

NOTICE IS HEREBY GIVEN that a meeting of **HUNTINGDONSHIRE DISTRICT COUNCIL** will be held in the **BURGESS HALL, ST IVO LEISURE CENTRE, WESTWOOD ROAD, ST IVES** on **WEDNESDAY, 5 DECEMBER 2007** at **3:00 PM** and you are requested to attend for the transaction of the following business:-

A G E N D A

PRAYER

The Reverend E B Atling, Rural Dean of Huntingdon will open the meeting with prayer.

APOLOGIES

CHAIRMAN'S ANNOUNCEMENTS

1. MINUTES (Pages 1 - 8)

To approve as a correct record the Minutes of the meeting held on 26th September 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. DEVELOPMENT APPLICATION - ERECTION OF FOODSTORE, PETROL FILLING STATION, RESIDENTIAL DEVELOPMENT, COMMUNITY FACILITIES AND ASSOCIATED HIGHWAYS AND INFRASTRUCTURE WORKS, LAND AT THE CORNER OF STOCKING FEN ROAD AND ST MARY'S ROAD, RAMSEY (Pages 9 - 34)

To consider a report by the Head of Planning Services in conjunction with the Report of the Development Control Panel – Item No. 6 (f).

4. PARISH ELECTORAL REVIEW IN HUNTINGDONSHIRE: FINAL RECOMMENDATION (Pages 35 - 106)

To consider a report by the Head of Administration in conjunction with the Report of the Elections Panel – Item No. 6 (k).

5. LICENSING ACT 2003: STATEMENT OF LICENSING POLICY (Pages 107 - 184)

To consider a report by the Head of Administration.

6. REPORTS OF THE CABINET, COMMITTEES AND PANELS

(a) Cabinet (Pages 185 - 204)

- (b) Standards Committee (Pages 205 - 206)
- (c) Overview and Scrutiny Panel (Corporate and Strategic Framework) (Pages 207 - 208)
- (d) Overview and Scrutiny Panel (Service Delivery) (Pages 209 - 214)
- (e) Overview and Scrutiny Panel (Service Support) (Pages 215 - 218)
- (f) Development Control Panel (Pages 219 - 222)
- (g) Employment Panel (Pages 223 - 226)
- (h) Licensing and Protection Panel (Pages 227 - 228)
- (i) Licensing Committee (Pages 229 - 230)
- (j) Corporate Governance Panel (Pages 231 - 232)
- (k) Elections Panel (Pages 233 - 234)

7. 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.

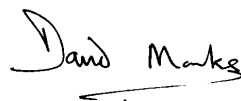
8. LOCAL GOVERNMENT ACT 1972: SECTION 85

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

9. MEMBERSHIP OF CABINET, COMMITTEES AND PANELS

To review the membership of the Cabinet and Council's Committees and Panels.

Dated this 27th day of November 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, their family or any person with whom they had a close association;*

- (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 £25,000; 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).

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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, 26 September 2007.

PRESENT: Councillor P A Swales – Chairman.

Councillors J D Ablewhite, M G Baker,
K M Baker, Mrs M Banerjee, I C Bates,
J T Bell, Mrs B E Boddington, P L E Bucknell,
K J Churchill, Cooper, S J Criswell,
P H Dakers, J W Davies, D B Dew,
P J Downes, R W J Eaton, R S Farrer,
J D Fell, J E Garner, A N Gilbert,
P M D Godfrey, Mrs C A Godley, J A Gray,
A Hansard, D Harty, C R Hyams,
Mrs P A Jordan, Ms S Kemp, L W McGuire,
I R Muir, M F Newman, D J Priestman,
T V Rogers, J M Sadler, T D Sanderson,
L M Simpson, C J Stephens, G S E Thorpe,
R G Tuplin, P K Ursell, P R Ward, J S Watt
and R J West.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors R W D Bailey, J J Dutton, P G Mitchell, R Powell, Mrs D C Reynolds and K Reynolds.

IN ATTENDANCE: Mr D L Hall.

30. PRAYER

The Reverend M Savage, Team Vicar, Huntingdon Team Ministry opened the meeting with Prayer.

31. CHAIRMAN'S ANNOUNCEMENT

Chairman's Reception

The Chairman announced that his Reception would be held at Hinchbrooke House on Friday 7th December 2007 and that formal invitations would be despatched in due course.

32. MINUTES

The Minutes of the meeting of the Council held on 27th June 2007 were approved as a correct record and signed by the Chairman.

33. MEMBERS' INTERESTS

Councillors I C Bates, Mrs B E Boddington, K J Churchill, S J Criswell, P J Downes, R S Farrer, D Harty, C R Hyams and L W McGuire declared a personal interest in Minute No. 35(a), Item No 26 by virtue of their membership of Cambridgeshire County Council.

Councillors Mrs K E Cooper, R W J Eaton, D Harty, G S E Thorpe and P K Ursell declared a personal interest in Minute No. 35(b), Item No 4 as trustees to the St Neots outdoor swimming pool.

34. ANNUAL STATE OF THE DISTRICT ADDRESS

In accordance with paragraph 12 of the Council's Procedure Rules, the Leader of the Council, Councillor I C Bates, addressed the meeting on the State of the District (a précis of Councillor Bates address is appended in the Minute Book).

In his remarks, Councillor Bates indicated that it was his intention to focus upon the significant challenges that lay ahead for the District Council and to underline the importance of the involvement of all Members if the Council were to respond robustly on behalf of the communities it represented. In this regard, specific reference was made to the Core Strategy: Issues and Options process, the development of a new Sustainable Community Strategy, "Growing Success", the environment agenda and the new Headquarters and Other Accommodation Project.

In response, Councillor P J Downes, Leader of the Liberal Democrat Group concurred with the Leader's plea for all Councillors to respond to the consultation exercise on the Core Strategy: Issues and Options, given its environmental and social consequences for communities in Huntingdonshire. Councillor Downes raised the possibility of widening the democratic process by establishing area groups which would enable town and parish councils, voluntary groups and the public to contribute to the debate. He also voiced his concern that the various tiers of local government in the County might not be working together as effectively as possible and suggested the need for effective partnerships if improvements were to be achieved. Lastly, Councillor Downes expressed his disappointment that the implementation of the Environment Strategy had not progressed as well as he had hoped.

35. 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 28th June, 19th July and 6th September 2007.

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Councillor T V Rogers, Executive Councillor for Finance presented the report and recommendation outlined in Item 24. In response to questions from Councillors T D Sanderson and Mrs M Banerjee, Councillor Rogers confirmed that uncertainty continued over future levels of Government grant and no indication had yet been received as to how funding for the concessionary fares scheme would be allocated.

On the same subject and in response to a question from Councillor P J Downes, the Leader, Councillor I C Bates,

concurred with the questioner's assertion that the area cost adjustment for Huntingdonshire should not be linked to that of the other Cambridgeshire Councils.

Upon being put to the vote, the recommendation in Item No. 24 was declared to be CARRIED.

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In connection with Item No. 37 and in response to a question from Councillor S J Criswell, Councillor P L E Bucknell acknowledged the opportunities presented by the award of £8.9million from the Heritage Lottery Fund to the Great Fen Project Partnership including the potential to develop a visitor centre, generate employment and make a positive contribution to the local economy in that part of the District. In inviting Members to visit the project, Councillor Bucknell added that a further report on its progress would be submitted to the Council in due course.

.....

Whereupon, it

RESOLVED

that, subject to the foregoing paragraphs, the Report of the meetings of the Cabinet held on 28th June, 19th July and 6th September 2007 be received and adopted.

(b) Standards Committee

Mr D L Hall presented the Report of the meetings of the Standards Committee held on 5th July and 13th September 2007.

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Mr Hall encouraged those Councillors who had yet to do so to attend training on the revised Code of Conduct, with a further opportunity to attend a session which was to take place at the conclusion of the Council meeting.

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Whereupon, it was

RESOLVED

that the Report of the meetings of the Standards Committee held on 5th July and 13th September 2007 be received and adopted.

(c) Overview and Scrutiny Panel (Corporate and Strategic Framework)

Councillor J A Gray presented the Report of the meeting of

the Overview & Scrutiny Panel (Corporate and Strategic Framework) held on 4th September 2007.

.....

In connection with Item No. 3 and in response to a question from Councillor P J Downes, Councillor Gray confirmed that it had been the Panel's understanding that the capital cost of the headquarters and other accommodation project would reduce following the decisions made by English Heritage in respect of Castle Hill House.

On the same subject and in response to a question from Councillor M G Baker, Councillor Gray commended those Officers who had been involved in arrangements for the successful transfer of services to Eastfield House and Centenary House.

.....

In connection with Item No. 5, Councillor Gray encouraged Members to attend the special meeting of the Panel to be held on 2nd October 2007 to consider the Sustainable Community Strategy.

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Whereupon, it was

RESOLVED

that the Report of the meeting of the Overview & Scrutiny Panel (Corporate and Strategic Framework) held on 4th September 2007 be received and adopted.

(d) Overview and Scrutiny Panel (Service Delivery)

Councillor S J Criswell presented the Report of the meetings of the Overview & Scrutiny Panel (Service Delivery) held on 3rd July and 4th September 2007.

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In connection with Item No. 7 and in response to questions from Councillors P J Downes and Ms S Kemp, Councillor Criswell advised that local organisations and ward Councillors should seek to influence negotiations on funding to ensure that resources were directed to those projects for young people which they consider to be a priority and he concurred with the view that the District Council's involvement in the 2012 Olympics should encourage greater public participation in sports and leisure activities.

.....

In connection with Item No. 9 and in response to a question from Councillor R W J Eaton, Councillor Criswell advised

that a number of completed questionnaires issued as part of the Panel's study on disability access still were awaited from town and parish councils.

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Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview & Scrutiny Panel (Service Delivery) held on 3rd July and 4th September 2007 be received and adopted.

(e) Overview and Scrutiny Panel (Service Support)

Councillor J A Gray presented the Report of the meetings of the Overview & Scrutiny Panel (Service Support) held on 10th July and 11th September 2007.

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In connection with Item No. 15 and in response to questions from Councillor P J Downes and T D Sanderson, Councillor Gray indicated that he too was pleased with the outcome of the Panel's involvement in monitoring the receipt and expenditure of money negotiated under Section 106 Agreements and he encouraged Members to continue to be pro-active in pursuing the expenditure of sums.

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In connection with Item No. 16, Councillor Gray advised the Council that the Panel shortly would consider a procedure for handling on-line petitions before making their recommendations on the wider use of electronic means of communication with the Council.

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Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview & Scrutiny Panel (Service Support) held on 10th July and 11th September 2007 be received and adopted.

ADJOURNMENT

At 3.30pm it was

RESOLVED

that the meeting stand adjourned.

Upon resumption at 3.35pm.

**REPORTS OF THE CABINET, PANELS AND COMMITTEES
(CONTINUED)**

(f) Development Control Panel

Councillor D B Dew presented the Report of the meetings of the Development Control Panel held on 16th July, 20th August and 17th September 2007.

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Whereupon, it was

RESOLVED

that the Report of the meetings of the Development Control Panel held on 16th July, 20th August and 17th September 2007 be received and adopted.

(g) Corporate Governance Panel

Councillor C J Stephens presented the Report of the meeting of the Corporate Governance Panel held on 26th June 2007.

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Whereupon, it was

RESOLVED

that the Report of the meeting of the Corporate Governance Panel held on 26th June 2007 be received and adopted.

36. ORAL QUESTIONS

In accordance with the Council's Procedure Rules (paragraph 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 T D Sanderson to the Executive Councillor for Planning Strategy, Environment and Transport, Councillor P L E Bucknell.

In response to a question regarding the need to update the Huntingdon Market Town Strategy to provide an improved foundation for consultation with key stakeholders and other groups, Councillor Bucknell replied that the Strategy was intended to cover the period to 2011 and would be reviewed in the light of the forthcoming Northbridge development.

.....
Question from Councillor R J West to the Executive Councillor for Planning Strategy, Environment and Transport, Councillor P L E Bucknell.

In response to a question regarding traffic congestion on major routes in the District, the consequential deterioration of air quality and support for the lobby to transport freight by rail, Councillor Bucknell reported that he had indicated his support for the early delivery of the Felixstowe to Nuneaton rail improvement scheme as a way of transferring freight from the A14 and other routes to rail. Although he indicated that he would draw the questioner's comments to the East of England Regional Assembly, Councillor Bucknell urged town and parish councils to similarly press the Regional Assembly to consider the environmental impact of increased road traffic on communities in Huntingdonshire.

.....

Question from Councillor M G Baker to the Executive Councillor for Operations, Councillor C R Hyams.

In response to a question regarding the proposed closure of the household recycling centre at Brampton in 2008, Councillor Hyams confirmed that he was continuing to do all that he could do to prevent its closure.

.....

Question from Councillor K J Churchill to the Leader of the Council, Councillor I C Bates.

In response to a question regarding the announcement that Little Paxton had recently received the accolade of Huntingdonshire Village of the Year, Councillor Bates congratulated those who had worked in partnership to contribute to the success of Little Paxton which, in his view, demonstrated the spirit of communities in the District.

.....

Question from Councillor Ms S Kemp to the Leader of the Council, Councillor I C Bates.

Following a question relating to the length of time that properties in The Whaddons, Huntingdon, had remained unoccupied having regard to the size of the waiting list for accommodation, Councillor Bates replied that he did not have the detailed information to hand but that he would respond to the questioner in writing after the meeting.

.....

Question from Councillor Mrs B E Boddington to the Executive Councillor for Planning Strategy, Environment and Transport, Councillor P L E Bucknell.

In response to a question regarding the proposed scheme of improvements to the A14 between Ellington and Fen Ditton, Councillor Bucknell anticipated that an announcement on the preferred route would be made shortly and that he understood that sufficient lay-bys would be provided on the new sections of road.

.....

Question from Councillor P J Downes to the Executive Councillor for Operations, Councillor C R Hyams.

In response to a question regarding the impact, if any, on the volume of waste collected as a result of recent changes to the refuse collection arrangements, Councillor Hyams replied that it remained too early to assess whether the revised arrangements had had any effect in this respect and that a clearer picture would emerge once the new regime had been operating for a longer period.

37. NOTICE OF MOTION

Before proceeding to the Motion on the Agenda, the Chairman announced his intention to invoke the discretion awarded to him under Paragraph 9.5(iii) of the Council Procedure Rules and to rule that the Motion submitted by Councillor A N Gilbert, on being moved and seconded, would be dealt with at the meeting in the interests of the convenient and conducive despatch of the Council's business.

It was moved by Councillor A N Gilbert and duly seconded –

“that all food and drink provided as a part of Council meetings, functions and meals be procured from Fairtrade sources as far as is practical within existing UK and European legislation”.

Whereupon, and having been put to the vote, the Motion was declared to be CARRIED.

38. 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.

39. MEMBERSHIP OF CABINET, COMMITTEES AND PANELS

RESOLVED

- (a) that Councillor D B Dew be appointed to the Cabinet;
- (b) that Councillor J D Ablewhite be appointed to the Development Control Panel in place of Councillor D B Dew; and
- (c) that Councillor R W D Bailey be appointed to the Overview & Scrutiny Panel (Service Support) in place of Councillor D B Dew.

The meeting concluded at 4.05pm.

Chairman

Development Application

Report by Head of Planning Services

Case No:	0501658OUT (OUTLINE APPLICATION)
Proposal:	ERECTION OF FOODSTORE, PETROL FILLING STATION, RESIDENTIAL DEVELOPMENT, COMMUNITY FACILITIES AND ASSOCIATED HIGHWAYS AND INFRASTRUCTURE WORKS
Location:	LAND AT THE CORNER OF STOCKING FEN ROAD AND ST MARY'S ROAD
Applicant:	TESCO STORES LTD AND ABBEY PROPERTIES CAMBRIDGE LTD
Grid Ref:	528393 285812
Date of Registration:	23.05.2005
Parish:	RAMSEY

Recommendation - Approve

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The site is divided into two parcels either side of High Lode and on the northern side of St Mary's Road towards the north of the Town and has a gross area of some 7.06 hectares including parts of the High Lode and adjoining highways. Whilst it is difficult to exactly determine the extent of land involved, the part of the site on the west side extends to some 5.1 hectares (net) and is partly flat open land but also accommodates a number of commercial enterprises and the part on the east side is some 0.94 hectares (net).
- 1.2 This outline application proposes the erection of a foodstore, a petrol filling station, residential development, community facilities and associated highways and infrastructure. Means of access – including a new roundabout - forms part of the application and a proposed footbridge links the two parts of the site over the High Lode. All other matters are reserved. The application forms indicate that a store of 3610 square metres (gross) and 2316 square metres (net) of retail space with 270 car parking spaces is proposed. The application was

accompanied by a Supporting Planning and Design Statement, a Retail Impact Assessment, a Transport Assessment, a Flood Risk Assessment, an indicative site layout, indicative elevations and an indicative Masterplan.

2. NATIONAL GUIDANCE

2.1 PPS1 – Sustainable Development (2005)

2.2 PPS3 – Housing (2006)

2.3 PPS6 – Planning for Town Centres (2005)

2.4 PPG13 – Transport (2001)

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. PLANNING POLICIES

Further information on the role of planning policies in deciding planning applications can also be found at the following website: <http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

3.1 Cambridgeshire and Peterborough Structure Plan (2003)

Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

- ◆ **P6/1** – Development-related provision
- ◆ **P10/3** – Market Towns – Peterborough and North Cambridgeshire – at Ramsey new proposals should encourage appropriate small to medium scale employment opportunities and provide limited and small scale new housing development appropriate to its role as a focus for the rural hinterland.

3.2 Huntingdonshire Local Plan (1995)

Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95

- ◆ **H38** – requires residential development sites adjoining potentially damaging noise pollution sources to implement adequate design solutions to produce acceptable ambient noise levels within the dwellings and their curtilages.
- ◆ **E3** – 16.6 hectares of land north of St Mary's Road is allocated for B1/B2/B8 uses, the 3 hectares of which adjacent to High Lode basin to be for B1 uses only.

- ◆ **S2** – requires shopping proposals to be satisfactory in terms of siting, design, car parking, servicing, accessibility, environmental impact, conservation, alternative use of the land and other relevant policies in the Plan.
- ◆ **R7** - Open play space provision standards in new housing schemes.

3.3 **Huntingdonshire Local Plan Alterations (2002)**

Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)

- ◆ **STR1** – states that residential development up to and including estate development may proceed in Market Towns.
- ◆ **STR3** – defines Ramsey as a market town.
- ◆ **HL4** – states that permissions for estate-scale development in Ramsey will only be granted if it can be demonstrated that there would be no adverse impact upon the highway network.
- ◆ **HL5** – requires a good design and layout in all new housing development.
- ◆ **HL6** – states that housing development will be at densities of 30-50 dwellings/ha with high densities on sites in and close to town centres.
- ◆ **HL7** – seeks to maximise the re-use of previously developed land.
- ◆ **AH4** – requires 29% of dwellings on sites of 25 dwellings or more in Ramsey to be affordable.
- ◆ **OB1** – states that the nature and scale of obligations sought from development will be related to the size and the impact on infrastructure, social and community facilities and services.
- ◆ **OB2** – states that a financial contribution for the maintenance of open space may be required.

3.4 **Huntingdonshire Interim Planning Policy Statement 2007**

Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007

- ◆ **P1** – requires development to contribute to the pursuit of sustainable development.
- ◆ **P2** – states development should contribute to the efficient use of natural resources.
- ◆ **P3** – states a development should contribute to the social and economic well-being of the District.
- ◆ **P5** – identifies Ramsey as a Market Town.
- ◆ **P9** – states that a mixed development should incorporate a compatible mix of uses where opportunities exist to foster more sustainable communities.
- ◆ **P11** – states that a development proposal should provide or contribute towards the cost of providing infrastructure and of

meeting social and environmental requirements where necessary to make the development acceptable in planning terms.

- ◆ **G2** – requires developments to respect and respond to the surrounding landscape.
- ◆ **B1** – requires a development to demonstrate a high quality of design in terms of layout, form and contribution to the area.
- ◆ **B3** – requires developments to be accessible, adaptable and secure.
- ◆ **B4** – states that a development should not have an unacceptable impact upon the amenity of an existing or future occupier within, adjoining or in the vicinity of a site.
- ◆ **H1** – supports major housing development within Ramsey.
- ◆ **H2** – advocates a density of 40-75 dwellings/ha within Market Towns.
- ◆ **E7** – states that a development for a large (500sqm/0.5 hectares) retail development should be limited to sites within the defined limits of market towns and, where they cannot be accommodated within a town centre, it should be demonstrated that the need exists for the development, no sequentially preferable site is suitable or available, there would be no significant adverse impact on the town centre and the site offers potential to maximise accessibility.
- ◆ **T2** – states that car and cycle parking should be limited to: a maximum of 1 car parking space per 14 square metres and a minimum of 1 cycle space per 100 square metres of retail (food) floorspace; a maximum of an average of 2 car parking spaces per dwelling plus up to 1 space per 4 units for visitors; and up to 1 car space per 4 seats and a minimum of 1 cycle space per 10 seats for public halls.

4. PLANNING HISTORY

- 4.1 The history for the overall application site is complex as it relates to sites either side of the High Lode, various planning permissions and, evolving from that history, the adoption by the Council of the Ramsey Gateway Urban Design Framework in November 2004.
- 4.2 In simple terms there is already an extant development for a supermarket and other shopping on the Stocking Fen Road part of the site. This followed approvals in 1991(910200 & 910913) which were implemented by ground works, access road and drainage construction. Of importance are the issue of Certificates of Lawful Use and Proposed developments under s191 and 192 of the Act dated 22nd December 2000 (0001701CLUPD & 0001702CLUED). These confirm that the lawful use of part of the site is as a Class A1 development of food store and shops/offices with a floor space of 2140sq m and that the development had commenced by the carrying out of a material operation. On the same part of the site in March 2002 an outline planning permission was given for the consolidation of the permitted retail floorspace into a single foodstore of 2,044sq m (0101785). An application approved in April 2005 extended the time for reserved matters submissions and there is currently an undetermined reserved matters application for a detailed scheme

(0700843). A 2002 application for a 3400 sq m gross approx. foodstore and petrol filling station was withdrawn (0212720).

- 4.3 On the north-west side of High Lode and, again in simple terms, the history shows approval of industrial units, workplace homes and a nursery first given in May 1996 (ref 9401482OUT). A reserved matters submission for site access – a roundabout – was approved in May 1999 (9701708). A renewal of the outline permission was given in September 1999 (99000678) and subsequently varied in April 2002 to allow for the submission of reserved matters for a further three years (0102524).

5. CONSULTATIONS

- 5.1 **Ramsey Town Council** - has **NO OBSERVATIONS** either in favour or against the proposal stating “Unable to reach agreement. Split vote.” **(copy attached)**
- 5.2 **Environmental Health Officer** – Ground contamination and remediation condition required.
- 5.3 **Local Highway Authority – NO OBJECTION** - clearly this development will have a significant impact on the town. However, a series of measures has been agreed which will enable the scheme to operate within highways capacity. This includes a linked signal control of Great Whyte and High Street; a £100K contribution towards public transport improvements; footbridge connecting the sites resulting in an improvement to the footpath network from this area to the town centre; £48k towards safety works on St Mary’s Road and a routing agreement for HCV traffic. The site access arrangements, including a new roundabout to serve the development west of High Lode, are acceptable.
- 5.4 **Middle Level Commissioners** - originally opposed the application. Its response to the latest information provided by on behalf of the applicant was awaited at the time this report was compiled.
- 5.5 **Cambridgeshire Fire & Rescue** – asks that adequate provision for fire hydrants be made.
- 5.6 **County Archaeology** – recommends an archaeological investigation be carried out before development commences
- 5.7 **Environment Agency – NO OBJECTION.**
- 5.8 **County Council Financial Planning Officer** – Adequate school capacity is available in the area but library and associated facilities in the town need improving and a £40,000 contribution is sought.
- 5.9 **Primary Care Trust** – seeks £487 per dwelling towards the necessary expansion of primary care premises capacity in Ramsey.
- 5.10 **Parks and Open Spaces Manager** – indicates that a LAP (£25,750:00 + maintenance of £8240:00) and LEAP (£41200:00 +

£12360:00) would be required together with a maintenance sum for open space at £40170:00 per hectare.

- 5.11 **Police Architectural Liaison Officer** – No comments at this time but would want to be consulted at reserved matters stage.

6. REPRESENTATIONS

- 6.1 **THIRTEEN** individual representations were made. **TEN** in **FAVOUR** and **THREE**, two of whom were commercial interests, **OBJECTING** on the grounds of insufficient capacity for the proposed foodstore and detrimental impact on the vitality and viability of the town centre, and restriction of access for commercial vehicles. A town meeting was also held in 2005 at which approx 100 people attended. In a show of hands vote approximately 2/3rds supported the scheme.

7. SUMMARY OF ISSUES

- 7.1 The main issues to consider in relation to this application are: the principle of the proposed uses on this site; highway matters; and S.106 Obligations.

Principle of the proposed uses

- 7.2 The part of the site to the north-west of High Lode forms part of a B1/B2/B8 employment allocation in the Local Plan 1995. The part of the site to the south-east abutting Stocking Fen Road forms part of a 'Recent Employment Completions/Outstanding Major Employment Commitments' in the Local Plan 1995. Not being B1/B2/B8 uses, the proposed foodstore, petrol filling, residential development and community facilities would be a departure from the Local Plan. The question is therefore whether there are any material planning considerations which justify supporting the scheme as a departure from the Plan. As a departure application, if the Panel was minded to support the scheme, the application would need to be referred to Council and then, if supported by Council, Go-East.
- 7.3 This site forms part of the 'Ramsey Gateway' and, in November 2004, this Council adopted as Interim Planning Guidance the 'Ramsey Gateway Urban Design Framework' after public consultation. The area was also identified as an opportunity site in the Ramsey Action Plan under the theme of creating sustainable development. The framework supports the enhancement of this area as the 'gateway' to the town and envisaged a foodstore and mainly residential development on the part of the site west of High Lode and Mixed Use on the part of the application site east of High Lode. The vision is to:
- ◆ Create a high quality development/gateway on an important approach to Ramsey;
 - ◆ Regenerate derelict land, vacant buildings and industrial uses to enhance the approach to the town and make the best use of brownfield land;
 - ◆ Encourage unneighbourly employment uses to relocate to more appropriate sites;

- ◆ Ensure a transition between the urban area and the open countryside and maintain and enhance views;
- ◆ To promote high quality landscaping and screening around and within the site to improve the setting of the development and enhance biodiversity;
- ◆ To achieve a comprehensive mixed use development that could provide local employment, housing, retail and community facilities;
- ◆ Encourage employment development to come forward on allocated land bringing new jobs and prosperity to the town;
- ◆ Provide an opportunity for a new foodstore to meet the identified need for larger, high quality, main food shopping facilities in Ramsey and reducing the outflow of expenditure;
- ◆ Provide for residential development on small-scale estates to meet local needs;
- ◆ Provide a series of beneficial community facilities such as a children's pre-school nursery and a new community centre;
- ◆ Enhance the recreational and tourism potential of the area;
- ◆ Encourage sustainable forms of development and transport;
- ◆ Improve accessibility between the area and the town centre;
- ◆ Integrate public transport facilities with the town centre; and,
- ◆ Encourage single points of access from a new roundabout on St Mary's Road with the Rivermill site being accessed using the existing arrangements from Stocking Fen Road.

7.4 The land has been allocated for employment since 1995 and there has been little interest in building-out the allocation due to the associated infrastructure costs needed to develop the site, and the poor road infrastructure in the Ramsey area. The proposed foodstore will in itself provide employment and, by providing a fundamental part of the road access into the site, the development would help kick-start the development of the remainder of the employment allocation to the north-west. This mixed-use proposal, including a new community hall and with good connections to the town centre, provides the opportunity to enhance the approach into the town and the area around High Lode and provide much needed community facilities. The proposal and the proposed planning obligations are considered to fulfil a large part of the vision for the 'Ramsey Gateway'. Two particular issues which merit further comment are the possible retention of the scrap yard on the western side of High Lode and the size and siting of the proposed foodstore.

Scrap Yard

7.5 There is an existing scrap yard located on the western side of High Lode. It has always been hoped that this site would be redeveloped as part of the scheme. Whilst the yard continues to form part of the application and part of the site on which residential development is envisaged, the owner is seemingly not currently prepared to include his site as part of the scheme. This presents the possibility that, if the development is approved, this potentially unneighbourly use could continue surrounded by new development and would not allow the same enhancements of the area around High Lode to be achieved as would be achieved by the comprehensive redevelopment of the whole

area. Whilst extremely regrettable, the benefits of the scheme, even with the scrap yard remaining in situ, are considered to be reason to support it. Environmental Health is satisfied that appropriate attenuation measures can be put in place to adequately protect the amenity of the occupiers of the new dwellings on the site. A landscaped cordon is proposed around the yard, potentially incorporating a Local Equipped Area for Play (LEAP), until such time as the scrap yard is removed. Such a cordon has two benefits. Firstly, it ensures that the necessary attenuation measures can be put in place. Secondly, it acts as an incentive to secure the removal of the scrap yard by enabling the development of the cordon area (but retaining the LEAP) as well as the scrap yard site as soon as the yard is removed. The applicants are prepared to enter into an Agreement in this regard – see below under S.106 Matters heading.

Foodstore

- 7.6 There is permission for a 2000 square metre gross approximately foodstore on the Rivermill part of the site. Locating a foodstore here would forego the opportunity to create a high quality, domestic-scale environment and vibrancy outside of business hours around High Lode that the Urban Design Framework is seeking to achieve. In 2003, CB Hillier Parker concluded that there is an identified need for a larger, better quality foodstore in Ramsey and found no alternative more centrally located opportunity sites that could accommodate this need. They concluded that a store of circa 3400 sq m would not seriously undermine the existing convenience sector within the town centre, but recognised that it may have an impact on stores outside the town centre. They also indicated the high levels of expenditure leakage from Ramsey to other foodstores further afield as a result of the deficiencies of the existing food shopping provision within the town. Coupled with the benefits of improvements to the High Lode area by siting the foodstore on the west side of High Lode, the proposed linkages between the proposed foodstore detailed under the S.106 matters heading below, and the sense in siting the store between the residential development and the remainder of the employment allocation, a foodstore of the proposed size on land to the west of High Lode is considered acceptable.

Highway Matters

- 7.7 The means of access forms part of the application. Other highway matters including the internal layout, parking provision etc. are reserved for subsequent approval. The Local Highway Authority raises no objections to the principles of the proposed site access arrangements (including a new roundabout to serve the development west of High Lode) and, whilst acknowledging that the development will have a significant impact on the town, considers that it will operate within capacity subject to the obligations detailed below and a Green Travel Plan for the residential development.

