the remit of studies into disability access and grant aid.

37. SCRUTINY

The Panel has considered the latest editions of the Decision Digest and received answers to queries on matters contained therein.

S J Criswell
Chairman

Overview and Scrutiny Panel (Service Support)

Report of the meetings held on 13th February and
13th March 2007

Matters for Information

32. EXPANSION OF CUSTOMER SERVICES IN ST IVES AND ST NEOTS AND CASH PAYMENT ARRANGEMENTS

The Panel has been acquainted with proposals to convert St Neots and St Ives Cash Offices to Customer Service Centres and to transfer the handling of cash payments from the Council's cash offices to an alternative payment provider.

Access to services in convenient locations originally had been identified by the Council in the Customer Services Strategy in 2003 and the opportunity presented by the Council's Headquarters Accommodation Project has now brought this matter to the fore. As a result, the cash office in Castle Hill House will transfer into the new Customer Service Centre which will open later in the year in temporary accommodation at Centenary House pending the completion of the new office accommodation project. The opportunity also will be taken to introduce similar arrangements to create Customer Services Centres in the existing cash offices in St Neots and St Ives. It is anticipated that the customers/relationship management system and advice now available at the Call Centre will be extended to all of the Customer Service Centres to enable staff to provide the same range of services.

The Panel also has noted the preparations being made for the transfer of cash payments from the cash offices to a local provider and which will provide customers with an increased number of outlets at which cash payments could be made, including post offices and other locations in larger villages and towns.

In expressing their support for the improvements in customer service which these arrangements would facilitate, the Panel has noted that the cost of the proposals will be met under the existing Customer First programme.

33. LOCAL DEVELOPMENT SCHEME

The Panel has been acquainted with a series of draft issues and options with reference to Chapter 2 of the Core Strategy

Development Plan Document and has raised no objection to their release for consultation with statutory consultees and stakeholders.

Members were made aware that Planning Inspectors elsewhere in the country had highlighted certain deficiencies in DPDs and that, given advice received from the Government Office of the Eastern Region regarding the soundness of the Council's DPD, it had been decided to prepare further guidance on potential locations for new housing, employment and retail development in the District.

The draft issues and options presented to the Panel were directed towards identifying broad directions of growth and provide guidance for the site specific allocations in the Planning Proposals DPD. To ascertain the suitability of these growth areas, a Housing Land Availability Assessment and Employment Land Review has been undertaken to produce the required evidence base.

The Panel has emphasised the importance of ensuring that sites identified for retail, housing and employment are sustainable both in terms of infrastructure and in setting targets for emissions and the need for additional affordable housing within the District.

Subsequently, the Panel has noted that the Cabinet has recommended approval of a revised Local Development Scheme, authorised the withdrawal of the submitted Core Strategy Development Plan Document and recognised that the Council would need to adopt an interim Planning Policy Statement. (See Agenda Item No 3 ante.)

34. DEVELOPER CONTRIBUTIONS TOWARDS AFFORDABLE HOUSING – SUPPLEMENTARY PLANNING GUIDANCE

The Panel has been reminded that the Supplementary Planning Document (SPD) – Developer Contributions towards Affordable Housing was subject to a period of public consultation which concluded in November 2006. In all, approximately 1,900 representations were received and generally the response from local Councils was supportive of the proposals.

35. A14 ELLINGTON TO FEN DITTON – FURTHER PUBLIC CONSULTATION

The Panel has considered the latest public consultation by the Highways Agency regarding the proposed improvements to the A14 between Ellington and Fen Ditton.

Members may recall that the subject was considered at the meeting of the Council held on 21st February 2007 (Minute No. 56 refers) when support for the Orange route was approved, subject to consideration by the Highways Agency as to the best alignment and environmental solution for Brampton to the west of the A1.

36. REVIEW OF CURRENT SPEED LIMIT POLICY

The Panel has been presented with proposals by the County Council to review their current speed limit policy as a result of new guidance that has been issued recently by the Department of Transport. Members were acquainted with the County Council's current speed management policy for Cambridgeshire and the proposed policy which had been drawn up following discussions with other stakeholders including representatives of the District Council.

The County Council's current policy has been discussed by the Panel on a number of occasions previously and the relevant Overview and Scrutiny Panel of the County Council had been requested, without success, to carry out a review of their policy.

The Panel was made aware that a report on the implications of the new DfT advice had been submitted to the various Traffic Management Area Joint Committees in the County and that the Huntingdonshire meeting which had been held on the previous day had supported the proposed speed limit policy for the County.

Having regard to the new guidance, the Panel has expressed its disappointment that the resultant changes appear unlikely to result in significant change. Excessive speeding by motorists is a matter that is raised often with Ward Councillors by their constituents and it was felt that the commencement of 30 miles per hour speed limit zones slightly outside the edge of village development encourages motorists to reduce speeds more than if the zone commence at the edge of the development itself. Notwithstanding a suggestion by the County Council that evidence suggests that this is not effective, Members are aware of other counties where a more flexible approach appears to be taken by the respective highways authorities.

The Panel therefore decided to submit its concerns to the County Council calling for a 30 miles per hour speed limit to be the norm for villages in Huntingdonshire.

37. CAR PARKING STRATEGY FOR THE MARKET TOWNS

The Panel has considered the initial findings of consultants engaged by the Council to undertake a review of the current parking strategy.

The consultants had carried out an extensive review, meeting with stakeholders in each market town within the District and initially reporting to the Cabinet in November 2006. They have now submitted their final report with a series of recommendations for each of the market towns.

Although the Panel had been invited to nominate representatives to a Working Party to be established by the Cabinet to discuss the subject, the Panel recognised that any Member who did so, would be unable to scrutinise the resultant car parking strategy and action plan. It was, decided therefore that it would be preferable if Panel Members did not sit on the Working Party.

Following an extensive discussion, Members suggested that although the consultant had proposed extra capacity to meet parking demand and the use of pricing to control both demand and encourage the use of other modes of transport, there was a need to integrate the car parking strategy with other similarly related strategies such as the emerging Environment Strategy and the Council's adopted Travel Plan.

Whilst the Panel has acknowledged that the detailed preparation of the strategy and action plan will be a matter for discussion by the Working Party, it has suggested a number of ideas for consideration by both the Cabinet and the Working Party. These include the need to discourage motorists from driving into the centre of towns causing traffic congestion, the need to address the impact of parking being displaced onto residential streets adjoining town centres and an investigation of the feasibility of park and ride schemes which, in Huntingdon, might also include travellers to the railway station and hospital. It has also been suggested that positive support for users of alternative transport should be explored as well as incentives for the use of more environmentally friendly vehicles.

38. LOCAL PROCUREMENT

Following a Working Group review of local procurement, the Panel has been pleased that a positive and constructive discussion has taken place between representatives of the business community and the Working Group and the Executive Member for Finance. This has resulted in agreement on a number of measures which will facilitate an awareness on the part of local businesses in future Council contracts and improve opportunities for local procurement.

It has been decided therefore that the Working Group should continue to monitor progress of these initiatives and review the position with the business community representatives again in the autumn.

39. WORK PLAN STUDIES

The Panel has discussed its work plan and noted the studies that had been identified previously. In order to progress a number of those issues it has been suggested that new Working Groups be established to investigate aspects of the Council's Travel Plan and the Council's expenditure on cycling.

40. OVERVIEW AND SCRUTINY PANEL (SERVICE SUPPORT)

The Panel has been apprised with the progress of actions required as a result of previous decisions.

41. FORWARD PLAN

The Panel has been acquainted with details of the Forward Plan and forthcoming key decisions which have been prepared by the Leader of the Council. In so doing, Members have identified a number of

items for consideration at their future meetings and have been updated on the likely dates for consideration of those reports previously requested.

J A Gray
Chairman

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Development Control Panel

Report of the meetings held on 26th February and
18th March 2007

Matter for Decision

**35. RESIDENTIAL DEVELOPMENT, FORMER JEWSONS,
FORMER LORDGATE, LEL AND ADJOINING LAND,
LONDON ROAD, ST. IVES**

Reproduced as an Appendix are details of an outline application considered by the Panel for residential development with all matters reserved on a site comprising 5.2 hectares of land lying to the east of the A1096, London Road, south of St. Ives. A Design Brief prepared for the site, in conjunction with the District Council, indicates a scheme comprising 155 dwellings of mixed accommodation of which 62 (40%) are proposed as affordable. Negotiations have secured contributions, via a Section 106 Agreement, for education places, affordable housing, the provision of primary care in the community, children's playspace and equipment, open space maintenance, off-site use/adult provision and a contribution per dwelling towards the St. Ives Market Town Strategy. The Section 106 Agreement Advisory Group have indicated their support for the proposed terms of the Agreement.

The current Development Plan does not support this scale of residential development nor does the Local Plan Alteration identify the site for residential use. It was, therefore, made clear to the Panel that the development was contrary to the Development Plan and, if it was to be supported, required the approval of the Council and reference to the Secretary of State. However, Members have been advised that the proposed scheme is located in a sustainable location with good accessibility to Cambridge and St. Ives, that it provides an opportunity to create a high quality development that would enhance the entrance to the town, create affordable housing and contribute to housing supply in the Cambridge Sub-Region whilst using previously developed land. The intended design at a density of 44 dwellings per hectare includes proposals for eco-friendly homes, sustainable drainage systems and presents an opportunity for biodiversity enhancement which satisfies the sustainable objectives of national, strategic and local policies. Therefore, having considered the balance of the arguments put forward and taking into account all relevant material considerations, the Panel

RECOMMEND

- (i) that, subject to conditions to be determined by the Head of Planning Services and to the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990, the Council approve the application for residential development on the former Jewsons, former Lordgate, LEL and adjoining land, London Road, St. Ives; and
- (ii) that, if the application is approved by the Council, the Government Office for the Eastern Region be requested to consider whether they wish to call in the proposal and the Director of Operational Services authorised to advertise the application as a departure from the Development Plan.

Matters for Information

**36. DEVELOPMENT CONTROL PROGRESS REPORT:
1ST OCTOBER - 31ST DECEMBER 2006**

The Panel has received a statistical report on the performance of the Development Control Section over the period 1st October – 31st December 2006. Given a marginal improvement in the number of applications determined over the previous quarter, the Panel was hopeful that the procedural and operational changes introduced in response to the potential designation of the District Council as a Standards Authority in 2007/08 would improve performance still further.

37. DEVELOPMENT APPLICATIONS

In addition to the application referred to in Item No 35 ante, the Panel has determined a total of seventeen applications over two meetings of which thirteen were approved, three refused and one deferred.

P G Mitchell
Chairman

Case No:	0102801OUT (OUTLINE APPLICATION)
Proposal:	RESIDENTIAL DEVELOPMENT (5.2 HECTARES)
Location:	FORMER JEWSONS, FORMER LORDGATE, LEL & ADJOINING LAND LONDON ROAD, ST IVES
Applicant:	MEYER INTERNATIONAL FINANCE AND PROPERTY PLC
Grid Ref:	530679 270194
Date of Registration:	03.01.2002
Parish:	HEMINGFORD GREY

RECOMMENDATION - APPROVAL

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The application site comprises some 5.2ha of land lying on the east side of A1096, London Road, south of St Ives. The site comprises mostly cleared, previously developed industrial land but it also includes some currently used (B2) industrial buildings and a nightclub. It has three permitted access points to the highway of which only the southernmost is currently operational.
- 1.2 Opposite, across London Road to the east are the residential estates of Greenfields/Mayfields and Elizabeth Court. To the south, some former farm buildings and dwelling now in use as riding stables and car repair service. To the north, the St Ives Motel and residential estate of The Limes. To the west, open farmland. The whole site lies in an area prone to flooding and within Huntingdonshire's Landscape and Townscape Assessment River Valleys landscape character area. The site lies within the defined settlement limits of Fenstanton/Hemingford Grey where only infilling will normally be supported. The site has been identified as being contaminated from previous uses.
- 1.3 This is an outline proposal for residential development with all matters reserved. Supporting documentation outlines the rationale for the proposal and the benefits that would accrue through application of Government guidance, PPG3/PPS3, PPG13 and Regional Planning Guidance. A design brief has been prepared for the site in conjunction with the Council. Heads of terms for any S106 Agreement have been advanced dealing with contributions towards recreation, affordable housing, education, transport and health issues.
- 1.4 The progress of the application has been slow due to several factors including the Alteration Local Plan process, the need to address flood, contamination, noise pollution, transportation and design concept issues. It has only recently been made complete by the finalisation of a design brief and the applicant making a commitment to deliver the infrastructure/community benefits.

- 1.5 The design brief indicates a scheme of some 155 dwellings of mixed style and accommodation with 62 (40%) dwellings proposed as affordable at a net density of 44 units per ha, set in landscaped grounds with casual and equipped play space, addressing drainage and flooding issues and connectivity. The design brief also provides a schematic layout and examples of house/building design. The built form is set back from the main road with a single vehicular access point and within a proposed landscaped setting allowing edge of countryside softening and opportunity for bio-diversity.

2. NATIONAL GUIDANCE

- 2.1 **RPG6 - 'Regional Planning Guidance for East Anglia' (2000)**
- 2.2 **PPS1 - 'Delivering Sustainable Development' (2005)**
- 2.3 **PPS3 - 'Housing' (2006)**
- 2.4 **PPS7 - 'Sustainable development in Rural Areas' (2004)**
- 2.5 **PPG13 - 'Transport' (2000)**
- 2.6 **PPG17 - 'Planning for Sport and Recreation' (2002)**
- 2.7 **PPG23 - 'Planning and Pollution Control' (2004)**
- 2.8 **PPG24 - 'Planning and Noise' (1994)**
- 2.9 **PPS25 - 'Development and Flood Risk' (2006)**

3. PLANNING POLICIES

- 3.1 The current Development Plan comprising the Cambridgeshire and Peterborough Structure Plan 2003 (SP) and Huntingdonshire Local Plan 1995 as altered by the Local Plan Alteration 2002 (HLP) does not support this scale of residential development although there are issues concerning re-use of previously developed land particularly in sustainable locations. The Alteration Local Plan does not identify this site for residential use.
- 3.2 The site is within the Cambridge sub-region as identified in the Cambridgeshire and Peterborough Structure Plan 2003.
- ◆ **P1/1** – Approach to development
 - ◆ **P1/2** – Environmental restrictions on development.
 - ◆ **P5/1** – Housing distribution
 - ◆ **P6/1** – Development related provision
 - ◆ **P6/3** – Flood defence
 - ◆ **P7/4** – Landscape
 - ◆ **P8/1** – Sustainable development – links between development and transport.
 - ◆ **P9/1** – Housing distribution and affordable housing – Cambridge sub-region.

3.3 The following policies of the Huntingdonshire Local Plan Alteration 2002 are relevant -

- ◆ **STR1** - settlement hierarchy
- ◆ **STR3** - settlements designated as Market Towns
- ◆ **STR6** - settlements designated as infill villages
- ◆ **HL5** - good design and layout
- ◆ **HL6** - housing densities
- ◆ **HL7** - re-using brownfield land and buildings
- ◆ **AH4** - site targets for affordable housing
- ◆ **OB1** - nature and scale of obligations
- ◆ **OB2** - maintenance of open space

3.4 RSS - East of England Plan (draft) 2004;

The plan has had its examination in public and the Government has published the proposed changes (Dec 2006). The changes generally seek to bring about sustainable development (policy SS1), adopt an approach which prioritises the use of previously developed land in and around urban areas to the fullest extent possible while ensuring an adequate supply of land for development consistent with the achievement of a sustainable pattern of growth and the delivery of housing(SS2) and in respect of development in Towns, support urban and rural renaissance, secure appropriate amounts of new housing, including affordable housing and improve the towns accessibility especially by public transport (SS4).

3.5 The emerging Core Strategy 2006 (eCS) does not differ significantly from the HLP with regard to location of development. The submission to the Secretary of State includes strategies and policies which are reflective of the wider National and strategic policy guidance and draft RSS that place a heavy emphasis upon utilising previously developed land for housing albeit alongside the need to ensure that development takes place in sustainable locations and delivers housing objectives.

3.6 Policy E3-redevelopment of office, industrial land and warehouse sites does indicate that a development proposal should not entail the loss of established industrial estates as shown on the proposals map – (the site is not so identified) – and in respect of other sites used or last used –(which this is) – a development proposal should not entail their loss unless it can be demonstrated that its use for employment is no longer feasible, its use gives rise to unacceptable environmental or traffic problems, or an alternative use or mix of uses offers greater potential benefits to the community.

4. PLANNING HISTORY

4.1 There is a substantial history mainly relating to employment uses on the land. Recent history has not tested residential use at any appeal although permission was refused in 1995. The site was previously rejected during the preparation of the Huntingdonshire Alteration Local Plan 2002.

5. CONSULTATIONS

- 5.1 **Hemingford Grey PC – OBJECTION** (Copy attached). A response from the Parish Council is yet to be received following a request to reconsider the proposal in the light of the amended design brief. The Parish Council are now generally supportive of the proposal. (copies attached)
- 5.2 **Fenstanton PC (Adjoining PC) - OBJECTION** (Copy attached).
- 5.3 **Local Highways Authority (County Council) – NO OBJECTION** subject to the submission of a detailed access scheme and a contribution of £2k per dwelling towards transport initiatives in the St Ives Market Town Strategy.
- 5.4 **Environment Agency (EA)** – Initially had objections to the proposal because of lack of a flood risk assessment. Subsequent to information being provided, the EA maintained a position that only a certain percentage of site coverage should be allowed, finished floor levels should be above known flood levels, and any development should be on a two-phased basis because of flood risk. The finalised design brief address these issues and the EA is now content subject to a suitably imposed condition to secure an agreed phasing of any development.
- 5.5 **County Council Archaeologist** – indicates that the site has high archaeological potential and recommends a programme of archaeological investigation occurs.
- 5.6 **County Council Education** – seek a contribution towards nursery provision of 15 spaces; primary school provision of 39 spaces and secondary school provision of 31 spaces; these figures being based upon an approximation of 155 dwellings on the site. This equates to a commuted sum of £841,100:00.
- 5.7 **Cambridgeshire Fire and Rescue Service** – request the provision of fire hydrants.
- 5.8 **Environmental Health Officer – NO OBJECTION** but points out that this site is heavily contaminated. A remediation scheme to address groundwater contamination has already commenced but this only relates to part of the site. An investigation for contamination and any subsequent remediation is a necessity for the whole site.

6. REPRESENTATIONS

- 6.1 Representations were received from third parties following the initial application and numbered 4, together with a response from Hemingford Grey Preservation Society (HGPS). Two had no objection but were concerned with flooding and traffic whilst the other two and the Society objected because of traffic generation and flooding concerns and no local facilities. The HGPS has further responded on the amended design brief and express views similar to the Parish Council.

7. SUMMARY OF ISSUES

- 7.1 The issues surrounding this application are varied and complex. The development of the site for residential purposes at the scale envisaged is clearly in conflict with the Development Plan and if it is to be supported then it must be referred to the Secretary of State. Nevertheless, there are strong arguments for supporting such a scheme as it meets sustainable settlement objectives and would contribute to the Cambridge sub-region's housing target. It would also have distinct benefits in terms of impact to the landscape on one of the main approaches to St Ives, astride a main distributor route through the district by removing a quite unattractive industrial landscape and would contribute much needed affordable housing in this part of the district. The removal of the nightclub would also be of some benefit to residents in the area.
- 7.2 Apart from settlement policy aspects there are issues of flooding and contamination to address as well as the normal criteria of access, design, infrastructure requirements and community benefit.
- 7.3 Policy/Material Considerations.
- 7.4 Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. One such consideration is whether the plan policies are relevant and up to date but if there is a conflict between policies in an RSS or other Development Plan Document then the most recent policy will take precedence. Government statements of planning policy are also material considerations. If local planning authorities decide to grant planning permission for development which significantly departs from the Development Plan then referral to the Secretary of State is necessary.
- 7.5 The scale of development proposed is contrary to the Development Plan given the area's status as an infill settlement. Nevertheless there are other material factors that tend to favour development and that would outweigh the present settlement strategy. The same argument can be made in respect eCS policy E3 in that the redevelopment by a quality residential scheme would significantly enhance the environment and would offer greater benefits to the community.

Making best use of land

- 7.6 National and strategic policies place heavy emphasis upon utilising previously-developed land for housing albeit alongside the need to ensure that it takes place in sustainable locations i.e. affording good access to jobs and services by non-car modes (PPS3, RPG6 Policies 2 & 5, CS policy P1/1). This site is prominent previously developed land that needs to be brought back into beneficial use.

Accessibility to Cambridge

- 7.7 In identifying land for development within towns and villages in the Cambridge sub-region, RPG6 requires particular attention to be paid to access to Cambridge by non-car modes (policy 22). This is taken forward in the Structure Plan (CS policy P1/1) which seeks to

concentrate developments in the main centres and larger towns, aiming to redress the imbalance between jobs and houses concentrating development within built-up areas aiming to minimise the need for the private car through locating development where good public transport services already exist or where they can be provided and with a preference to take place on previously developed land. This site is extremely well served by frequent bus services to Cambridge and is well-located to benefit from the proposed guided bus from St Ives to Cambridge.

Accessibility to jobs and services

- 7.8 The site is within easy walking and cycling distance of St Ives Town Centre (indeed closer than some parts of the town's northern estates) and the employment opportunities off Somersham Road/Needingworth Road/Harrison Way and also to the potential employment cluster at Galley Hill. Immediate local services can be found at the Total garage which performs a top-up shopping function and the St Ives Motel and restaurant in London Road. The proposed development will make a contribution to the St Ives Market Town Strategy and facilitate improvements to the footway/cycleway link to the Town and possibly to Hemingford Grey village centre. Hence the site performs well on accessibility criteria.

Visual appearance

- 7.9 The present approach to St Ives from the A14 is marred by the semi-derelict nature of the application site. Residential development would provide an opportunity to enhance this important southern gateway to the Town provided that a sufficiently high quality design is secured.

Housing supply in St Ives

- 7.10 Beyond the current allocations now having received planning permission for development either side of Houghton Road to the west of the Town, there are very few opportunities for residential development in St Ives without breaking out into the countryside beyond the present built settlement and equally fewer opportunities to provide much need affordable housing. Hence it is important to seriously consider and take advantage of opportunities such as this site windfall site.

Other factors for consideration

- 7.11 The residential redevelopment of the site would result in the loss of an established employment location and as such is a material consideration. However in view of the other commitments for employment that exist in and around St Ives (Compass Point, St Ives Business Park, Galley Hill) it would be unreasonable to cite this as a reason to refuse permission.
- 7.12 The site is within the flood plain and is known to be contaminated. Flood mitigation has been addressed to the satisfaction of the EA by limiting site coverage, raising thresholds and accesses above known levels of flooding and phasing any development to coincide with the completion of the flood defences around St Ives/Hemingfords. De-

contamination of part of the site to address ground water pollution is already underway but clearly further investigation and remediation will be required before any residential occupancy can take place.

Summary

- 7.13 The application site is located in a sustainable location with good accessibility to Cambridge and St Ives and provides an opportunity to create a high quality development that will enhance the entrance to the Town, create affordable housing and contribute to housing supply in the sub-region whilst using previously developed land. The intended design proposal at a density of 44dph which includes proposals for eco-friendly homes, sustainable drainage systems and opportunity for bio-diversity enhancement satisfies sustainable objectives of national, strategic and local policies and but for its location would be compatible with the Development Plan policies and objectives.

S106 Considerations

- 7.14 There is a need to address the impact upon infrastructure and community needs that would arise through this development. These have been identified as education, transportation, health and recreation and affordable housing and are normally secured through an agreement under S106 of the Act.
- 7.15 In this respect and following advice from the various services involved, the applicants have agreed to the following heads of terms:-
- (i) Affordable Housing:- provision at 40% which on a scheme of 155 dwellings would be 62 dwellings.
 - (ii) Education:- based on a 155 dwelling scheme the provision of 15 Nursery places @ £8,400:00; 39 Primary places @ £8,400:00 and 31 Secondary places @ £12,500:00.
 - (iii) A contribution of £2,000:00 per dwelling towards the St Ives Market Town Strategy.
 - (iv) A contribution of £450:00 per dwelling towards the provision of primary care in the community.
 - (v) The on-site provision of Children's equipped play areas of 2 x LAPS and 1 x NEAP with maintenance contributions of £4,000:00 per LAP and £12,000:00 for the NEAP.
 - (vi) An off-site youth/adult provision – approx. 0.46ha - capital contribution of £6,500:00 together with a maintenance sum of £39,000:00 per hectare.
 - (vii) On site Open space maintenance (excluding formal play) – 1.51ha @ £39000:00 per ha and maintenance for two balancing ponds @ £31,000:00 per pond.
- 7.16 The views of the S106 Advisory Group will be reported to Panel.

Conclusion

7.17 Having regard to applicable national and local policies and having taken into account all relevant material considerations it is considered that a departure from the Development plan can be recommended. A high quality designed development would visually enhance the entrance to the town making best use of land, provide a proportion of affordable housing and achieve in a sustainable location, housing development. Due to the proposal being a departure from the Development Plan reference to Full Council and then the Secretary of State will be required if permission is to be given.

8. **RECOMMENDATION – APPROVE**, subject to conditions to include the following:

That subject to an agreement under S106 of the Town and Country Planning Act 1990 being reached to secure the community and infrastructure benefits as set out in para. 7.15 above, the application be referred to Full Council with a recommendation that planning permission be granted subject to conditions to include the following and thereafter forwarded to the Secretary of State as a departure from the Development Plan that this Authority wishes to approve.

01014	Details reserved (all reserved)
01002	Plans and particulars in writing
01003	Reserved matters within three years
01006	Dates for commencement
Nonstand	Detail to follow design brief principles
Nonstand	Maximum site coverage and finished level
06003	Implementation - replacements (insert)
Nonstand	Improvements to footpath/cycle links
Nonstand	Demolition of existing building
Nonstand	Archaeology
Nonstand	Contamination
Nonstand	Foul and surface water drainage
Nonstand	Hard landscaping
06012	Hard and soft landscape implementation

Contact Officer: G Crocker, Development Control Team Leader (North)
☎ 01480 388403

Head of Planning Services
Pathfinder House
St. Mary's Street
Huntingdon
Cambridgeshire PE 29 3TN

Application Number: 01/02801/OUT Case Officer Geoff Crocker
Proposal: Residential development (5.2 hectares)
**Location: Former Jewsons, Former Lordgate, LEL & Adjoining Land London Road St. Ives
Cambridgeshire**

Observations of Hemingford Grey Town/Parish Council.

We recommend refusal on the following grounds:

Currently classified for industrial/business use, Your authority has not proposed reallocation for housing in the revised local plan.

Hemingford Grey has not been proposed for large housing estates either in the current or revised structure plan.

The site is within the flood plain so any extensive building would increase the risk of flooding elsewhere.

We already have considerable concerns over the adequacy of the current sewage system; additional 182+ houses would hopelessly overload it.

The site would be even more isolated from social amenities such as shops, schools etc than existing developments.

As a result of the isolation, cars would be used extensively both for commuting and normal domestic use, exiting on what is already at certain times of the day a very busy road.

The resulting creeping development of London Road will result in a large community of village size but with no suitable infrastructure or identity.

M. K. LutmoreClerk to Hemingford Grey Town/Parish Council.

Date: 15/1/02

Failure to return this form within the time indicated will be taken as an indication that the Town or Parish Council do not express any opinion either for or against the application.

21/1/02
DHO
OPERATIONAL SERVICES
PLANNING
17 JAN 2002

HEMINGFORD GREY PARISH COUNCIL

(Huntingdonshire District)

CHAIRMAN: Mr Stan Rees

CLERK: Mrs Gail Stoehr

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Highfields Caldecote

Cambridge

CB23 7NY

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E-mail: parishclerk@hemingfordgrey.org.uk

Mr Crocker
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon
Cambridgeshire
PE29 3TN

5 February 2007

Your Ref: GFC/0102801OUT

Dear Mr Crocker

RE: Proposed residential development land at London Road (former Jewson & Lordgate Engineering)

Thank you for your letter of 5 December 2006. The Parish Council has split its response into two sections, the Planning Application and the Section 106 contributions.

Planning Application

Hemingford Grey Parish Council supports the proposed development in principle because:

- it includes a high proportion of affordable housing
- it is a sensible location for a development of this size and style
- it would represent a considerable improvement to the quality of the landscape.

However this support is subject to concerns about the following topics:

Surface water flooding: The Parish Council assume that the Environment Agency will advise on flood risk. It is concerned that the minimum ground level requirement for this site should not increase the risk of flooding for neighbouring properties (ie St Ives Motel and properties in The Brambles).

Sewage flooding: The Parish Council assume that sewage from the new development will be routed through the sewerage system in the Hemingfords to Godmanchester. There is already occasional sewage flooding in Hemingford Grey when the water table is high and we would ask that the sewerage system in Hemingford Grey is enhanced to cope with the extra load.

Traffic in London Road: The Parish Council believe that the development will add to the existing traffic problems in London Road between the Hemingford Road roundabout and Marsh Lane. The Parish Council feel strongly that the Marsh Lane junction is already dangerous and that there should be improved road safety provision at this junction – including extension of the 40mph speed limit - before the new development takes place.

Contamination: The Parish Council understand that parts of the site have been contaminated with creosote in the past. All necessary steps must be taken to remove this contamination before the development starts.

Integration with Hemingford Grey: The Parish Council believe there is great scope to integrate the development with Hemingford Grey. In particular the Parish Council believe that a cycle track / footpath should be developed between the western edge of the development and the Daintree Green open space, a distance of approximately 400m. This would connect up with the track across Daintree Green and would provide children from the new development (and from Elizabeth Court and Greenfields) a completely off-road route to Hemingford Grey Primary School and Playgroup. It would also provide access to the new play area currently being planned for Daintree Green. The Parish Council also believe that the existing Footpath No 8 (from Marsh Lane to London Road) should be diverted so that its northern end is at the western end of the development to provide access from the new properties to the Marsh Lane Walk and to provide residents of Hemingford Grey with improved access on foot to St Ives. As discussed below, the Parish Council believe that some Section 106 funding should be allocated to these items.

Layout and design of development: As this is an outline planning application The Parish Council has not commented on layout and design issues, and it will address these issues when the detailed application is submitted.