Section 106 Matters

7.8 As part of the proposal the applicants are proposing the following obligations:

- a. £100K towards the cost of extending an existing bus service from the town centre to the new store;
- b. The provision of linked signal controls at the Great Whyte and High Street junction, linked to the pedestrian crossing to the west of the junction on the High Street, to also include minor alignment works to kerb edging and resurfacing works;
- c. A new combined pedestrian/cycle route between the foodstore and the Rivermill site, to include a bridge across High Lode between Foot Drove and Rivermill;
- d. A contribution of £48K towards highway safety improvements on St Mary's Road;
- e. The provision of a HGV routing agreement for delivery vehicles serving the foodstore to avoid the town centre;
- f. Agreement to carry out no further works in relation to the permissions for the foodstores on land at Rivermill;
- g. The transfer of land at Rivermill to the District Council suitable for the provision of a community centre, and the erection of or funding for a community centre of circa 2500 sq m gross to include a hall, kitchen, toilet facilities and office space with associated outdoor space and potential for future upgrade and expansion;
- h. The provision of affordable housing at a level of 29% of the total number of residential units;
- i. The provision and subsequent transferral of equipped play areas to include a Local Equipped Area of Play (LEAP) and a Local Area of Play (LAP);
- j. A contribution of £20K towards the ongoing maintenance and repair of the Play Areas and a further contribution towards the maintenance of other landscaped public spaces;
- k. A contribution of £5K towards the enhancement of the moorings along High Lode in the vicinity of the site to include mooring facilities and access from the river to Horse Drove;
- l. A contribution via Cambridgeshire County Council of £20K towards the cost of library and associated facilities;
- m. A contribution of £485 per dwelling towards health care facilities via Primary Health Care Trust;
- n. Agreement that there shall be no residential development within the proposed landscaped attenuation zone prior to the cessation of the car breakers use on the land adjacent to High Lode; and
- o. An obligation to use all reasonable endeavours to promote and secure confirmation of a Section 247 Order to provide alternative access to land fronting Horse Drive. Such obligation to include pursuing any objections by way of preparing evidence for and attending a public inquiry.

Points a-d (sustainable transport measures) are in accordance with the requirements of the Local Highway Authority.

Point e (HGV routeing agreement) is considered necessary to protect the amenity of Ramsey residents.

Point f (revocation of permissions) is clearly necessary to ensure that only one foodstore is built on the site.

Point g (community centre) is considered to be a reasonable and necessary community benefit arising out of the development in lieu of the formal recreation space that would normally be required for a residential scheme of this scale.

Point h (affordable housing) meets the current planning policy for residential development in Ramsey.

Point i (provision of play equipment) meets the requirements, as expressed in 2006, of the Council's Parks Manager.

Point j (maintenance of play equipment) accords with the contribution sought, as expressed in 2006, of the Council's Parks Manager.

Point k (moorings) will help enhance the area around High Lode.

Point l (library) proposes only half of the £40K the County Council was seeking.

Point m (health care) proposes £485 per dwelling compared to the Primary Care Trust requirement, at 2006 prices, of £487.

Point n (landscaped attenuation zone) is necessary for the reasons stated above.

Point o (Section 247 Order) is appropriate to achieve the improvements to the High Lode area.

7.9 With the exception of the library contribution (where £20K rather than the £40K requested by the County Council), the applicant has agreed to all those obligations that could reasonably be required of the development. The proposed contributions are considered to adequately control the development and mitigate its impact, and are therefore considered acceptable.

7.10 The proposed obligations are to be considered by a S.106 Advisory Group and its recommendation will be reported at the meeting.

Conclusion

7.11 In conclusion, it is considered that the proposal and proposed obligations would fulfil a large part of the vision for the 'Ramsey Gateway', particularly (but not only) if the scrap yard is ultimately removed. Furthermore, by providing a fundamental part of the road infrastructure in the form of a new roundabout to serve the site, the development would help to kick-start the development of the remainder of the employment allocation. The application is therefore considered to be acceptable as a departure from the development

plan. Before any permission is issued, it will however be important to ensure that the latest information submitted on behalf of the applicants addresses the original concerns of the Middle Level Commissioners.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

8. RECOMMENDATION

8.1 It is therefore recommended that the Development Control Panel indicates that it is minded to SUPPORT the scheme; the application is referred to Council and then, if supported by Council, is referred to Go-East.

8.2 Should Go-East decide not to call-in for their own determination, then the outline permission be GRANTED subject to the satisfactory completion of the related Section 106 Agreement and subject to conditions to include the following:

- 01017 - Details reserved minus access**
- 01002 - Plans and particulars in writing**
- 01003 - Reserved matters within three years**
- 01006 - Dates for commencement**
- Nonstand - Details to comply with Masterplan**
- Nonstand - Size and use of store**
- Nonstand - Phasing**
- Nonstand - Delivery of road infrastructure**
- Nonstand - Green Travel Plan**
- 11003 - Investigation archaeology programme**
- Nonstand - Fire hydrants**
- Nonstand - Ground contamination remediation**
- Nonstand - Highway matters**

BACKGROUND PAPERS

Planning Application File Reference: 0501658OUT
Cambridgeshire and Peterborough Structure Plan, 2003
Huntingdonshire Interim Planning Policy Statement 2007
Huntingdonshire Local Plan Alteration, 2002
Huntingdonshire Local Plan, 1995

CONTACT OFFICER - A Moffat, Development Control Officer
☎ 01480 388460



Huntingdonshire

DISTRICT COUNCIL

Pathfinder House St. Mary's Street Huntingdon PE29 3TN

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

GFC *W*
OPERATIONAL SERVICES
PLANNING DIV.
28 JUL 2005
RECEIVED
28/7/05
TL
ACK
REPLY
OFF

Application Number: 0501658OUT Case Officer Geoff Crocker
Proposal: **Erection of foodstore, petrol filling station, residential development, community facilities and associated highways and infrastructure works**
Location: **Land At The Corner Of Stocking Fen Road And St Marys Road Ramsey**
Observations of RAMSEY Town/Parish Council.

Please box as appropriate

Recommend **approval** because(please give relevant planning reasons in space below)

Recommend **refusal** because...(please give relevant planning reasons in space below)

No observations either in favour or against the proposal
..... *[Signature]* Clerk to RAMSEY Town/Parish Council.

Unable to reach agreement. Split vote.

Date: 15.07.05

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.

Tel 01480 388388 Fax 01480 388099 mail@huntsdc.gov.uk www.huntsdc.gov.uk

PLANNING SERVICES dcparish.rtf

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Ramsey, one view of the way forward

There is no doubt that, from a retail perspective, Ramsey is in decline. This is not a new development and has been apparent for at least the last 15 years.

The problem is not unique to Ramsey but afflicts many small market towns. The fact is that they do not have sufficient population in the town and surrounding catchment areas to sustain a viable town centre retail presence that caters for not only the food sector but also adult and children's clothing, white goods, books, DIY and other trades.

With the increasing number of families having access to cars, there is a growing tendency to shop out of the town; this was previously restricted by poor public transport. The easy availability of retail complexes on the edge of Peterborough, where there is free parking as well as entertainment and a variety of places to eat makes a shopping expedition a family event. The same applies to the out of town garden centres, which offer a day out in clean attractive locations.

The decline of retail Ramsey, into streets of estate agents, insurance brokers and financial advisors can not be blamed on the supermarkets, whether Summerfield, Rainbow or Tesco it is related to the size of the town and the changing pattern of retail in the UK and the increasing ownership of cars.

What has Ramsey to offer in competition? I suggest currently very little. While Ramsey is a very attractive market town I suggest it is unrealistic to say that we have the potential to become a major tourist attraction, like some of the small Cotswold towns.

We have some excellent specialist shops, in the food trade, I hold up Windmill Bakery as an excellent example I don't believe that they will lose trade if another food store arrives, there will always be a market for good local produce, the same applies to the best butchers and of course our Saturday farm produce on the market.

Ramsey's problems will not be solved by any one action. However I believe that the presence of a Tesco store will help to stop the drain of retail spending that is currently leaving Ramsey. I also believe that it will give the residents of Ramsey more choice and the advantage of Tesco's keen prices without having to travel to Hampton or Huntingdon, which many currently do. I also believe that once Tesco is established it will draw in other retail businesses to the area.

If Tesco have the confidence in the growth of Ramsey to make the considerable investment that a food store and the associated 106 developments would incur I think that we, as the Town Council, should give a lead and support their application.

Neil Dick
Town Councillor

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RAMSEY TOWN COUNCIL

Re: Planning Application 05/01658 Outline

Background to reasons why the application be refused as premature, considered on 14th July 2005 by Ramsey Town Council.

1. Ramsey Town Council favours sustainable development viz:
 - provision of local employment
 - housing (including affordable)
 - community benefits (including upgrade of transport network)
2. The application constitutes only one element of the Urban Design Framework (UDF) Ramsey Gateway. It only provides for:- food store, filling station, residential development, site for community facility.
3. National, County and District planning guidelines and policy contexts make reference to:-
 - a) Sustainability – new developments must achieve balance of housing and employment opportunities.
 - b) Housing – allows for some ‘estate-scale’ residential development in Ramsey.
 - c) Retail – protecting established shopping centres; out of town centre locations can be considered only if need is demonstrated.
4. Following points highlighted in relation to 3 above:-
 - a) Sustainability/Retail
 - the application itself will not generate additional local employment, it will simply replace existing jobs.
 - no evidence it will act as a catalyst for attracting other businesses to Ramsey.
 - the need for another food store not demonstrated.
 - b) Housing
 - developments currently under construction or being considered:-

Bury Road Industrial Estate	50 under construction
Bury Road Industrial Estate	40 (possible) outline applications
High Street, Ramsey	30 under construction
Great Whyte, Ramsey.	17 approved
Grand Cinema, Ramsey	20 possible
Ramsey Gateway	60 current application
Ramsey North Station	90 identified

These total 307 dwellings. This is about a quarter of the proposed Western Development (dismissed on appeal) without any proposals to improve the local transport network. The Cambridgeshire Structure Plan has regularly referred to the need for improvements to the B1040 before significant developments in Ramsey. This was reiterated by the Planning Inspector in rejecting the Ramsey Western Development.

5. The application provides for a site for a Community Facility. This has raised expectations in the Town. However, there is nothing to demonstrate that the applicant will design, build and fund the facility.

6. For Ramsey the critical element for sustainability (or regeneration) is the provision of worthwhile employment opportunities. It is argued that a Tesco food store will simply compete with all the existing retail outlets. To attract beneficial employment needs:-

- a good transport network.
- economically priced industrial units.
- aggressive marketing of the units.
- good trained workforce.

The provision of new employment opportunities needs to be guaranteed before, or in tandem with, the type of development covered in the application.

7. For the reasons outlined above the application should be refused as premature. It is feared that if approval is given the entirety of the UDF will not materialise.

July 2005.

Moffat, Andy (Planning)

From: Ramsey TC [ramseytc@btconnect.com]
Sent: 09 November 2007 14:15
To: Moffat, Andy (Planning)
Subject: Re: Tesco application

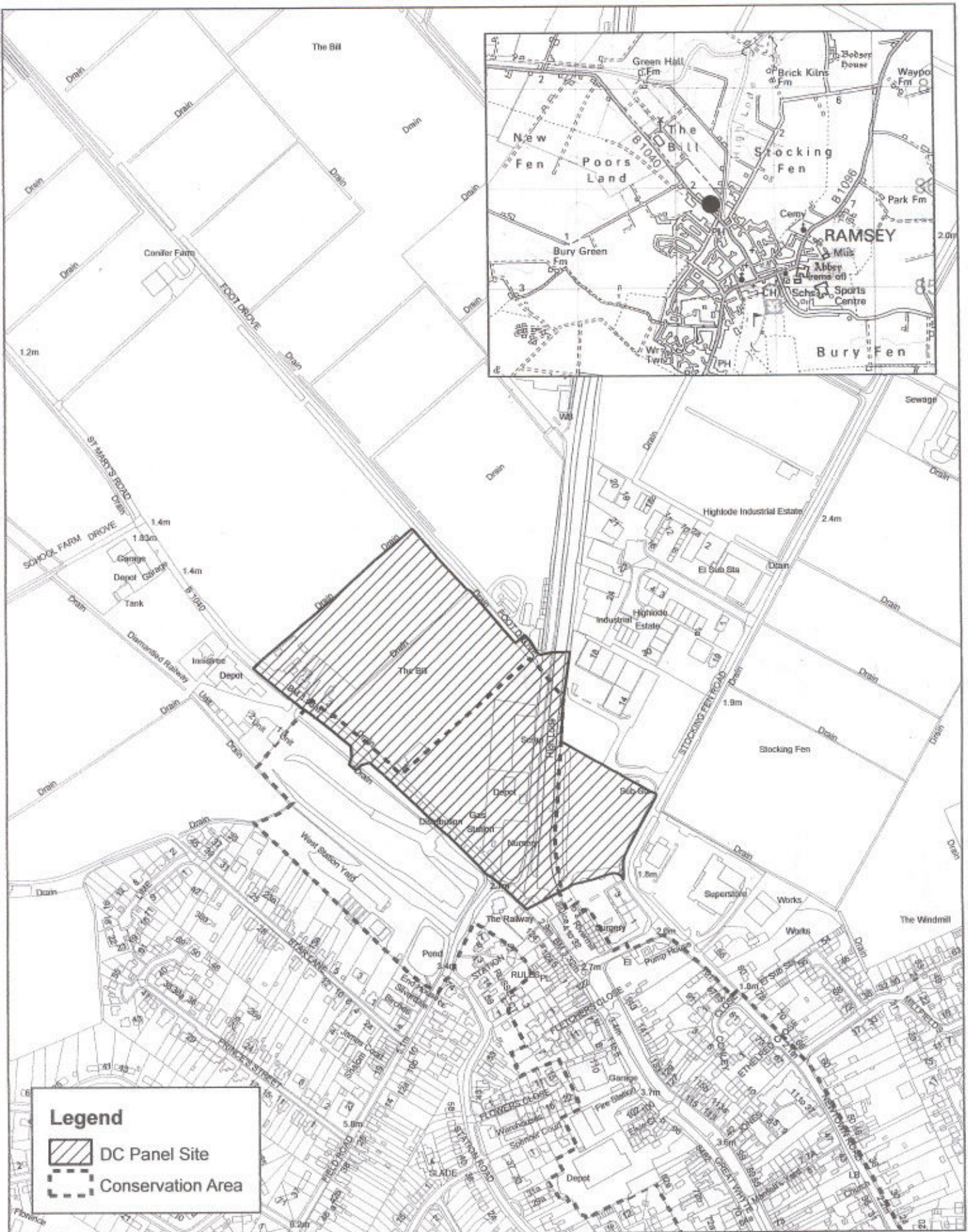
Andy

Sorry been one of those mornings! The Town Council decided to re-submit the same decision as 2005, with the same views (do you have a copy of these?) with the proviso that, within 12 months of the application being granted planning permission, work starts on the community centre. This was passed with a vote of 9 in favour, 2 against and 1 abstention.

Sorry again for the delay in forwarding these comments to you today, let me know if you need a copy of the two sets of views that were submitted in 2005.

Lorraine

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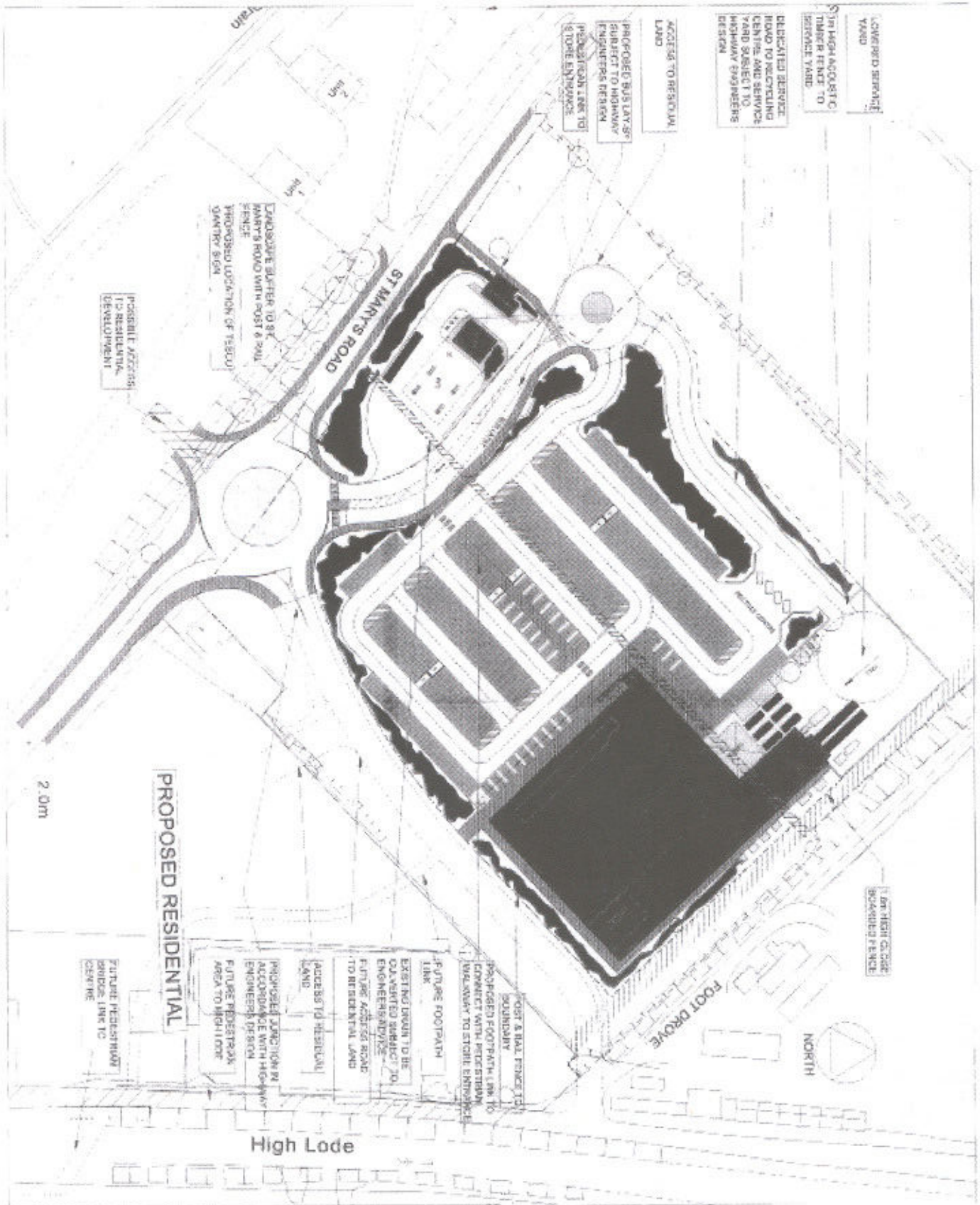


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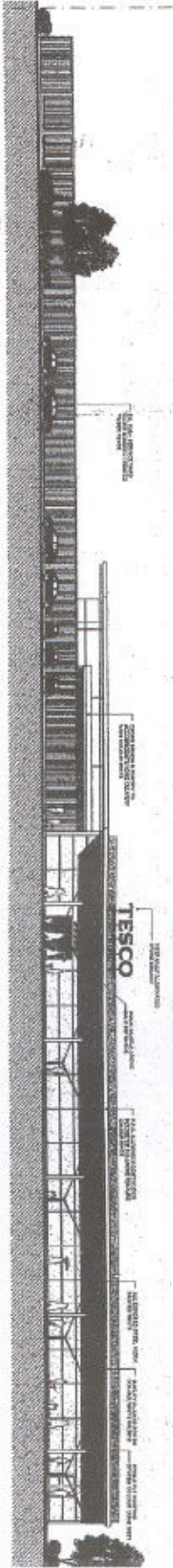
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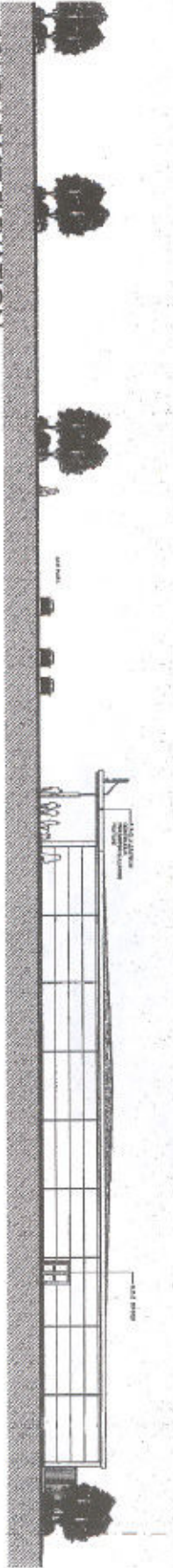
Site Layout



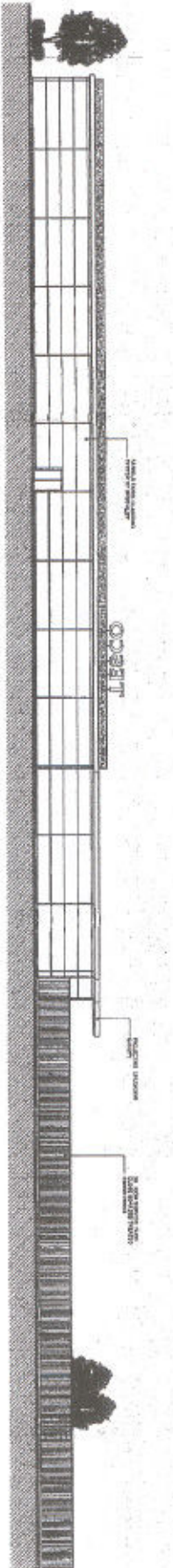
SOUTH WEST ELEVATION



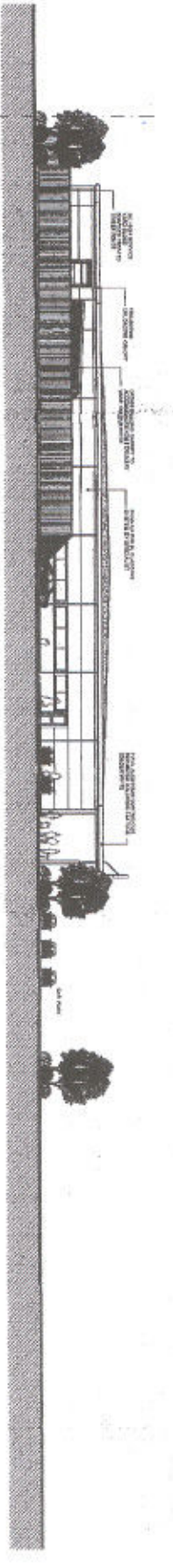
SOUTH EAST ELEVATION



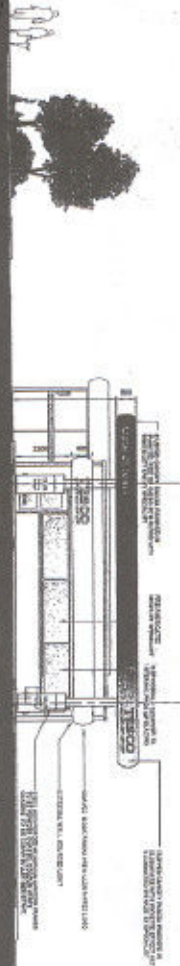
NORTH EAST ELEVATION



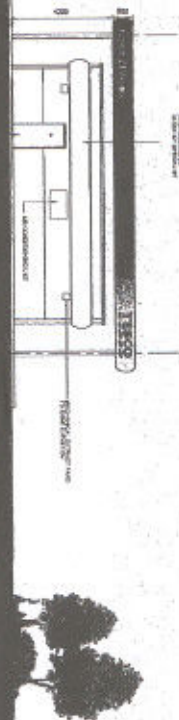
NORTH WEST ELEVATION



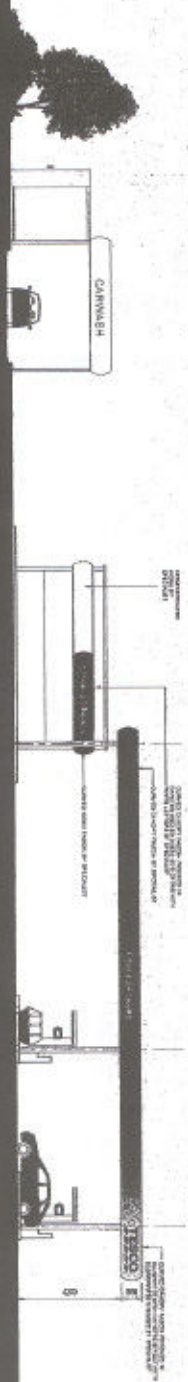
EAST ELEVATION



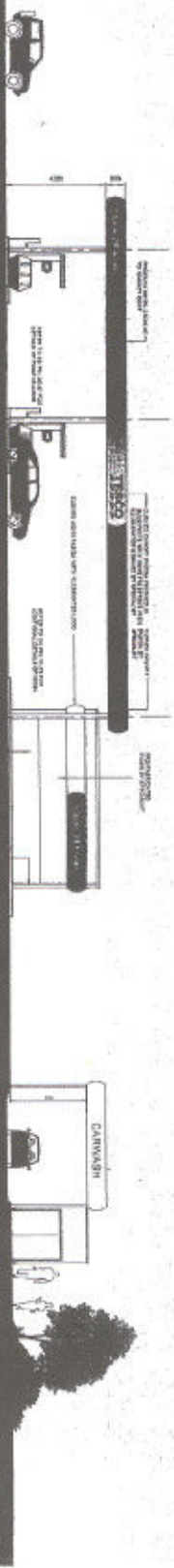
WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



dpp

Plan Title
Ramsey Gateway Masterplan

Client
Tesco Stores Limited

Project
The Bill Ramsey

Date
15 October 2007

Scale
NOT TO SCALE

Drawing No.
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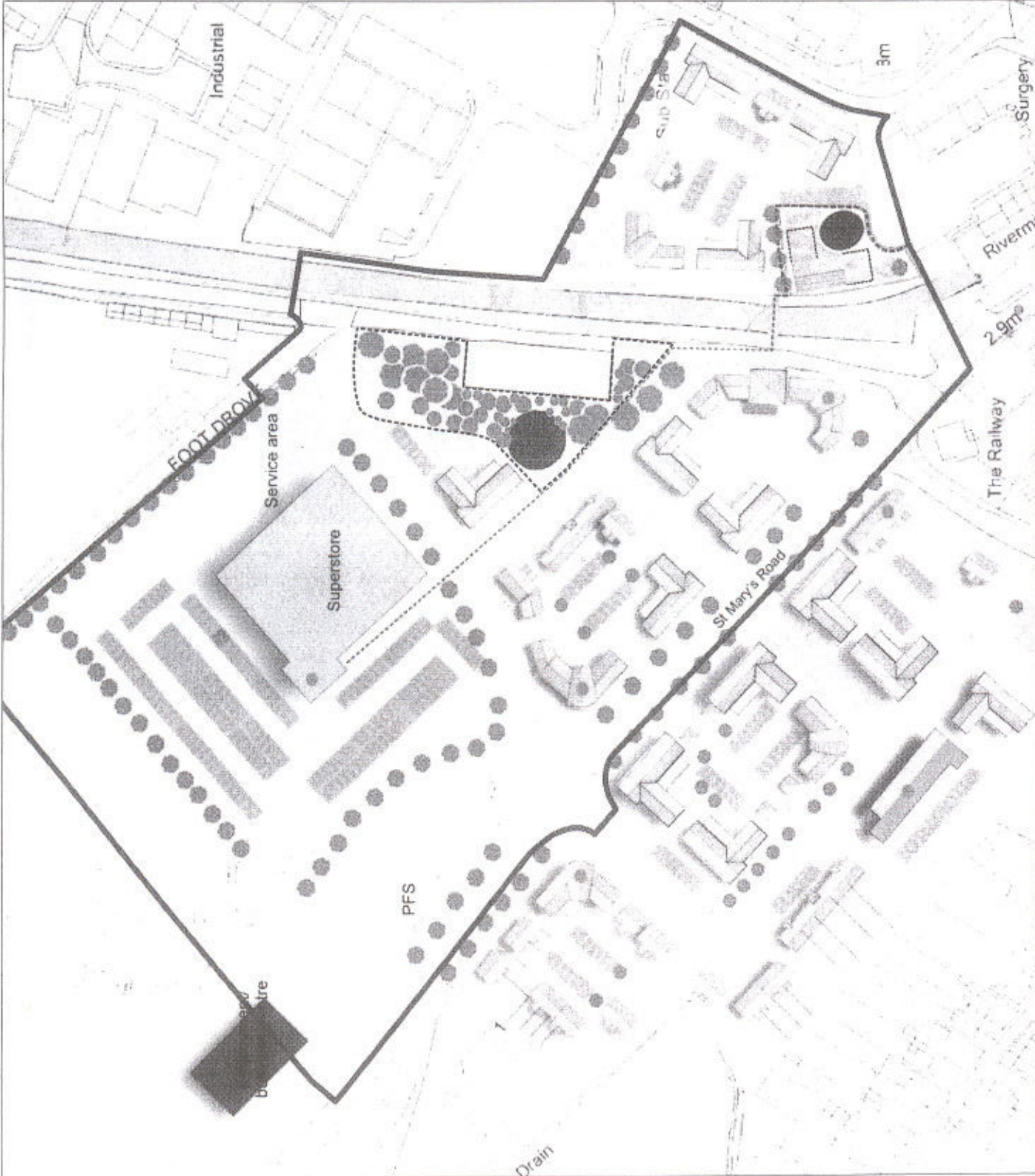
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- ⋯ Landscaped Mitigation Zone
- LEAP
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Parish Electoral Review in Huntingdonshire – Final Recommendations

Report by the Head of Administration

1. INTRODUCTION

- 1.1 Huntingdonshire is a large rural District with a population of around 160,000 and an electorate of around 120,000. Some 8,000 residential properties have been built in the last decade and a further 6,000 are forecast in the next 10 years. In the same period the population has increased by some 15,000 and is forecast to grow to 163,700 by 2011.
- 1.2 The District covers an area of over 900 square kilometres (approximately 350 square miles) and approximately half the population of the District live in the four market towns of Huntingdon, Ramsey, St. Ives and St. Neots, with the remainder dispersed in rural villages. There are in total 84 parishes of which 73 have town or parish councils.

2. BACKGROUND

- 2.1 Under the Local Government and Rating Act 1997 “The Act”, the District Council has a duty to ensure that parishes continue to reflect local communities and that the related electoral arrangements secure effective and convenient local government. The Act requires all district and unitary authorities to review the parish pattern in their area. The last parish electoral review in Huntingdonshire was completed in 1980.
- 2.2 The Council embarked upon a further review and this document outlines the Council’s final recommendations for changes to parish boundaries and electoral arrangements.

3. SCOPE OF THE REVIEW

- 3.1 The review has looked at the potential need for the creation, alteration or abolition of parishes in order to provide a better reflection of community identities than the existing arrangements. In many cases a boundary change between existing parishes, rather than the creation of an entirely new parish, was considered sufficient to ensure that parish arrangements continue to reflect local identities as communities have expanded with new housing developments.
- 3.2 Electoral arrangements also have been considered, in an attempt to achieve electoral equality, which has included a review of the number of

councillors, whether or not any of the parishes should be, or continue to be, divided into wards and the name of any such ward.

3.3 As part of the review, the Council has considered –

- ◆ the alteration of the boundaries of parishes and parish wards;
- ◆ the formation of new parishes and parish wards;
- ◆ the dissolution of parishes and parish wards;
- ◆ the establishment of parish councils for new parishes; and
- ◆ changes to parish electoral arrangements, including a review of the number of councillors to be elected for each parish or ward of a parish.

4. CONSULTATION

- 4.1 The review commenced at the end of March 2006 and interested parties were invited to submit any proposals for changes to parish arrangements. Arising from the responses received, draft proposals were formulated for changes to parish boundaries and electoral arrangements. The public consultation exercise on these draft proposals commenced in December 2006 and was concluded at the end of March 2007.
- 4.2 Throughout this consultation period, it was established that the issue of parish meetings had been omitted from the earlier consultation on the draft proposals and additional proposals were formulated and circulated for public consultation mid January 2007. In addition to this, as a result of extensive representations received regarding the proposals for Ramsey and Bury, alternative proposals were determined for these parishes and circulated for further consultation.
- 4.3 Attached as an Appendix to this report is a summary of representations received on the draft proposals for changes to parish boundaries and electoral arrangements.
- 4.4 Following consideration of the responses received by the Elections Panel, changes have been proposed to parish boundaries as detailed at Annex B. The changes proposed have taken into account past developments and future committed house building in order to reflect the identity and interest of local communities. A number of maps have also been prepared to illustrate the proposals and area attached. Where possible, the parish boundaries have been aligned with a geographical feature, such as rivers, roads and railways. For completeness a schedule is also included at Annex C, showing the electorate by parish as at 1st December 2005 and projected to mid-2011.
- 4.5 The electoral arrangements of the parishes have also been examined in the light of the proposed alteration of parish boundaries, the proposed new scale of parish council representation detailed below and the predicted

electorate growth in each parish as a result of forecast dwelling completions.

- 4.6 The proposed changes to council size of affected parishes are detailed at Annex A for implementation by the Council by Order at the next scheduled parish elections and Annex B for submission to the Secretary of State and Electoral Commission. As a result of the proposed new scale of parish council representation, the change in the level of representation for some of the parishes with relatively small populations is significant. The Elections Panel proposed therefore that in parishes with an electorate of up to 1,500 any change in the number of parish councillors should be limited to plus or minus two councillors within their new band.

5. COUNCIL SIZE

- 5.1 Parishes should have sufficient population to justify the establishment of a parish council. The Act requires that parishes with 200+ electors must have a parish council. Parishes between 150 and 200 electors must have a council if the parish meeting resolved in favour of one. Parishes with less than 150 electors can resolve in favour of a parish council, but it is at the discretion of the District Council whether or not to establish one. Parishes with no council must have at least two parish meetings of electors each year.
- 5.2 As part of the review, consideration also was given to the levels of representation in relation to electorate size for parishes. The only statutory requirement is that the minimum number of councillors that can be elected to a parish council is five. In practice there is a wide variation of council size between parish councils. Currently no statutory requirement regarding the ratio of electors to councillors for parishes of different electorate sizes exists.
- 5.3 The Council, at their meeting on 20th November 1974, approved a scale of parish council representation. The scale has remained in place despite significant changes to the size of parishes over the years. Parishes in Huntingdonshire have encountered problems from time to time in attracting sufficient candidates for election and have had to resort to co-option to fill their full complement of Members. The Elections Panel felt that the scale had become out of date and did not reflect either past practice or the growth in the size of communities in Huntingdonshire. At the meeting of the Elections Panel on 2nd October 2006, a new scale was devised and comments invited from parishes as part of the consultation exercise. The current scale and proposed scale are detailed below –

Current		Proposed	
Electorate	Members	Electorate	Members
Up to 250	5	Up to 500	5
251 to 500	7	501 to 1,000	7
501 to 1,000	9	1,001 to 1,500	9
1,001 to 1,500	11	1,501 to 2,000	11
1,501 to 2,000	13	2,001 to 3,000	13
2,001 to ,3000	15	3,001 to 5,000	15
3,001 to 5,000	17	5,001 to 10,000	17
5,001 to 10,000	19	10,001 to 15,000	19
Over 10,000	21	Over 15,000	21

5.4 The Council is invited to consider the adoption of the new scale of parish council representation as detailed above.

6. RELATED ALTERATIONS TO DISTRICT WARD, COUNTY DIVISION AND PARLIAMENTARY CONSTITUENCY BOUNDARIES

6.1 As a result of the proposed alterations to parish boundaries, some of the new ones are no longer coterminous with District Ward, County Division and Parliamentary Constituency boundaries. As there is a requirement for the boundaries of the latter to be aligned with parish or parish ward boundaries, the proposals will require consequential alterations to District Ward, County Division and Parliamentary Constituency boundaries. The affected parishes are referred to in Annex B.

7. NEXT STAGES AND IMPLEMENTATION

7.1 The District Council has the power to put in place any modifications that deal solely with the alterations of the parish electoral arrangements and the grouping of parishes under a common parish council, by Order, providing there are no changes to the parish’s administrative boundary. These changes will come into effect at the next scheduled parish elections for the parishes affected. Any consequential changes required to District Wards, County Divisions and/or Parliamentary Constituencies can only be implemented by the Electoral Commission.

7.2 The final recommendations will be submitted to the Secretary of State and the Electoral Commission for consideration. The Secretary of State is responsible for making the Order implementing the parish boundary changes. Under the Act the Secretary of State may by Order give effect to (with or without modifications) or may reject the recommendations. The Secretary of State will only make an Order for the creation of a new parish or a change to the area of a parish when the Electoral Commission is ready to make the electoral arrangements Order for the parish. The Electoral Commission can accept the proposals, propose that alternative or modified electoral arrangements should be introduced or that the proposals be rejected and any existing electoral arrangements retained.

- 7.3 Once decisions have been made on changes to parish boundaries and electoral arrangements, consideration will be given to the timing of implementation of an Order by the Secretary of State and Electoral Commission. The timing will depend upon a number of factors. Boundary changes affecting many electors must come into force on 1st April before the next scheduled elections for the parishes concerned for precepting purposes. Changes to parish electoral arrangements should come into force at the next parish election and any new electoral arrangements must be made in time for the Council to reflect these changes in the Electoral Register.
- 7.4 Any interested party who wishes to comment on the process can make representations to the Secretary of State and the Electoral Commission if they believe that either the statutory criteria or guidance has not been taken into account during the conduct of the review.
- 7.5 The Local Government and Public Involvement in Health Act 2007 will devolve more power to local authorities in the form of community governance reviews and may affect the implementation of some of the changes proposed. At this stage it is not possible to assess the effect of the Act until further detailed Regulations emerge.

8. CONCLUSION AND RECOMMENDATIONS

- 8.1 Having regard to the representations received from interested parties following the publication of draft proposals for changes to parish boundaries and electoral arrangements, the Council is invited to –
- (a) approve the new scale of parish council representation as outlined in the report;
 - (b) approve the final recommendations for changes to parish electoral arrangements as detailed at Annex A for the Council to implement these changes by Order at the next scheduled parish elections;
 - (c) support the proposal to invite the parishes of Buckden and Diddington to group under a common parish council; and
 - (d) approve the final recommendations for changes to parish boundaries and electoral arrangements as detailed at Annex B for submission to the Secretary of State and the Electoral Commission.

BACKGROUND INFORMATION

Local Government and Rating Act 1997

Local Government and Public Involvement in Health Act 2007

Guidance and procedural advice for periodic electoral reviews – The Electoral Commission July 2003.

Guidance on the establishment and review of parish electoral arrangements and related alterations to district ward and county division boundaries – The Electoral Commission August 2006.

Minutes and Reports of the meetings of the Elections Panel – 22nd August, 2nd October, 15th December 2006, 19th February and 20th November 2007.

Contact Officer – Lisa Jablonska, Central Services Manager
☎ (01480) 388004

HUNTINGDONSHIRE DISTRICT COUNCIL

SUMMARY OF REPRESENTATIONS RECEIVED

Parish	Representations Received	Comments
Abbotsley	Abbotsley Parish Council	<p>Accepts in principle the rationale of amalgamating the Spinney Ward of Eynesbury Hardwicke parish and the remaining part of St. Neots Rural parish with Abbotsley.</p> <p>Concerns -</p> <ul style="list-style-type: none"> - considered that a larger area will be more difficult to manage - greater drain on resources, particularly Parish Clerk - considered that larger area will be much more difficult to monitor <p>Strong views that the area to the north of A428 should not be included in the new parish, this area is particularly alien to the village but due to difficulty of allocating this area of St. Neots Rural to any other area in relation to South Cambs boundary, that it was sensible for this area to be included – but demonstrates the general feeling that some new area outside the present village boundary has little relationship to the village.</p> <p>Prefer to retain name of – “Abbotsley Parish Council” and NOT – Abbotsley and Hardwicke Parish Council as smaller parishes are joining a much larger established parish.</p> <p>Also concern over number of councillors (seven at present) – will not be sufficient to cover larger area – as increased workload – could result in existing parish council from within the village being replaced by a majority from outside the village. Strongly opposed to any reduction in the number of councillors.</p>

Parish	Representations Received	Comments
Alconbury	Alconbury Parish Council	<p>Concerns – not in favour of changes to boundaries – The airfield is in close proximity and anything occurring on site directly affects Alconbury residents. Esp. traffic. Parish Council would like to be consulted on any major developments on the airfield.</p> <p>Also not happy if membership is to drop from 11 to 9 would put extra pressure on the whole council. Wants to be a professionally run council and has embarked on Parish Plan which requires a good deal of work and is ongoing.</p>
Abbots Ripton	Abbots Ripton Parish Council	<p>Various Clerk posts would unfortunately cease to exist which would cause a problem. Insufficient thought and planning is evident here. Disappointing that clerks to be affected had no prior warning or consultation with CALC.</p> <p>Councillors unanimously agreed that the proposal to merge to form a new parish would not be in the best interests of parishioners – would lead to loss of identity for both villages.</p> <p>No problem filling current 6 councillor positions - against reduction in number of councillors.</p> <p>Suggest moving Bevills Wood into the parish.</p>
Alwalton	Alwalton Parish Council	Feel that current parish boundaries still meet criteria
Barham & Woolley	Barham & Woolley Parish Council	<p>Unanimously in favour of no change to present state and there should be no merger.</p> <p>Concerns -</p> <ul style="list-style-type: none"> - electorate numbers disproportionate between parishes - costs involved in employing more clerks to cover areas - would community be lost - would democratic right of electorate be lost - can merger be prevented from happening

Parish	Representations Received	Comments
Broughton	Broughton Parish Council	Would rather have its present 7 councillors rather than be reduced to proposed 5 Quorum might be difficult to achieve with lower number, due to councillor interests and restrictions with voting
Buckworth	Buckworth Parish Council	Strongly opposes any amalgamation or change – would be robbed of its own identity. Does not have trouble recruiting. Does not agree to reduction in Councillors.
Bury	Mrs Carole M Crompton, Lioncroft Cottage, Bury	Would prefer that Bury Parish/Ramsey Town Boundary is moved to the boundaries between current properties as close to original historical boundary as possible to newer residents.
Bury	Bury Parish Council	Bury villagers wish to remain in Bury and not become part of Ramsey - Petition held - Support of them remaining in Bury. Object to old Bury Industrial Estate, Signal Road becoming part of Ramsey Submitted alternative proposal. Arising from amended proposals circulated felt that clearer boundary would be achieved - If proposal A and B on map were amalgamated – if not proposal A would be alternative option
Bury	Malcolm Halliwell (Resident)	Following the publication of revised proposals totally against being incorporated into Ramsey Parish. Cannot see any benefits to be gained by changing boundaries at all and feel expenses associated with this would be better spent on local services.
Bury	Julie Matwijczuk, Taverners Drive, Bury	Support proposal A – prefer to stay in Bury
Bury	Julian Fisher, Taverners Drive, Bury	Wish to remain in Bury

Parish	Representations Received	Comments
Bury	Colin Dorrington, Foundry Way, Bury	Wish to remain in Bury
Bury	John Crompton, The Terrace, Bury	Wish to remain in Bury
Bury	Mr F W Starmer, Foundry Way, Bury	Wish to remain Bury
Bury	Mr F Bell, Lion Walk, Bury	Is happy to identify as a Bury resident and wishes to stay in Bury. Areas to be moved do not make sense.
Bury	Mr & Mrs Beesley, Foundry way, Bury	Bought house because wanted to remain in Bury not Ramsey.
Bury	Mr R Frost, Lion Walk, Bury	Want to live in Bury not Ramsey.
Bury	Mr & Mrs G White, The Terrace, Bury	Upset at proposals. Do not wish to live in Ramsey – wish to remain as Bury.
Bury	Mr & Mrs K Snoad, Foundry Way, Bury	Wish to remain in Bury
Bury	Bury Branch Conservative Association (Peter Hazell)	Extremely concerned about proposed changes. Totally opposed to any changes, particularly if it involves any degree of integration with Ramsey
Bury	Mrs M Dockerty, The Terrace, Bury	The Terrace is centre of Bury village – wish to remain in Bury
Bury	M E Clack, Lioncroft Cottages, Bury	No advantage to Bury residents – loss of social intercourse and community. Wish to remain in Bury
Bury	Mrs J Pilkington, Foundry Way, Bury	Wish to remain in Bury

Parish	Representations Received	Comments
Bury	Mr N Arden, Grenfell Road, Bury	Wish to remain in Bury
Bury	David Howells, Lioncroft Cottages, Bury	Wish to remain in Bury
Catworth	Catworth Parish Council	Wish to maintain the status quo of 9 councillors. Re: workload/planning applications/quorum/declarations
Catworth	Mr S Robinson, High Street, Catworth	Objection to reducing number of members from 9 to 5
Chesterton	Chesterton Parish Meeting	Request no change and remain as a Parish Meeting for foreseeable future
Covington	Marilyn Turrell (Chair of Covington Book Group)	Existing parish meeting attracts high turnout. Would have only one voice out of seven in decision-making of the newly formed PC. Wish to preserve unique identity
Covington	Covington Parish Meeting & Residents Petition	Do not wish to make ANY changes to parish boundary or to parish meeting. Would be under-represented after amalgamation. Lack of shared services, no additional benefits. Signed petition against proposals
Denton & Caldecote	Denton & Caldecote Parish Meeting	Unanimous support of Option 1 – no change
Diddington	Councillor R Bailey	Diddington would like to group with Buckden Parish Council. Diddington wishes to retain its identity as a Parish. If amalgamation does not offer this then parish would prefer not to change. Diddington would prefer NOT to be grouped or amalgamated with Southoe Parish Council.
Diddington	Diddington Parish Meeting	Not seek to join with Southoe – concur with Councillor Bailey's points
Easton	Beth Davies, Brook House, Church Road, Easton	Opposed to amalgamation as existing parish boundaries of great historical importance.

Parish	Representations Received	Comments
Easton	Easton Parish Council	Completely opposed to the proposal as distinct separate communities. Survey carried out ALL wanted separate parish council to be maintained. Local opposition to change of existing boundaries
Easton	David & Jennifer Hyde, Fiddlers, Easton	Objection to the proposed amalgamation. Villages are vastly different/have different local issues/own council understands own village needs
Easton	Malcolm Halliday, Ford Cottage, Easton	Strongly prefers Easton to retain its own Parish Council and not to be combined with Ellington.
Easton	Mr & Mrs A W P Graham, The Lane, Easton	Should not be amalgamated with Ellington
Easton	Dr B Davis, Church Road, Easton	Opposes as it does not provide better reflection of community identities – never had close affinity with Ellington. Proposal to change boundary follows natural boundary of Ellington Brook – very old historical feature.
Easton	Charles W Nixon, Easton	Villages dissimilar and have different needs. Should be allowed to retain present state.
Ellington	Mike Jones, Spinneyfield, Ellington	Intense competition for election to PC. More Ellington residents who would vote for Ellington residents and not Easton.
Ellington, Easton, Spaldwick, Stow Longa, Leighton Bromswold, Buckworth and Barham & Woolley	District Councillor M Baker	Found no support whatsoever for any mergers – urge to leave present system as it is. Not aware of any struggle to find candidates either

Parish	Representations Received	Comments
Ellington	Ellington Parish Council	No problem recruiting Councillors – 7 councillors essential to represent number of electors. Supports transfer of part of its area to Spaldwick. Against proposal to amalgamate with Easton
Eynesbury Hardwicke	Eynesbury Hardwicke Parish Council	Raise no objection – in principle to draft proposals, however, concern about elections/precepts/unlikely to support early interim implementation arrangements which would benefit the Town Council and disadvantage the residents of Eynesbury Hardwicke
Eynesbury Hardwicke	R E Barnes, Chairman of Parish Council	For the amalgamation
Eynesbury Hardwicke (Rural)	St. Neots & District Liberal Democrats	This should simply be wound up with the bulk of the Parish joining with Abbotsley and the part between the St. Neots bypass, the railway line and Cambridge Road, which will eventually be built on, joined to the proposed St. Neots Cromwell Ward, so saving the need for a future revision
Eynesbury Hardwicke (Urban)	St. Neots & District Liberal Democrats	As this Parish now forms part of both the District and County Divisions of Eynesbury, we would propose that this becomes the new Ward, St. Neots Eynesbury Hardwicke, with one or two seats on the Town Council
Fenstanton	Fenstanton Parish Council	The decision of the Parish Council is that current boundaries remain the same. Wish to remain within the parish of Fenstanton
Fenstanton	E Gridle, Greenfields, St. Ives	Wish to remain in Fenstanton
Fenstanton	Cynthia Bu-Rashid, Greenfields, St. Ives	Wish to remain in Fenstanton
Fenstanton	M P Clarke, Elizabeth Court, St. Ives	Many residents have long standing connections with Fenstanton – remain in Fenstanton

Parish	Representations Received	Comments
Fenstanton	Various Residents in Greenfields, Maytrees, Elizabeth Court, London Road and Bridge Terrace	All signed same letter – wish to remain in Fenstanton
Fenstanton	Hally Hardie, Elizabeth Court, St. Ives	Furiously object to being under St. Ives. Wishes to keep status quo. St. Ives not interested in their area
Fenstanton	Gail Wase, Greenfields, St. Ives	Not acceptable to come under jurisdiction of St. Ives. Not interested in their area/Fenstanton Parish Council have always looked out for their interests
Fenstanton	Mr and Mrs Foster, Greenfields, St. Ives	Object to proposals – wish to remain in Fenstanton
Fenstanton	Len Abbot, Elizabeth Court, St. Ives	Fenstanton PC always looked after my interests – wish to remain
Fenstanton	Jean Chandler (former-Councillor)	Concerned at the impact of removing 400 houses from the village – make services vulnerable Residents in the Low Road, Elizabeth Court, Greenfields, London Road and Maytrees wish to remain in Fenstanton.
Folksworth & Washingley	Folksworth and Washingley Parish Council	No problem with retaining membership of 9 councillors – do not wish to reduce to 7
Godmanchester	Godmanchester Town Council	Supports the recommendation to increase number of councillors to 17
Great & Little Gidding	Great & Little Gidding Parish Council	Prefer Option 1 and with 8 members as present – no change If Option 2 decided – happy to join Winwick
Great Gransden	Great Gransden Parish Council	If figures are to be 7 instead of 9 – this council objects strongly to reduction

Parish	Representations Received	Comments
Hail Weston	Hail Weston Parish Council	Do not wish to reduce members – inqorate etc. – Quality Status would be difficult to achieve – councillors could be over-burdened and resign
Hamerton	Hamerton Parish Committee	Little enthusiasm for a merger, remain as separate parish
Hemingford Grey	Hemingford Grey Parish Council	Map 4 – Hemingford Grey/St. Ives South – Object and wish the area to stay as part of Hemingford Grey Parish Holt Island/River Ouse – shaded area B – have no objection to this proposal
Holme	Holme Parish Council	Not in favour of proposal to reduce members from 9 to 7 – have no councillor vacancies
Holywell-cum-Needingworth	G Britton, resident, Holywell-cum-Needingworth	Against changes to boundaries – use Harrison Way and Somersham Road
Holywell-cum-Needingworth	Holywell-cum-Needingworth Parish Council	Objects strongly to change of parish boundary with St. Ives. Prefer no change – as previously stated. But accept change of boundary/to follow physical boundary Harrison Way is logical.
Houghton & Wyton	Houghton & Wyton Parish Council	Split Wyton-on-the-hill, not until 2010. Support extension of boundary to How Lodge and The How Request Houghton Lock becomes part of Parish – presently in Hemingford Abbots. Adjust boundary so that houses and property at top of Mere Way and Sawtry Way become part of Parish and Houghton Hill Farm and Sawtry Way Cottages move into villages ward
Huntingdon	Huntingdon Town Council	No need for increase in councillors, already sufficient. Supports changes to boundaries

Parish	Representations Received	Comments
Huntingdon	Huntingdon Liberal Democrats	Submitted alternative proposal to expand the number of wards of Huntingdon.
Huntingdon	M Anderson, Main Street, Hartford	No clear association with a specific councillor. High multi representation is bad for democracy – confusing mix of councillors on all tiers
Kings Ripton	Kings Ripton Parish Council	Both villages have completely separate identities, although close together. Object to amalgamations
Kimbolton & Stonely	Councillor Jonathan Gray	<p>Personally has no objection to proposed alterations to his Ward.</p> <p>However Kimbolton & Stonely PC objected to alterations to their boundaries around Stow Longa – historical issues – happy to endorse their objection. Tilbrook & Covington – wish to leave their current arrangements as they are – village meeting unchanged.</p> <p>Supports proposals re: down sizing number of members – dependant on where etc.</p> <p>Recommend Councils with an electorate +/- 10% of the proposed bands are re-organised in size as per proposals or given the option of retaining/increasing/decreasing their size</p>
Kimbolton & Stonely	Kimbolton & Stonely Parish Council	<p>Opposed to proposal to reduce number of councillors appointed from 11 to 9.</p> <p>Believe that historic parish boundaries should remain and oppose the proposal to redefine them</p>
Leighton Bromswold	Richard Martin, The Avenue, Leighton Bromswold, past member of PC	Does not feel the amalgamation will benefit anyone

Parish	Representations Received	Comments
Leighton Bromswold	Leighton Bromswold Parish Council	Can see no advantages to the proposals – and does not support them. Fewer councillors covering a wider area – would not work. Administratively amalgamation of parishes would be more difficult and more expensive to manage.
Leighton Bromswold	John Auty, The Avenue, Leighton Bromswold	By adding other parishes – local knowledge would be diluted. Little awareness of other villages and vice versa
Leighton Bromswold	Elizabeth Baxendale, resident, Member of PC but personal comments	Would not like proposed changes come into effect – Members will have responsibility for unfamiliar parishes
Leighton Bromswold	S Hansen, The Avenue, Leighton Bromswold	Have some concerns that issues for each separate village on newly merged parish council may be lost
Leighton Bromswold	Marianne & Peter Mallace, residents, Leighton Bromswold	Wish for Parish Council to retain its individual identity. Strongly feel that proposed amalgamations would be of no benefit to the community
Leighton Bromswold	Bohdan Mysak, Leighton Bromswold (Parish Councillor)	Proposal would lead to a dilution of the local voice. Opposed to the proposals.
Leighton Bromswold	Ian Bentley, The Avenue, Leighton Bromswold	Would not wish Leighton Bromswold to amalgamate with other parish council. At present has excellent sense of community, geographically separate and isolated from other parishes
Little Paxton	Little Paxton Parish Council	Present level of membership allows adequate cover at present. No benefit to be gained in reducing council size. Would wish that current membership remains unchanged. Happy with proposed boundary change to include the Island site within Little Paxton
Little Paxton	St. Neots & District Liberal Democrats	The island site, currently under development appears, according to our reading of the maps to be partly in St. Neots Priory Park Ward. If so, this is an anomaly which requires rectification by incorporation of the whole site into Little Paxton.
Morborne	R W Dalgliesh, Morborne	Registers an objection to amalgamation

Parish	Representations Received	Comments
Morborne	Morborne Parish Meeting	Petition enclosed – from residents against proposals to amalgamate
Offord Cluny	Offord Cluny Parish Council	Not satisfied with proposed number of Councillors – consider 11 to be appropriate Councillors content with proposed amalgamation of two parish councils but would like it to be named “Offord Cluny & Offord D’Arcy Parish Council”
Offord Cluny	Mr and Mrs Brown, High Street, Offord Cluny	Strongly support amalgamation of the two Offord parishes
Offord Cluny	Mr L Small, Asplins Lane, Offord Cluny	Support amalgamation but would like to retain local identity – ie. Be known as “Offord Cluny & Offord D’Arcy”
Offord Cluny	Mr and Mrs Reece, Manor Court, New Road, Offord Cluny	Happy with amalgamation – but would want to keep it called “Offord Cluny & Offord D’Arcy”
Offord D’Arcy	Offord D’Arcy Parish Council	Not satisfied with proposed number of Councillors – consider 11 to be appropriate Councillors content with proposed amalgamation of two parish councils but would like it to be named “Offord Cluny & Offord D’Arcy Parish Council”
Offord D’Arcy	Mrs J Griffiths, Apple Close, Offord D’Arcy	Fully support a combined parish council to represent parishes of Offord Cluny and Offord D’Arcy
Offord D’Arcy	Dennis Walker, Bramley Drive, Offord D’Arcy	View that parishes would be better served by united Parish Council
Offord D’Arcy	Liz Howes, Pippin Close, Offord D’Arcy	The principle of one council to represent the Offords would be a good idea
Offord D’Arcy	G Sherlock, High Street, Offord D’Arcy	Best for Offord Cluny & Offord D’Arcy to amalgamate
Offord D’Arcy	Mrs J Griffiths, Apple Close, Offord D’Arcy	Fully support a combined parish council and to combine Offord Cluny and Offord D’Arcy

Parish	Representations Received	Comments
Offord D'Arcy	Mr S Clayden, Bramley Drive, Offord D'Arcy	Positive view on Offord Parish Councils becoming one – stress though – that would like to keep identity of the Offords intact
Offord Cluny/Offord D'Arcy	St. Neots & District Liberal Democrats	Offord D'Arcy and Offord Cluny have for some considerable time formed a contiguous community. Having separate Parish Councils would seem to us to be no longer necessary, especially in view of the commonality of interests and the difficulties of filling two separate Parish Councils.
Perry	Perry Parish Council	Parish Council does not consider that any changes to Parish boundaries are necessary or desirable
Pidley-cum-Fenton	Pidley-cum-Fenton Parish Council	Wish to record their approval of planned changes to boundaries
Ramsey	Ramsey Town Council	Rejected the alternative proposal as a much bigger area of Ramsey is proposed to be moved into Bury than is necessary – involves moving large number of residents who have long standing identity with Ramsey
St. Ives	St. Ives Town Council	Suggested alternative proposals for Map 3. Agreed to Maps 4 and 5, with an amendment to Area C. Rejected Map 6 and agreed Map 12.
St. Neots	St. Neots Town Council	Town Council content with the proposals for the town of St. Neots and wished to make no further comment
St. Neots Rural	Mr A Sharp, New Cottages, Lower Wintringham Farm, St. Neots	Supports merger with Abbotsley
St. Neots Rural	St. Neots & District Liberal Democrats	The development of Loves Farm will turn this Parish into an urban area and effectively become part of St. Neots. We would propose that it becomes the new Ward, St. Neots Cromwell Ward (after the Cromwell Plantation, which is not on the estate but is the key feature of the area east of the railway line).The projected population would also make it appropriate for the ward to have one or two members of St. Neots Town Council

Parish	Representations Received	Comments
Somersham	Somersham Parish Council	No objection to the proposed boundary change and increased area for Somersham – however strongly objects to the proposal in item 5.3 to reduce the ratio of Councillors to electors. This would be an immense strain by reducing from 15 to 13
Southoe & Midloe	Southoe & Midloe Parish Council	Very concerned about proposal to reduce the number of Councillors from 7 to 5. Against the amalgamation with Diddington if they are not in favour
Spaldwick	Mr Grahame Leach, High Street, Spaldwick	Took vote at village meeting – unanimously rejected idea of merging. The villages have different needs.
Spaldwick	Spaldwick Parish Council	Agrees to the proposed parish boundary changes between Spaldwick and Ellington. Vigorously opposed to amalgamation of parishes of Stow Longa and Spaldwick Also strongly oppose reduction of councillors from 7 to 5
Stow Longa	Stow Longa Parish Council	Council has considered the proposed merger with Spaldwick and concluded that they are strongly against the proposals. Support proposals to amend boundaries – with suggested amendments for inclusion.
Stow Longa	Mr Ajit Kotwal & Mrs Julie Kotwal, Spaldwick Road, Stow Longa	Dismay and resolute opposition to the proposal to amalgamate Stow Longa with Spaldwick No problem with candidate numbers in Stow Longa
Stow Longa	Jane and Maurice Croft, Stow Longa Residents	Reducing numbers could lead to it not being democratic. Also could lead to conflict. No purpose to the proposed amalgamation.