Section 106 funding

With regard to the projected S106 contributions The Parish Council assume that the total amount of funding is commensurate with the size of development and comment as follows:

1. The Education provision of 15 nursery places and 39 primary school places: Please can you confirm that this increased provision will be provided within the Parish.
2. The contribution to the St Ives Market Town Strategy: The Parish Council feel that while the route along London Road to St Ives does not have a clearly defined cycle/pedestrian footpath, the route by its nature is already fairly safe and would not need a significant investment to upgrade. In view of this the Parish Council feel consideration should be given to two alternatives.
 - a) A new cycle/pedestrian footpath from the development to Daintree Green would provide an extremely safe route to school for the occupants of the new development and would again be beneficial to the people living at Greenfields and Elizabeth Way. An additional benefit would be to provide a feeling of inclusion and integration with the village of Hemingford Grey.
 - b) Alternatively, though only if a) turns out to be impossible, a cycle/pedestrian footpath could be created on the south side of St Ives/Hemingford Road from Armes Corner to the School - part of which already exists. This would provide a safe route to school for those living on the new development and Greenfields/Elizabeth Court.
3. Regarding the provision of play equipment, the Parish Council again feel Daintree Green has a part to play. Its recommendation is for the provision of one children's play area (LAP) the remaining funding being directed to providing a large and exciting play area at Daintree Green. The upgrade of the children's play area on Daintree Green is currently under review by the Parish Council. A substantial S106 contribution would be extremely beneficial. It would also again, provide the all important feeling of inclusion and encourage integration of the new community within the village.
4. The off site adult/youth play. The Parish Council has noted your comments and look to further discussions at a later stage.
5. The existing bus shelter on the west side of London Road requires re-siting as it currently blocks the footway.
6. Your comments concerning maintenance are noted. The Parish Council will look to further discussions at a later stage.

Head of Planning Services
Pathfinder House
St. Mary's Street
Huntingdon
Cambridgeshire PE 29 3TN

Application Number: 01/02801/OUT Case Officer Geoff Crocker
Proposal: Residential development (5.2 hectares)
Location: Former Jewsons, Former Lordgate, LEL & Adjoining Land London Road St. Ives
Cambridgeshire

Observations of Fenstanton Town/Parish Council.

REFUSED on the grounds that:

- It is contrary to Policy H20 in the current Huntingdonshire Local Plan and is premature to the results of the Local Plan inquiry.
- This land has a recognised and accepted industrial usage.
- A development of this magnitude will exacerbate flooding and sewerage problems at nearby residential properties.

J. Benstan
.....Clerk to Fenstanton Town/Parish Council.
Date: 15/01/02

Failure to return this form within the time indicated will be taken as an indication that the Town or Parish Council do not express any opinion either for or against the application.

TPS		OPERATIONAL SERVICES	TL
PM		PLANNING DIV.	AC
		21 JAN 2002	RE
		RECEIVED	

2/1
GHO

The Parish Council thank you for the opportunity to comment on the proposed development and the Section 106 contribution and it looks forward to receiving your comments and further information concerning this project in due course.

Yours sincerely

Handwritten signature in black ink, appearing to read "LG Row".

Mrs Gail Stoehr
Clerk

Cc Cllrs Bates and Stephens



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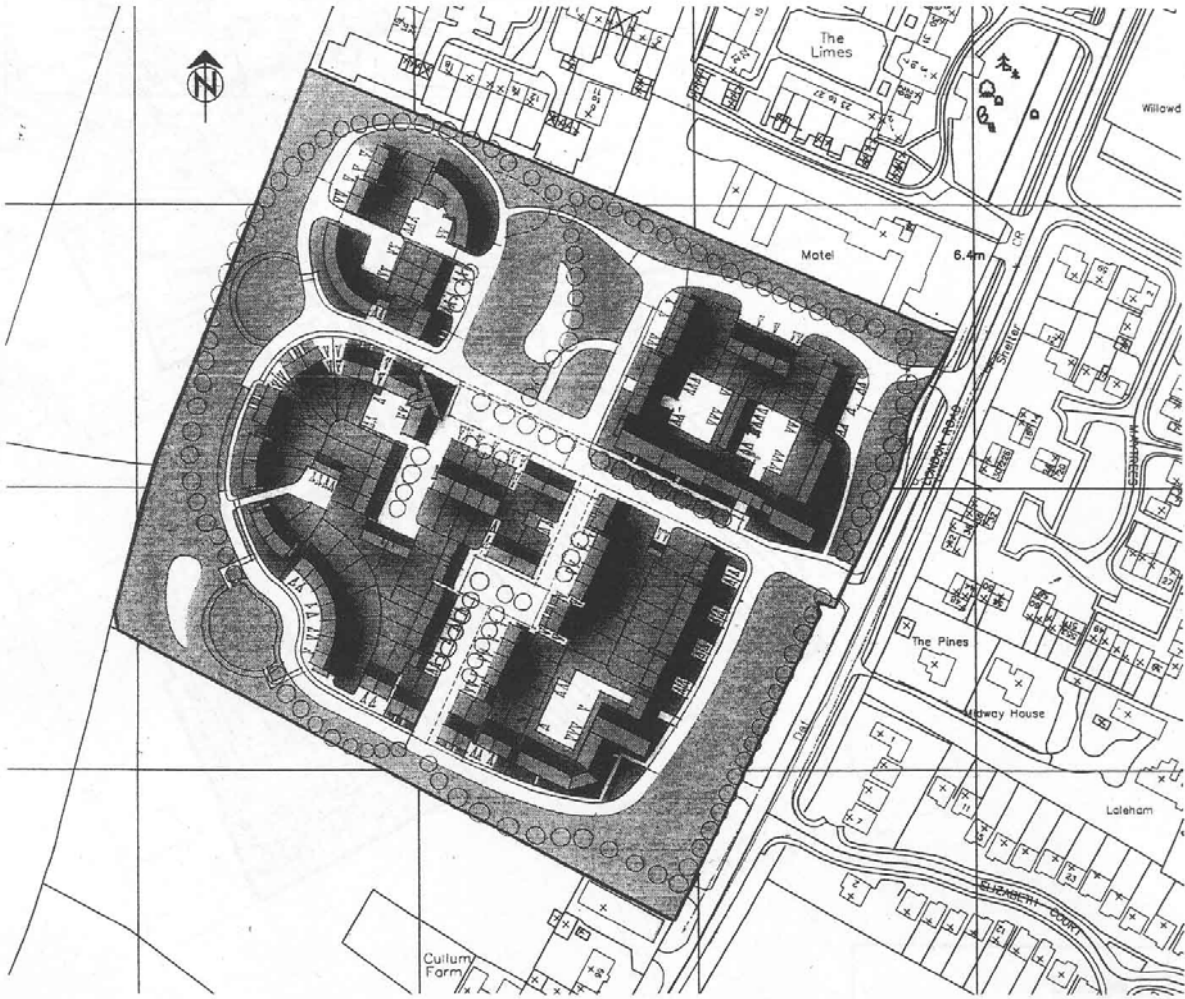


Huntingdonshire
DISTRICT COUNCIL

Parish: St Ives

Co-ordinates: E: 530639 N: 270196

Design Brief Layout



St Ives

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Licensing and Protection Panel

Report of the meeting held on 19th February 2007

Matters for Information

**9. DESIGNATED PUBLIC PLACES ORDER:
WHEATFIELDS RECREATION AREA, ST IVES**

The Panel has given consideration to a proposal for a Designated Public Places Order to be made under the Criminal Justice and Police Act 2001 for the Wheatfields recreation area in St Ives.

This would be the first such Order that would be made by the Council. Although this will not make the consumption of alcohol an offence, it does give the Police greater powers to control alcohol being consumed in that area, which includes requesting a person to stop drinking and also the power to confiscate the alcohol. The proposal already has a wide measure of support including the Huntingdonshire Community Safety Partnership and the St Ives Town Council.

Having noted that a 28 day consultation period is required before the Order can be made and having heard evidence relating to alcohol related disorder that has occurred within the area, the Panel has authorised the Director of Operational Services to make a Designated Public Places Order for the Wheatfields recreation area in St Ives after consultation with the Chairman and subject to there being no material representations as a result of the public consultation.

10. DELEGATED POWERS

The Panel has considered the implications of revised regulations and guidance issued by the Food Standards Agency. Under the circumstances, the Head of Environmental and Community Health Services and Director of Operational Services have been authorised to institute legal proceedings following consultation with the Chairman or Vice-Chairman and to appoint suitably qualified, experienced and trained Officers to carry out duties and other matters arising from The Products of Animal Origin (Third Country Imports) (England) Regulations 2006.

11. FEES AND CHARGES

The Panel has approved an increase in fees for the licences administered by the Licensing Section of the Administration Division, by an inflationary rate of around 3% for 2007/08 in the case of those charges which the Council has the discretion to set. The only

exception is fees for vehicle licences which have risen because the charge for vehicle examinations undertaken by a private garage has increased.

12. STREET TRADING AND STREET CONSENTS

The Panel has received the Schedule of Conditions relating to Street Trading licences and consents approved by the Council under the Local Government (Miscellaneous Provisions) Act 1982 and made changes where appropriate.

Other Matter for Information

13. LICENSING AND PROTECTION APPLICATIONS SUB-GROUP

The Panel has received and noted the Minutes of recent meetings of the Licensing and Protection Applications Sub-Group.

J M Sadler
Chairman

Corporate Governance Panel

Report of the meeting held on 28th March 2007

Matter for Decision

23. REVIEW OF CONSTITUTION

By reference to a report by the Head of Administration (a copy of which is reproduced as an Appendix hereto), the Panel has undertaken a biennial review of the Constitution. The changes recommended by the Panel have arisen as a result of practical experience of the operation of the Constitution since its implementation in May 2002, subsequent reviews and comments received from the Cabinet, Panels, individual Members and Officers.

The Panel has considered a proposal to hold Council meetings at 5.00 pm. In view of other demands on Councillors' time during the evening and given the flexibility already contained in the Constitution to change meeting times, Members have not supported this proposal.

The Panel also has discussed a suggestion to formalise the procedure for amending a Motion. On the understanding that provision is available in the Constitution to waive the procedure, which will allow Motions to be moved arising from debate, it has been agreed that the wording of an amendment should be made available in advance of the Council meeting.

With regard to planning applications considered to be "significant" departures from the Development Plan, the Panel is of the view that the discretion available to the Development Control Panel either to determine such applications by way of refusal or to recommend them for approval by full Council should be conditioned by way of a facility whereby on the receipt of a requisition by nine Members within seven working days of the outcome of the Panel's deliberations the matter could be referred for decision by full Council.

In considering a proposal to introduce a public forum at Council meetings, the Panel has been mindful that Members' roles are to represent their constituents and that the implications of introducing public speaking at Development Control Panel meetings are not yet known. The Panel, therefore, has not supported this proposal.

Having considered a proposal to establish a District youth forum and suggestions for the way it might operate, the Panel has requested that the matter be referred to the Overview and Scrutiny Panel

(Service Delivery) to consider the practical and financial implications before a decision is taken.

A suggestion by the Overview and Scrutiny Panel (Service Delivery) that the consent of the Chairman or Vice-Chairman of the relevant Overview and Scrutiny Panel should be obtained before a decision is taken on a report on a date earlier than that referred to in the Forward Plan has not been supported on the grounds that it would introduce an excessive bureaucratic burden and would constrain the ability of the Cabinet to take decisions in a timely and effective manner. Moreover, the Constitution already provides for an item not listed on the Forward Plan to be considered by Cabinet as long as notice is given to the relevant Chairman before the Cabinet Agenda is despatched.

Having considered other issues raised during the review process, the Panel

RECOMMEND

- (a) that in Article 4 – The Full Council, the following words be added to Section 1 (a) – Policy Framework –**

“♦ Gambling Act – Statement of Principles”

and that the Statement of Licensing Policy in Section 1 (a) be reworded as –

“♦ Licensing Act – Statement of Licensing Policy”;
- (b) that in Article 4 – The Full Council, the following words be added to Section 2 –**

“(j) passing a resolution not to issue casino premises licences.”

and that the existing paragraphs (j) to (l) be renumbered accordingly;
- (c) that in Table 2 in relation to the of the Licensing Committee the functions column be amended as follows –**

“To discharge the functions of the Council as Licensing Authority under the Licensing Act 2003 and the Gambling Act 2005 (with the exception of those functions which are reserved to Council as defined in Article 4).”;
- (d) that the words “gaming, entertainment” be deleted from the functions column of Table 2 in relation to the Licensing and Protection Panel;**
- (e) that the addition of the following words on Page 51 and as a preamble to Table 5, pages 154/1 and 154/2 be noted –**

“A number of 'Member Champions' have been appointed by the Council. These are listed in Table 5. The Champions do not have executive or decision making responsibilities and as such Table 5 does not form part of the Council’s formal Constitution. However, the Champions are listed here for convenience and to highlight the role of each appointment”;

(f) that a proposal that Council meetings should commence at 5.00 pm be not supported;

(g) that Rule 10 (h) of the Council Procedure Rules be varied to read:

“(h) to amend a motion; (the text of the proposed amendment to be forwarded to the Chief Executive, or in his absence, the Director of Central Services prior to the commencement of the meeting of the Council).”;

(h) that the following be inserted into the Council Procedure Rules:

“17A Photography, Broadcasting and Recording of Meetings

Filming, videoing or audio recording of a meeting or photography at a Council meeting shall be permitted only with the consent of the Chairman of the meeting concerned. The necessary consent shall have been obtained and the Chief Executive, or in his absence, the Director of Central Services notified by no later than three working days before the meeting.”;

(i) that the following be added to Rule 22 of the Council Procedure Rules:

“Regarding Rule No. 7 – in no case should the quorum of sub-committees and sub-groups be less than three Members.”;

(NB: This does not apply to meetings of the Licensing Sub-Committee)

(j) that the following be inserted as a new Rule 27 of the Council Procedure Rules:

“Rule 27 – Development Control Applications

(a) Public Speaking at Development Control Panel

Where a planning application falls to be determined by the Development Control Panel and where appropriate notice has been given, an elected Member of the relevant town and parish

council/meeting, the District Ward Member, the objector(s), the applicant(s) or their representatives shall be permitted to address the Panel on the application under the direction of the Chairman having regard to the guidelines at Annex (iii);

(b) Public Speaking at Council

In those circumstances where a planning application is to be determined by full Council, the Council's Head of Planning Services or his representative and other relevant Officers shall be permitted to present reports to the Council and the public speaking process adopted by the Development Control Panel be applied;

(c) Consideration of Departures from the Development Plan

Planning applications considered to be a "significant" departure from the Development Plan shall, on the recommendation of the Development Control Panel, be considered by the Council having regard to advice received from the Heads of Planning Services and Legal and Estates Services and guidelines at Annex (iii). Applications considered to be "significant" are those specified under the Town and Country Planning (Development Plan and Consultation) (Departures) Directions 1999 and having also to be referred to the Secretary of State as follows –

- ◆ a development which consists of or includes the provision of –
 - (i) more than 150 houses or flats; or
 - (ii) more than 5,000 square metres of gross retail, leisure, office or mixed commercial floorspace;
- ◆ development of land belonging to the planning authority by that authority or any other party; or for the development of any land by such an authority, whether alone or jointly with any other person;
- ◆ any development which, by reason of its scale or nature or the location of the land, would significantly prejudice the implementation of the development plan's policies and proposals: or
- ◆ any development in respect of which –
 - the Development Control Panel is minded to determine or to make a recommendation; and

- a requisition for determination of the application by full Council signed by nine (9) Members is received by the Head of Planning Services within seven (7) working days of the Panel's intimation to that effect.”;
- (k) that a proposal to introduce of a time limited session at the commencement of Council meetings in which Members of the public could be invited to put questions to the Leader of the Council, Cabinet Members and the Chairmen of the Overview and Scrutiny Panels be not supported;
- (l) that consideration be given to a proposal to introduce a biennial state of the district conference;
- (m) that a proposal to require Council meetings to be held in venues in different parts of the District be not supported, although the holding of Council meetings at other venues during construction of the new headquarters was noted;
- (n) that the incorporation into Section 6 of the Constitution of a revised scheme of Members Allowances be noted;
- (o) that revised Codes of Financial Management and of Procurement be adopted as attached as Appendices to the report submitted; and
- (p) that a proposal to require the permission of the Chairman, or in his absence, the Vice-Chairman of the relevant Overview and Scrutiny Panel to be obtained to take a decision on an item on a date earlier than that referred to in the Forward Plan be not supported.