Parish	Representations Received	Comments
Stow Longa	Peter Webster, Spaldwick Road, Stow Longa	Concerned at consequences. Village issues only affect <i>that</i> village. Each village has own separate identity. What about costs – and one village could lose its voice.
Stow Longa	Mrs V M Schorer-Nixon, Hunters Downe, The Lane, Stow Longa	Objects to the proposed amalgamation. Stow Longa is a small community and very different from Spaldwick. It is perceived that “bigger is better” this is not always the case. It is more likely that the residents of Stow Longa would become side-lined
The Stukeleys	Councillor T D Sanderson	Cannot see justification behind moving Northbridge development out of The Stukeleys and into the town. Development is clearly going to be part of Great Stukeley.
The Stukeleys	The Stukeleys Parish Council	Supports proposals for boundary changes – except part of Abbots Ripton Parish. Does not agree with the proposed reduction of parish councillors for the Stukeleys Ward from 13 to 7. Minimum of 10 is required
Tilbrook	Tilbrook Parish Council	Do not support the proposal to create a combined PC for Tilbrook and Covington – no geographical link and history Do not object to proposed reduction in Members from 7 to 5
Toseland	Toseland Parish Council	Unanimous vote that two separate Parish Councils be retained. Evidenced by representation. Opposed by 81.5% of electors Opposed to reduction in Members also.
Upwood & The Raveleys	Upwood & The Raveleys Parish Council	A reduction in number of members could mean certain areas of parish have no representation. Appropriate for number to remain at 11

Parish	Representations Received	Comments
Upwood & The Raveleys	Councillor T Bell	Reduction of members would introduce some difficulty with representation due to the geographics of the parish
Warboys	Warboys Parish Council	As District Council has accepted Parish Council's recommendations for changes to the boundaries with Wistow, Ramsey and Pidley-cum-Fenton Parishes, the council supports the draft proposals
Water Newton	Water Newton Parish Meeting	Would like there to be no change
Winwick	Winwick Parish Meeting	Winwick has strong identity and has no wish to be forcibly amalgamated with any other village
Winwick	Neil Brine, Knott Cottage, Winwick	A revision of the boundary would enable controlled expansion, particularly affordable housing
Woodhurst	Woodhurst Parish Council	Fundamentally opposed to the changes as proposed Concern at reducing number of members from 7 to 5 Submitted alternative proposal.
Woolley	Maggi Harris, New Manor Farm, Woolley	Strongly opposed to changes, better as it is already
Yelling	Yelling Parish Council	Unanimously agreed that Yelling Parish Council should retain its status quo. Supported by 100% of electorate at Special Parish Meeting Clearly defined parish boundaries, well served by existing 7 members of the parish council

DRAFT RECOMMENDATIONS FOR CHANGES TO PARISH ELECTORAL ARRANGEMENTS FOR IMPLEMENTATION BY THE COUNCIL BY ORDER

1. Parish Affected

Catworth

a) Draft Proposal

Decrease the membership of Catworth Parish Council from 9 to 7 councillors in accordance with the new scale of parish council representation.

b) Representations Received

Catworth Parish Council expressed concern with the proposal and requested that the status quo be maintained.

c) Final Recommendations

Decrease the membership of Catworth Parish Council from 9 to 7 councillors which is in accordance with the new scale of parish council representation, whilst allowing some flexibility to plus or minus 2 councillors within the new band.

d) Reasons

To be consistent with other parishes and in accordance with the new scale of parish council representation.

2. Parish Affected

Tilbrook

a) Representations Received

Tilbrook Parish Council expressed support for a reduction in councillors from 7 to 5. This did not form part of the draft proposals.

b) Final Recommendations

Decrease the membership of Tilbrook Parish Council from 9 to 7 councillors which is in accordance with the new scale of parish council representation.

c) Reasons

To meet the wishes of the parish council, to be consistent with other parishes and in accordance with the new scale of parish council representation.

3. Parish Affected

Godmanchester

a) Draft Proposal

Increase the membership of Godmanchester Town Council from 15 to 17 councillors.

b) Representations Received

Godmanchester Town Council supported the proposal for an increase in membership.

c) Final Recommendations

Increase the membership of Godmanchester Town Council from 15 to 17 councillors which is in accordance with the new scale of parish council representation.

d) Reasons

To meet the wishes of the parish council, to be consistent with other parishes and in accordance with the new scale of parish council representation.

4. Parishes Affected

Holme

a) Draft Proposal

Decrease the membership of Holme Parish Council from 9 to 7 councillors in accordance with the new scale of parish council representation.

b) Representations Received

Holme Parish Council objected to the proposal and indicated their preference to remain as they are.

c) Final Recommendations

Decrease the membership of Holme Parish Council from 9 to 7 councillors which is in accordance with the new scale of parish council representation,

whilst allowing some flexibility to plus or minus 2 councillors within the new band.

d) Reasons

To be consistent with other parishes and in accordance with the new scale of parish council representation.

5. Parish Affected

Upwood and The Raveleys

a) Draft Proposal

Reduce the membership of Upwood and The Raveleys Parish Council from 11 to 9 councillors.

b) Representations Received

Upwood and The Raveleys Parish Council objected to the proposed reduction in members. This view was supported by the Ward Councillor for Upwood and The Raveleys.

c) Final Recommendations

Decrease the membership of Upwood and The Raveleys Parish Council from 11 to 9 councillors which is in accordance with the new scale of parish council representation.

d) Reasons

To be consistent with other parishes and in accordance with the new scale of parish council representation, whilst allowing some flexibility to plus or minus 2 councillors with the new band.

6. Parishes Affected

Elton

a) Draft Proposal

Decrease the membership of Elton Parish Council from 11 to 9 councillors.

b) Representations Received

No representations were made in respect of these proposals.

c) Final Recommendations

Decrease the membership of Elton Parish Council from 11 to 9 councillors which is in accordance with the new scale of parish council representation, whilst allowing some flexibility to plus or minus 2 councillors within the new band.

d) Reasons

To be consistent with other parishes and in accordance with the new scale of parish council representation.

7. Parishes Affected

Great Staughton

a) Draft Proposal

Decrease the membership of Great Staughton Parish Council from 11 to 9 councillors.

b) Representations Received

No representations were made in respect of these proposals.

c) Final Recommendations

Decrease the membership of Great Staughton Parish Council from 11 to 9 councillors which is in accordance with the new scale of parish council representation, whilst allowing some flexibility to plus or minus 2 councillors within the new band.

d) Reasons

To be consistent with other parishes and in accordance with the new scale of parish council representation.

8. Parishes Affected

Yaxley

a) Draft Proposal

Increase the membership of Yaxley Parish Council from 13 to 17 councillors.

b) Representations Received

No representations were made in respect of these proposals.

c) Final Recommendations

Increase the membership of Yaxley Parish Council from 13 to 17 councillors which is in accordance with the new scale of parish council representation, whilst allowing some flexibility to plus or minus 2 councillors within the new band.

d) Reasons

To be consistent with other parishes and in accordance with the new scale of parish council representation.

9. Parishes Affected

**Buckden
Diddington
Southoe and Midloe**

a) Draft Proposal

Amalgamate Diddington Parish Meeting with Southoe and Midloe Parish Council consisting of 7 councillors.

b) Representations Received

The Ward Councillor for Buckden has suggested that Diddington would prefer to group with Buckden and not Southoe and Midloe, thereby retaining their own identity as a parish. If this could not happen then Diddington Parish Meeting would prefer to remain as a separate entity. Diddington Parish Meeting has concurred with the Ward Councillors views.

c) Final Recommendations

Group Diddington parish with Buckden parish to form a new parish council of Buckden consisting of 15 councillors, of whom 14 shall be elected to represent the parish of Buckden and 1 shall be elected to represent the parish of Diddington. This is subject to the consent of the parish meeting of each of the parishes.

d) Reasons

To meet the views of the parishes involved and to provide the electors of the area with more effective local government in that the parish to which the other parish will be amalgamated with has a more active and vibrant parish council.

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**DRAFT RECOMMENDATIONS TO THE SECRETARY OF STATE ON
THE REVIEW OF PARISH ARRANGEMENTS AND DRAFT
PROPOSALS TO THE ELECTORAL COMMISSION ON
CONSEQUENTIAL ELECTORAL ARRANGEMENTS**

1. Parishes Affected

**Abbotsley
Spinney Ward of Eynesbury Hardwicke
Part of St Neots Rural**

a) Draft Proposal

Amalgamate the Spinney Ward of Eynesbury Hardwicke parish, the remaining part of St Neots Rural parish following proposed amendments to the St Neots area and Abbotsley parish to form a new parish of Abbotsley and Hardwicke consisting of 7 councillors.

b) Representations Received

Abbotsley Parish Council accepted the concept in principle, with some reservations. They would prefer to retain the existing name of Abbotsley Parish Council and were concerned that the 7 councillors would not be sufficient to cover the extended area. Eynesbury Hardwicke Parish Council also raised no objections to the proposals. A resident of St Neots Rural supported the proposal to merge with Abbotsley. St Neots and District Liberal Democrats submitted an alternative proposal for this area.

As the suggested number of councillors is in accordance with the proposed new scale of parish council representation, whilst allowing some flexibility to plus or minus 2 councillors within the new band, and the proposals for amalgamation do not result in a large increase of electors, only 332 to 430 there is no justification to increase the number of councillors.

c) Final Recommendations

That the Spinney Ward of Eynesbury Hardwicke parish, the remaining part of St Neots Rural parish (see proposals for St Neots – paragraph 9) and Abbotsley parish be amalgamated to form an expanded parish of Abbotsley as shown on map 16.

d) Reasons

To provide the electors of the area with more effective local government in that the parish to which the other parishes will be amalgamated with has a more active and vibrant parish council.

e) Final Proposed Consequential Electoral Arrangements

That as a result of the amalgamation of Eynesbury Hardwicke parish, the remaining part of St Neots Rural parish and Abbotsley, the number of councillors of the expanded parish of Abbotsley will consist of 7.

2. Parishes Affected

**Abbots Ripton
Alconbury
The Stukeleys**

a) Draft Proposal

Amend various boundaries affecting the parishes of Abbots Ripton, Alconbury and The Stukeleys.

b) Representations Received

Alconbury Parish Council was not in favour of the proposed changes. Abbots Ripton Parish Council have suggested moving Bevills Wood into their parish from Woodwalton parish. The Stukeleys have expressed their support for the proposed boundary changes, with the exception of the part of Abbots Ripton parish.

It is illogical to leave the airfield split between two parishes and Alconbury Parish Council would continue to be consulted on major applications despite their concerns.

c) Final Recommendations

Transfer shaded areas A from Abbots Ripton parish to The Stukeleys parish, B from Alconbury parish to the Stukeleys parish, C from Abbots Ripton parish to The Stukeleys parish and D from Woodwalton parish to Abbots Ripton parish as shown on Map 1.

d) Reasons

This transfer does not involve any properties, but aligns the parish boundaries more clearly with a geographical feature as the new boundary would follow the road and avoid the splitting of the airfield which potentially could be subject to development in the future.

e) Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries

Transfer shaded area A and C from Upwood and The Raveleys Ward to Alconbury and The Stukeleys Ward, Warboys and Upwood Division to

Huntingdon Division and North West Cambridgeshire Constituency to Huntingdon Constituency.

3. Parishes Affected

**Bury
Ramsey**

a) Draft Proposal

Following the publication of draft proposals for changes to parish boundaries in Bury and Ramsey extensive representations were received and as a result alternative proposals were formulated.

b) Representations Received

A large majority of residents in the affected areas wished to remain in Bury. Bury Parish Council submitted an alternative proposal, but supported proposal A if this was not achievable. They also objected to the old Bury Industrial Estate, Signal Road becoming part of Ramsey which formed part of the Ramsey Town Council submission. Ramsey Town Council rejected the alternative proposal.

c) Final Recommendations

That the boundary between Ramsey and Bury be re-drawn in accordance with Option B and transfer shaded area A from Bury parish to Ramsey parish and B from Ramsey parish to Bury parish as shown on map 11. It is also suggested that the Panel support the realigning of the boundary affecting the properties to the rear of Fairfield Drive, Ramsey rather than cutting directly through properties.

d) Reasons

To provide a clearly defined boundary between the two parishes as the current boundary cuts directly through properties and is not easily identifiable. This option affects the least number of properties.

e) Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries

Transfer shaded area A from Warboys and Bury Ward to Ramsey Ward and from Warboys and Upwood Division to Ramsey Division.

Transfer shaded area B from Ramsey Ward to Bury Ward and from Ramsey Division to Warboys and Upwood Division.

4. Parishes Affected

**Chesterton
Haddon
Elton**

a) Draft Proposal

Amalgamate Chesterton Parish Meeting and Haddon Parish Meeting with Elton Parish Council. The membership would be reduced from 11 to 9 councillors.

b) Representations Received

Chesterton Parish Meeting have requested that no change be made to their existing arrangements. No response was received from Haddon Parish Meeting or Elton Parish Council.

c) Final Recommendations

Amalgamate Elton Parish Council with Haddon Parish Meeting to form a new parish of Elton consisting of 9 councillors. This is in accordance with the proposed new scale of parish council representation, whilst allowing some flexibility to plus or minus 2 councillors within the new band.

d) Reasons

To provide the electors of the area with more effective local government in that the parish to which the other parish will be amalgamated with has a more active and vibrant parish council and to be consistent with other parishes and in accordance with the new scale of parish council representation.

5. Parishes Affected

**Fenstanton
St Ives**

a) Draft Proposal

Amend the boundaries between the parishes of Fenstanton and St Ives. This would result in a reduction of membership of Fenstanton Parish Council from 15 to 13 councillors.

b) Representations Received

Fenstanton Parish Council rejected the proposal and requested that the boundaries remain unchanged. Residents in Greenfields, Maytrees, Elizabeth Court, London Road and Bridge Terrace also objected to the

proposals. The former Ward Councillor for Fenstanton found no support for the proposals. St Ives Town Council disagreed with the proposals, but suggested alternative arrangements.

c) Final Recommendations

Amend the southern boundary of St Ives South to follow the Low Road up to the junction with London Road and transfer the shaded area as shown on map 3 from Fenstanton parish to St Ives South.

d) Reasons

To provide a clearly defined boundary between the two parishes as the current boundary cuts directly through properties in Enderby's Wharf and is not easily identifiable and the properties to transfer have a clearer affinity of interest with St Ives as they are quite detached from Fenstanton.

e) Final Proposed Consequential Electoral Arrangements

That as a result of the amendment of boundaries and transfer of properties between Fenstanton and St Ives, the number of councillors of Fenstanton parish will reduce from 15 to 13.

f) Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries

Transfer shaded area from Fenstanton Ward to St Ives South Ward and from The Hemingfords and Fenstanton Division to St Ives Division.

6. Parishes Affected

**Hamerton
Winwick
Steeple Gidding
Great and Little Gidding**

a) Draft Proposal

Amalgamate the parish meetings of Hamerton, Winwick and Steeple Gidding with Great and Little Gidding Parish Council consisting of 7 councillors.

b) Representations Received

Hamerton Parish Committee expressed the view that they would prefer to remain as they are. Winwick Parish Meeting would not like to be forcibly amalgamated with any other village. Great and Little Gidding Parish Council would prefer to remain as they are with 8 members, but if they were to amalgamate they would prefer to join Winwick.

c) Final Recommendations

That the parish of Steeple Gidding be amalgamated with Hamerton parish to create an expanded parish of Hamerton. Reduce the membership of Great and Little Gidding Parish Council from 8 to 7 councillors which is in accordance with the new scale of parish council representation.

d) Reasons

To provide the electors of the area with more effective local government in that the parish to which the other parish will be amalgamated with is larger and more active and electors from Steeple Gidding already vote at Hamerton. To be consistent with other parishes and in accordance with the new scale of parish council representation.

7. Parishes Affected

**Hemingford Grey
Holywell-cum-Needingworth
St Ives**

a) Draft Proposal

Amend the boundaries between the parishes of Hemingford Grey and St Ives.

b) Representations Received

Hemingford Grey Parish Council objected to the proposals for the area adjacent to The Dolphin Hotel, but were content with the proposals for Holt Island. St Ives Town Council supported the proposals for the boundary changes.

c) Final Recommendations

Transfer the shaded areas A and B from Hemingford Grey parish to St Ives South Ward of St Ives Parish as shown on map 4 and 5.

d) Reasons

To provide a clearly defined boundary between the two parishes as the current boundary cuts directly through units and the site of The Dolphin Hotel and also cuts directly through Holt Island and is not easily identifiable.

e) **Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries**

Transfer shaded area A and B from The Hemingfords Ward to St Ives South Ward and from The Hemingfords and Fenstanton Division to St Ives Division.

8. **Parishes Affected**

**Holywell-cum-Needingworth
St Ives**

a) **Draft Proposal**

Amend the boundaries between the parishes of Holywell-cum-Needingworth and St Ives.

b) **Representations Received**

Holywell-cum-Needingworth Parish Council and a resident of the parish objected strongly to the proposals, but accepted that change to follow the physical boundary of Harrison Way was logical. St Ives Town Council supported proposals to amend the boundaries, but suggested alternative arrangements to extend the boundary further north.

c) **Final Recommendations**

Amend the boundary between the parishes of St Ives and Holywell-cum-Needingworth to follow Harrison Way/St Ives bypass up to the roundabout and along the A1123 to follow the boundary of the Depot and Compass Point and transfer shaded area C from Holywell-cum-Needingworth to St Ives parish as shown on map 4 and 5.

d) **Reasons**

To take account of existing and planned development and the comments of the interested parties.

e) **Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries**

Transfer shaded area C from Earith Ward to St Ives South Ward and from North West Cambridgeshire Constituency to Huntingdon Constituency.

9. **Parishes Affected**

**Houghton and Wyton
Hemingford Grey
St Ives**

a) Draft Proposal

Amend the boundaries between the parishes of Houghton and Wyton and St Ives. This resulted in the split of Houghton and Wyton parish, currently consisting of 13 councillors and resulting in the Houghton and Wyton Ward of the parish consisting of 9 councillors and the Airfield Ward of the parish (Wyton-on-the-Hill) consisting of 7 councillors.

b) Representations Received

Houghton and Wyton Parish Council agreed with the split of Wyton-on-the-Hill and extension of the boundary to include How Lodge and The How. They also requested that consideration be given to including Houghton Lock, presently in Hemingford Abbots and amending the boundary between the wards of their parish. St Ives Town Council rejected the proposals.

c) Final Recommendations

Amend the boundary and transfer shaded area A from the parish of St Ives to Houghton and Wyton parish and transfer the shaded area B from Hemingford Grey parish to Houghton and Wyton parish as shown on map 6. Amend the boundary so as to split Houghton and Wyton parish as shown on map 7, currently warded, to create a new parish of the Houghton and Wyton Ward consisting of 9 councillors and a new parish of the Airfield Ward (Wyton-on-the-Hill) consisting of 7 councillors as shown on map

d) Reasons

To take account of existing and planned development and representations submitted and to provide a clearly defined boundary between the parishes. Houghton and Wyton parish is currently warded and in separate Parliamentary Constituencies, Electoral Divisions and District Wards.

e) Final Proposed Consequential Electoral Arrangements

That as a result of the splitting of Houghton and Wyton parish, Houghton and Wyton parish will consist of 9 councillors and Wyton-on-the-Hill will consist of 7 councillors. This is in accordance with the new scale of parish council representation.

f) Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries

Transfer shaded area A from St Ives South Ward to The Hemingfords Ward and from St Ives Division to The Hemingfords and Fenstanton Division.

10. Parishes Affected

**Huntingdon
The Stukeleys**

a) Draft Proposal

Amend various boundaries affecting the parishes of Huntingdon and The Stukeleys, with an increase in the number of councillors on Huntingdon Town Council from 16 to 19 and decrease in the membership of The Stukeleys Parish Council from 13 to 7 councillors.

b) Representations Received

Huntingdon Town Council supported the proposals for changes to the parish boundaries, but requested that there be no change to the existing membership. Huntingdon Liberal Democrats submitted an alternative proposal for Huntingdon whereby Huntingdon would be split into smaller areas. It is felt that this area would not lend itself to such proposals at this stage and would lead to confusion for the public distinguishing between District and Town Councillors. The matter would be addressed in more detail as part of a Community Governance Review. The Stukeleys Parish Council supported the proposals for boundary changes, but requested a minimum membership of 10 councillors.

c) Final Recommendations

Transfer the shaded areas A and B (Hinchingsbrooke Ward of The Stukeleys parish) from The Stukeleys parish to Huntingdon West Ward of Huntingdon parish as shown on map 8. Increase the membership of Huntingdon Town Council from 16 to 19 councillors and decrease the membership of The Stukeleys Parish Council from 13 to 9 councillors.

d) Reasons

To take account of existing and planned development. To be consistent with other parishes and in accordance with the new scale of parish council representation, whilst allowing some flexibility to plus or minus 2 councillors within the new band.

e) Final Proposed Consequential Electoral Arrangements

That as a result of the amendments to the parish boundaries Huntingdon parish will consist of 19 councillors and The Stukeleys parish will consist of 9 councillors. This is in accordance with the new scale of parish council representation.

f) Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries

Transfer shaded area A from Alconbury and The Stukeleys Ward to Huntingdon West Ward.

11. Parishes Affected

**Kimbolton and Stonely
Stow Longa**

a) Draft Proposal

Amend the boundary between the parishes of Kimbolton and Stonely and Stow Longa.

b) Representations Received

Kimbolton and Stonely Parish Council objected to the proposals to redefine the boundaries. They also objected to a reduction of their membership from 11 to 9 councillors. As the latter did not form part of the original draft proposals, no change is necessary. The Ward Councillor for Kimbolton and Staughton endorsed Kimbolton and Stonely Parish Councils' concerns. Stow Longa Parish Council supported the proposals to amend the boundary, but suggested that Rookery Farm had not fully been included in the proposals.

c) Final Recommendations

Transfer the area of land as shown on map 22 from Kimbolton parish to Stow Longa parish.

d) Reasons

To meet the views of the parishes involved as the properties affected have more affinity of interest with the parish they are transferring to.

e) Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries

Transfer shaded area from Kimbolton and Staughton Ward to Ellington Ward, Brampton and Kimbolton Division to Sawtry and Ellington Division and from Huntingdon Constituency to North West Cambridgeshire Constituency.

12. Parishes Affected

Little Paxton

a) Draft Proposal

Amend the boundary to include the Island site within the parish of Little Paxton.

b) Representations Received

Little Paxton Parish Council supported the proposals to amend the boundary and also objected to a reduction of their membership. The latter did not form part of the original draft proposals and therefore no change is necessary. St Neots and District Liberal Democrats also supported the proposals for the boundary changes.

c) Final Recommendations

Amend the boundary between Little Paxton parish and St Neots Priory Park Ward of St Neots parish to follow the southern reach of the River Ouse as shown on map 9.

d) Reasons

To take account of existing development and to provide a clearly defined boundary between the two parishes as the current boundary cuts directly through properties on the Island site and is not easily identifiable.

e) Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries

Transfer shaded area from St Neots Priory Park Ward to Little Paxton Ward.

13. Parishes Affected

**Offord Cluny
Offord D'Arcy**

a) Draft Proposal

Amalgamate Offord Cluny parish and Offord D'Arcy parish to form a new parish of The Offords consisting of 9 councillors.

b) Representation Received

Offord Cluny Parish Council and Offord D'Arcy Parish Council supported the proposed amalgamation but considered a membership of 11

councillors to be more appropriate and preferred it to be named Offord Cluny and Offord D'Arcy Parish Council. Residents of both parishes were all strongly in support of such a merger. This view was also supported by St Neots and District Liberal Democrats.

c) Final Recommendations

Amalgamate Offord Cluny parish and Offord D'Arcy parish as shown on map 17 to form a new parish council of Offord Cluny and Offord D'Arcy consisting of 11 councillors.

d) Reasons

To meet the wishes of both parishes affected. To be consistent with other parishes and in accordance with the new scale of parish council representation, whilst allowing some flexibility to plus or minus 2 councillors within the new band.

e) Final Proposed Consequential Electoral Arrangements

That as a result of the amalgamation of both parishes, the new parish of Offord Cluny and Offord D'Arcy will consist of 11 councillors. This is in accordance with the new scale of parish council representation.

14. Parish Affected

St Ives

a) Draft Proposal

Increase the membership of St Ives Town Council from 16 to 19 councillors.

b) Representations Received

St Ives Town Council strongly opposed the increase in membership.

c) Final Recommendations

Increase the membership of St Ives Town Council from 16 to 19 councillors which is in accordance with the new scale of parish council representation.

d) Reasons

To be consistent with other parishes and in accordance with the new scale of parish council representation.

15. Parishes Affected

**St Neots
Hail Weston
Eynesbury Hardwicke
St Neots Rural**

a) Draft Proposal

Amend various boundaries affecting St Neots and the surrounding parishes and increase the number of councillors on St Neots Town Council from 18 to 21.

b) Representations Received

St Neots Town Council supported the proposals for changes to the boundaries and made no comment on the increase in membership. St Neots and District Liberal Democrats have submitted an alternative proposal for this area which was considered and discounted by Members at an earlier stage of the consultation process.

c) Final Recommendations

Transfer the shaded areas from Hail Weston parish to St Neots Eaton Ford Ward of St Neots parish, from Eynesbury Hardwicke parish (Town Ward of Eynesbury Harwicke parish) to St Neots Eynesbury Ward of St Neots parish and from St Neots Rural parish and Eynesbury Hardwicke parish to St Neots Priory Park Ward of St Neots parish as shown on maps 13, 14 and 15. Increase the membership of St Neots Town Council from 18 to 21 councillors in accordance with the proposed new scale of parish council representation.

d) Reasons

To take account of existing and planned development and to meet the wishes of the parishes affected. To be consistent with other parishes and in accordance with the new scale of parish council representation, whilst allowing some flexibility to plus or minus 2 councillors within the new band.

e) Final Proposed Consequential Electoral Arrangements

That as a result of the amendments to the parish boundaries St Neots parish will consist of 21 councillors. This is in accordance with the new scale of parish council representation.

f) Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries

Transfer shaded area on map 13 from St Neots Eaton Ford Ward to Kimbolton and Staughton Ward and from Little Paxton and St Neots North Division to Brampton and Kimbolton Division.

Transfer shaded area on map 15 from Gransden and The Offords Ward to St Neots Priory Park Ward and from Buckden, Gransden and The Offords Division to St Neots Eaton Socon Division.

16. Parishes Affected

**Pidley-cum-Fenton
Somersham**

a) Draft Proposal

Amend the boundary between the parishes of Pidley-cum-Fenton and Somersham.

b) Representations Received

Somersham Parish Council raised no objection to the proposed boundary changes but strongly objected to any decrease in their membership. As the latter did not form part of the original draft proposals, no change is necessary. Pidley-cum-Fenton Parish Council also supported the proposed changes to the boundary.

c) Final Proposal

Transfer of the shaded area from Pidley-cum-Fenton parish to Somersham parish as shown on map 10.

d) Reasons

To provide a clearly defined boundary between the two parishes.

17. Parishes Affected

**Spaldwick
Ellington**

a) Draft Proposal

Amend the boundary between the parishes of Spaldwick and Ellington.

b) Representations Received

Spaldwick Parish Council supported the proposal for the change to the boundary. Ellington Parish Council also supported transfer of part of their parish to Spaldwick.

c) Final Recommendations

Transfer the shaded area from Ellington parish to Spaldwick parish as shown on map 21.

d) Reasons

To provide a clearly defined boundary between the two parishes.

18. Parishes Affected

**Warboys
Pidley-cum-Fenton
Wistow
Ramsey**

a) Draft Proposal

Amend the boundaries between the parishes of Warboys, Pidley-cum-Fenton, Wistow and Ramsey.

b) Representations Received

Warboys Parish Council accepted the proposals for changes. Pidley-cum-Fenton Parish Council approved the proposed changes.

c) Final Recommendations

Transfer of the shaded areas from the parishes of Pidley-cum-Fenton, Wistow and Ramsey to Warboys parish as shown on maps 18, 19 and 20.

d) Reasons

To meet the views of the parishes involved as the properties affected have more affinity of interest with the parish they are transferring to.

e) Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries

Transfer shaded area on map 18 from Somersham Ward to Warboys and Bury Ward and from Somersham and Earith Division to Warboys and Upwood Division.

Transfer shaded area on map 20 from Ramsey Ward to Warboys and Bury Ward and from Ramsey Division to Warboys and Upwood Division

19. Parishes Affected

**Woodhurst
Oldhurst
Houghton and Wyton
St Ives**

a) Draft Proposal

Amend the boundaries affecting the parishes of Woodhurst, Oldhurst, Houghton and Wyton and St Ives.

b) Representations Received

Woodhurst Parish Council opposed the proposals for changes to the boundaries affecting their parish. They submitted alternative proposals. St Ives Town Council supported proposals to amend the boundaries and transfer an area of land from the parish of Woodhurst to St Ives. They also suggested alternative arrangements for the transfer of other areas of land to Wyton-on-the-Hill.

c) Final Recommendations

Transfer the shaded areas A1 from Woodhurst parish to St Ives parish, A2 and C from Woodhurst parish to the Airfield Ward of Houghton and Wyton parish and B from Old Hurst parish to the Airfield Ward of Houghton and Wyton parish as shown on map 12.

d) Reasons

This transfer does not involve any properties, but aligns the parish boundaries more clearly with a geographical feature as the new boundary would follow the road and avoid the splitting of the airfield which potentially could be subject to development in the future.

e) Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries

Transfer shaded area A1 from Somersham Ward to St Ives West Ward, Somersham and Earith Division to St Ives Division and North West Cambridgeshire Constituency to Huntingdon Constituency.

Transfer shaded area A2 and C from Somersham Ward to Upwood and The Raveleys Ward and from Somersham and Earith Division to Warboys and Upwood Division.

Transfer shaded area B from Somersham Ward to Upwood and The Raveleys Ward and from Somersham and Earith Division to Warboys and Upwood Division.

20. Parishes Affected

**Buckden
Offord Cluny**

a) Draft Proposal

Amend the boundary affecting the parishes of Buckden and Offord Cluny.

b) Representations Received

No representations were made in respect of these proposals.

c) Final Recommendations

Amend the boundary to follow the course of the River Ouse to the east of the Mill House and transfer the shaded area from Offord Cluny parish to Buckden parish as shown on map 2.

d) Reasons

To provide a clearly defined boundary between the two parishes as the current boundary cuts directly through properties in the Mill House and is not easily identifiable.

e) Related Alterations to District Ward, County Division and Parliamentary Constituency Boundaries

Transfer shaded area from Gransden and The Offords Ward to Buckden Ward.

21. Parishes Affected

**Tetworth
Waresley**

a) Draft Proposal

Amalgamate the parish meeting of Tetworth with Waresley Parish Council consisting of 5 councillors.

b) Representations Received

No representations were made in respect of these proposals.

c) Final Recommendations

Amalgamate Waresley Parish Council with Tetworth Parish Meeting to form a new parish of Waresley-cum-Tetworth consisting of 5 councillors.

d) Reasons

To provide the electors of the area with more effective local government in that the parish to which the other parish will be amalgamated with has a more active and vibrant parish council and to be consistent with other parishes and in accordance with the new scale of parish council representation.

HUNTINGDONSHIRE DISTRICT COUNCIL

ELECTORATE AND FIVE YEAR FORECAST

Parish or Town Council/Parish Meeting	Current Number of Councillors	Electorate Dec-05	No. of Electors per Councillor	Parish wards	No. of councillors	Electorate	No. of Electors per Councillor	Electorate mid-2011	District Ward
Abbotsley	7	332	47					340	Gransden & The Offords
Abbots Ripton	6	245	41					250	Upwood & The Raveleys
Alconbury	11	1162	106					1180	Alconbury & The Stukeleys
Alconbury Weston	7	580	83					590	Alconbury & The Stukeleys
Alwalton	5	258	52					260	Elton & Folksworth
Barham & Woolley	5	42	8					40	Ellington
Bluntisham	11	1483	135					1500	Earith
Brampton	15	3716	248					3,780	Brampton
Brington & Molesworth	5	187	37					190	Ellington
Broughton	7	198	28					200	Somersham
Buckden	15	2175	145					2210	Buckden
Buckworth	5	93	19					90	Ellington
Bury	9	1257	140					1270	Warboys & Bury
Bythorn & Keyston	5	225	45					230	Ellington
Catworth	9	268	30					270	Ellington
Chesterton	Meeting	100						100	Elton & Folksworth
Colne	9	626	70					660	Somersham
Conington	5	163	33					170	Sawtry
Covington	Meeting	68						70	Kimbolton & Staughton
Denton & Caldecote	Meeting	48						50	Stilton
Diddington	Meeting	72						70	Buckden
Earith	11	1241	113					1260	Earith
Easton	5	129	26					130	Ellington
Ellington	7	491	70					500	Ellington
Elton	11	555	50					560	Elton & Folksworth
Eynesbury Hardwicke	9	1408	156	Spinney Ward	3	46	15	50	Gransden & The Offords
				Town Ward	6	1362	227	1380	St. Neots Eynesbury

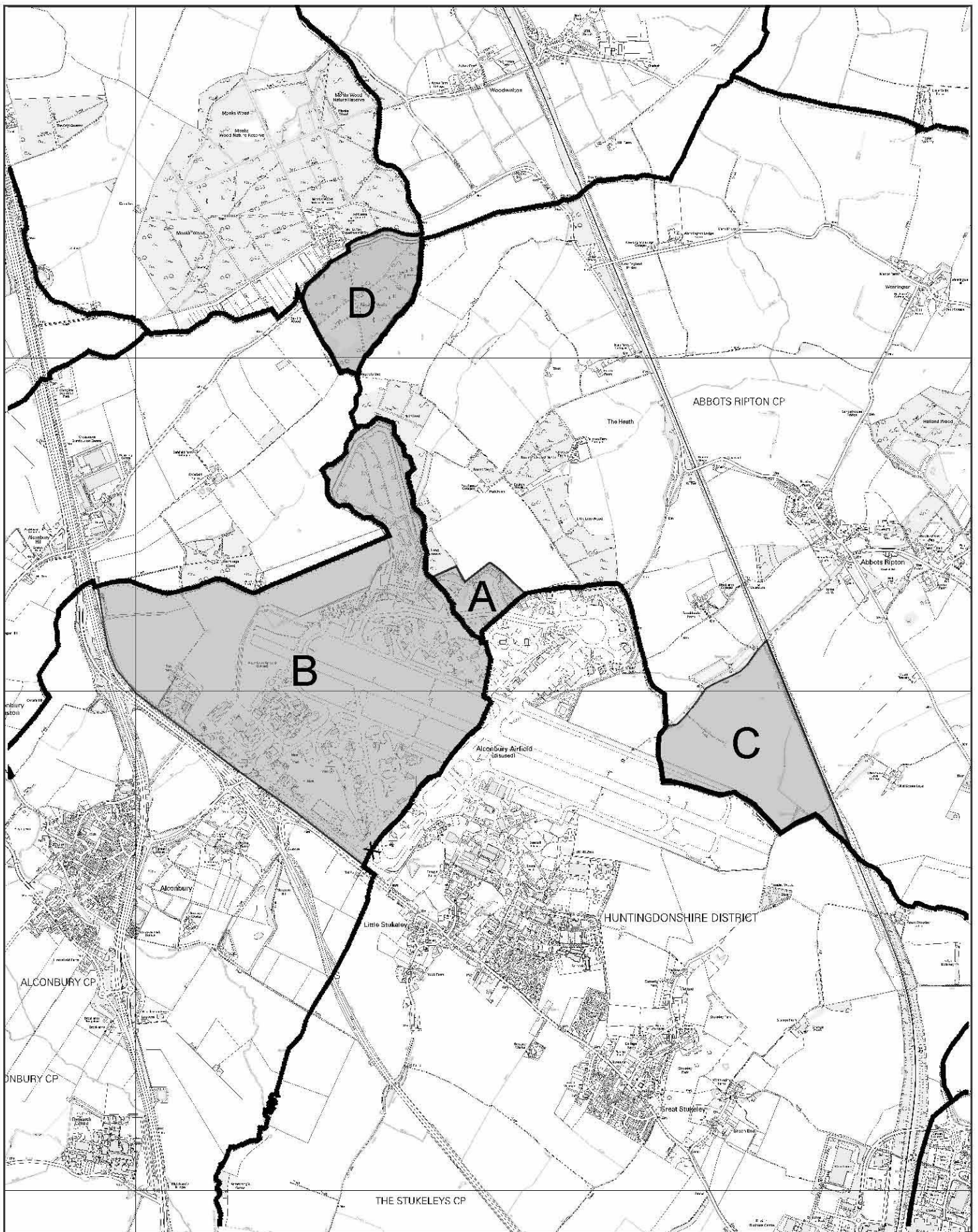
Parish or Town Council/Parish Meeting	Current Number of Councillors	Electorate Dec-05	No. of Electors per Councillor	Parish wards	No. of councillors	Electorate	No. of Electors per Councillor	Electorate mid-2011	District Ward
Farcet	11	1348	123					1370	Yaxley & Farcet
Fenstanton	15	2452	164					2490	Fenstanton
Folksworth & Washingley	9	750	83					760	Elton & Folksworth
Godmanchester	15	4571	305					5090	Godmanchester
Great & Little Gidding	8	265	33					270	Sawtry
Glatton	5	251	50					250	Sawtry
Grafham	7	463	66					470	Brampton
Great Gransden	9	761	85					770	Gransden & The Offords
Great Paxton	9	782	87					790	Gransden & The Offords
Great Staughton	11	657	60					670	Kimbolton & Staughton
Haddon	Meeting	39						40	Elton & Folksworth
Hail Weston	7	482	69					490	Kimbolton & Staughton
Hamerton	Meeting	74						80	Sawtry
Hemingford Abbots	7	510	73					520	The Hemingfords
Hemingford Grey	13	2075	160					2110	The Hemingfords
Hilton	9	755	84					780	The Hemingfords
Holme	9	471	52					490	Stilton
Holywell-cum-Needingworth	13	1962	151					1990	Earith
Houghton & Wyton	13	2247	173	Houghton & Wyton Ward	9	1292		1470	The Hemingfords
				Airfield Ward	4	955		970	Upwood & The Raveleys
* Huntingdon	16	14328	896	West No. 1	5	5773	1155	6880	Huntingdon East/Huntingdon West
				West No. 2	3	1519	506		Huntingdon North
				North	8	7036	880		Huntingdon East/Huntingdon West
Kimbolton & Stonely	11	1065	97					1080	Kimbolton & Staughton
Kings Ripton	5	141	28					140	Upwood & The Raveleys

Parish or Town Council/Parish Meeting	Current Number of Councillors	Electorate Dec-05	No. of Electors per Councillor	Parish wards	No. of councillors	Electorate	No. of Electors per Councillor	Electorate mid-2011	District Ward
Leighton Bromswold	7	164	23					170	Ellington
Little Paxton	15	2438	163					2710	Little Paxton
Morborne	Meeting	22						20	Elton & Folksworth
Offord Cluny	7	401	57					410	Gransden & The Offords
Offord D'Arcy	7	634	91					640	Gransden & The Offords
Oldhurst	7	214	31					220	Somersham
Old Weston	7	158	23					160	Ellington
Perry	9	578	64					580	Brampton
Pidley-cum-Fenton	7	302	43					310	Somersham
Ramsey	17	6424	378					6590	Ramsey
St. Ives	16	12231	765	East	6	5097	850	5190	St. Ives East
				South	6	4851	809	4980	St. Ives South
				West	4	2283	571	2490	St. Ives West
St. Neots	18	20135	1119	Eaton Ford	3	5352	1784	5440	St. Neots Eaton Ford
				Eaton Socon	5	4211	843	4290	St. Neots Eaton Socon
				Eynesbury	6	5971	996	6840	St. Neots Eynesbury
				Priory Park	4	4601	1151	4800	St. Neots Priory Park
St. Neots Rural	5	52	10					760	Gransden & The Offords
Sawtry	15	4080	272					4150	Sawtry
Sibson-cum-Stibbington	7	343	49					350	Elton & Folksworth
Somersham	15	2910	194					2950	Somersham
Southoe & Midloe	7	321	46					330	Buckden
Spaldwick	7	436	62					440	Ellington
Steeple Gidding	Meeting	19						20	Sawtry
Stilton	11	1841	167					1870	Stilton
Stow Longa	5	97	19					100	Ellington
The Stukeleys	16	1232	77	Stukeleys Ward	13	774	60	1500	Alconbury & The Stukeleys
				Hinchingbroke Ward	3	458	153	470	Huntingdon West
Tetworth	Meeting	33						30	Gransden & The Offords
Tilbrook	7	201	29					200	Kimbolton & Staughton

Parish or Town Council/Parish Meeting	Current Number of Councillors	Electorate Dec-05	No. of Electors per Councillor	Parish wards	No. of councillors	Electorate	No. of Electors per Councillor	Electorate mid-2011	District Ward
Toseland	5	65	13					70	Gransden & The Offords
Upton & Coppingford	5	178	36					180	Sawtry
Upwood & The Raveleys	11	932	85					950	Upwood & The Raveleys
Warboys	15	2997	200					3050	Warboys & Bury
Waresley	5	207	41					210	Gransden & The Offords
Water Newton	Meeting	53						50	Elton & Folksworth
Winwick	Meeting	80						80	Sawtry
Wistow	7	429	61					440	Warboys & Bury
Woodhurst	7	296	42					300	Somersham
Woodwalton	5	168	34					170	Upwood & The Raveleys
Yaxley	13	6259	482					6910	Yaxley & Farcet
Yelling	7	235	34					240	Gransden & The Offords
TOTAL		120,778							

**Under the District of Huntingdonshire (Electoral Changes) Order 2002 the existing wards of the parish of Huntingdon are abolished. The parish is divided into three parish wards bearing the names Huntingdon East, Huntingdon North and Huntingdon West. Each parish ward is coterminous with the District Wards bearing the same name. The number of Councillors for each parish ward is outlined below –*

Parish or Town Council/Parish Meeting	Current Number of Councillors	Electorate Dec-05	No. of Electors per Councillor	Parish wards	No. of councillors	Electorate	No. of Electors per Councillor	Electorate mid-2011	District Ward
Huntingdon	16	14328	896	East	8			6880	Huntingdon East
				North	4			4010	Huntingdon North
				West	4			4400	Huntingdon West






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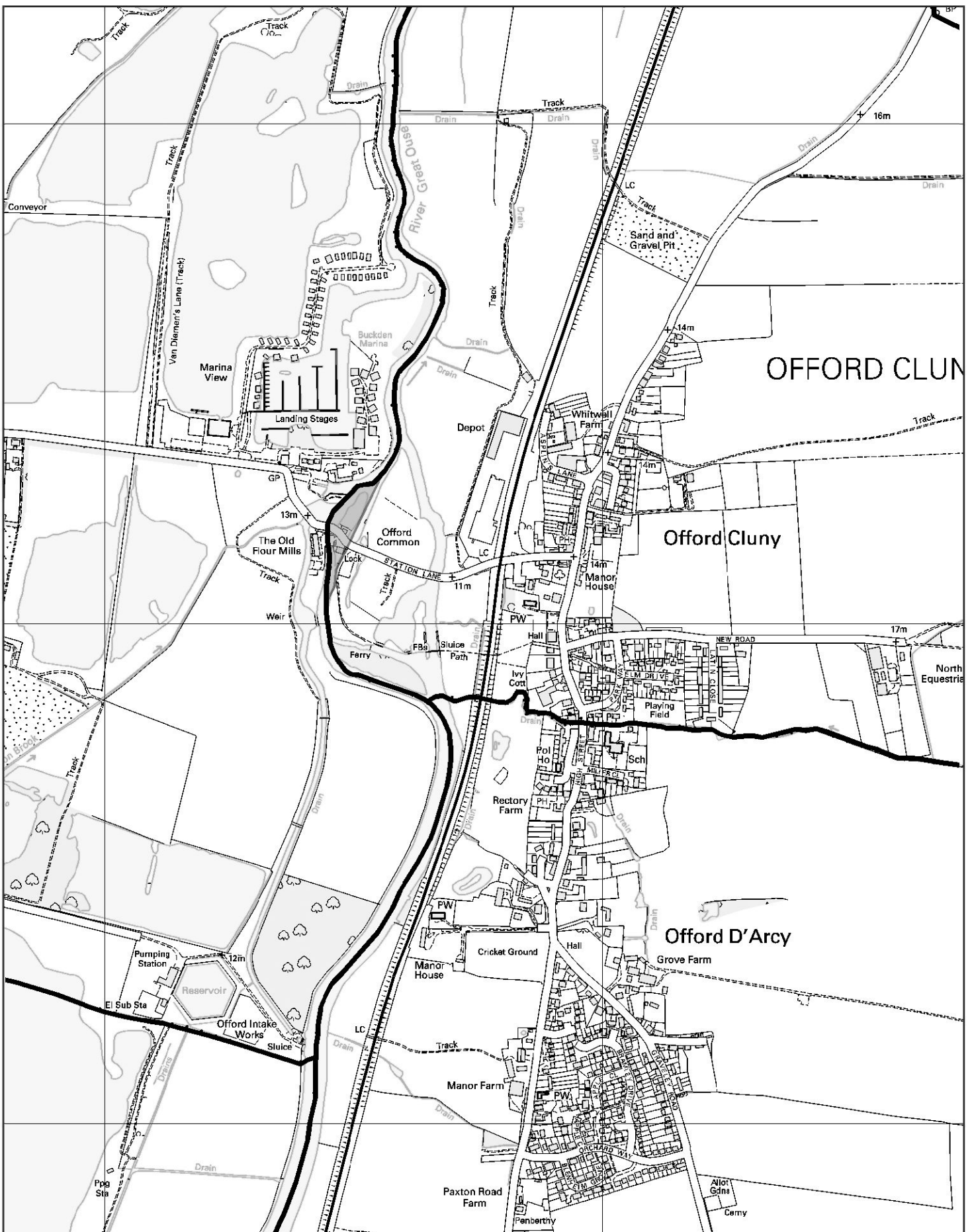
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Proposals for Parish Boundaries:
Map1 (Abbots Ripton/ Alconbury/ The Stukeleys)

November 2007

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer




Huntingdonshire
DISTRICT COUNCIL



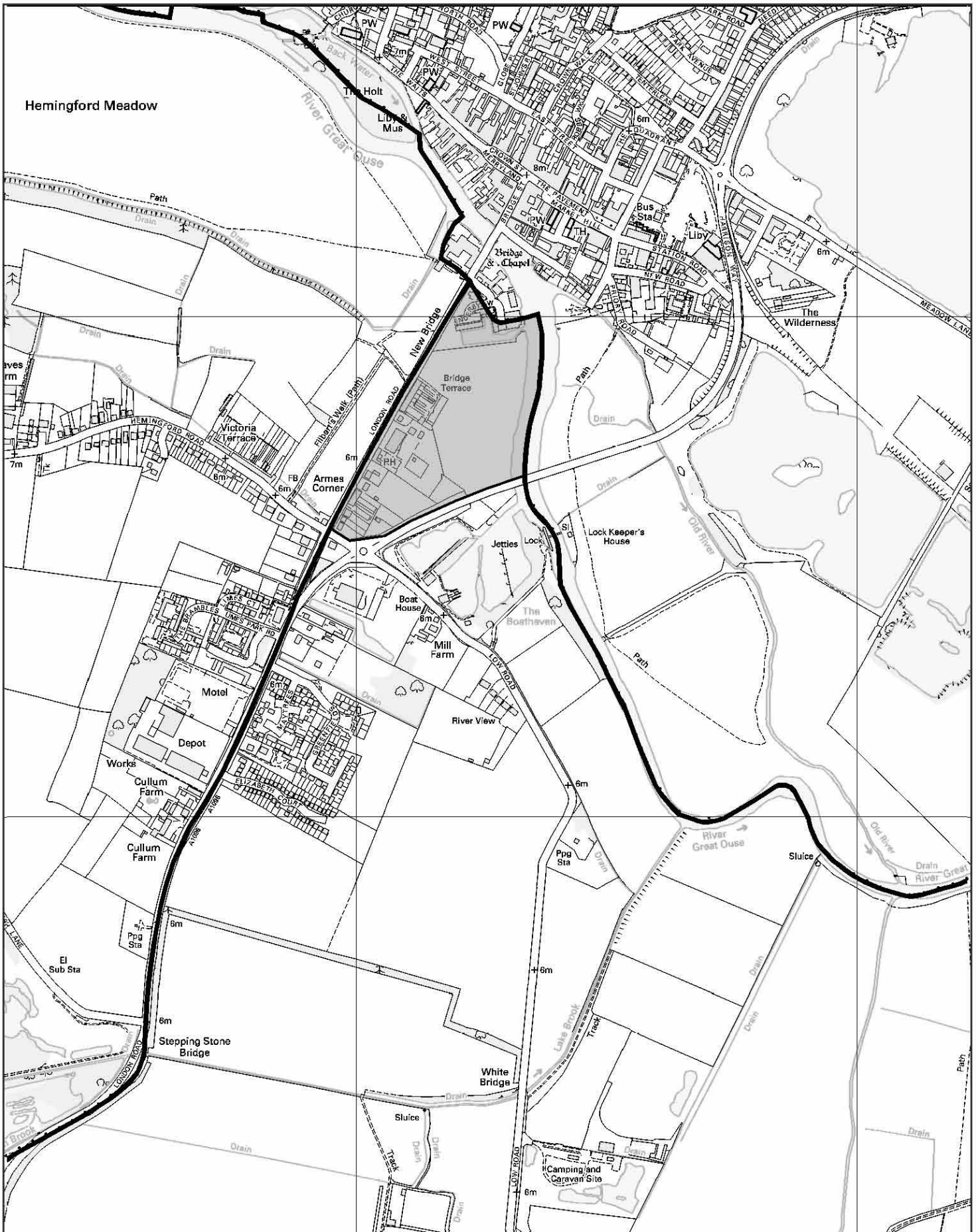
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**Proposals for Parish Boundaries:
 Map2 (Buckden/ Offord Cluny)**

November 2006

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
DISTRICT COUNCIL






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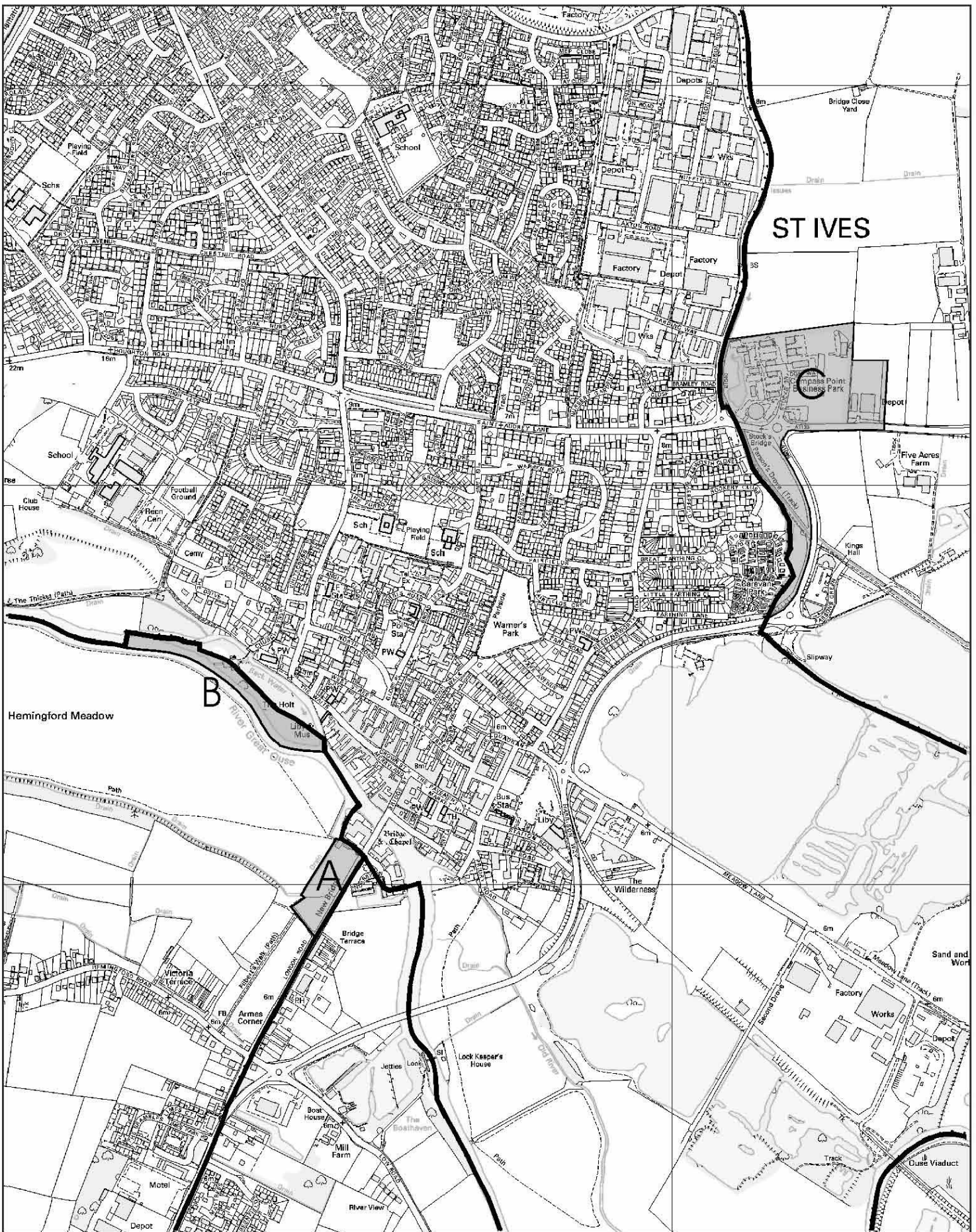
Scale 1:10,000

**Proposals for Parish Boundaries:
 Map 3 (Fenstanton/ St Ives)**

November 2007

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
DISTRICT COUNCIL






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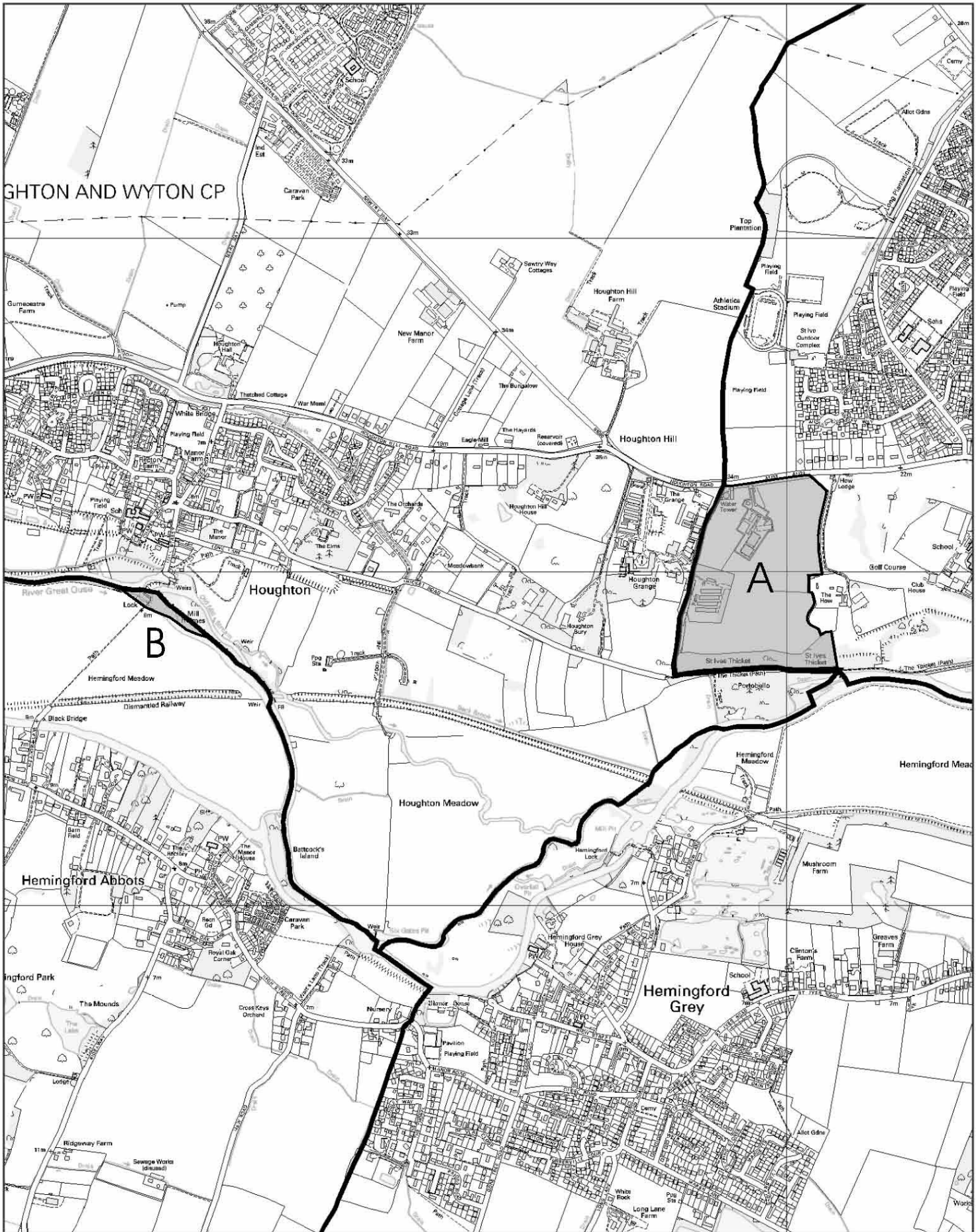
Scale 1:10,000

**Proposals for Parish Boundaries:
 Map 4 & 5 (Hemingford Grey/ St Ives South)**

November 2007

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
DISTRICT COUNCIL






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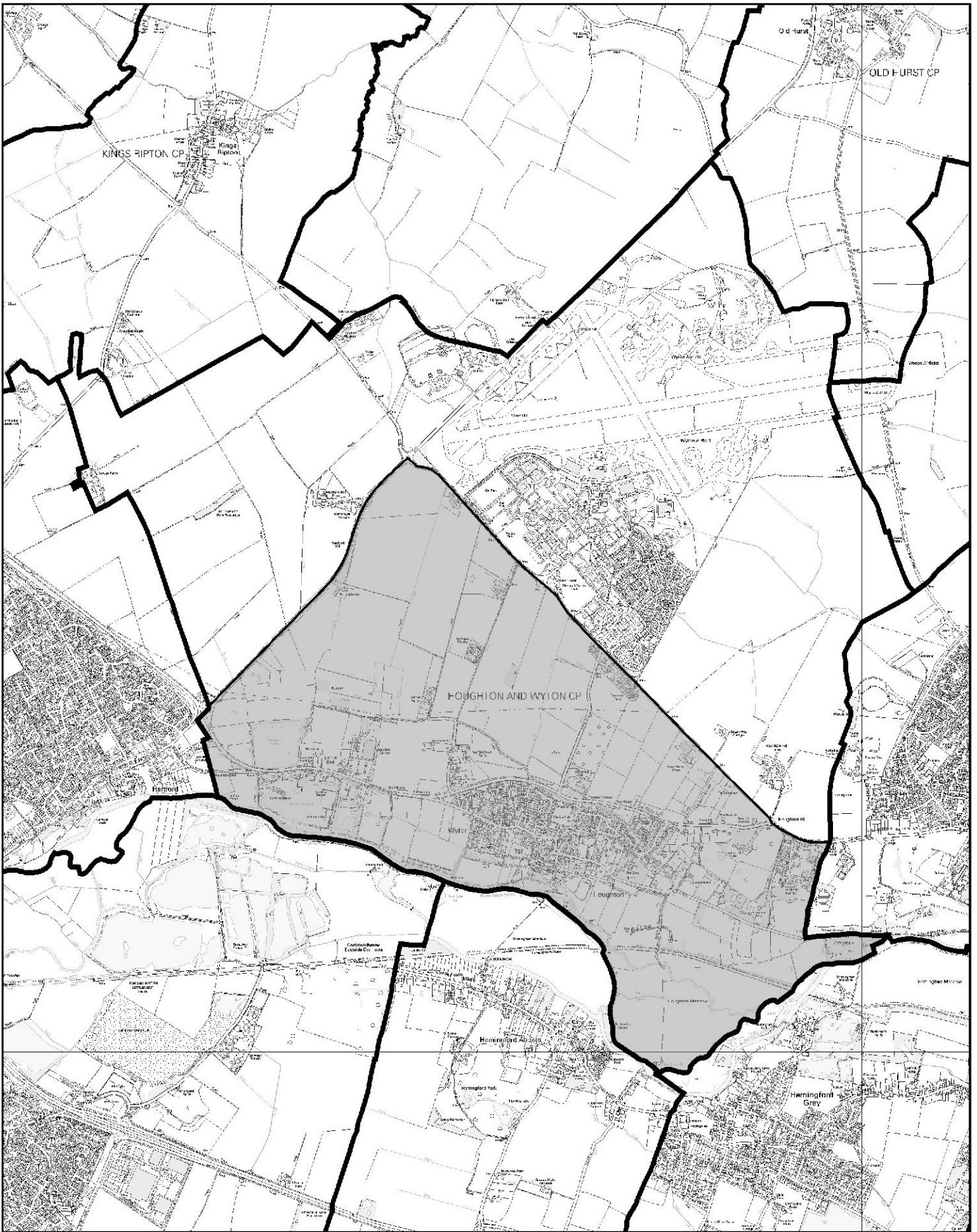
Scale 1:15,000