Matters for Information

24. ANNUAL AUDIT AND INSPECTION LETTER

In receiving the Annual Audit and Inspection Letter, the Panel has been informed that the Council's rate of improvement in priority areas compared well with that of other District Councils. 31% of national performance indicators are in the best 25% of Councils, with 59% above the median.

Having also been informed that the Use of Resources scores compare performance against other local authorities, the Panel has discussed the criteria for various elements of the Use of Resources assessment and cost implications in seeking to achieve an improved score. Having been advised that the arrangements for undertaking a further assessment in October 2007 will be based on the assessment

of arrangements appertaining at 31st March 2007, the Panel has registered its concern at the absence of prior notice of the change of date given the likelihood that the performance criteria are likely to alter. In response the Panel has been assured that these changes will be reflected in the next Letter by the external Auditors.

**25. INTERNAL AUDIT:
TERMS OF REFERENCE AND AUDIT STRATEGY**

The Panel has approved revised Terms of Reference for Internal Audit and the Internal Audit Strategy 2007 – 2010. In so doing, Members have been informed of the arrangements that have been put in place to safeguard the independence of the audit function.

26. AUDIT PLAN 2007/08

The Panel has approved the Interim Internal Audit and Assurance Plan for 2007/08, which takes account of the Anti-Fraud and Corruption Strategy.

C J Stephens
Chairman

**REVIEW OF COUNCIL CONSTITUTION
(Report by the Head of Administration)**

1. INTRODUCTION

- 1.1 The Local Government Act 2000 changed fundamentally the way in which the District Council and local authorities generally had conducted their business for generations. It transformed the traditional “Committee System of decision making” throughout local government and replaced it with a limited choice of executive/scrutiny models, supported by a range of “non-executive” Panels. The District Council along with the majority of the local authorities then chose to implement the Leader/Cabinet model.
- 1.2 The complexity of the new arrangements required local authorities to adopt written constitutions to regulate their systems of governance and proceedings etc. The requirements of the Local Government Act 2000 were implemented fully in the District Council’s Constitution as from the Annual Meeting in May 2002. Since then and up to 2005, the Standards Committee and more recently the Corporate Governance Panel has undertaken an annual review of the Constitution in the light of the experience of individual Councillors, Cabinet, Panels, Chief Officers and Heads of Service over the preceding year. During the 2005 review, the Panel formed the view that the Constitution should be reviewed comprehensively at biennial intervals thereafter.
- 1.3 The Corporate Governance Panel was established by the Council in July 2004 to deal principally with those aspects of audit, governance and finance which are non-executive. The Panel’s terms of reference include responsibility for “oversight of the Council’s constitutional arrangements and advising the Council on any changes that may be desirable”. This report introduces the review commissioned during the current year. Any changes recommended for adoption to the Council will take effect from the next Annual Meeting which is to be held on 16th May 2007.
- 1.4 Adopting the same approach as was undertaken in 2005, the Cabinet and all Panels have been offered the opportunity to comment collectively on those aspects of the Constitution which affect their terms of reference. Members were invited to submit comments individually and Chief Officers and Heads of Services similarly were requested to highlight issues which had arisen based on practical experience of the operation of the Constitution.
- 1.5 To identify the changes proposed, Members will need to refer to the Constitution circulated to them in October 2006. Alternatively a copy is available electronically on both the Council’s website and intranet. Members are requested to bring their copy with them to the meeting for reference.

2. GENERAL CHANGES

2.1 The Council may amend its Constitution at any time, subject to regard being paid to formal guidance issued by the Secretary of State. Any change will require reference to the Secretary of State only if the Council propose to change significantly the present form of executive and scrutiny arrangements.

2.2 The Constitution is divided into 16 Articles which set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols. With the Constitution having operated satisfactorily for a number of years there appears little need for major change. However, the Constitution continues to evolve and requires regular adjustment to take account of updates in legislation and practice and for these reasons the text has been amended since 2005 to reflect –

- ◆ new legislation;
- ◆ alterations to -
 - table 2 – Appointments to Outside Organisations -
 - to reflect the addition/variation of appointments; and
 - table 4 – scheme of delegations (to incorporate subsequent amendments to the scheme)

3. ARTICLE 8 – REGULATORY AND OTHER COMMITTEES AND PANELS (PAGES 25/26)

3.1 The Gambling Act 2005 has now come into effect. Similar to the Licensing Act 2003, the Gambling Act specifies how the new powers and responsibilities should be undertaken by the Council. Three powers are specifically reserved to full Council, one of which may be delegated to the Licensing Committee created under the Licensing Act. All other powers must be administered by the Licensing Committee but can be delegated to Licensing Sub Committee's or (in certain circumstances) Officers.

3.2 This will necessitate the following changes to the Constitution –

- (a) In Article 4 – The Full Council, the following words should be added to Section 1 (a) – Policy Framework –

“◆ Gambling Act – Statement of Principles”

In order to differentiate with the Statement of Licensing Policy, it would also be preferable if the latter was reworded in Section 1 (a) as –

“◆ Licensing Act – Statement of Licensing Policy”

- (b) In Article 4 – The Full Council, the following words should be added to Section 2 –

“(j) passing a resolution not to issue casino premises licences.”

The existing paragraphs (j) to (l) will then need to be renumbered accordingly.

A further power is reserved to Council; ie. the setting of fees but this may be delegated. A separate report is being submitted to Council recommending that this be delegated to the Licensing Committee.

- (c) Table 2 of the Constitution will require amendment in relation to the functions of the Licensing Committee. It is proposed that the functions column relating to the Committee be amended as follows –

“To discharge the functions of the Council as Licensing Authority under the Licensing Act 2003 and the Gambling Act 2005 (with the exception of those functions which are reserved to Council as defined in Article 4).”

- (d) The Licensing Act and Gambling Act have repealed the previous legislation for the licensing of entertainment and betting, gaming and lotteries which were administered by the Licensing and Protection Panel. The words “gaming, entertainment” should therefore be deleted from the functions column of Table 2 in relation to the Licensing and Protection Panel.
- (e) A report is being submitted to the Licensing Committee on the delegations required to implement the Gambling Act. This will involve changes to Table 4 – the Scheme of Delegations by the addition of delegations to Officers. Certain delegations to Officers by the Licensing and Protection Panel will have been superseded by the changes to the legislation and will require rescission by that Panel. Those changes will be made to Table 4 after approval by the Licensing Committee and Licensing and Protection Panel respectively.

The Panel are recommended to approve the above changes.

4. PART 3: TABLE 5: RESPONSIBILITY FOR FUNCTIONS (PAGES 51 AND 151/1 AND 154/2)

- 4.1 There has been a growing tendency in local government to appoint Champions in recent years encouraged by the Audit Commission, Local Government Association and Others. Table 5 in the Constitution draws together the appointments that have been made by the Cabinet and other Panels. Although not formally required to be part of the Constitution, the inclusion of the table at this point is helpful to maintain a record of these appointments and for reference and access purposes. The Constitution would seem a suitable place to locate them. However, any changes do not require Council or Corporate Governance Panel consideration but it would be preferable to make this qualification clear on page 51 of the Constitution and in Table 5 itself.

4.2 **The Panel is therefore requested to note the addition of the following text on Page 51 and as a preamble to Table 5, pages 154/1 and 154/2 –**

“A number of “Member Champions” have been appointed by the Council. These are listed in Table 5. The Champions do not have executive or decision making responsibilities and as such Table 5 does not form part of the Council’s formal Constitution. However, the Champions are listed here for convenience and to highlight the role of each appointment”.

5. **PART 4: COUNCIL PROCEDURE RULES (STANDING ORDERS) (PAGES 157 – 174)**

5.1 **General Principles**

All local authorities have statutory powers to make discretionary Standing Orders under the Local Government Act 1972 –

- ◆ for the regulation of Council proceedings and business; and
- ◆ regarding the quorum, proceedings and place of meeting of their Panels, Committees etc.

A review of Standing Orders enables any practical procedural difficulties that have arisen over the operating period to be amended or modified. The following issues have arisen in this respect –

(a) **Time and Place of Meetings (p159)**

Rule 4 prescribes that meetings of the Council normally shall be convened at 2.30 pm. In special circumstances, the Chief Executive may fix some other hour for commencement. Councillor Downes has proposed that Council meetings should commence at 5.00 pm instead of 2.30 pm to encourage increased public interest in attendance and to facilitate the ability of working councillors to attend.

The Panel is invited to consider the suggestion.

(b) **To amend a Motion (p162)**

Currently, Rule 10 provides for a series of Motions to be moved without notice. This includes where a Member might wish to amend a recommendation (Motion) which forms part of the Council Agenda. In practice, a suggested form of wording for an amendment to a Motion is prepared and circulated to the Council to afford better understanding and clarity of what is being proposed. However, this practice is not formalised in the Council Procedure Rules. It is suggested that where a Member wishes to move an amendment that the wording of that amendment be made available in sufficient time for copies to be circulated prior to the commencement of a Council meeting. It is proposed that Rule 10 (h) be varied to read “**(h) to amend a motion; (the text of the proposed amendment to be**

forwarded to the Chief Executive, or in his absence, the Director of Central Services prior to the commencement of the meeting of the Council)."

The Panel is invited to consider this suggestion.

(c) Facilities for Broadcasts or Tape Recordings

There is increasing scope for innovation in enhancing access to members of the public who are not able to attend meetings, especially on those occasions when the Council may be considering business of particular public interest. Currently the Council Procedure Rules do not provide any guidance in the event that a request is received by the Council asking for a meeting to be broadcast or recorded. It is expressly provided in Section 100A (7) of the Local Government Act (Access to Information) Act 1985 that:

"nothing.....shall require a principal council to permit the taking of photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place."

As there is no express prohibition of photography or video recordings etc. some local authorities now allow, for example, TV cameras and radio reporters to be present at meetings on special occasions so long as there is no adverse effect on the conduct of the proceedings. In anticipation of a request of this nature, it is proposed that the following paragraph be inserted into the Council's Procedure Rules.

"17A Photography, Broadcasting and Recording of Meetings

Filming, videoing or audio recording of a meeting or photography at a Council meeting shall be permitted only with the consent of the Chairman of the meeting concerned. The necessary consent shall have been obtained and the Chief Executive, or in his absence, the Director of Central Services notified by no later than three working days before the meeting."

The Panel is invited to consider the suggestion.

(d) Quorum (p172)

Council Procedure Rule 7 provides that no business may be transacted at a meeting of the Council unless at least one quarter of the whole number of Members of the Council are present. No specific quorum is prescribed by statute for meetings of committees and sub-committees. In practice this has caused some uncertainty in relation to those meetings which consist of less than ten members. For clarity, it is suggested that the following text be added to Rule 22.

“Regarding Rule No. 7 – in no case should the quorum of sub-committees and sub-groups be less than three Members.”

The Panel is invited to consider the suggestion.

5.2 Public Speaking at Development Control Panel (p173)

On the recommendation of the Panel, the Council at its meeting held on 6th December 2006 approved the principle of public speaking at meetings of the Development Control Panel. Subsequently, public speaking was introduced at the Development Control Panel in January. The procedure now followed by the Panel obviates a requirement for Rule 27 and it is suggested that this be deleted in its entirety. The Council agreed that the necessary changes may be made to accommodate the new procedure in the Constitution and it is proposed that the following text be inserted as a new Rule 27

“Rule 27 - Public Speaking at Development Control Panel

Where a planning application falls to be determined by the Development Control Panel and where appropriate notice has been given, an elected Member of the relevant town and parish council/meeting, the District Ward Member, the objector(s), the applicant(s) or their representatives shall be permitted to address the Panel on the application under the direction of the Chairman having regard to the guidelines at Annex (iii).”

Annex (iii) contains the procedure recommended by the Panel at their meeting held on 29th November 2006.

It is proposed that the text of the Constitution be amended accordingly.

5.3 Under the Council's Policy and Strategic Framework, the adoption of the Council's Development Plan is reserved to full Council. Consequently any variations to the Plan can only be made by full Council including planning applications which represent a departure from the Plan. On those occasions, the Panel had agreed that the process for consideration of the application should follow the same format as the deliberations of the Development Control Panel and therefore it is suggested that the following text be inserted as **Rule 27(a) -**

“In those circumstances where a planning application is to be determined by full Council, the Council's Head of Planning Services or his representative and other relevant Officers shall be permitted to present reports to the Council and the public speaking process adopted by the Development Control Panel be applied.”

It is proposed that the text of the Constitution be amended accordingly.

It was envisaged that the Council would consider applications which represent a departure from the Council's Development Plan, as currently provided under the Council's Policy and Strategic

Framework, and where an application is of such major significance that it is to be determined by the Council.

In response to concern expressed by the Development Control Panel and in the absence of a precise definition as to when a planning proposal is of such significance that it should be referred to the Council, it is suggested that the text of the Constitution be amended as follows:-

“Rule 27 (b) – Consideration of Departures from the Development Plan. Planning applications considered to be a “significant” departure from the Development Plan shall, on the recommendation of the Development Control Panel, be considered by the Council having regard to advice received from the Heads of Planning Services and Legal and Estates Services and guidelines at Annex (iii). Applications considered to be “significant” are those specified under the Town and Country Planning (Development Plan and Consultation) (Departures) Directions 1999 and having also to be referred to the Secretary of State as follows –

- ◆ a development which consists of or includes the provision of –
 - (i) more than 150 houses or flats; or
 - (ii) more than 5,000 square metres of gross retail, leisure, office or mixed commercial floorspace;
- ◆ development of land belonging to a planning authority by that authority or any other party; or for the development of any land by such an authority, whether alone or jointly with any other person; or
- ◆ any other development which, by reason of its scale or nature or the location of the land, would significantly prejudice the implementation of the development plan’s policies and proposals.”

5.4 **Public Forum at Council Meetings**

Councillor Downes has submitted proposals on ways to broaden the role of full Council meetings by way of the introduction of a time limited session at the commencement of the Council in which Members of the public could be invited to put questions to the Leader of the Council, Cabinet Members and the Chairmen of the Overview and Scrutiny Panels. He considers that this initiative would further promote efficient, effective and accountable decision making and the active involvement of the public in Council meetings. A copy of a scheme that would enable citizens to participate in Council meetings has been submitted by Councillor Downes and this is reproduced as Annex A hereto.

The Panel is requested to consider the issue.