**Proposals for Parish Boundaries:
Map 6 (Houghton & Wyton / Huntingdon)**

November 2007

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
DISTRICT COUNCIL






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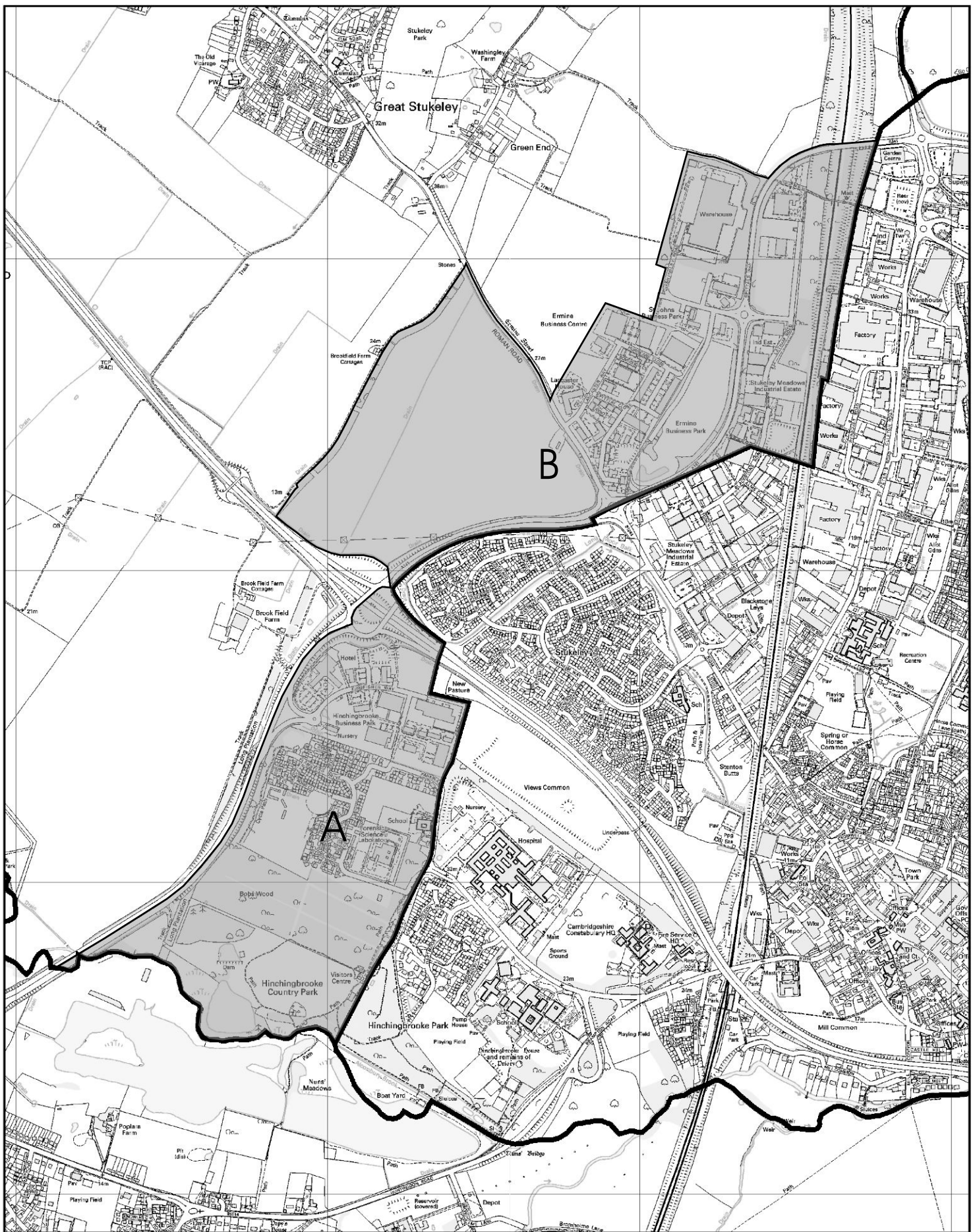
Scale 1:30,000

**Proposals for Parish Boundaries:
 Map 7 (Houghton & Wyton)**

November 2006

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
DISTRICT COUNCIL






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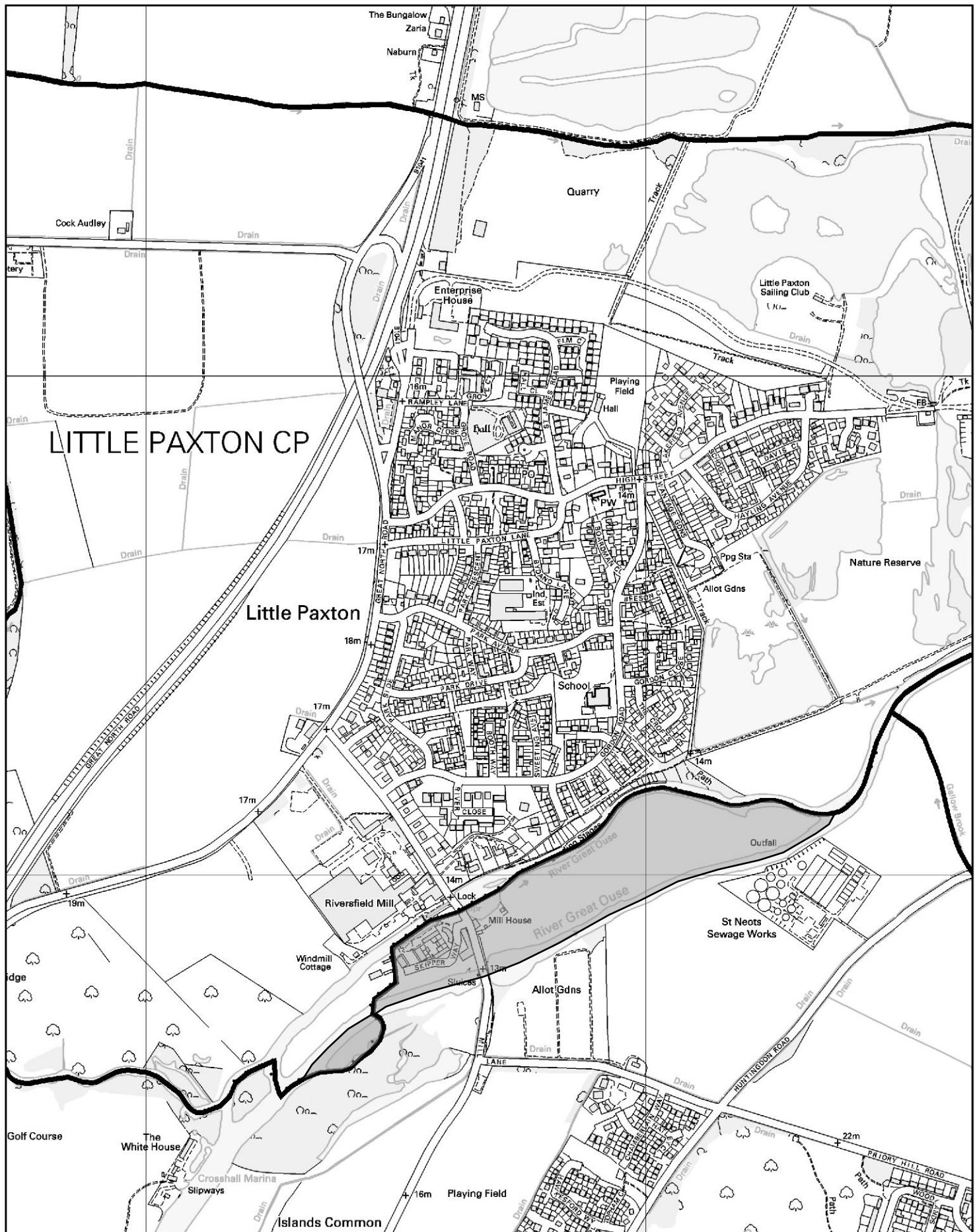
Scale : 1:16000

Proposals for Parish Boundaries:
Map8 (Huntingdon /The Stukeleys)

November 2006

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
district council






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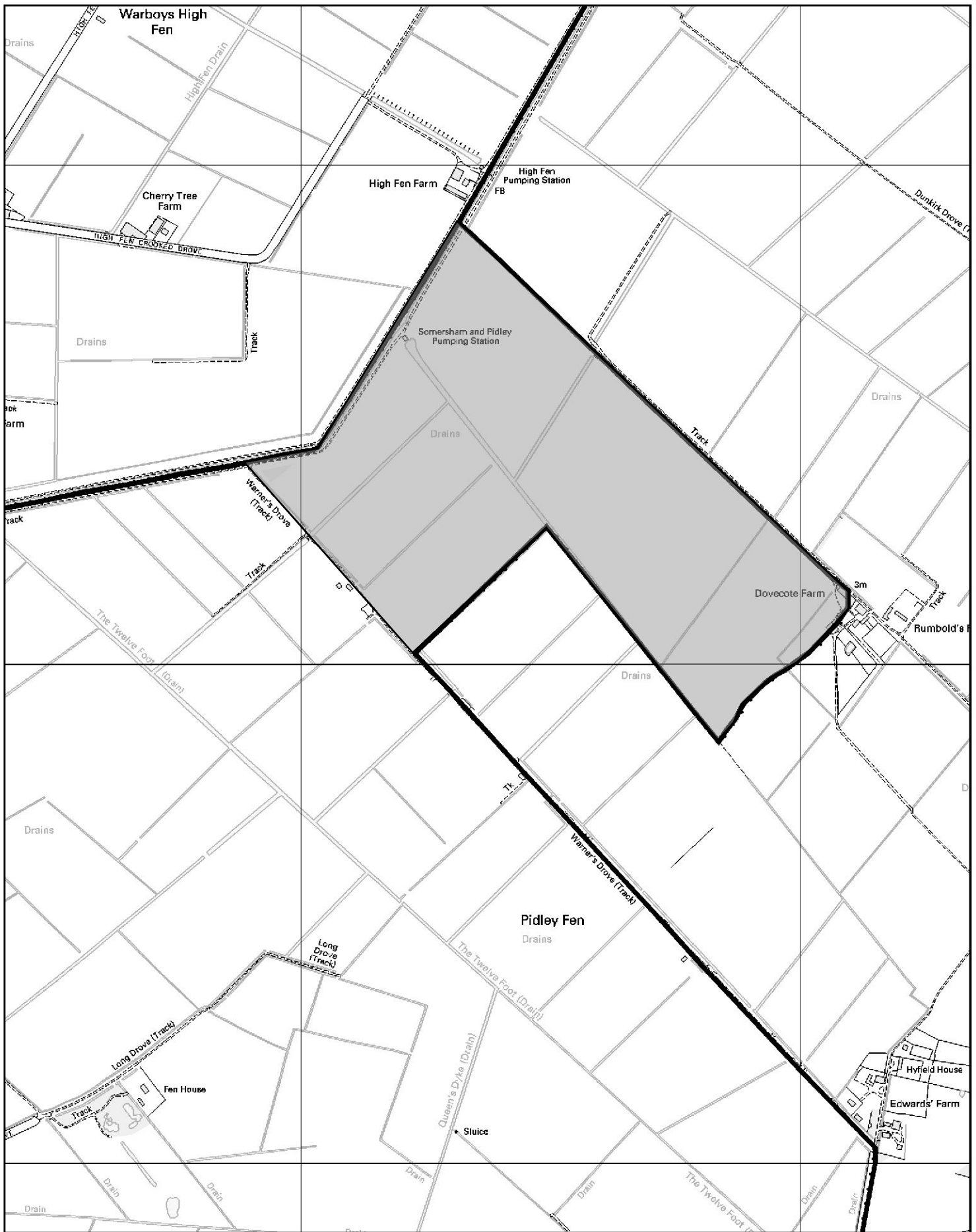
Scale : 1:10000

Proposals for Parish Boundaries:
Map9 (Little Paxton / St Neots Priory Park)

November 2006




-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
DISTRICT COUNCIL

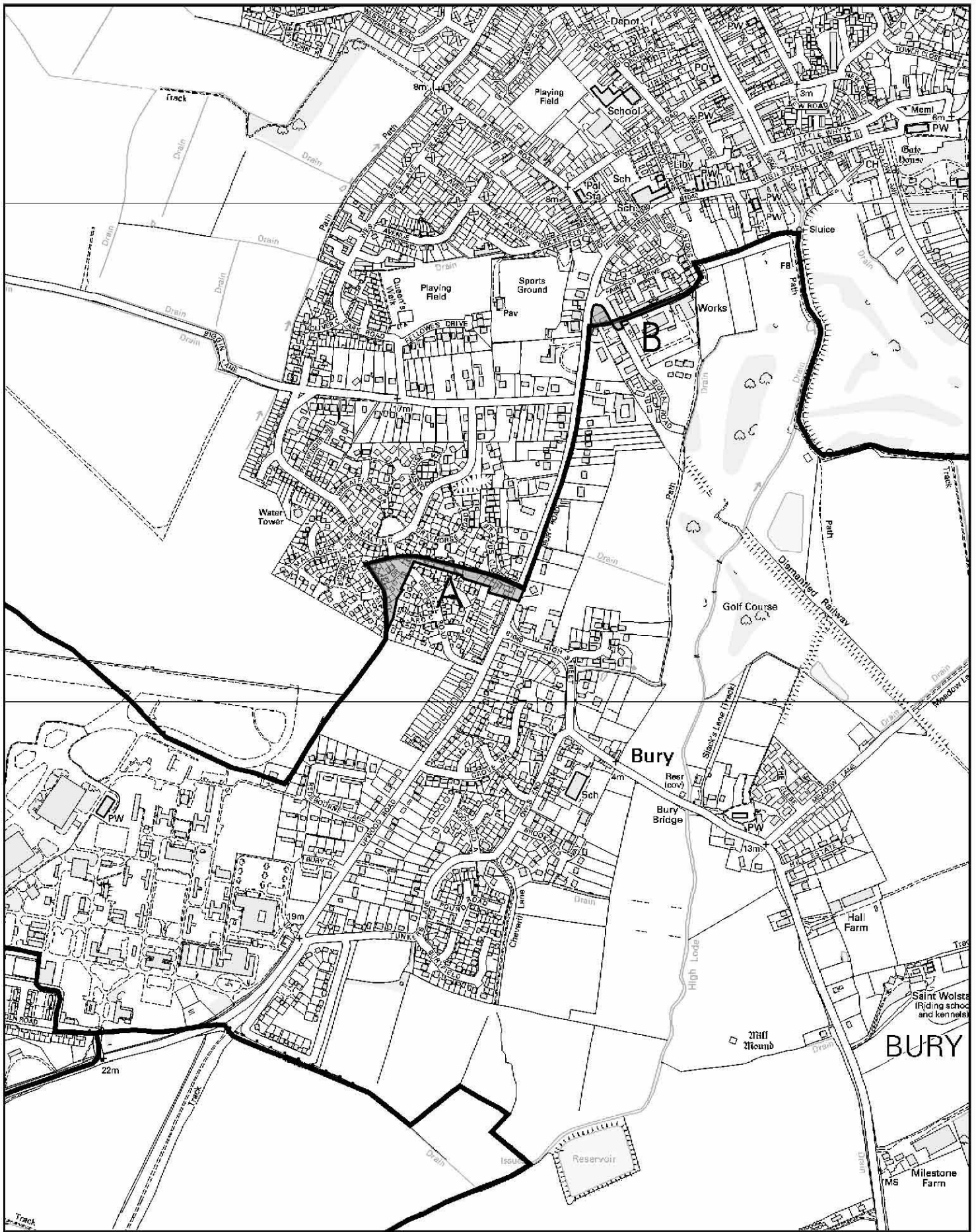


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Scale : 1:10000

<p>Proposals for Parish Boundaries: Map10 (Pidley-cum-Fenton/ Somersham) November 2006</p>	 Existing Parish boundary
	 Proposed Parish boundary
	 Area of proposed transfer

Huntingdonshire
district council






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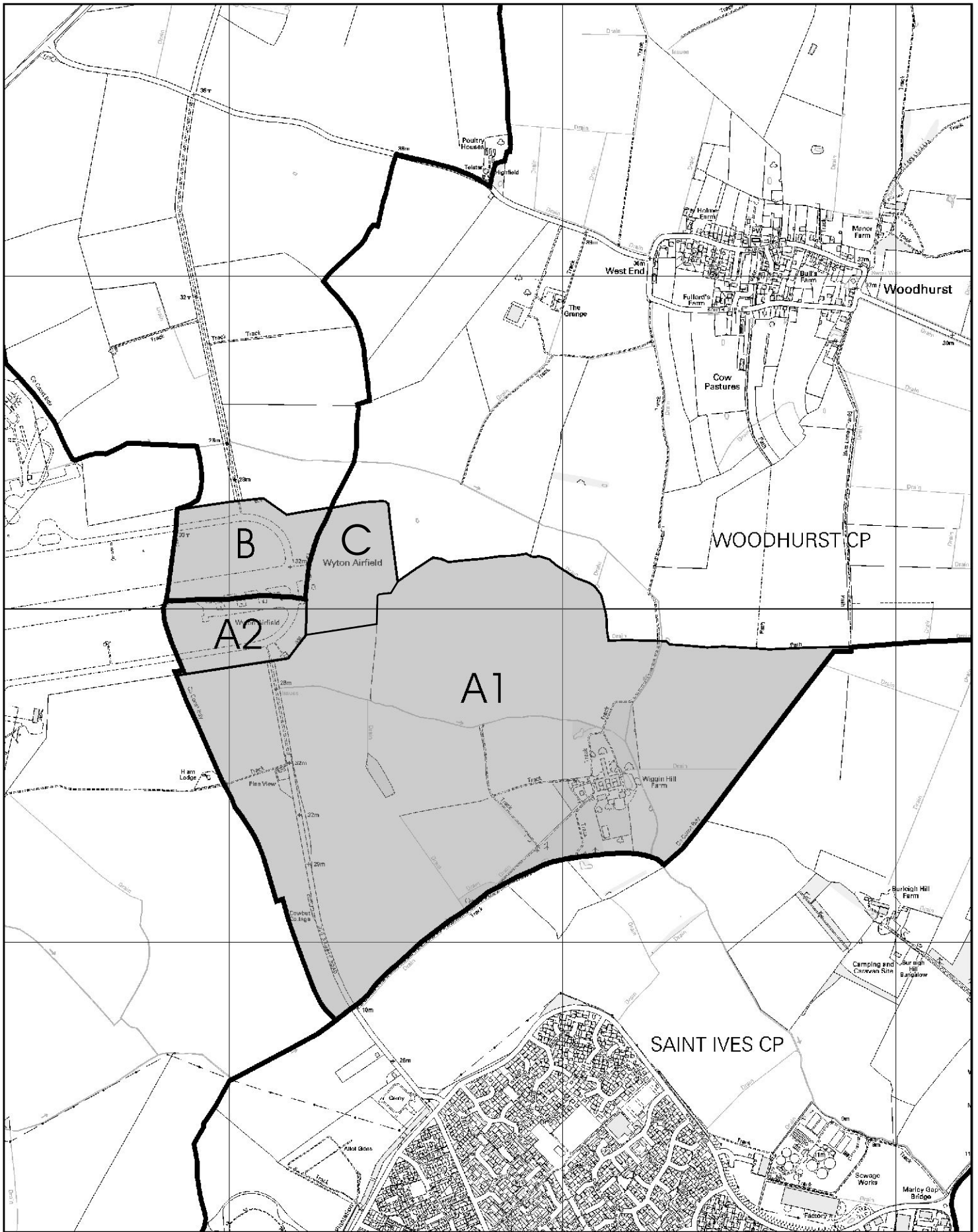
Scale : 1:10000

Proposals for Parish Boundaries:
Map11 (Ramsey / Bury)

November 2007

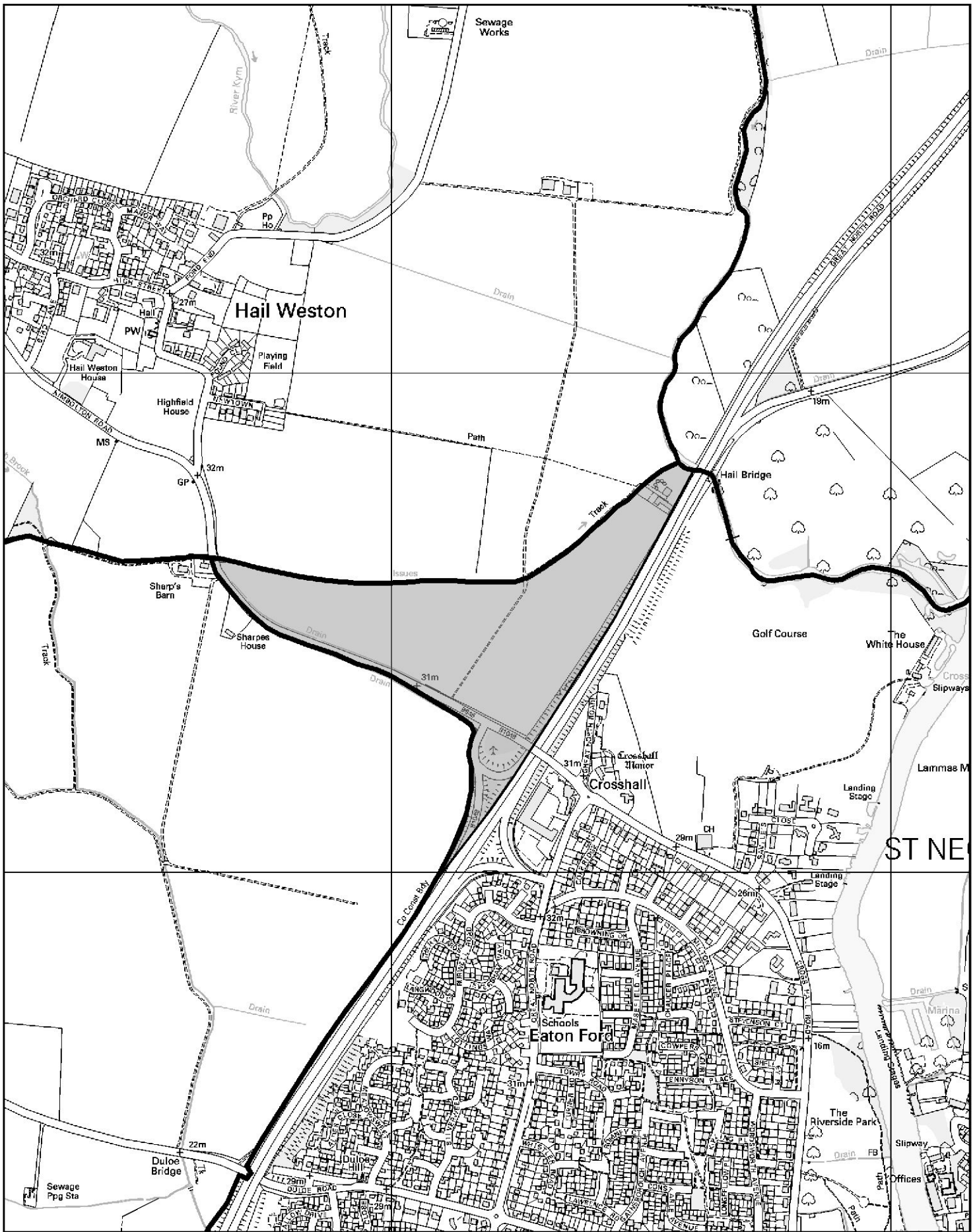
-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
district council



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<p>Proposals for Parish Boundaries: Map12 (St Ives/Woodhurst/Oldhurst/Houghton & Wyton) November 2007</p>	<table border="0"> <tr> <td style="border: 2px solid black; width: 20px; height: 10px; display: inline-block;"></td> <td>Existing Parish boundary</td> </tr> <tr> <td style="border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></td> <td>Proposed Parish boundary</td> </tr> <tr> <td style="background-color: #cccccc; width: 20px; height: 10px; display: inline-block;"></td> <td>Area of proposed transfer</td> </tr> </table>		Existing Parish boundary		Proposed Parish boundary		Area of proposed transfer	<p>Huntingdonshire <small>DISTRICT COUNCIL</small></p>
	Existing Parish boundary							
	Proposed Parish boundary							
	Area of proposed transfer							






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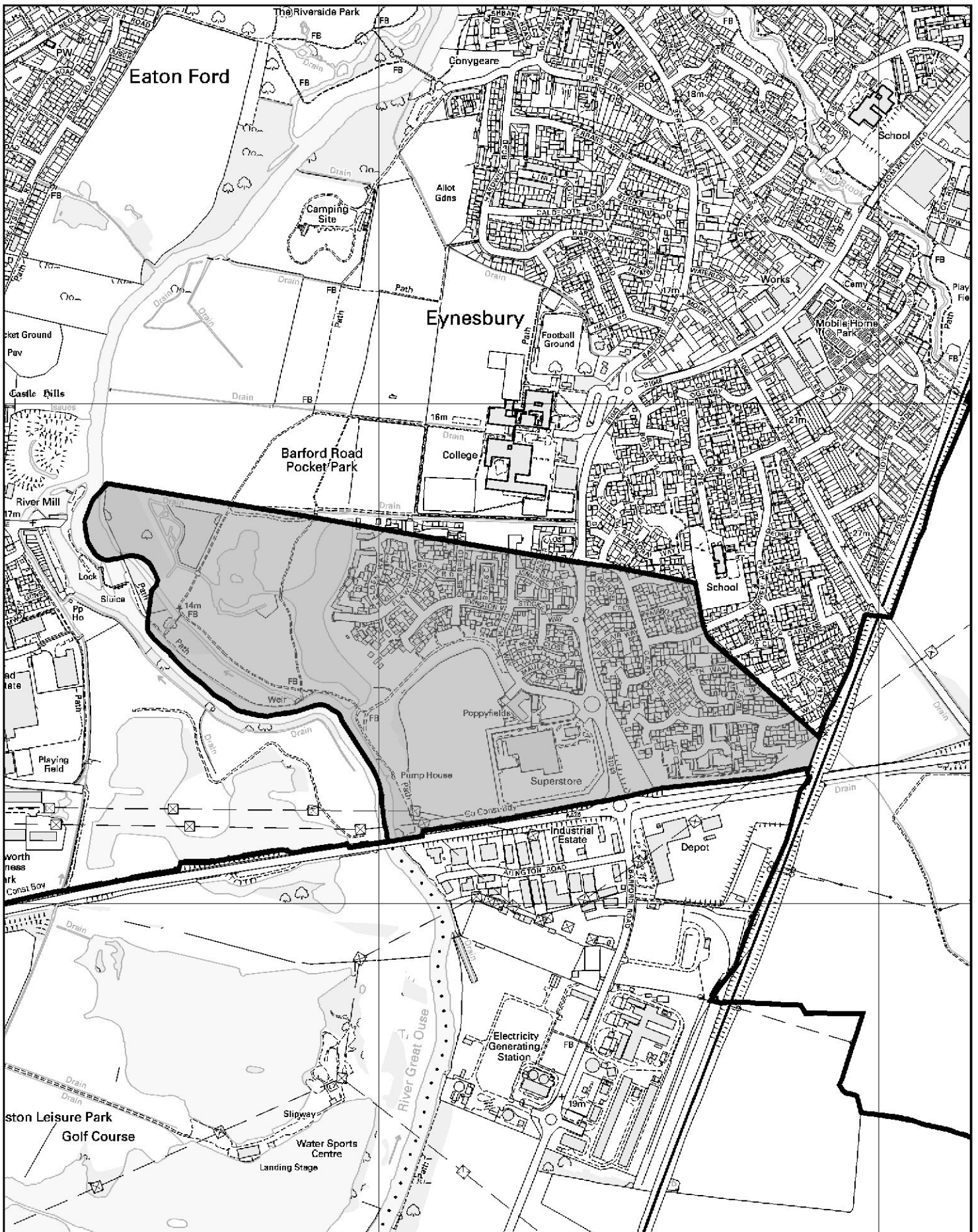
Scale : 1:10000

Proposals for Parish Boundaries:
Map13 (St Neots/ Hail Weston)

November 2006

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
DISTRICT COUNCIL






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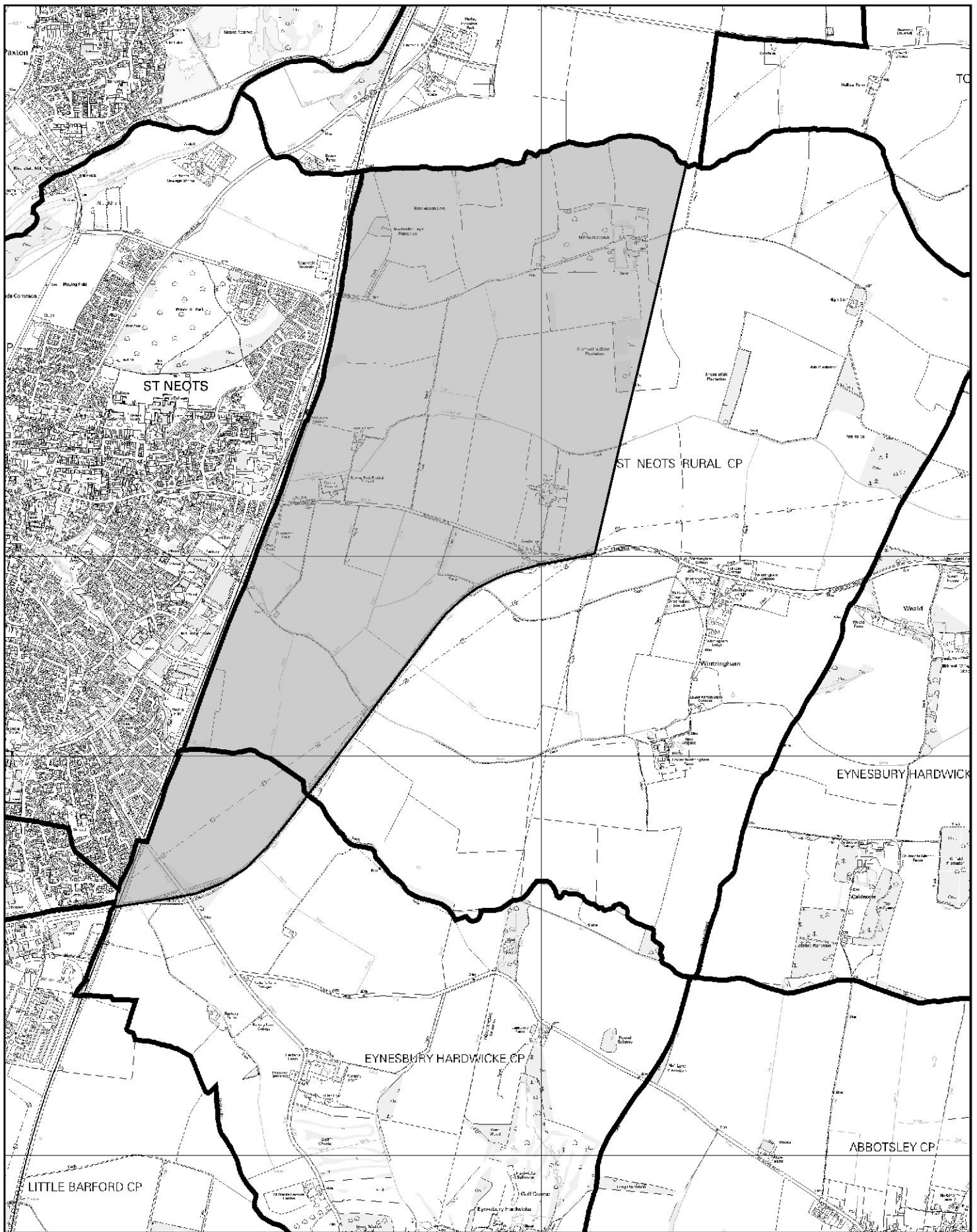
Scale : 1:10000

**Proposals for Parish Boundaries:
Map14 (St Neots/ Eynesbury Hardwicke)**

November 2006

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
DISTRICT COUNCIL






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Scale : 1:25000

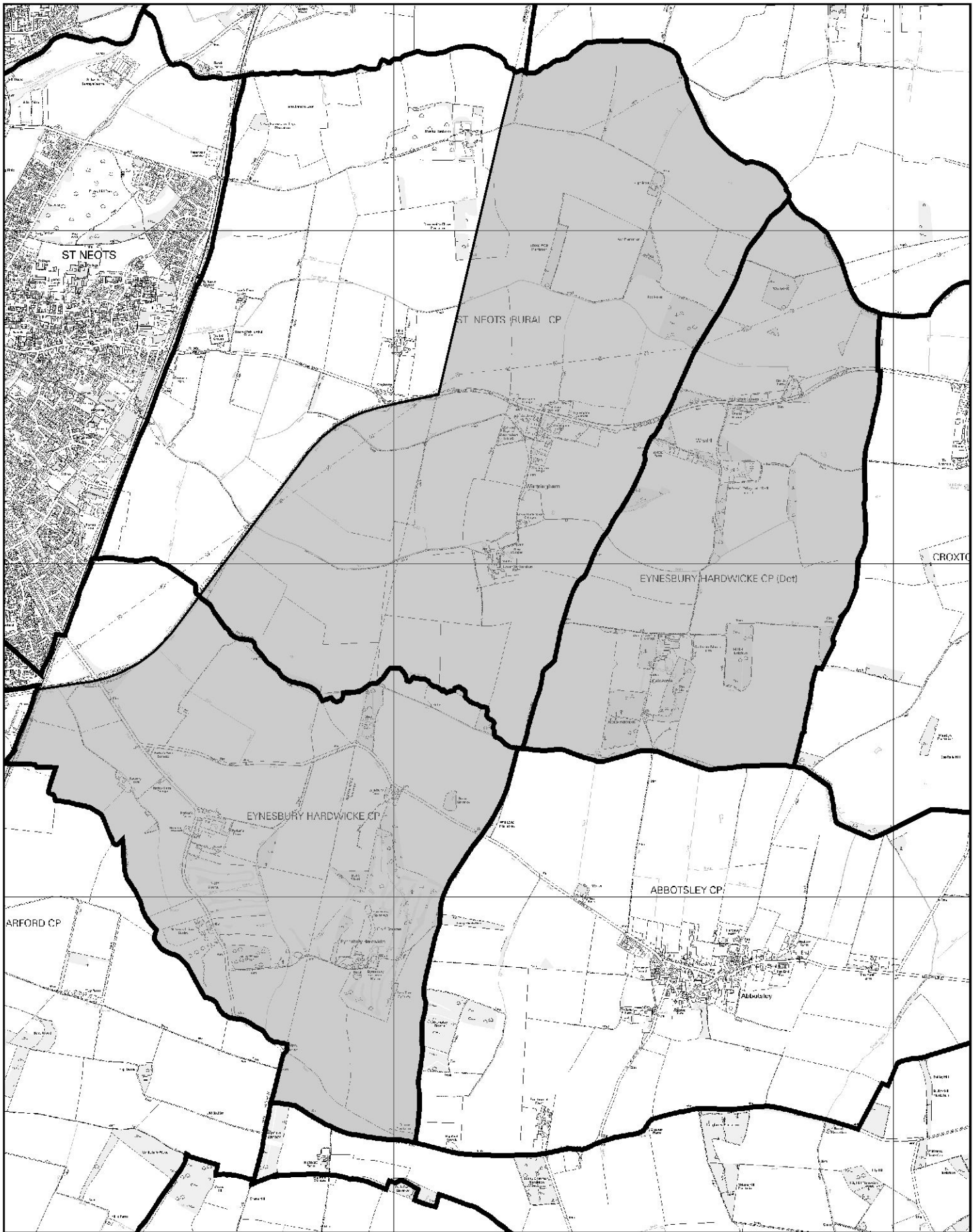
Proposals for Parish Boundaries:

Map15 (St Neots/ Eynesbury Hardwicke/ St Neots Rural)

November 2006

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

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DISTRICT COUNCIL






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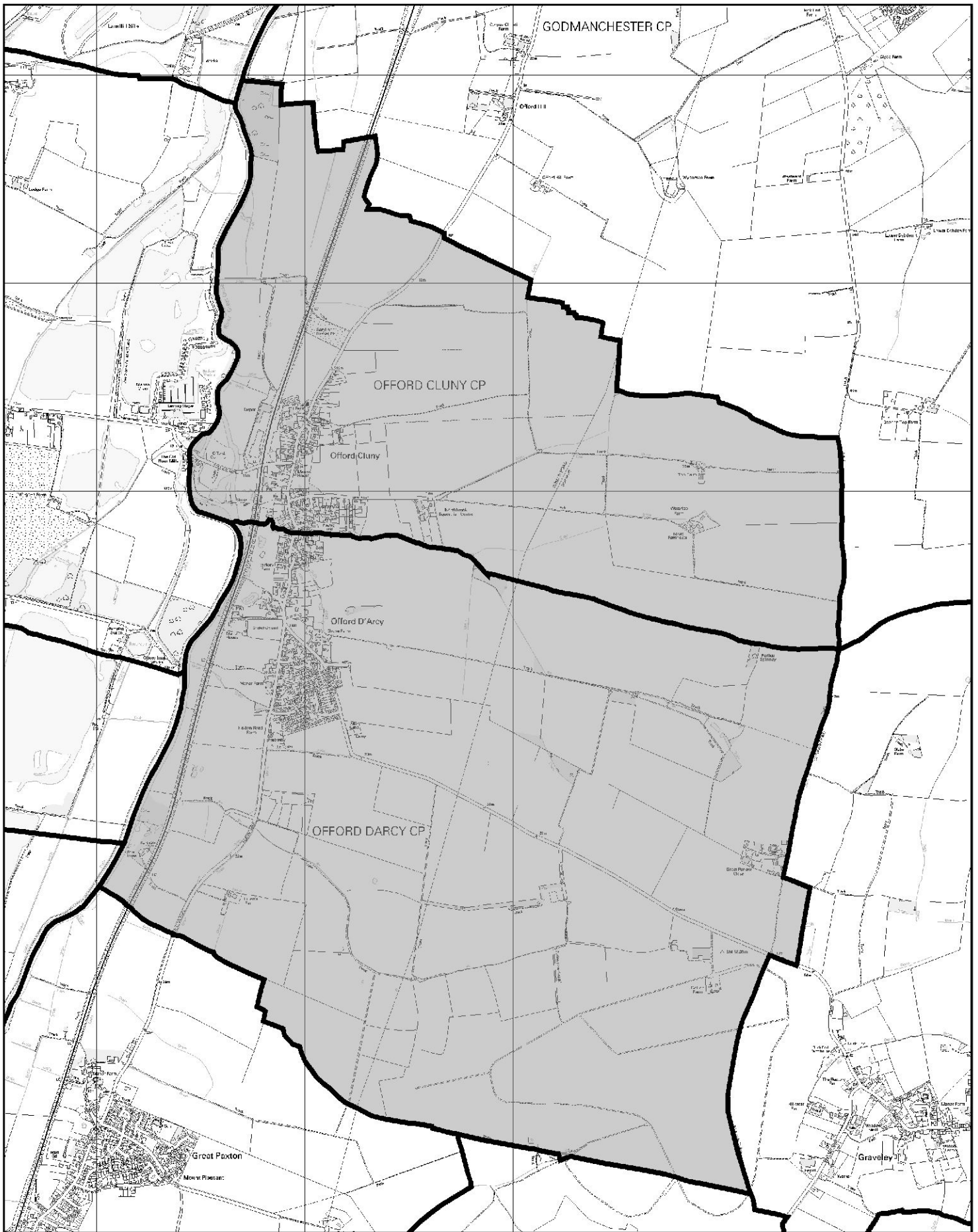
Scale : 1:30000

Proposals for Parish Boundaries:
Map16 (St Neots Rural/ Eynesbury Hardwicke/
 Abbotsley)

November 2006

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
DISTRICT COUNCIL






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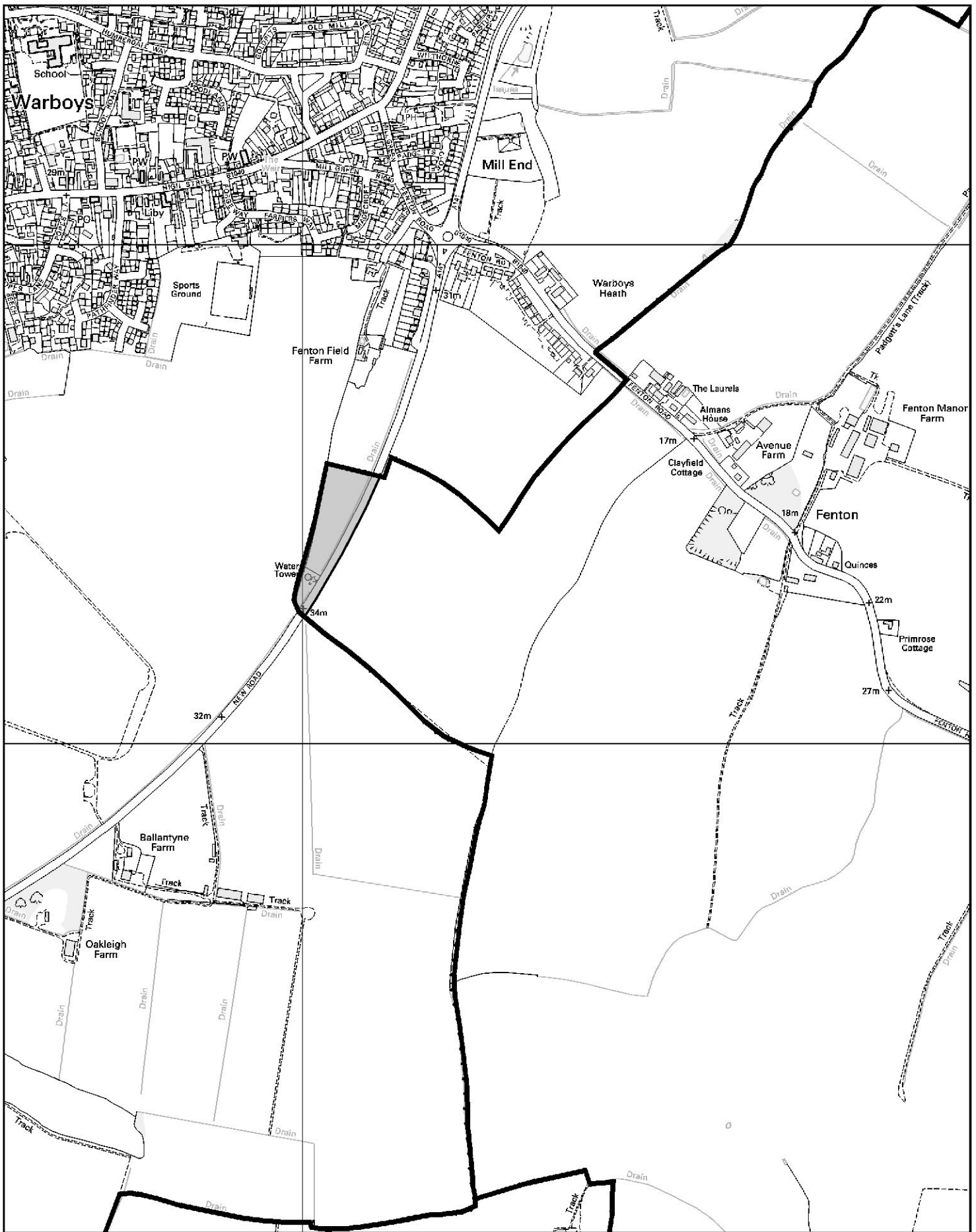
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Proposals for Parish Boundaries:
Map17 (The Offords)

November 2006

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
district council






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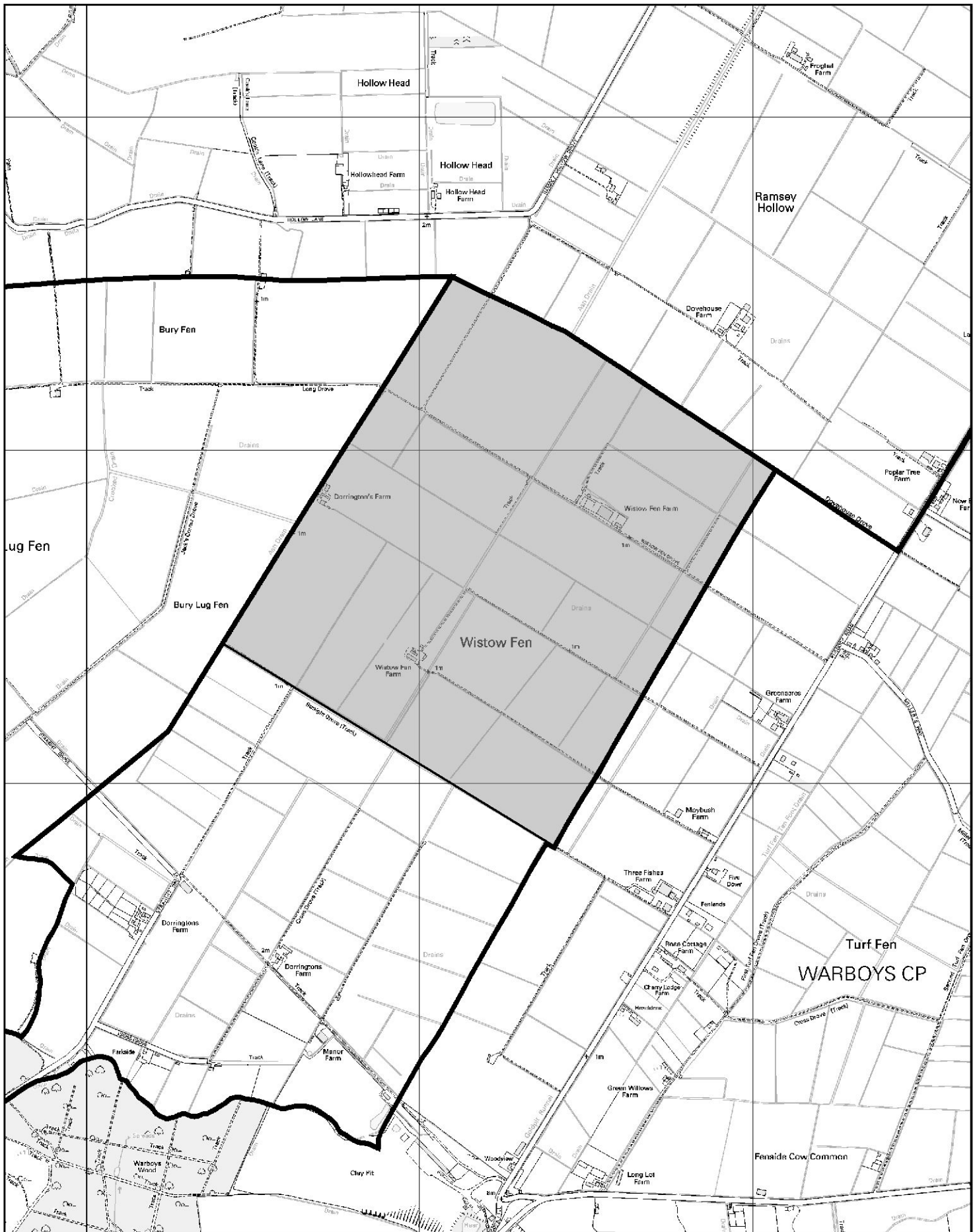
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Proposals for Parish Boundaries:
Map18 (Warboys/ Pidley-cum-Fenton)

November 2006

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
district council






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Scale : 1:15000

Proposals for Parish Boundaries:
Map19 (Warboys/ Wistow)

November 2006

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
DISTRICT COUNCIL



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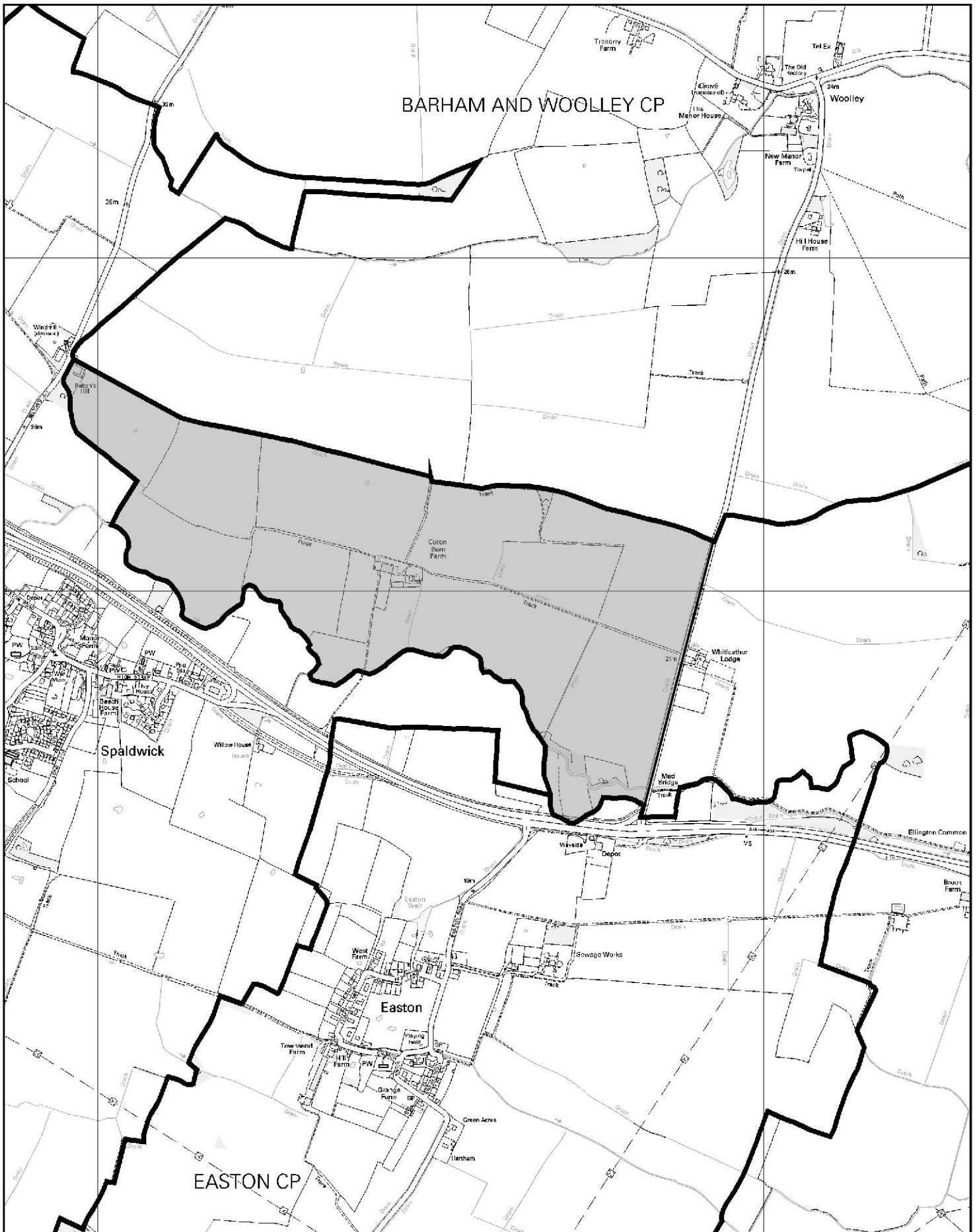
Scale : 1:25000

Proposals for Parish Boundaries:
Map20 (Warboys/ Ramsey)

November 2006

- Existing Parish boundary
- Proposed Parish boundary
- Area of proposed transfer

Huntingdonshire
district council






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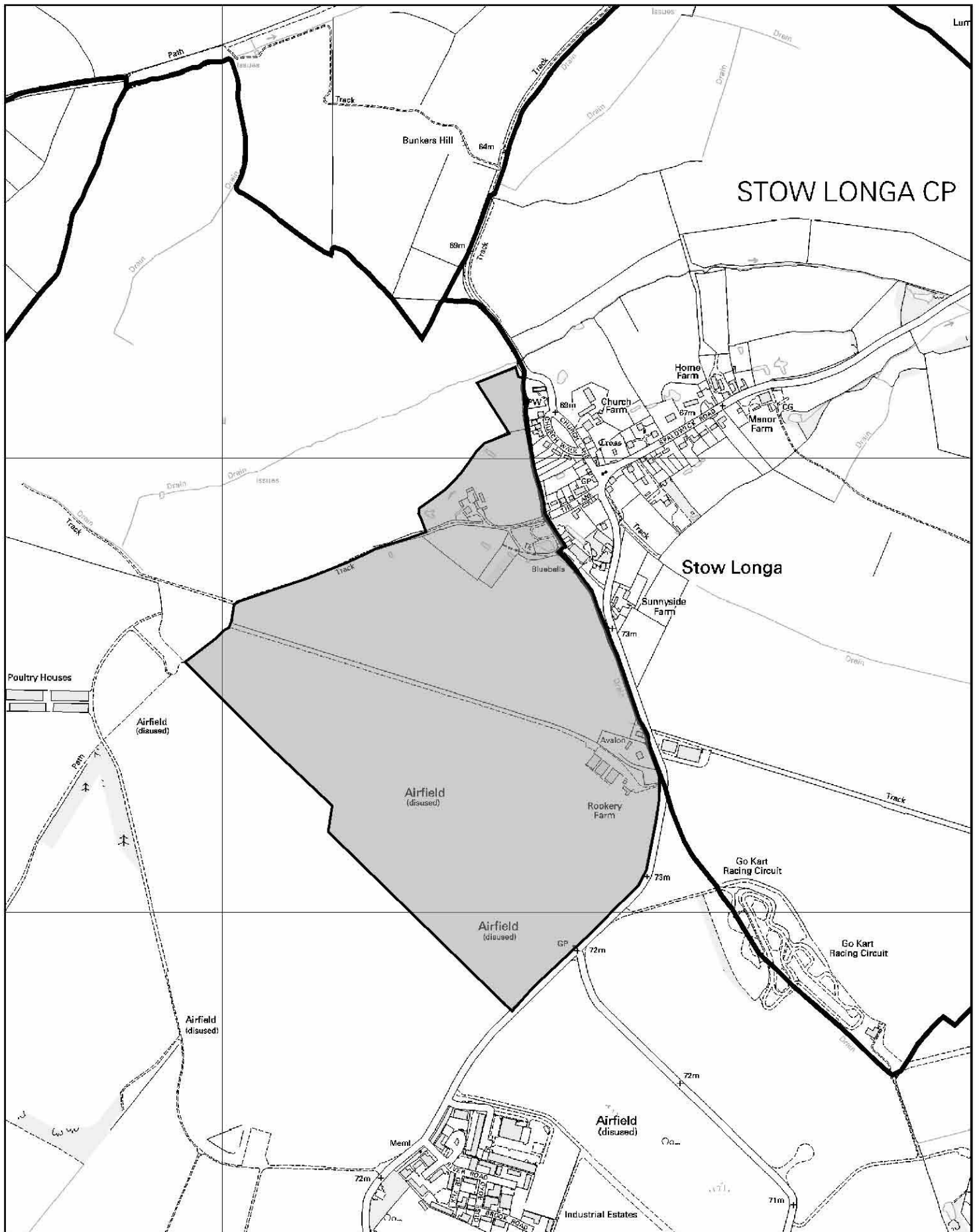
Scale : 1:15000

Proposals for Parish Boundaries:
Map21 (Spaldwick/ Ellington)

November 2006

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
district council






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Proposals for Parish Boundaries:
Map22 (Stow Longa / Kimbolton)

November 2007

-  Existing Parish boundary
-  Proposed Parish boundary
-  Area of proposed transfer

Huntingdonshire
district council

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Licensing Act 2003 – Statement of Licensing Policy

Report by the Head of Administration

1. INTRODUCTION

- 1.1 The Licensing Act 2003 requires the Council in its role as the licensing authority to adopt a statement of licensing policy and to have regard to that statement in the exercise of its functions under the Act. The existing statement came into effect on 7th January 2005 for a period of three years and will expire shortly. The Council must therefore review its policy and approve a new statement that will come into effect on 7th January 2008
- 1.2 The Act also requires each licensing authority to have regard to any guidance issued by the Secretary of State and revised guidance was issued at the end of June 2007.

2. SECRETARY OF STATE'S GUIDANCE

- 2.1 The authority can depart from the guidance where this is felt appropriate but must have good reason for doing so and must be able to substantiate its decision if challenged through the courts.
- 2.2 The alterations compared with the earlier guidance are not substantial, although the document has been re-ordered and updated to reflect legislative change and Government thinking since 2004. The main alterations in terms of the former are –
- ◆ a new offence of persistently selling alcohol to children;
 - ◆ new powers for the Police and the authority to designate Alcohol Disorder Zones as a last resort to tackle alcohol related crime and disorder;
 - ◆ a power to attach interim conditions to licences pending a full review, following an application by a senior police officer in cases of serious crime and disorder;
 - ◆ an additional power to issue a fixed penalty notice to licensed premises emitting excessive noise between 11.00 p.m. and 7.00 a.m.; and
 - ◆ a ban on smoking in all enclosed workplaces and public places.
- 2.3 The guidance also draws attention to the changes introduced by a new Fire Safety Order that requires responsible persons to carry out fire risk assessments focusing on the safety of all relevant persons. Any conditions imposed by a licensing authority relating to requirements or

prohibitions that could be imposed by the Order automatically have ceased to have effect without licences being varied.

3. STATEMENT OF LICENSING POLICY

- 3.1 Approval of the statement cannot be delegated by the Council. Again regard must be had to the statement by the authority in carrying out its licensing functions and there must be good reasons for deviating from its content.
- 3.2 The existing statement reflected the Secretary of State's earlier guidance and has not attracted any adverse challenge to its implementation, nor to its application in either the transitional stage or subsequently.
- 3.3 The new draft statement has been modelled on the existing document and changes made only where it would otherwise conflict with the Secretary of State's updated guidance. A copy has been distributed previously to all Members and comments invited from a wide variety of organisations with a closing date of 5th November. To avoid the necessity of calling a special meeting of the Licensing Committee to formulate recommendations to Cabinet, consideration of responses has been delegated to the Head of Administration after consultation with the Chairman and Vice Chairman of the Committee.
- 3.4 The replies received as a result of the consultation exercise are summarised in the Appendix, together with a comment on the points raised. A copy of the proposed statement of licensing policy is enclosed.

4. CONCLUSION AND RECOMMENDATION

- 4.1 Once adopted, the statement of licensing policy can be amended by the licensing authority at any time during the ensuing three years, prior to its renewal in 2011.
- 4.2 The consultation exercise on the revised statement has elicited few responses and the only comments of significance reiterate views and suggestions made by those organisations when the first statement was approved. It is therefore proposed that no change be made to the draft other than minor corrections and

RECOMMENDED

that the Council approve the Statement of Licensing Policy.

BACKGROUND PAPERS

Guidance issued by the Secretary of State for Culture, Media and Sport under section 182 of the Licensing Act 2003

Statement of Licensing Policy of the authority dated January 2005

Draft statement of Licensing Policy of the authority dated January 2008.

Consultation replies as set out in the Appendix attached.

Contact Person: Roy Reeves, Head of Administration
Tel: (01480) 388003.

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**LICENSING ACT 2003
STATEMENT OF LICENSING POLICY**

Summary of Written Representations

British Beer and Pub Association

Welcomes the Council's positive approach to the licensing of the sale of alcohol and provision of public entertainment and in particular its recognition of the cultural and social contribution that the trade has to make and its importance as a local employer.

In paragraph 6.7, the Association suggests that the authority cannot 'expect' every person engaged in the sale or supply of alcohol to be authorised by a personal licence holder in the manner proposed as this is not a legal requirement. The Secretary of State's guidance merely outlines good practice for authorising sales of alcohol. Written authorisation is not a legal requirement and ultimately it is for the designated premises supervisor to decide how to manage this issue.

In paragraph 7.5, the Association points out that the Licensing Act does not require a risk assessment to be carried out by applicants and that instead of stating that 'an applicant should carry out a risk assessment', the statement should say 'it is recommended that an applicant carry out a risk assessment'.

The link to the National Pubwatch website quoted in Annex A has changed and attention is drawn to guidance for pub operators on compliance with the Disability Discrimination Act which is available from the Association's website.

Comment

If licensing policy served merely to reproduce legislative requirements, there would be no need for separate statements to be approved by all authorities. On the authorisation of alcohol sales, the Secretary of State's guidance states that advice should promote greater clarity and consistency and that the factors reproduced in paragraph 6.7 of the statement 'should be relevant in considering whether or not an authorisation has been given'. No change is therefore recommended.

With regard to risk assessments, the revised statement contains the same wording as the original, notwithstanding a similar representation at that time by the Association. It would be difficult for an applicant to complete the necessary operating schedule in an application effectively without first having undertaken a risk assessment and, as paragraph 7.6 points out, the Regulatory Reform (Fire Safety) Order 2005 now requires each responsible person who has control of premises to carry out a fire risk assessment. No change is therefore recommended.

The changes to the website addresses will be made.

Campaign for Real Ale (Huntingdonshire Branch)

Room divisions and separated areas could be set out in operating schedules and plans or encouraged as conditions when alcohol is to be sold. Use of separate areas in single room pubs can prevent the spread of disorderly activity and new or converted open plan premises are likely to make compliance with the licensing objectives harder to achieve. There should be a presumption to ensure, by means of appropriate conditions as necessary, that room plans incorporate divisions and the Branch suggests that an appropriate condition be added to the pool of possible conditions in Annex F. It also suggests that there should be a presumption against permitting variations to remove partitions as this is likely to adversely impact on compliance with the licensing objectives.

Comment

The local branch of CAMRA made similar representations when the first statement was approved by the authority. The content of plans to accompany applications is defined in statutory regulations and includes internal walls. The authority must determine each application on its merits and cannot make general presumptions. No change is therefore recommended.

St Ives Town Council

Support the policy.

Comment

Noted.

Hemingford Grey Parish Council

Support the policy.

Comment

Noted.

Holywell-cum-Needingworth Parish Council

No adverse comment. Comprehensive document.

Comment

Noted.

Cambridgeshire Fire & Rescue Service

No comment.

Comment

Noted.

Somersham Parish Council

No comment but query what is meant in the statement by the term 'in the vicinity of' licensed premises.

Comment

Noted and explanation provided to Parish Council.

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THE LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

7TH JANUARY 2008

Licensing Section, Administration Division,
Huntingdonshire District Council, Pathfinder House, St Mary's Street,
Huntingdon, Cambridgeshire, PE29 3TN
www.huntingdonshire.gov.uk

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PREAMBLE


This Statement of Licensing Policy has been prepared by Huntingdonshire District Council acting as the licensing authority under the Licensing Act 2003. It represents the authority's policy with respect to the exercise of its licensing functions for the supply of alcohol, certain forms of entertainment and the provision of late night refreshment.

The statement replaces an existing three year statement and was approved by the licensing authority on 5th December 2007. It came into operation on 7th January 2008 for a further period of three years during which time it will be kept under review by the authority.