5.5 **State of the District Address (p168)**

The Panel, at its meeting held on 23rd March 2005 considered a proposal by Councillor P J Downes to change the nature of and arrangements for the State of the District Debate, in the light of the outcome of an investigation and Member consultation. At that time,

the Panel resolved that the Constitution should be amended to refer to an annual State of the District Address by the Leader, a response by the Leader(s) of the Opposition and a single oral contribution by other Members of the Council. Councillor Downes has re-submitted a modified version of his proposal for consideration. A suggested structure for a biennial state of the district half day conference is reproduced as Annex B.

The Panel is requested to reconsider the introduction of a biennial state of the district conference.

5.6 **General**

In the past, the Council has experimented by holding Council meetings, with mixed success, at venues other than Pathfinder House. To progress the new Headquarters and Office Accommodation Project, that part of Pathfinder House which accommodates the Council Chamber and Meeting Rooms will be out of action for a period up to a year or longer. Councillor Downes had suggested that during the re-building of Pathfinder House, Council meetings be held in venues in different parts of the District to relieve car parking pressure and to seek to encourage greater public participation and promote the Council's community leadership role.

It is probable that all meetings of the Council will require to be held at venues around the District and the Head of Administration has begun to undertake a project to identify those meeting spaces available, their capacities and associated facilities for this purpose. This exercise would present the opportunity for the Council to assess the extent of public interest in Council meetings. **The Panel is therefore requested to note this proposal.**

6. **ESTABLISHMENT OF DISTRICT YOUTH FORUM**

- 6.1 Councillor Downes has suggested that the Council establish a district youth forum bringing together representatives of youth councils and youth forums created locally by a number of town/parish councils. It is proposed that the youth forum could be invited to report quarterly to the Overview and Scrutiny Panel (Service Delivery) to give young people a voice within the Council and encourage an interest in local democracy. This proposal would build on work previously undertaken by the Panel on Services for Young People and the initiatives being pursued under the school citizenship programmes.

The views of the Panel are invited.

7. **MEMBERS' ALLOWANCES (PAGES 285-290)**

- 7.1 Following a review by the Independent Advisory Panel appointed to review the scheme of allowances payable to District Councillors, the Council approved at their meeting held on 21st February 2007 a revised scheme of Members allowances which provided for –

- ◆ increases in the level of basic allowance for all District Councillors and changes in the levels of special responsibility allowances;
- ◆ the continuation of the payment of travel and subsistence allowances in line with National Joint Council casual users mileage and subsistent rates for local government employees;
- ◆ the continuation of the use of the retail price index (RPI) as an automatic index mechanism to enable the Members allowances scheme to be adjusted, as necessary, to reflect inflation until 30th April 2011; and
- ◆ the adoption of a formula for calculating the standard and variable elements of the special responsibility allowance for the Leader of the Principal Opposition Group.

The revised Members' Allowances Scheme as approved by the Council will be incorporated into Section 6 of the Constitution.

8. CODES OF FINANCIAL MANAGEMENT AND PROCUREMENT (PAGES 209 – 234/4)

8.1 Changes to the Codes of Financial Management and Procurement are proposed. Amended copies of both Codes are attached as Annexes C and D. The changes to the Code of Procurement are relatively small and relate principally to the contracts register. The contracts register is a recently implemented database used to record key information about a purchase during its life cycle. The database will –

- ◆ create a single record of all contracts let by the Council with information on the types of contract, suppliers and values;
- ◆ support small businesses by providing current information on forthcoming opportunities;
- ◆ comply with FOIA best practice by publishing current contract information on the internet;
- ◆ automatically warn contract owners of contracts shortly due for renewal;
- ◆ meet EU requirements to advertise contracts and reduce the need to advertise elsewhere;
- ◆ reduce the time to run full EU competitions by up to ten days;
- ◆ support the management of single tenders by Central Services; and
- ◆ simplify reporting to the Department of Communities and Local Government and the Regional Centre of Excellence.

8.2 The success of the contracts register will depend on its wholesale adoption by Officers and the proposed changes create a measure of compunction previously missing. Other minor amendments have been made to the wording in relation to framework contracts following the publication of The Public Contracts Regulations, 2006 and others to improve clarity and accuracy. The proposed amendments are highlighted in blue text.

8.3 Reproduced at Annex D is a proposed Code of Financial Management. It incorporates a number of changes but many of them are quite minor. The significant ones involve

- ◆ formalising the financial monitoring process (para 3.1);
- ◆ setting rules for entering into commitments for future years (para 3.2);
- ◆ the introduction of a new process for additional spending with compensatory savings (para 3.5); and
- ◆ revising the section on Budget Transfers to provide the flexibility needed to meet the twin requirements of Growing Success and achieving the Council's savings targets (para 3.6).

The Panel is requested to recommend to Council the adoption of revised Codes of Financial Management and of Procurement.

9. OBSERVATIONS OF THE CABINET, PANELS AND COMMITTEE

- 9.1 The views of the Development Control Panel have been reflected elsewhere in this report. Although not raised during the course of this review, the Cabinet has expressed the view that substitution arrangements should not form part of the Constitution.
- 9.2 However, the Overview and Scrutiny Panel (Service Delivery) has made a recommendation in respect of the arrangements for compilation of the Forward Plan which are detailed in the Access to Information Rules (p183). The Forward Plan contains matters which the Leader has reason to believe will be subject to a key decision to be taken by the Cabinet. The Forward Plan also specifies the date on which the decision will be taken. The Panel has raised concern about those occasions when new items appear on the Plan to be considered by the Cabinet on a date which denies the opportunity for that business to be scrutinised by the Panel. In this light, the Panel has recommended that the Constitution be amended to require the Chairman, or in his absence, the Vice-Chairman of the relevant Overview and Scrutiny Panel to permit a decision to be taken on an item on a date earlier than that referred to in the Forward Plan.
- 9.3 Whilst, the concerns of the Overview and Scrutiny Panel (Service Delivery) are acknowledged, paragraph 15 of the Access to Information Procedure Rules (p185) allows, given certain circumstances, a key decision still to be taken even if that decision has not been included in the Forward Plan. Although the majority of business considered by the Cabinet can be programmed in advance, there will always be circumstances when items arise that are unforeseen but still require to be dealt within a prescribed timescale. The rules contained in paragraphs 15 and 16 are drafted to manage these circumstances. It would perhaps be unmanageable were the Chairman of a Scrutiny Panel to have the authority to veto, totally, consideration of Cabinet business which was entered late on the Forward Plan. It would also be unlikely that an author could risk their report being deferred by a Scrutiny Chairman by including that business, albeit late, on the Forward Plan when failure to place an item on the Forward Plan, under the terms of paragraph 15 would not prohibit it being considered by the Scrutiny Panel, in any event.

The Panel is requested to consider the issue.

10. RECOMMENDATION

- 10.1 The Panel is requested to consider the recommendations contained in the foregoing paragraphs and to recommend to full Council accordingly.

BACKGROUND PAPERS

HDC Constitution

Minutes of the meetings of the Cabinet, Overview and Scrutiny Panel (Service Delivery) and Development Control Panel.

Contact Office: Christine Deller, Democratic Services Manager
☎ 01480 388007.

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DISTRICT COUNCIL PUBLIC QUESTION TIME: GUIDELINES

1. INTRODUCTION

- 1.1 There will be an opportunity for members of the public to ask questions at meetings of the District Council, with up to 15 minutes being available for questions from the public at each ordinary meeting of the District Council (excluding the annual meeting of a new Council and extraordinary meetings). The conduct of public question time will be regulated by the Chairman of Council, having regard to the following guidelines. The Chairman's decision on the relevance of a question and on the method of dealing with any issue in connection with this procedure will be final.

2. CONTENT OF QUESTIONS

- 2.1 All questions:

- Must be clear and concise and be relevant to matters for which the Council has powers or duties.
- Should be limited to obtaining information or pressing for action.
- Should be capable of being adequately answered in two minutes.

- 2.2 Questions should not:

- Contain offensive expressions.
- Divulge, or require the answer to divulge, confidential or exempt information.

3. RECIPIENTS OF QUESTIONS

- 3.1 Questions may only be asked of the following:

- The Leader of Council.
- A portfolio holder (Cabinet member).
- The Chairman of a Scrutiny Committee.

4. PROCEDURE

- 4.1 Members of the public wishing to ask a question at the Council meeting should provide the following details to the Council's Democratic Services by no later than 12.00 noon, two working days before the meeting:

- Name and address and contact details of the person asking the question.
- The name of the organisation if the question is being asked on their behalf.
- Details of the question to be asked.
- The name or position of the member of the Council to whom it is to be put.
- Brief information about how the subject of the question relates to the person asking the question (e.g. as a resident of the area, as a recipient of a service, the owner of a property affected by a proposal).

Only one question may be asked by each member of the public or organisation and the question must relate to a single topic.

- 4.2 The following process will apply at the meeting:

- The Chairman will invite questions to be asked at the meeting in the order in which they are received by Democratic Services.
- The Chairman of the Council will invite the member of the public to put his/her question from the floor of the Council Chamber using the microphone provided.
- The member of the public will then ask their question. Up to a maximum of two minutes will be allowed in which to ask the question
- The named member will respond to the question which may take the form of:
 - (a) a direct oral response of up to a maximum of two minutes;
 - (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
 - (c) where the reply cannot conveniently be given orally, a written response circulated later to the questioner and made available to all members of Council and to the public.
- After the response has been given, the questioner has up to a further minute in which to put one supplementary question or seek clarification of the response to the original question. The supplementary question must arise directly out of the original question or the reply and must not introduce new material
- The recipient of the original question then has up to a further two minutes in which to reply to the supplementary question.
- The Chairman of the Council may, in exceptional circumstances, extend the time either for a question or its response.
- Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written response.
- No debate will be allowed on any question or the response.
- A transcript of Public Question Time will be made available to all members of the Council and to the public following the meeting.

STATE OF THE DISTRICT CONFERENCE

I propose that every two years there should be a 'State of the District' half-day conference on the second Saturday in September. The public would be invited to come and it would be made clear that they would be able to speak during the morning. Specific invitations to be sent to Parish Councils, local business and various representative bodies, including those for Young People.

The structure of this Conference could be as follows:

- 9.30 Welcome from Council Leader and general outline of the key issues facing the District at this time
- 9.45 Three minute presentations from each Portfolio holder outlining the major topics on the work programme for each area of the District's functions
- 10.20 Brief statement from the Leader of the Opposition, again highlighting the key issues for consideration from an Opposition perspective.
- 10.30 Coffee break
- 10.50 Conference splits into working groups, each one containing a Portfolio holder and at least two members of each Scrutiny Panel. Public choose which one they wish to attend and take a full part in the questions and discussion. A scribe to take notes of the main issues emerging.
- 11.40 Re-convene in plenary to receive a succinct report from each working group
- 12.10 Open forum for any member of the public to raise any other issue which has not arisen during the working groups
- 12.25 Final comments and thanks from Leader
- 12.30 End of Conference

The Hinchingsbrooke Performing Arts Centre would make an ideal venue as there is a good auditorium for the plenary sessions, catering facilities for coffee and there are plenty of nearby rooms for the break-out session.

The following Council meeting, at the end of September, would then have an item during which the Leader and Councillors could respond to what has been heard at the SOTD Conference, having had time to reflect on it for a couple of weeks. This would be early enough in the cycle for important matters to be taken into consideration before the budget cycle and MTP process is too far gone. The Conference might also generate issues for the Scrutiny Panels to consider in greater detail.

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CODE OF PROCUREMENT

1. INTRODUCTION

- 1.1 The Code of Procurement defines the regulatory and legal framework for procurement. It has been adopted in accordance with the requirements of Section 135 (2) of the Local Government Act 1972.
- 1.2 This Code applies to the procurement, hire, rental or lease of -
- ◆ land and buildings, roads or other infrastructure;
 - ◆ vehicles or plant;
 - ◆ equipment, furniture and fittings;
 - ◆ construction and engineering works;
 - ◆ information and communication technology - hardware and software;
 - ◆ goods, materials and services;
 - ◆ repairs and maintenance; and
 - ◆ consultants, agents and professional services.
- 1.3 This Code does not apply to purchases made from internal management units.
- 1.4 The Code applies also to the sale of assets and goods by the Council where the appropriate Head of Service estimates that the assets, goods or services to be sold exceed £1000. Where the value is estimated to be less than £1000 then the 'Sale of Equipment' procedures contained within the Inventory procedures shall be followed.
- 1.5 The Council includes the Cabinet, panels, committees or other body or person(s) acting in accordance with delegated authority on behalf or the Council.
- 1.6 All procurements or sales made by or on behalf of the Council shall comply with this Code, subject to any overriding requirements of the Council's Rules of Procedure and Code of Financial Management and British or European Union law or regulation.
- 1.7 Throughout the Code, reference to contractor(s) or sub-contractor(s) shall mean any person, company or supplier who has -
- ◆ requested to be on an approved or ad-hoc approved list of tenderers;
 - ◆ been approached to provide a quotation or tender;
 - ◆ provided a quotation or tender; or
 - ◆ been awarded a contract in accordance with the provisions of this Code.
- 1.8 The Head of Financial Services shall annually review all the financial values contained in the Code to take account of the impact of inflation. The Head of Financial Services shall inform all Heads of Service of any amendments to the values prior to the 1st April from which they shall be operative.

2. REPORTING PROCEDURES AND EU COMPLIANCE

2.1 EU Procurement Directives require the Council, to report procurements likely to exceed EU thresholds, both at the start of the year and on an ad-hoc basis as new or changed requirements arise. The ODPM also seeks a financial year-end report based on procurements and contracts advertised on the Official Journal of the European Union (OJEU). The EU thresholds are:

Contract	Threshold Euros	Threshold £ (Approx)
Supplies	€211,000	£ 144,371
Services	€211,000	£ 144,371
Works	€5,278,000	£ 3,611,319

2.2 Financial Year Start Reporting

At the start of each financial year (1 April) Heads of Service shall:

- ◆ provide the following information to the Procurement Manager -
 - Details of each contract expected to be advertised in the following year.
 - An estimate of the total value for each discrete procurement area where the spend is likely to exceed £100,000.
- ◆ advertise very brief details of each contract expected to be advertised in the following year. The advertisement shall take the form of a Prior information Notice (PIN). The publishing of a PIN does not commit the Council, but can reduce timescales if the requirement is subsequently advertised through OJEU.

A PIN is also required if the estimate of the aggregated value of the contracts for a given coding class exceeds the published PIN thresholds:

Contract	Threshold Euros	Threshold £ (Approx)
Supplies	€750,000	£ 513,166
Services	€750,000	£ 513,166
Works	€5,278,00	£ 3,611,319

Contract values are the Council's aggregated spend and not individual Directorates or Services. Therefore, the Procurement Manager shall advise the Head of Service if their aggregated spend is to be advertised as a PIN.

Aggregated values can be calculated by one of the following methods -

- ◆ the total value purchased over the last financial year; or
- ◆ the estimated value of all contracts expected to be placed in the next financial year or the term of the contract if that is longer; or
- ◆ where the contract is open-ended or of uncertain duration, such as those for the hire of goods or for the delivery of a particular service, the value is based on the estimated average monthly expenditure multiplied by 48 (4 years).

2.3 **Through Year Reporting**

Heads of Service shall report, using a PIN where time permits, new or additional requirements likely to meet or exceed EU thresholds as they arise.

2.4 **End of Year Reporting**

ODPM seeks a report each year from all Councils regarding contracts awarded through OJEU during the previous year. By the 30 Apr each year, Heads of Service shall provide the Procurement Manager with the following details for contracts placed through OJEU procedures -

- ◆ Services: Service Category.
- ◆ Supplies: Nipro Class.
- ◆ Works: Nace Group.
- ◆ Service Provider Nationality.
- ◆ Award Procedure:
- ◆ Justifications if Negotiated procedure.
- ◆ Value.

3. **CONTRACTS REGISTER**

3.1 Heads of Service shall ensure that all procurements over £5,000 are recorded in the Contracts Register

4. **METHODS OF ORDERING**

4.1 All orders shall be placed through one of the following recognised methods -

- ◆ An order raised on CedAR Purchase Order Process.
- ◆ A Procurement Card Order.
- ◆ An Electronic order
- ◆ A Manual Purchase Order.

4.2 Use of an appropriate ordering method ensures that the Council achieves -

- ◆ The opportunity to obtain leverage for volume.
- ◆ Regulatory compliance.
- ◆ Visibility of all procurement activity.

4.3 Where there is an exception requirement and the relevant Director or Head of Service considers that the work is of an emergency nature necessary to enable the service to continue and none of the ordering methods are suitable, the relevant Director or Head of Service shall record the details of the exceptional requirement and the action taken for future Audit.

5. 'BEST VALUE' AND THE NEED TO COMPETE REQUIREMENTS

5.1 The Council seeks 'Best Value' in all procurement activity and will standardise on 'adopted' corporate contracts and frameworks. An adopted contract and framework is the preferred contract for the Council's business within a defined category (a type or group of goods or services). The Procurement Manager shall recommend a contract or framework as 'adopted' to COMT and, subject to approval, shall publish details in Procurement Protocols & Guidelines. Heads of Service shall ensure that orders for such categories are placed through the appropriate 'adopted' framework. The Procurement Manager shall keep under review the continued suitability of any such contracts or framework agreements.

5.2 Where there is no adopted contract or framework, Heads of Service shall, wherever practicable, seek to maximise contract values with other Heads of Service to secure lower costs.

5.3 Where there is no adopted contract or framework, the Council nevertheless wishes to balance the effort of going to the Market with the effort and efficiency of the procurement process. Heads of Service after determining the proposed contract's total value shall then follow one of the procurement procedures detailed below. These procedures shall be used in **all** procurements or sales bar those exceptions at paragraph 5.6.

Estimated Total Value of Procurement	Requirement
Up to £5,000	Estimates or offers shall be obtained and recorded to ensure the Head of Service has obtained Best Value.
£5,001 to £30,000	Competitive written quotations or offers shall be invited, unless the Head of Service has complied in full with paragraph 6.3e of this Code.
£30,001 to European Union Procurement Threshold	Competitive tenders shall be obtained using one of the tendering options in this Code, and a formal written contract prepared in accordance with paragraph 12.2.
Above the EU Threshold specified below	The appropriate EU procurement directive shall be complied with.

5.4 A Head of Service may choose to competitively tender requirements less than £30,000.

5.5 Achieving 'Best Value' needs valid competition and valid competition is dependant on the existence of an 'open' market with the selected Contractors having the interest, capability and capacity for the work or business being offered. Wherever possible a minimum of three competitive tenders or quotations shall be sought. In selecting contractors to provide a tender or quotation Heads of Service shall ensure that wherever possible -

- ◆ the selection process they are using is fair and equitable, and that no favouritism is shown to any one contractor.
- ◆ checks are made to ensure that contractors are interested in this type of business.
- ◆ repeat or 'automatic' invitations to the 'same' contractor or group of contractors are avoided, particularly where previously invited to bid and had failed to do so.
- ◆ 'new' contractors are sought and invited to tender or quote.
- ◆ the geographic area of the search for potential contractors is widened.
- ◆ 'no-bids' are checked for the reasons for a contractor's failure to bid.

5.6 Exceptions

Nothing in this Code shall require tenders to be sought: -

(a) for purchases through any local authority or government consortium, collaboration or similar body, where the procurement rules of that organisation have been adopted, and;

- ◆ where the contract created is to our requirements or in the case of collaboration, agreed joint requirements, or

- ◆ where there is a single supplier 'call-off contract' or catalogue created with fixed prices, or
 - ◆ where there is a multi-supplier framework (and where the framework rules require competitive quotes).
- (b) for purchases made at public auction;
- (c) where the relevant Director or Head of Service -
- ◆ considers that the work is of an emergency nature or is necessary to enable the service to continue; or
 - ◆ with the Head of Financial Services' agreement considers that it is in the Council's best interest in negotiating a further contract for works, supplies or services of a similar nature with a contractor who is currently undertaking such work.
- (e) The relevant Director or Head of Service shall report details of all work awarded under paragraph (d) ante -
- ◆ to the Director of Central Services who shall make a record in a register kept for that purpose; and
 - ◆ to the next meeting of the Cabinet.

6. QUOTATION AND TENDER METHODS AND PROCEDURES

6.1 Form of Tenders and Requests for Quotations

To support the Council complying with the Freedom of Information Act 2000 (FOIA), all tenders and requests for quotations shall include as a minimum -

“All information supplied to the Authority will be subject to the provisions of the Freedom of Information Act 2000 and as such may be disclosed by the Authority when required to do so under the Act. When such disclosure is necessary the Authority shall use reasonable endeavours to consult with the provider of the information prior to disclosure”.

6.2 Recording of Quotation Requests and Tenders

The Head of Service shall keep a record, [using the Contracts register](#), of -

- ◆ all those contractors that were requested to [quote or tender](#);
- ◆ the reasons why those particular contractors were selected to [quote or tender](#); and
- ◆ if applicable, the reasons why less than three contractors were selected to [quote or tender](#).

6.3 Tendering Options

Heads of Service shall select one of the following tendering methods. If any alternative tendering method is proposed then approval of the Cabinet is required before the proposed tendering option is followed. In selecting contractors who are to be requested to provide a tender Heads of Service shall comply with paragraph 5.5.

Tender Option	Requirement
A. Ad Hoc Tender Open tender	Public notice shall be given in one or more newspapers and/or in an appropriate trade journal. The notice shall state the nature and purpose of the contract, where tender documentation can be obtained, and state the closing date for the receipt of tenders. <i>Where the Head of Service is satisfied that Expressions of Interest received from a Contracts Register Notice represent contractors with genuine interest and capacity, then no further Public Notice is required.</i>
B. Approved List of Tenderers Restricted tender	Tenders shall be invited from at least three contractors selected from an approved list established in accordance with paragraph 7.1 of this Code.
C. Ad Hoc Approved List of Tenderers Open restricted tender	Tenders shall be invited from a list of contractors compiled in accordance with paragraph 8.1 of this Code for a specific contract.
D. Serial Tenders	The proposed contract shall form part of a serial programme. The contract terms shall be negotiated with a contractor, using as a basis for negotiation the rates and prices contained in an initial contract that was awarded following a competitive tendering process that complied with this Code. No more than two serial contracts shall be negotiated from an initial contract.
E. Single Tenders / Quotations	A Head of Service after consulting the Director of Central Services may obtain a single tender (or quotation – see paragraph 6.3 above) when: <ul style="list-style-type: none"> • Prices are wholly controlled by trade organisations or government order and no reasonably satisfactory alternative is available. • Work to be executed or goods, services or materials to be supplied consist of repairs to or the supply of parts of existing proprietary machinery, equipment, hardware or plant and the repairs or the supply of parts cannot be carried out practicably by alternative contractors. • Specialist consultants, agents or professional advisers are required and <ul style="list-style-type: none"> ○ there is no satisfactory alternative; or ○ evidence indicates that there is likely to be no genuine competition; or ○ it is in the Council's best interest to engage a particular consultant, agent or adviser. • Products are sold at a fixed price, and market conditions make genuine competition impossible.

	<ul style="list-style-type: none"> • No satisfactory alternative is available. If the Single Tender option is used, the Head of Service shall: • notify the Director of Central Services who shall make a record in a register kept for that purpose; • retain records that demonstrate that the best price or value for money has been obtained from the negotiations with the tenderer.
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Except to the extent that the Cabinet in a particular case or specified categories of contract otherwise decides, all quotations or tenders that are being sought shall -

- ◆ include approved contract terms in accordance with paragraph 11.2 of this Code;
- ◆ be based on a definite written specification, which shall include an award criteria, which if it is not to be the lowest price shall be agreed by the appropriate Director;
- ◆ if appropriate, include a requirement for a performance bond and liquidated damages.

6.4 Non-Traditional Procurement

If a Head of Service believes that by following one of the procurement procedures detailed in paragraph 5.3 above, that the procurement process will not provide him with the most appropriate method of service delivery, the most competitive prices, allow for continuous improvements in service delivery, or stifle procurement innovation, then he may suggest alternative procurement strategies.

The Head of Service shall produce, in accordance with guidance issued by the Director of Central Services and prior to proceeding with the procurement, a written procurement strategy that shall be approved by the Director of Central Services and the Cabinet.

7. PROCEDURE FOR THE APPROVAL AND MAINTENANCE OF APPROVED LISTS OF TENDERERS

7.1 Only those lists containing details of contractors that are compiled and maintained by an external organisation to the satisfaction of the Director of Central Services, after consultation with the Head of Financial Service and the other relevant Heads of Service shall be adopted as approved lists of tenderers. The Procurement Manager shall ensure that the external organisation and approved list of contractors is detailed in Procurement Protocols & Guidelines.

7.2 If a Head of Service believes that the approved list of tenders does not allow him to obtain sufficient competition for 'Best Value', the Head of Service shall write to the Director of Central Services seeking approval to source additional contractors. Instructions for sourcing additional contractors are detailed in Procurement Protocols & Guidelines. All additional contractors sourced will be required to

complete the approved list checks and their inclusion in competition will depend on satisfactory completion of the checks.

- 7.3 The Director of Central Services in conjunction with the Head of Financial Services and relevant Heads of Service shall review the continued suitability of an Approved List of Tenderers periodically and at least prior to the third anniversary of its initial or further adoption.

8. PROCEDURE FOR THE APPROVAL OF AD-HOC APPROVED LISTS OF TENDERERS

- 8.1 A public notice shall be issued inviting applications for inclusion on a specific approved list for the supply of goods, services or materials. The ad-hoc approved list of tenderers shall be established from contractors replying to the public notice or who have requested within the previous 12 months to be included on an ad-hoc approved list for work of a similar nature.

- 8.2 The Head of Service shall undertake sufficient vetting to ensure that [tenderers appointed to](#) ad-hoc approved lists shall -

- ◆ [comply with minimum standards of Insurance, Health & Safety and Financial viability based on a risk based assessment. Guidance can be found on the appropriate intranet page or from the Audit & Risk Manager or Health & Safety Advisor.](#)
- ◆ be approved by the appropriate Head of Service after consultation with the Director of Central Services and the Head of Financial Services; and
- ◆ only be used for seeking tenders for the supply of goods, services or materials specifically detailed within the original public notice.

9. SUB-CONTRACTS AND NOMINATED SUPPLIERS

- 9.1 Quotations or tenders for sub-contracts to be performed or for goods, services or materials to be supplied by nominated sub-contractors shall be invited in accordance with this Code.

- 9.2 The relevant Head of Service is authorised to nominate to a main contractor a sub-contractor whose quotation or tender has been obtained in full accordance with this Code.

10. RECEIPT AND OPENING OF TENDERS AND QUOTATIONS

- 10.1 Where tenders or quotations are invited in accordance with this Code no tender or quotation will be considered unless -

- ◆ contained in a plain envelope which shall be securely sealed and shall bear the word "Tender" or "Quotation" followed by the subject to which it relates; or
- ◆ it has been sent electronically to a specific e-mail address, which the appropriate Head of Service shall obtain from the Head of Information Management.

- 10.2 Further to paragraph 10.1 above -
- ◆ the envelope shall not bear any distinguishing matter or mark intended to indicate the identity of the sender. Contractors shall be notified accordingly. Such envelope shall be addressed impersonally to the Director of Central Services if it contains a “Tender” or the appropriate Head of Service if it contains a “Quotation”; and
 - ◆ the Head of Information Technology shall ensure that the e-mail address is secure, can only be accessed by the Director of Central Services or officers specifically appointed by him.
- 10.3 All envelopes or e-mails received shall be kept securely and shall not be opened or accessed until the time appointed for their opening.
- 10.4 All tenders or quotations invited in accordance with this Code shall be opened at one time only and by at least two officers -
- ◆ tenders shall be opened by officers nominated by the Director of Central Services and by the appropriate Head of Service. The Head of Financial Services shall be notified of the time and place appointed for the opening; and
 - ◆ quotations shall be opened by the appropriate Head of Service and/or his nominee(s).
- 10.5 All tenders or quotations upon opening shall be recorded in writing on either a tender or quotation opening record, as is appropriate. The format of the opening record shall have been previously agreed with the Director of Central Services and Head of Financial Services. The Form of Tender or Quotation and any accompanying documentation shall be marked with the date of opening, and signed by all officers present at the opening. The tender or quotation opening record shall be signed by at least two officers present at the opening.
- 10.6 The original opening record shall be retained by the Director of Central Services in respect of tenders, and the relevant Head of Service in respect of quotations.
- 10.7 Any tenders or quotations received after the specified time shall be returned promptly to the contractor by the Director of Central Services or his nominated officer in respect of tenders, or by the appropriate Head of Service or his nominated officer in respect of a quotation. The tender or quotation may be opened to ascertain the name of the contractor but no details of the tender or quotation shall be disclosed.
- 11. ACCEPTANCE OF TENDERS AND QUOTATIONS**
- 11.1 The appropriate Head of Service shall evaluate all the tenders or quotations received in accordance with the award criteria set out in the bid documentation and shall accept, subject to the provisos set out in this paragraph, either -

- ◆ the lowest priced tender or quotation; or
 - ◆ the most economically advantageous tender or quotation, as evaluated against the award criteria.
- 11.2 Tenders or quotations exceeding the approved estimate may only be accepted once approval to further expenditure is obtained.
- 11.3 If the lowest priced, or most economically advantageous exceeds £30,000 -
- ◆ but is within 15% of the original estimate, the appropriate Head of Service may accept the quotation without seeking further competition; and
 - ◆ is in excess of 15% of the original estimate then a competitive tender exercise in accordance with paragraph 6.3 above shall be carried out, unless the appropriate Head of Service has consulted and obtained the approval of the Director of Central Services and relevant executive councillor that the quotation can be accepted.
- 11.4 A tender or quotation shall not be accepted -
- (a) where payment is to be made by the Council and -
- ◆ it is not the lowest priced tender or quotation, or
 - ◆ the most economically advantageous tender or quotation in accordance with the award criteria set out in the tender or quotation documentation; or
- (b) if payment is to be received by the Council and the tender or quotation is not the highest price or value;
- (c) unless -
- ◆ the Cabinet have considered a written report from the appropriate Head of Service, or
 - ◆ in cases of urgency, the Director of Central Services has consulted and obtained the approval of the relevant executive councillor. Tenders or quotations accepted in this way shall be reported by the appropriate Head of Service to the next meeting of the Cabinet.
- 11.5 Where post-tender negotiations have been undertaken in accordance with paragraph 11.6 below, the appropriate Head of Service shall only accept the lowest priced tender received. A tender other than the lowest shall not be accepted until the Cabinet have considered a written report from the appropriate Head of Service, and recommended acceptance of a tender other than the lowest.
- 11.6. Arithmetical Errors and Post-Tender Negotiations
- Contractors can alter their tenders or quotations after the date specified for their receipt but before the acceptance of the tender or

quotation, where examination of the tender or quotation documents reveals arithmetical errors or discrepancies which affect the tender or quotation figure. The contractor shall be given details of all such errors or discrepancies and afforded an opportunity of confirming, amending or withdrawing his offer.

In evaluating tenders, the appropriate Head of Service may invite one or more contractors who have submitted a tender to submit a revised offer following post-tender negotiations.

All post-tender negotiations shall -

- ◆ only be undertaken where permitted by law and where the appropriate Head of Service, Head of Legal and Estates and Head of Financial Services consider additional financial or other benefits may be obtained which over the period of the contract shall exceed the cost of the post-tender negotiation process;
- ◆ be conducted by a team of officers approved in writing by the appropriate Head of Service, Director of Central Services and Head of Financial Services;
- ◆ be conducted in accordance with guidance issued by the Director of Central Services; and
- ◆ not disclose commercially sensitive information supplied by other bidders for the contract.

Post-tender negotiations shall not be used to degrade the original specification unless the capital or revenue budget is exceeded, or the appropriate Director or Head of Service considers other special circumstances exist, in which case all those contractors who originally submitted a tender shall be given the opportunity to re-tender.

The appropriate Head of Service shall ensure that all post-tender negotiation meetings are properly minuted with all savings and benefits offered clearly costed. Following negotiations but before the letting of the contract, amendments to the original tender submitted shall be put in writing by the contractor(s) and shall be signed by him.

12. TERMS OF BUSINESS AND THE FORM OF CONTRACTS

12.1 All orders placed by the Council shall be on the Council's Terms and Conditions (T&Cs). Heads of Service shall not use Contractor's documentation to order, acknowledge, instruct to proceed or make any other commitment where the documentation makes any reference to the Contractor's T&Cs. Where a contractor formally insists on trading on T&Cs other than the Council's T&Cs, the Procurement Officer shall be informed, except for -

- ◆ Any contract where the estimated total value is likely to exceed £30,000, paragraph 12.2 shall apply.
- ◆ Any framework or contract formally adopted by the Council.
- ◆ ESPO arranged contracts and orders.

- ◆ Orders of a total value of less than £ 5,000 where the goods or service are purchased on a 'retail' basis on terms available to the general public.
 - ◆ Orders for software where the licence is for 'standard' product but not where customisation, development or on-site service is required for the 'standard' product.
- 12.2 Every contract that exceeds £30,000 in value shall be in writing in a form approved by the Head of Legal and Estates who shall also determine the format of any contract for a lesser value. Heads of Section shall ensure that advice of the Head of Legal and Estates is sought at a stage as early as practicable (normally before the issue of an Invitation to Tender).
- 12.3 In the case of any contract for the execution of works or for the supply of goods, services or materials, the Head of Service after consulting with the Head of Financial Services and the Head of Legal and Estates shall consider whether the Council should require security for its due performance and shall either certify that no such security is necessary or shall specify in the specification of tender the nature and amount of the security to be given. In the latter event, the Council shall require and take a bond or other sufficient security for the due performance of the contract.
- 12.4 Heads of Service shall produce the final version of all contracts in 2 copies and present both to the Authorised Officer for signature. Once signed by the contractor, the signed contract, all original documents, including specifications, drawings, tender documents and correspondence relating to a contract exceeding a total value of £30,000 shall be forwarded by the Head of Legal and Estates. Where the total value of the contract is less than £30,000 the relevant Head of Services shall make arrangements for the retention of all the original documentation.
- 12.5 Heads of Service shall maintain a record (in the form detailed in the Procurement Protocols & Guidance) for their area of each contract or agreement (both written and verbal agreements).
- 12.6 Heads of Service shall include the specific T&Cs listed in the Procurement Protocols & Guidance in all contracts. Where a Head of Service considers a term or condition inappropriate they shall seek advice of the Head of Legal and Estates on the modification or deletion of the term or condition.

13. LETTERS OF INTENT

- 13.1 Letters of intent provide a contractor with the authority to proceed prior to the award of a contract. However, letters of intent have two main disadvantages:-
- (a) if the contract is not awarded the contractor is entitled to payment regardless as to whether the work was actually needed;

- (b) the Council's negotiating position is weakened as the contractor may believe actual award of contract is a formality and therefore, the contractor may refuse to accept conditions that are seen as disadvantageous.

13.2 Heads of Service shall ensure that:-

- (a) all letters of intent are in a form approved by Head of Legal and Estates;
- (b) all letters of intent are signed by an Authorised Officer with sufficient authority for either the value of the intended contract or the estimated value of any 'extension' period defined in the letter of intent.

14. RETENTION OF DOCUMENTS

14.1 Heads of Service shall ensure that every contract or order is assigned a unique reference number to be used in all correspondence. The unique reference number shall comprise abbreviation for the Division and year. Formal amendments to a contract or order should also be given unique numbers showing the order in which the amendments were made.

14.2 Documentation retention periods are dictated by the Statute of Limitations and (where applicable) EU requirements. The following rules apply:-

- (a) retention for 12 years from the date of completion of the contract for contracts made under deed;
- (b) retention for 6 years from the date of completion of the contract: -
 - ◆ Contract Documents
 - ◆ Hire/Rental Agreements
 - ◆ Successful Tenders
 - ◆ Summary of Tender Opening
 - ◆ Disposal Board papers
 - ◆ Evaluation reports
 - ◆ Goods Received Notes
 - ◆ HM Customs and Excise Import documentation
 - ◆ Invitations to Tender/Quotation Requests
 - ◆ Maintenance/Software licence agreements
 - ◆ Specifications
 - ◆ Successful Quotations
 - ◆ Suppliers' Advice Notes;
- (c) retention for 3 years after the last entry -
 - ◆ Stock and Purchase Record Cards or Registers;

(d) retention for 2 years after the financial year to which the document relates -

- ◆ Unsuccessful Quotations.
- ◆ Unsuccessful Tenders.

15. FREEDOM OF INFORMATION ACT 2000 (FOIA)

15.1 Heads of Sections shall ensure that the handling of requests for procurement information complies with the detailed guidance published as Procurement Protocols & Procedures and the general FOIA guidance published by the Council's Freedom of Information Officer.

16. CONSULTANTS

16.1 It shall be a condition of the engagement of any consultant, agent or professional adviser who is to be responsible to the Council for the management or supervision of a contract on its behalf, that in relation to that contract he shall -

- ◆ comply with this Code as though he were an employee of the Council;
- ◆ at any time during the carrying out of the contract produce to the appropriate Head of Service, on request, all the records maintained by him in relation to the contract; and
- ◆ on completion of the contract transmit all records that he has produced or received that relate to the contract to the appropriate Head of Service.

17. PROCUREMENT TRAINING

17.1 The Procurement Manger shall create, maintain and arrange the delivery of training for Officers undertaking procurement duties.

17.2 Heads of Service shall ensure that all Officers routinely undertaking purchasing or procurement duties have undertaken appropriate training.

17.2 Head of HR and Payroll Services shall arrange to record the details of staff that have completed suitable procurement training.

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CODE OF FINANCIAL MANAGEMENT

1. FINANCIAL RESPONSIBILITIES

1.1 General

Before any proposal that affects the Council's financial position is made the body or person(s) responsible for making that decision shall consider a written report, approved by the Director of Commerce and Technology, detailing the financial implications.

1.2 The Council

Will determine the Council's Financial Strategy, including a Medium Term Financial Plan (MTP), approve the annual budget and Prudential Indicators and set the level of the council tax.

Will approve the Council's Treasury Management Strategy.

1.3 The Corporate Governance Panel

Will ensure that the financial management of the Council is adequate and effective.

Will ensure that the Council has a sound system of internal control including arrangements for the management of risk.

Will consider the Council's Code of Corporate Governance and approve the annual statement.

Will approve the terms of reference and strategy for internal audit and comment on the annual internal and external audit plans.

Will consider the external auditor's annual management letter.

Will approve the Council's tax base and final accounts.

1.4 The Cabinet

Will propose to the Council the Financial Strategy, the MTP, the annual budget and council tax level, after appropriate consultation which will include the appropriate Overview and Scrutiny Panel, the Prudential Indicators and the annual Treasury Management Strategy.

Will set financial priorities, allocate and re-allocate resources in accordance with the limits in this Code, monitor and review financial performance and adopt a Treasury Management Policy.

1.5 Overview and Scrutiny Panels

Will contribute to the development of, and review the effectiveness of, the Council's Financial Strategy, MTP and annual budget.

1.6 Panels or Committees

Will ensure that all decisions within their remit are made within the resources allocated within relevant budgets and are consistent with achieving the Council's objectives. If they wish to make proposals that will require additional resources these will need to be subject to the Cabinet or Council making these available.

1.7 **Members and Employees**

Will contribute to the general stewardship, integrity and confidence in the Council's financial affairs and comply with this Code and any systems, procedures, or policies relating to the financial management of the Council.

Specifically, they shall bring to the attention of the Director of Commerce and Technology any act or omission that is contrary to the provisions of this Code or the maintenance of high standards of financial probity, and provide information or explanation on matters within their responsibility to him/her, the Monitoring Officer, Internal Audit Service or the Council's external auditors.

Any member or officer who is involved or who has an interest in a transaction between a third party and the Council shall declare the nature and amount, if material, as required by the Accounting Standards Body's Financial Reporting Standard on related party payments.

1.8 **The Director of Central Services, as Monitoring Officer** or, in his/her absence, the Head of Legal and Estates

Will report to the Council on any proposal, decision or omission that in his/her view is likely to result in the contravention of the law or any code of practice enacted under it, fails to comply with a legal duty, represents maladministration or is unjust, in accordance with section 5 of the Local Government and Housing Act 1989.

For these purposes he/she shall have full and unrestricted access to all Council assets, systems, documents, information, employees and Members.

1.9 **The Director of Commerce and Technology, as Chief Finance Officer** or, in his/her absence, the Head of Financial Services

Will be responsible for the proper administration of the Council's financial affairs, prescribe appropriate financial systems, protocols, procedures and policies, maintain an internal audit service and report to the Council in the event of a decision or action leading to unlawful expenditure, a loss or deficiency or an unlawful accounting entry (in accordance with section 151 of the Local Government Act 1972, section 114 of the Local Government Act 1988 and the Accounts and Audit Regulations).

Will be responsible for ensuring the final accounts are completed and published by the statutory dates and reporting the details of any material amendments specified by the external auditor to the Corporate Governance Panel.

For these purposes he/she shall have full and unrestricted access to all Council assets, systems, documents, information, employees and Members.

1.10 **The Head of Financial Services**

Will be responsible for detailed and operational aspects of the administration of the Council's financial affairs on behalf of the Director of Commerce and Technology, approving new financial systems and undertaking such duties as are set out in this Code.

1.11 **Chief Officers and Heads of Service**

Whilst Chief Officers will take ultimate responsibility for their employees actions, the Council's management structure is based on Heads of Service or, in a few cases, Chief Officers taking prime responsibility for a service and its related budget.

The Manager responsible for a budget:

- may incur financial commitments and liabilities in accordance with this Code, the Council's Scheme of Delegation and resources allocated in budgets that have been released. In particular they may make purchases of goods and services, subject to the requirements of the Code of Procurement, and employ staff, in accordance with the Officer Employment Procedure Rules. They will normally delegate appropriate elements of this responsibility to members of their staff.
- will be responsible for regular and effective monitoring and forecasting of the financial position relating to their services.
- will be responsible for proper financial and resource management and the prevention of fraud and corruption within the services and functions under their control.
- will determine the inherent risks, within their services, to the achievement of the Council's priorities and establish, maintain and document adequate systems of internal control and financial monitoring, in consultation with the Internal Audit Service, and ensure that relevant employees or Members are familiar with such systems.
- will be responsible for providing in a timely manner, the information necessary to ensure that the final accounts can be completed by the statutory deadlines.
- will be responsible for reviewing and varying fees and charges at least annually for services under their control, after consultation with the relevant Executive Councillor(s) and/or Chairman of the relevant Panel. In doing so, they shall:
 - ensure that relevant legislation is complied with, particularly where it specifies the charges to be made or constrains them in some way.
 - having regard to the charges of any alternative service providers with whom the Council is competing, seek to maximise income, net of applicable costs, as far as is possible without compromising the Council's stated corporate priorities and objectives.

- provide discounts where they are expected to stimulate demand and generate additional net income which would otherwise not be obtained and/or they are in the best interests of the service and its customers, particularly where they make the services available to those who could not otherwise afford them, provided that such discounts do not result in additional net cost to the Council.

1.12 **Internal Audit**

Will be responsible for providing an independent and objective opinion on internal control, risk management and governance systems. In accordance with its terms of reference it shall undertake audit reviews that focus on areas of greatest risk to the Council in accordance with a programme agreed annually by the Director of Commerce and Technology after consultation with Heads of Service.

For these purposes internal audit shall have full and unrestricted access to all Council assets, systems, documents, information, employees and Members.

2. **FINANCIAL AND SERVICE PLANNING**

2.1 **In the Summer - Overall Review**

The Cabinet shall review the financial performance of the Council in the previous year, compared with the annual budget, on the basis of a report prepared by the Head of Financial Services in conjunction with Heads of Service.

2.2 **In the Autumn - Financial Strategy**

The Cabinet, after consultation with the relevant Overview and Scrutiny Panel and any appropriate organisations or bodies, shall recommend to the Council a Financial Strategy which will be used to determine the overall financial limits within which the annual budget and MTP will be prepared.

2.3 **In the Winter - Annual Budget and MTP**

The Cabinet shall, after consultation with the relevant Overview and Scrutiny Panel, recommend to the Council an annual budget for the next financial year and a MTP for the succeeding four years, incorporating both capital and revenue expenditure, which is consistent with corporate and service strategies and the Financial Strategy. This budget will include the allocation of resources to individual services and capital projects.

2.4 **In the Spring - Service Financial Plans**

Following approval of the annual budget each Head of Service shall update their Service Plan(s) to incorporate a Service Financial Plan, which sets out variations in the level of fees and charges and how the resources allocated will be used to meet service objectives in the forthcoming year.

3. CONTROLLING FINANCIAL PLANS

3.1 Financial Monitoring

Heads of Service will be responsible for regular and effective monitoring and forecasting of the financial position relating to their services.

The financial performance of each service and capital project will be reviewed by Chief Officers quarterly on the basis of monitoring statements prepared by Heads of Service in conjunction with the Head of Financial Services.

The financial performance of the Council will be reviewed by Cabinet quarterly on the basis of monitoring statements prepared by the Head of Financial Services in conjunction with Heads of Service.

Heads of Service will ensure that relevant Executive Councillors are regularly informed of the progress in delivering approved MTP schemes.

3.2 Commitments to Expenditure in Future Years

No new commitment to expenditure beyond the current budget year may be made unless it;

- is consistent with the achievement of the Council's objectives and other relevant Strategies, **and**
- is compatible with the Council's MTP and Financial Strategy, **and, either**
- can be met from within currently approved and released resources. If it is to be funded from savings, these must be defined, permanent and not already earmarked for the achievement of the Council's savings targets, **or**
- is funded from a budget transfer in accordance with section 3.5 below.

If the Head of Service has any concerns about their proposal meeting these requirements they must consult the Head of Financial Services.

3.3 Grants, Cost Sharing and s106 agreements

Where a Head of Service proposes to take advantage of grants from other organisations, or some other form of cost sharing, whereby they will be able to deliver additional or improved services, consistent with their Service Plan, without creating any current or future commitment to additional net expenditure they may do so subject to:

- the funds being dependent upon a particular project or service being provided but, in the case of S106 agreements, the location or some other aspect is at the Council's discretion.
- informing the Head of Financial Services of the details
- consulting the relevant Executive Councillor(s) if the proposal exceeds £30,000 revenue or £50,000 capital in any one year.

A Head of Service may utilise sums of money received under S106, or equivalent, agreements where the nature and location of the item/service is specified. The Head of Financial Services should be informed of the details.

3.4 Approvals for additional spending with a net impact

Proposals for increases to the total allocated to a budget in the current year (Supplementary Estimates) and their impact in future years may be approved by the Cabinet subject to the revenue impact not exceeding £300,000 in aggregate in any financial year. The impact of such approvals will be included in appropriate financial reports within the budget/MTP process and, once Council have noted these items, the Cabinet's limit will be re-set. This limit excludes any items funded from the contingency budget as described in the following paragraph. A transfer of a sum from capital to revenue will have a revenue impact and so will count as a request for additional spending.

The Director of Commerce and Technology may authorise the use of the contingency budget, subject to the item complying with the approved guidelines (see Annex A) and following consultation with the relevant executive councillor(s).

In all other cases the approval of the Council will be required.

3.5 Approvals for additional spending with compensating savings

Proposals that require initial funding but will then result in net surpluses or savings that are at least sufficient to produce a break-even position will be supported in principle if they are:

- consistent with increasing the achievement of the Council's objectives and compatible with relevant Strategies.
- achievable within the Council's Financial Strategy.
- supported by a robust business case which includes a risk assessment.
- supported by the Chief Officers' Management Team.

The Director of Commerce and Technology may approve such a scheme following consultation with the relevant Executive Councillor for the service and the Executive Councillor for finance. The relevant budget(s) and MTP will be appropriately adjusted.

3.6 Budget Transfers

The Council has five main types of budgets:

- **Service Revenue Budgets**
Service budgets relate to the provision of services directly to the public and are defined as the lowest level included in the report to Council when the budget is approved. They include depreciation relating to capital assets and recharges from Management Units and Overhead Budgets.

- **Capital Scheme Budgets**
These provide the funding to complete a defined capital project and are likely to include some recharges from Management Units and Overhead Budgets. When the project is completed a charge for depreciation is made to the appropriate Service Revenue Budget.
- **Management Unit Budgets**
Management Unit budgets collect together the costs of employees, and their ancillary costs that relate to supporting services, before they are recharged to service budgets or overhead budgets based on the degree of benefit that is being received.
- **Overhead Budgets**
Overhead budgets collect together a relevant portion of management unit costs together with other related costs before they are recharged based on the degree of benefit that is being received. Examples include the costs of office provision or of the Printing Service.
- **Technical Budgets**
These include items such as interest on investments and the reversal of depreciation charges and will not be available for transfer to other budgets except in meeting the specific purpose for which they were established.

Whilst most budgets will reflect a net cost, some will identify an expected surplus.

The transfer of resources within, or between, any of the types of budgets is supported in principle when it will make it more likely that the Council will achieve its service objectives and targets or enhance value for money. There do, however, need to be some limitations for effective financial management and to ensure that Executive Councillors, Cabinet and Council are aware of, and involved in, the more significant changes or where there is a financial implication.

The limitations fall into three categories. The first relates to Technical Budgets and recharges and Annex B details the budget transfers that will not be permitted in relation to them. The second relates to budgets for pay, national insurance and pension contributions and Annex C explains why and how budget transfers relating to these items are limited. Finally, the required involvement of Members is defined below.

The Council's management structure is based on Heads of Service or, in a few cases, Chief Officers taking responsibility for these budgets.

The **Manager responsible for a budget** may approve a budget transfer within and between the budgets they are responsible for providing it is:

- Consistent with increasing, or at least maintaining the achievement of service objectives and compatible with the Council's Financial and other relevant Strategies.
- Not to or from a Technical Budget or a recharge or from a pay, NI or pension contributions budget unless permitted by Annexes B or C.

- Not from capital to revenue
- Supported by their Chief Officer
- Notified to the Head of Financial Services
- Within the following limits if between budgets (there shall be no financial limits within a budget):
 - Revenue to revenue £50k
 - Revenue to capital £50k
 - Capital to capital £50k

Similarly, a **Chief Officer** may, subject to the same criteria, approve budget transfers between any budgets that are their responsibility or the responsibility of their staff.

The **Chief Officers' Management Team** may, subject to the same criteria except for the enhanced limits shown below, approve budget transfers between any budgets:

- Revenue to revenue £100k
- Revenue to capital £100k
- Capital to capital £100k

Cabinet may approve budget transfers of up to:

- Revenue to revenue £250k
- Revenue to capital £250k
- Capital to capital £250k

Any previous transfers in the same financial year relating to those budgets shall be aggregated for determining whether the limit has been exceeded.

In all other cases the approval of the Council will be required.

3.7 **Re-phasing of Expenditure**

The re-phasing of expenditure, and consequent transfer of budget, between years may be made by the relevant Head of Service, following consultation with the Head of Financial Services, providing that it is consistent with service objectives and compatible with the Council's Financial and other relevant Strategies.

3.8 **Price Changes**

Allocation to individual Budgets of any provision for inflation or other purposes will be determined by the Head of Financial Services.

3.9 **Project Appraisals**

All proposals for changes to the MTP will require an explanatory appraisal, unless the Head of Financial Services considers that the item is of a technical nature. Appraisals for new and modified schemes must be made available to Members, via the Council's intranet, by the date on which the related reports are circulated.

4. CASH AND CREDIT MANAGEMENT

4.1 Banking

The Director of Commerce and Technology is responsible for all Council banking arrangements and shall maintain (an) account(s) with (an) appropriate bank(s) with a credit rating equivalent to 'Long Term AA' or better in the data published by Fitch IBCA. All transactions involving income or expenditure shall be dealt with through the Council's bank account(s).

4.2 Income

All employees receiving money (including cash, cheques, credit card payments etc.) must comply with the relevant procedures issued by the Head of Revenue Services to ensure that the sums are properly recorded, receipted and banked.

The Head of Revenue Services shall manage a debt collection service on behalf of the Council and all sums due must be registered by raising an invoice on the Council's Financial Management System or some other system or procedure approved by the Head of Revenue Services.

4.3 Loans

All borrowing will be undertaken by the Head of Financial Services in accordance with the Code of Practice for Treasury Management in Local Authorities and the Prudential Code for Capital Finance in Local Authorities, both published by the Chartered Institute of Public Finance and Accountancy (CIPFA), and the Council's Treasury Management Policy and Annual Strategy Statement.

A report shall be submitted to the Cabinet prior to the start of each financial year so that it can recommend to the Council the maximum borrowing limits for the forthcoming financial year.

4.4 Investments

Investments shall be made by the Head of Financial Services in accordance with the Prudential Code for Capital Finance in Local Authorities, Government guidance on Local Government Investments, the Council's Treasury Management Policy and Annual Strategy Statement, either directly or by utilising external fund managers.

Periodic reports shall be submitted to the Cabinet on Treasury Management and by 31st July each year an annual report shall be submitted on activities in the previous financial year.

4.5 Payments

Payments due to external suppliers of goods and services must be made through the Council's financial management system and in accordance with the payments procedures of that system, as determined by the Head of Financial Services. Payments shall be made direct to the supplier's bank account wherever this is practical.

5. ACCOUNTING PROCEDURES

5.1 The Council will follow the best practice guidance contained in the Accounting Code of Practice and other relevant publications produced by CIPFA in the preparation and maintenance of its accounts.

5.2 Statement of Accounts

The annual Statement of Accounts shall be presented to the Corporate Governance Panel for approval within the prescribed statutory timescale.

5.3 Records

Each Head of Service is responsible for maintaining records of financial transactions and commitments and employee time, in forms agreed with the Head of Financial Services, and for ensuring that all financial transactions are properly recorded in the appropriate financial period and to an appropriate account within the Council's Financial Management System.

5.4 Retention of Documents

Documents required for the verification of accounts, including invoices, shall be retained in a retrievable format for any statutory period, or otherwise for six years or such other time that is specified by the Head of Financial Services.

5.5 Contingent Liabilities

Any Officer who is aware of a material and outstanding contingent liability shall notify the Head of Financial Services, who shall include details in the Council's accounts or in a Letter of Representation to be presented to the Council's external auditors in respect of those accounts.

5.6 Stock

Where a formal stock account is used in connection with any service, the relevant Head of Service shall ensure that a certified stock-take is carried out in the last week of March each year, and that records of receipt and issue of all stock are maintained throughout the year in a manner agreed with the Head of Financial Services.

5.7 Insurance

The Head of Financial Services shall obtain insurance to protect the Council or minimise its potential losses from risks including those to employees, property, equipment and cash. Any decision not to insure significant risks must be based on a detailed risk assessment.

5.8 Write-off of Irrecoverable Debts

The Head of Revenue Services, or in his/her absence the Head of Financial Services, is authorised to write-off debts with an individual value of up to £4,000, or of a greater amount after consultation with the Executive Councillor responsible for finance, having taken appropriate steps to satisfy himself/herself that the debts are irrecoverable or cannot be recovered without incurring disproportionate costs.

A summary report detailing debts written-off shall be submitted to the Cabinet quarterly.

6. ASSETS

6.1 Definition

An asset is an item of land, building, road or other infrastructure, vehicle or plant, equipment, furniture and fittings or information and communications technology, (hardware and software) with a life exceeding one year.

6.2 Capital Expenditure

The purchase or improvement of any asset will normally be treated as capital expenditure. However, expenditure of less than £10,000, or £5,000 in the case of vehicles, plant and equipment, will not normally be treated as capital expenditure unless the Head of Financial Services considers it is in the Council's interests to do so.

6.3 Asset Register

The Head of Legal and Estates will, after consultation with the Head of Financial Services, determine the procedures for maintaining the Asset Register, including the information that needs to be recorded. Heads of Service will provide the prescribed information for all relevant assets relating to their services in accordance with those procedures.

6.4 Acquisition

The purchase of assets must be in accordance with the procedures specified in the Council's Code of Procurement, having regard to the value of the asset.

The relevant Head of Service shall inform the Head of Financial Services within 10 working days of the acquisition of an asset which meets the definition for capital expenditure.

6.5 Leases

Finance and operating leases are to be used only if they are in the Council's financial interest and with the approval of the Head of Financial Services.

6.6 Control of Assets

Each Head of Service is responsible for ensuring that the assets relating to their services are properly safeguarded, managed and maintained, and used only to achieve the Council's objectives. This will include establishing and maintaining appropriate security, control systems and records. They will need to consult relevant officers in relation to specialist items and, where vehicles are concerned, the officer holding the Council's Operating Certificate who has specific statutory responsibilities.

6.7 Disposal of Assets

The sale of assets must be in accordance with the procedures specified in the Council's Code of Procurement, having regard to the current value of the asset.

The relevant Head of Service shall inform the Head of Financial Services within 10 working days of any disposal of an asset included in the Asset Register.

6.8 Valuations

Assets will be re-valued at five yearly intervals by an appropriately qualified person according to the type of asset. Where appropriate, interim valuations will be recorded on the Asset Register by reference to a suitable index.

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GUIDELINES ON THE USE OF THE CENTRAL CONTINGENCY BUDGET

The Director of Commerce and Technology shall, subject to these guidelines, be permitted to approve additional spending to be met from the central contingency budget subject to prior consultation with the relevant Executive Councillor(s).

The additional spending shall not:

- create a commitment to additional spending in a future year.
- be a “key” decision.
- exceed £50k in aggregate on a particular service in any year.

The additional spending shall:

- be consistent with the Council’s published objectives.
- be unavoidable and/or urgent; the following list gives some typical examples:
 - Unavoidable maintenance works to land or buildings
 - Flooding
 - Relocation costs
 - Consultancy costs on property matters
 - Anti-Social Behaviour Orders
 - Urgent Environmental Health matters
 - Planning Appeals
 - Sewer liability payments to Luminus.

TECHNICAL BUDGETS

The following budgets cannot be reduced by officers in order to permit extra expenditure on another budget except where this is part of the specific purpose for which they were established.

- Any contingency, unless it complies with the approved rules for the use of the general contingency or is an adjustment to reflect the technical application of the contingency (e.g. allocation of inflation from an inflation contingency)
- Capital charges
- Commutation Transfer
- Pension Liabilities (as opposed to pension contributions)
- Interest paid
- Interest received
- Any recharge or allocation from a management unit or overhead account.

BUDGET TRANSFERS OF PAY, NI OR PENSION CONTRIBUTIONS

The Council does not provide for a 100% of the estimated costs of employing its staff. This is because experience shows that it is generally impossible to avoid gaps when people leave and are replaced. It is also common for the new member of staff to be on a lower point in the grade than the person who left.

However, in order to simplify budget monitoring, each budget includes 100% of such staff costs but there is a negative, centrally held, contingency that represents the saving that the Council's overall budget is based on.

In order to maximise the likelihood of achieving this saving it is critical that if budget transfers involving staff costs are to be made, **that otherwise meet all the requirements of paragraph 3.6**, they shall include a reduction, determined by the Head of Financial Services, so that the negative contingency can be reduced appropriately on a temporary and/or permanent basis.

An adjustment will also be applied if rephasing takes place in accordance with paragraph 3.7

Variations to the normal level of reduction:

- The transfer of a pay, NI or pension contribution budget to a pay, NI or pension contribution budget **within another** Service, Management Unit etc. The reduction will be nil.
- If the Head of Service can demonstrate the **critical** nature of maintaining immediate service cover the reduction may be reduced or nil.
Examples where this might apply would be if staff vacancies would result in insufficient staff with the necessary abilities or skills to run refuse rounds or to safely open swimming pools. Agency, or equivalent staff, must be available with the necessary skills and/or abilities.
- If the Head of Service can demonstrate that a **critical backlog** of work has resulted from continuing vacancies such that the service to the public is seriously compromised or significant additional costs would become unavoidable the reduction may be reduced.
Examples where this might apply would be dealing with benefit applications or collecting council tax income. Agency, or equivalent staff, must be available with the necessary skills and/or abilities.

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Elections Panel

Report of the meeting held on 19th February 2007

Matter for Information

4. PARISH ELECTORAL REVIEW - UPDATE

Further to Item No. 3 of their Report to the meeting of the Council held on 21st February 2007, the Panel has considered details of the current position in relation to the parish electoral review of the District. Following the publication of draft proposals for changes to parish boundaries and electoral arrangements, the Panel has been acquainted with representations received in respect of the proposals for the Ramsey and Bury parish boundaries and have been advised of concerns raised by residents living in the affected areas. The Panel has concluded that alternative proposals should be drafted and have formulated proposals for further consultation to reflect the views of the representations received thus far. The two alternative proposals affecting the Ramsey and Bury parishes will be circulated to the Parish Clerks and Ward Councillors for further comment.

The Panel has considered details of the summary of representations received to-date affecting other parishes in response to the draft proposals and has concluded that the issues raised did not require further investigation at this stage.

D Harty
Chairman

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