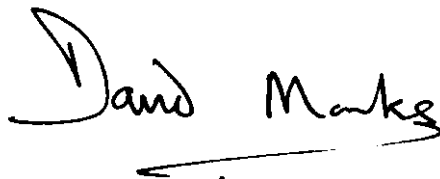
The Act has introduced greater flexibility for the entertainment industry, which can have a positive impact upon local communities in Huntingdonshire. This is balanced by tougher controls for the police and the licensing authority and an opportunity for other businesses and residents to raise concerns in the event of those greater freedoms having an adverse effect on our communities.

The licensing authority consulted widely in the preparation of the Statement and took into account the views submitted in its adoption.

If you wish to make further comments on the statement or think that the contents should be reviewed, please contact the Licensing Section, Huntingdonshire District Council, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN.



Cllr John Sadler
Chairman
Licensing Committee



David Monks
Chief Executive

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HUNTINGDONSHIRE DISTRICT COUNCIL

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

1. INTRODUCTION

- 1.1 The Licensing Act 2003 introduced fundamental changes to the law relating to the licensing of the sale and supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment. It has brought together six previously separate licensing procedures into a unified system of regulation and transferred the licensing of the sale and supply of alcohol to local authorities. Huntingdonshire District Council is the authority responsible for the licensing of such activities within Huntingdonshire and is referred to in this statement as the licensing authority.
- 1.2 The Licensing Act requires the Secretary of State to issue guidance to licensing authorities on the implementation and administration of the legislation and each authority to prepare a statement of licensing policy based upon the legislation and the Secretary of State's guidance. In publishing this statement, the licensing authority has consulted widely with interested parties and has given the views received appropriate weight in determining its policy.

2. PRINCIPLES OF THE LEGISLATION

- 2.1 The Act requires all parties involved in the licensing and provision of regulated activities to have regard to four statutory objectives –
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 2.2 However the legislation extends more widely than the statutory objectives and there are other key aims and purposes that are of fundamental significance for all involved in licensed activities. These include –
- the necessary protection of local residents, whose lives can be blighted by disturbance and anti-social behaviour associated with the behaviour of some people visiting licensed premises of entertainment;
 - the introduction of better and more proportionate regulation to give business greater freedom and flexibility to meet their customers' expectations;
 - greater choice for consumers, including tourists, about where, when and how they spend their leisure time;

- the encouragement of more family friendly premises where younger children can be free to go with the family;
 - the further development within communities of our rich culture of live music, dancing and theatre, both in rural and urban areas;
 - the regeneration of areas that need the increased investment and employment opportunities that a thriving and safe night-time economy can bring; and
- 2.3 The Act has introduced a lighter touch administration for those businesses and community activities which enhance leisure opportunities and our cultural heritage. Those businesses that meet the licensing criteria without an adverse impact upon the communities in which they are situated can expect no unnecessary interference. However where licence holders fail to meet the licensing objectives, there are opportunities for residents who are adversely affected to bring their concerns to the licensing authority and licence holders and their employees can expect a sharp focus on enforcement.
- 2.4 This can be best achieved through partnership working between all involved, including the licensing authority itself, other responsible bodies such as the police, fire and rescue authority, environmental health and health and safety which are defined in the Act, the private sector providing leisure opportunities, local residents and community groups, town centre managers, Crime and Disorder Reduction Partnerships, performers and local transport providers. All have an equally vital role to play in promoting the licensing objectives.
- 2.5 The licensing authority will form licensing liaison groups and forums that bring together interested parties on a regular basis to monitor developments and propose possible solutions to any problems that arise.
- 2.6 Licensing is concerned with the regulation of licensable activities on licensed premises, by qualifying clubs and at temporary events within the meaning of the legislation. The conditions to be attached to the required authorisations will focus on those matters that are within the control of individual licence and certificate holders. They will relate to the direct impact of the activities taking place at the licensed or club premises on members of the public living or working in the vicinity of the premises. The licensing legislation is not the primary mechanism for the general control of anti-social behaviour and nuisance by individuals who are not in the vicinity of the licensed or club premises and therefore beyond the direct control of the licence or certificate holder and their employees.
- 2.7 The Act complements and does not duplicate existing legislation. The licensing authority will therefore not impose conditions on a licence which are already dealt with by other current legislation. Nor will the authority impose conditions that are not within the control of a licence or certificate holder.

3. LICENSING OBJECTIVES

- 3.1 This statement of licensing policy is concerned with the promotion of the four licensing objectives –
- the prevention of crime and disorder

- public safety
 - the prevention of public nuisance
 - the protection of children from harm.
- 3.2 Each objective has equal weight. In carrying out its licensing functions, the licensing authority will have regard to the licensing objectives, the Guidance issued by the Secretary of State under the Act and this statement of licensing policy. So far as is possible, the licensing authority will avoid duplication with other regulatory regimes, for example fire safety and health and safety at work.
- 3.3 Equally, applicants are required to have regard to the licensing objectives, the Secretary of State's Guidance and this statement and to demonstrate in their application and operating schedule how they will achieve those objectives and how they have met the requirements of other relevant regulatory regimes. Other guidance and best practice which is commended by the licensing authority to applicants is listed in Annex A.
- 3.4 An applicant will be required to demonstrate in his/her application and accompanying operating schedule that suitable measures and controls will be implemented and maintained to achieve the licensing objectives relevant to the nature of the premises, the locality in which it is situated and the type of activity to be licensed.

4. STATEMENT OF LICENSING POLICY

- 4.1 This statement has replaced a similar statement approved by the authority in January 2005 and will come into effect from 7th January 2008. It will remain in force for a further period of three years and will be subject to review at the end of that period with a view to a new statement being adopted with effect from January 2011. During the period in which it is in force, the licensing authority will keep the policy under review and may make such revisions to it as may be considered appropriate. If any revision is made, the licensing authority will publish a statement of the revisions or the revised statement of licensing policy in such a manner as to bring it to the attention of the bodies referred to below and the general public.
- 4.2 In preparing this statement, the licensing authority has consulted Cambridgeshire Constabulary, Cambridgeshire Fire and Rescue Service, other responsible authorities, such persons/bodies as are considered to be representative of local holders of premises licences, club premises certificates and personal licences, such persons/bodies considered to be representative of businesses and residents in the District and other organisations considered by the authority to have an interest in the matter. Comments were welcomed from any interested party and member of the public and given due weight in the adoption of this policy.
- 4.3 In considering any revision of the policy and its further review after three years, the licensing authority will consult fully with appropriate parties and with such persons as are considered to be representative of the holders of

premises and personal licences and club registration certificates issued by the licensing authority.

5. CO-ORDINATION WITH OTHER POLICIES

- 5.1 In preparing this statement of licensing policy, the licensing authority has had regard to and consulted with those involved in other relevant strategies and policies in relation to local crime prevention, culture, planning, building control, transportation, economic development, tourism, racial equality, and other plans for the management of town centres and the night-time economy. A schedule listing the relevant policies is attached as Annex B.
- 5.2 The licensing authority also recognises that as part of implementing the local authority's cultural strategy, proper account should be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre, including the performance of a wide range of traditional and historic plays for the wider cultural benefit of communities. A natural concern to prevent disturbance in neighbourhoods will be carefully balanced with the wider cultural benefits.
- 5.3 The licensing authority will ensure the proper co-ordination and integration of such strategies and policies to ensure that they are complementary and mutually supportive. The licensing authority will also monitor the impact of any change in those strategies and policies on this licensing policy and will undertake a revision of this policy if that is considered appropriate.
- 5.4 Arrangements will be made for the licensing authority's Licensing Committee to receive, where appropriate, reports on the needs of the local tourist economy for the District to ensure that these are reflected in the deliberations of the Committee. The Committee will be apprised of the employment situation in the District and the need for new investment and employment where appropriate.
- 5.5 Applications for premises licences for permanent commercial premises should normally be from businesses with planning permission for the property concerned. The licensing regime will thus be separated from the planning and building control regimes to avoid duplication and inefficiency. Licensing applications will not be a re-run of a planning application and similarly the granting by the Licensing Committee of a variation of a licence which involves a material alteration to a building will not relieve an applicant from the need to apply for planning permission or building control permission where this is required. The Licensing Committee will, where appropriate, provide regular reports to the local authority's Development Control Panel on the situation regarding licensed premises in the District, including the general impact of alcohol related crime and disorder.
- 5.6 The licensing authority recognises its responsibilities under the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000. The impact of this policy upon race relations in the District will be monitored through the Council's corporate equality policy.

6. ACTIVITIES TO BE LICENSED

- 6.1 The following activities are required to be licensed under the Licensing Act 2003 -

- the sale by retail of alcohol,
- the supply of alcohol by or on behalf of a club to a member of the club,
- the provision of regulated entertainment, and
- the provision of late night refreshment.

6.2 Regulated entertainment is defined as both the provision of entertainment and entertainment facilities. Entertainment includes –

- a performance of a play,
- an exhibition of a film,
- an indoor sporting event,
- a boxing or wrestling entertainment,
- a performance of live music,
- any playing of recorded music,
- a performance of dance, and
- any similar entertainment to the playing of live or recorded music or dance

where the entertainment takes place in the presence of an audience.

Entertainment facilities means facilities for enabling persons to take part in entertainment consisting of making music, dancing or any entertainment of a similar description to making music or dancing.

6.3 Certain activities are not regarded as regulated entertainment and are exempt for the purposes of the Act. A list of exempt entertainment is attached at Annex C.

6.4 Late night refreshment means the supply of hot food or drink to members of the public between the hours of 11.00 p.m. and 5.00 a.m., whether for consumption on or off the premises. It includes the provision of refreshment from vehicles while they are stationary.

6.5 The Act requires a premises licence or a club premises certificate to be obtained where any of the licensable activities are to take place (including the open air). Such licences and certificates are of unlimited duration unless where otherwise stated in the licence or certificate.

6.6 The sale and supply of alcohol, because of its impact on the wider community and on crime and anti-social behaviour, carries with it greater responsibility than the provision of regulated entertainment and late night refreshment. Individuals who are engaged in or authorising the sale and supply of alcohol require a personal licence. A personal licence is of ten years duration and an application for its renewal must be made to the original licensing authority that

granted the licence, irrespective of the current address of the personal licence holder.

- 6.7 Not every person who sells or supplies alcohol at premises licensed for that purpose needs to hold a personal licence but every person engaged in the sale or supply of alcohol must be clearly authorised by such a licence holder. The licensing authority will expect –
- every person authorised to sell alcohol at any particular premises to be clearly identified,
 - for the authorisation to have specified the acts so authorised,
 - for there to be an overt act of authorisation, such as a written statement given to the individual so authorised, and
 - for sensible arrangements to be in place for the personal licence holder to monitor the activity that they have authorised on a reasonably regular basis.
- 6.8 A personal licence holder is not required for the supply or authorisation of the sale or supply of alcohol in qualifying clubs. To qualify as a club for the purposes of the Act, a series of conditions defined in the Act have to be met involving the membership and rules of a club which are summarised in Annex D.
- 6.9 Special arrangements apply for temporary events which require the service of a temporary events notice upon the licensing authority and the police not less than 10 days prior to the event.
- 6.10 A glossary of relevant terminology is contained at Annex D.

7. APPLICATIONS AND OPERATING SCHEDULES

- 7.1 Any person (including a business or an individual over the age of 18 years) may apply for a premises licence either on a permanent basis or for a time-limited period to carry out licensable activities on the premises (which includes the open air). A qualifying club may apply for a club premises certificate to carry out those activities. An application must be accompanied by the required fee, an operating schedule, a plan of the premises in a prescribed form and, if the application involves the supply of alcohol at licensed premises, the written consent of the person who is to be the designated premises supervisor. Details of the required fees, forms and plans are available from the licensing authority and on the authority's website at www.huntingdonshire.gov.uk. In submitting an application, an applicant must have regard to this statement of licensing policy.
- 7.2 Organisers of major festivals, carnivals and similar types of events are encouraged to approach the licensing authority at the earliest opportunity to discuss arrangements for licensing activities falling under the Act. An operating schedule for such an event will be substantial and the authority will offer advice and assistance, where appropriate, in its preparation. The authority may also act as a co-ordinator for the input of responsible bodies in respect of an application.

- 7.3 **The operating schedule forms a crucial part of the completed application. It should include sufficient information to enable the responsible authorities and any interested party to assess whether the steps to be taken to promote the licensing objectives are satisfactory.** For example, it should include a description of the style and character of the business to be conducted on the premises (for example, a supermarket, or a cinema with a number of screens and a bar, or a restaurant, or a public house with a number of bars, a dining area and a garden open to customers). Where alcohol is to be sold for consumption on the premises, the application should show the amount of seating to be provided. Where dancing is to be provided, the operating schedule should describe the type of dancing in broad terms and whether the dancing is to be provided by professional performers or involves members of the public or both. It should also disclose whether the dancing is to include striptease or lap dancing.
- 7.4 An operating schedule must also set out the following details –
- the relevant licensable activities to be undertaken on the premises;
 - the times during which the licensable activities are to take place (including the days of the week, the times of day, whether those times are different on different days, whether different times will apply in different seasons or holiday periods);
 - any other times when the premises are open to the public;
 - where the licence is only required for a limited period of time, what that period is;
 - where the activities include the supply of alcohol, the name and address of the individual to be specified as the designated premises supervisor;
 - where the activities include the supply of alcohol, whether the alcohol will be supplied for consumption on or off the premises or both; and
 - the steps that the applicant proposes to take to promote the licensing objectives.
- 7.5 An applicant should carry out a risk assessment in preparing an operating schedule to identify what risks are posed to employees, to performers, to persons attending the premises and members of the public who live and work in the vicinity of the premises and to demonstrate what action will be taken to alleviate those risks.
- 7.6 Applicants are particularly reminded that the Regulatory Reform (Fire Safety) Order 2005 has replaced previous fire safety legislation. The Order covers general fire precautions and other fire safety duties that are needed to protect relevant persons in case of fire in and around most premises. Responsibility for complying with the Order rests with the responsible person which may be the employer or any other person who may have control of the premises. Each responsible person must carry out a fire risk assessment that must focus on the safety in case of fire for all relevant persons.

- 7.7 The licensing authority will not therefore seek to impose fire safety conditions in any licence or certificate where the Order applies. Any conditions attached to existing licences and certificates that relate to any requirements or prohibitions that could have been imposed by the Order have automatically ceased to have effect. There is no need for existing licence or certificate holders to apply to vary their licences or certificates.
- 7.8 An applicant will be required to advertise an application in the required format and the licensing authority will consider any representations received from responsible bodies and interested parties described in Section 10 below. If any representations are received from such a body or party, unless these are determined by the authority to be frivolous or vexatious, the application will be heard by a licensing sub committee of the licensing authority's Licensing Committee. In exceptional circumstances, it may be heard by the Licensing Committee itself. It is important therefore for an applicant to include in the application as much information as possible to satisfy those bodies and parties to pre-empt any representations that they may otherwise make which would result in a hearing before a licensing sub committee.
- 7.9 All parties are expected to work in partnership together to ensure that the licensing objectives are promoted collectively and to minimise the burden on the licensing authority and applicants. Applicants are encouraged to seek the views of the licensing authority, the police and the fire authority before formally submitting applications. Having completed drafts of their operating schedules, applicants may wish to consult with appropriate bodies to minimise subsequent representations on their part, for example with the police on matters relating to crime and disorder and with the Council's Environmental Health Division on noise nuisance.

8. CUMULATIVE IMPACT

- 8.1 Cumulative impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area, for example the cumulative impact on crime and disorder or public nuisance in a town centre as a result of a large concentration of licensed premises of a particular type in that part of the District.
- 8.2 If, after considering the available evidence and consulting relevant individuals and organisations, the licensing authority is satisfied that it is appropriate and necessary to include an approach to cumulative impact in the statement of licensing policy, a special policy will be included in the statement that the licensing authority will generally refuse new applications for premises licences or club premises certificates whenever relevant representations are received about the cumulative impact on the licensing objectives.
- 8.3 The effect of the special policy is to create a rebuttable presumption that applications for new premises licences or certificates will normally be refused, if relevant representations to that effect are received, unless it can be demonstrated to the licensing authority's satisfaction that the operation of the premises will not add to the cumulative impact already being experienced. This presumption does not however relieve responsible authorities or interested parties of the need to make relevant representations before the licensing authority can consider giving effect to the special policy on cumulative impact.

- 8.4 A special policy is not absolute and the circumstances of each application will be considered individually by the licensing authority, with licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives being granted. It would also not be justifiable, for example, to adopt a special policy on the basis of a concentration of shops, stores or supermarkets selling alcohol for consumption off the premises. A special policy is intended to address the impact of a concentration of licensed premises selling alcohol for consumption on the premises which may give rise to large numbers of people on the streets who have been drinking alcohol in a particular area.
- 8.5 A special policy will not be used as a ground for revoking an existing premises licence or certificate when relevant representations are received about problems with those premises. By its nature, cumulative impact refers to the concentration of many premises in a particular area. Identifying an individual premise in the context of a review would be arbitrary.
- 8.6 The steps to be taken in considering whether to adopt a special policy in the statement of licensing policy will be –
- the identification of concern about crime and disorder or public nuisance;
 - consideration as to whether crime and disorder and public nuisance are rising and are caused by the customers of licensed premises, and if so identifying the area from which problems are arising and the boundaries of that area; or that the risk factors are such that the area is reaching a point when a cumulative impact is imminent;
 - consultation with the police, the fire authority, representatives of the holders of premises and personal licences and club premises certificates and of businesses and residents in the area as part of a general consultation required in respect of the whole statement of licensing policy;
 - subject to that consultation, inclusion of a special policy about future premises licence or club registration certificate applications from that area within the terms of the statutory guidance and the statement of licensing policy; and
 - publication of the special policy as part of the statement of licensing policy as required by the Act.
- 8.7 On the evidence available to it, the licensing authority is of the opinion that a special policy on cumulative impact should not be included in this statement of licensing policy.
- 8.8 The absence of a special policy does not prevent any responsible authority or interested party from making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.
- 8.9 Notwithstanding the absence of a special policy on cumulative impact, there are other mechanisms both within and outside the licensing regime that are available to address the minority of consumers who behave badly and unlawfully once they have left licensed premises. These include –

- planning controls;
- positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other divisions of the Council;
- the provision of CCTV surveillance in town centres, the existence of sufficient taxi ranks, the provision of public conveniences open late at night, street cleaning and litter controls;
- the power of the licensing authority to designate parts of the District as places where alcohol cannot be consumed publicly;
- police enforcement of the general law concerning disorder and anti-social behaviour, including the issue of fixed penalty notices;
- the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
- the confiscation of alcohol from adults and children in designated areas;
- police powers to close down instantly for up to 24 hours licensed premises or temporary events on the grounds of disorder or likely disorder or noise emanating from the premises causing a nuisance; and
- the power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

8.10 These may be supported by other local initiatives that seek to address the problem.

9. LIVE MUSIC, DANCING AND THEATRE

9.1 In carrying out its licensing function, the licensing authority will take into account the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre, including the performance of a wide range of traditional and historic plays for the wider benefit of communities. This will be balanced against a concern to prevent disturbance in neighbourhoods. To ensure a thriving cultural diversity, the licensing authority will consider establishing a policy of seeking premises licences for public spaces within the community itself. This could include village greens, market squares, parks and other public areas. Performers and entertainers would then not be obliged to obtain a licence or submit a temporary events notice to enable them to give a performance in those areas. Advice about whether an activity requires a licence in such circumstances can be obtained from the authority's Licensing Section, contact details of which are contained in Annex I.

9.2 When applications for premises licences are submitted from another part of the Council, the Licensing Committee and officers with delegated powers will consider such matters from an entirely neutral standpoint.

10. AUTHORISED PERSONS, INTERESTED PARTIES AND RESPONSIBLE AUTHORITIES

10.1 Three key groups have important roles in the context of applications, inspection, enforcement and reviews of premises licenses and certificates.

10.2 '**Authorised persons**' are bodies empowered by the Act to carry out inspection and enforcement roles. These include licensing officers of the Council, fire inspectors, inspectors locally responsible for the enforcement of the Health and Safety at Work legislation (usually officers of the Council) and environmental health officers. The police are not regarded as an authorised person as they have separate powers under the Act to carry out their duties. Other authorised officers may be prescribed in secondary legislation from time to time by the Secretary of State.

10.3 '**Interested parties**' are the bodies or individuals who are entitled to make representations to the Council on applications for the grant, variation or review of premises licences and certificates. Interested parties may themselves also seek a review of a premises licence or certificate. This group includes –

- a person living in the vicinity of the premises in question;
- a body representing persons living in the vicinity such as a residents' association or a town or parish council;
- a person involved in a business in the vicinity of the premises in question; and
- a body representing persons involved in such businesses such as a chamber of trade or commerce.

10.4 Any of these individuals or groups may request a representative to make representations on their behalf. This can include a legal representative, a friend, a Member of Parliament or a local ward or town or parish councillor.

10.5 Local councillors play an important role in their local communities. They can make representations in writing and at a hearing on behalf of an interested party if specifically requested to do so. They can also make representations in their own right if they live or are involved in a business in the vicinity of the premises in question. However a councillor who is making representations on behalf of an individual or group who is also a member of the licensing authority's Licensing Committee will be required to declare an interest under the Council's code of conduct for members and will not take part in the decision-making process in respect of that application or licence. Recent changes to the members' code of conduct will enable a councillor with a prejudicial interest, having declared that interest, to make representations, answer questions and give evidence at a sub committee hearing in the same way as any other interested party but the councillor must withdraw from the meeting immediately after doing so. The licensing authority has adopted a Members' Licensing Code of Good Practice to assist its councillors in dealing with the implications of the Act, a copy of which can be inspected as part of the authority's constitution on its website at www.huntingdonshire.gov.uk

- 10.6 The licensing authority will determine whether or not representations are relevant representations or whether they are frivolous or vexatious and will interpret whether a person resides or a business takes place in the vicinity of the premises which has been licensed or is the subject of an application.
- 10.6 The licensing authority will provide information on its website and in such other means as are considered appropriate to advise interested parties how they can make representations to it.
- 10.7 **‘Responsible authorities’** are public bodies that must be notified of applications and that are entitled to make representations to the licensing authority in relation to an application for the grant, variation or review of a premises licence or club premises certificate. All representations made by responsible authorities are relevant representations if they concern the effect of the premises on the licensing objectives. Responsible authorities include the chief officer of police, the local fire and rescue authority, the local enforcement agency for the Health and Safety at Work etc. Act 1974 (which may be the Council or the Health and Safety at Work Executive), the Council in its role as the authority responsible for environmental health and for planning, and any body that represents those who are responsible for or interested in matters relating to the protection of children from harm and is recognised by the Council as being competent to advise it on such matters. In the case of the latter, the body recognised by the Council is Cambridgeshire County Council’s Office of Children and Young Persons. In relation to a vessel, this will also include the Environment Agency and the British Waterways Board.

11. DETERMINATION OF APPLICATIONS

- 11.1 If an application has been submitted in the prescribed format and properly made and no relevant representations are received, the licensing authority must grant the application in the terms sought, subject only to any mandatory conditions that may apply and any conditions consistent with the operating schedule.
- 11.2 Responsible authorities and interested parties may make representations to the licensing authority about an application for a premises licence or club premises certificate and for a review of a licence or certificate that has been issued.
- 11.3 If no representations are received or there are no objections from the police to an application for a personal licence or a notice for a temporary event, the process of determining applications will be of an administrative nature and will be dealt with by officers. Where representations are received and unless they are considered to be vexatious or frivolous or repetitious (in the case of a review), the Act requires a hearing to be convened of the Licensing Committee or a sub committee of that committee which will determine the application or the review of an existing licence or certificate. In practice, this will be a hearing of a licensing sub committee.
- 11.4 Where a notice of a hearing is given to an applicant or an existing licence or certificate holder, the authority will provide copies of any relevant representations that have been made. In exceptional circumstances, if the authority is satisfied that an interested party has a genuine and well-founded fear of intimidation or may be deterred from making a representation for that

reason, the authority may advise the party to make any representation through a responsible authority or may withhold some or all of the party's personal details from an applicant or licence or certificate holder, providing only sufficient detail to demonstrate that the party is within the vicinity of the premises.

- 11.5 In the interests of the efficient administration of the licensing procedure, the licensing authority has delegated decision-making to its Licensing Committee, sub committee(s) and officers in accordance with the Act and secondary legislation as set out in Annex E. However the statement of licensing policy will be approved by the licensing authority and the Licensing Committee will receive regular reports on decisions made by officers so that they can maintain an overview of the general situation with regard to licensing within the District.

12. OPENING HOURS

- 12.1 The aim through the promotion of the licensing objectives should be to reduce the potential for concentrations of customers leaving licensed premises simultaneously and achieve a slower dispersal of people through flexible opening hours. Arbitrary restrictions that would undermine the principle of flexibility will be therefore avoided by the licensing authority. The authority will not fix predetermined closing times for particular areas through a zoning of the District, nor seek to engineer staggered closing times by setting quotas for particular closing times. Licence and certificate holders however are under no obligation to remain open during the whole of the permitted hours specified in the premises licence, club premises certificate or temporary events notice.
- 12.2 The licensing authority will generally permit shops, stores and supermarkets to sell alcohol for consumption off the premises in line with their normal trading hours, unless there are exceptional reasons why to do so would hinder the achievement of the licensing objectives. An example of the latter would be if some shops were known to be a focus of disorder and disturbance because youths gather there. Similarly the licensing authority will not take into account the question of any rights of employees working on licensed premises in terms of the closing hours as these are addressed in employment legislation.
- 12.3 Applicants will be required to demonstrate in their operating schedule how the hours that they propose to be open for the sale of alcohol, the provision of regulated entertainment or the supply of late night refreshment will promote the licensing objectives.

13. CONDITIONS

- 13.1 A key concept of the Licensing Act is for conditions to be attached to licences and certificates that are tailored to the individual style and characteristics of the premises and events concerned. Disproportionate and overly burdensome conditions will be avoided by the licensing authority where there is no need for such conditions. Conditions may only be imposed where they are necessary for the promotion of one or more of the licensing objectives and not for other purposes.

- 13.2 Conditions that are necessary for the promotion of the licensing objectives should emerge initially from the risk assessment which should be undertaken by an applicant before submitting an application for a licence or certificate. These will be translated into the operating schedule which will be the subject of scrutiny by responsible authorities and interested parties. Where relevant representations are not received as a result of the advertisement of the application, it is the duty of the licensing authority to grant the application for a licence or certificate, subject only to those conditions that are consistent with the operating schedule and any mandatory conditions prescribed in the Act.
- 13.3 Applicants should avoid ambiguous statements or actions in their operating schedules which are open to interpretation or are unclear. The contents of the operating schedule should be readily translatable by the authority into conditions that are easily understandable by the licence or certificate holder, responsible authorities and interested parties. The licensing authority may not impose any other conditions unless its discretion has been engaged by the making of relevant representations and it has been satisfied at a hearing of the necessity to impose conditions due to the representations raised.
- 13.4 The only conditions that may be attached to a licence or certificate by the licensing authority are those which are necessary and proportionate for the promotion of the licensing objectives. If other existing legislation places certain statutory responsibilities on an employer or operator of premises, it will not be necessary to duplicate this requirement by imposing the same or similar duties under the premises licence or club premises certificate. Standard conditions will therefore not be imposed by the licensing authority but Annex F contains pools of conditions from which necessary and proportionate conditions may be drawn in particular circumstances.
- 13.5 Applicants for premises licences and for club premises certificates should carry out risk assessments before preparing their operating schedules and addressing in those operating schedules how they will promote the licensing objectives, with special regard to the matters referred to in the pool of conditions attached at Annex F.
- 13.6 Conditions will not require adherence to requirements in law that the use of copyright material must be authorised. Applicants and licence and certificate holders are however reminded of the need, where appropriate, to obtain Performing Right Society (PRS) and Phonographic Performance Ltd (PPL) licences and to observe other copyright arrangements. Failure to observe the law in this respect could lead to an application for the review of a premises licence or club premises certificate on the grounds of the crime prevention objective.

14. CHILDREN

- 14.1 Under the Licensing Act, it is an offence to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for the supply of alcohol for consumption on the premises under a premises licence, club premises certificate or under the authority of a temporary events notice. It is also an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5.00 a.m. at other premises supplying alcohol for consumption on the premises. This does not automatically permit unaccompanied children under the age of 18 to have free access to licensed premises, even if they are

accompanied by an adult or to premises where the consumption of alcohol is not allowed. Subject to the Act and any licence or certificate conditions, it will be a matter for the discretion of the person managing the premises as to whether they admit children.

14.2 The licensing authority will not therefore seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm to them. General principles will not be applied in such circumstances and the licensing authority will consider the individual merits of each application. However the following areas will give rise to particular concern in respect of children which will include premises –

- where entertainment or services of an adult or sexual nature are commonly provided;
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;
- with a known association for drug taking or dealing;
- where there is a strong element of gambling on the premises (but not, for example, the presence of a small number of cash prize gaming machines); and
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

14.3 Applicants for a premises licence or club registration certificate should demonstrate in their application and operating schedule how they propose to promote the licensing objectives in respect of the admission of children to the premises.

14.4 Alternatives that may be considered for limiting the access of children, where that is necessary for the prevention of harm to them, include any or a combination of the following factors –

- limitations on the hours when children may be present;
- limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place;
- limitations on the parts of premises to which children might be given access;
- age limitations (below 18);
- requirements for accompanying adults;
- full exclusion of those people under 18 from the premises when any licensable activities are taking place; and
- production of proof of age cards before any sale of alcohol takes place.

- 14.5 The licensing authority also commends to the operators of licensed premises and clubs The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks which seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years of age or older.

15. CHILDREN AND CINEMAS

- 15.1 In the case of premises giving film exhibitions, the licensing authority will expect licence and certificate holders to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified by the British Board of Film Classification or, in exceptional circumstances, by the licensing authority itself.

16. REVIEWS

- 16.1 At any stage following the grant of a premises licence or club premises certificate, a responsible authority or an interested party may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives. In addition a review of the licence or certificate will normally follow any action by the police to close down the premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a magistrate court's determination sent to the licensing authority.
- 16.2 Representations must be relevant and must not be vexatious, frivolous or repetitious. In considering whether a representation is repetitious, the authority will take into consideration the nature of the representations and whether a reasonable interval has elapsed since an earlier review or grant of a licence or certificate.
- 16.3 Subject to the above, the authority will hold a hearing of a licensing sub committee to hear the representations. It may decide that no further steps are necessary to promote the licensing objectives or to issue an informal warning to the licence or certificate holder and recommend improvements within a specified period. The authority may also, if it considers that action is required, modify the conditions of a licence or certificate, exclude a licensable activity, remove the designated premises supervisor, suspend the licence or certificate for up to three months or revoke the licence or certificate.

17. APPEALS

- 17.1 An appeal against the decision of the licensing authority may be made to the magistrates court within a period of 21 days beginning with the day when the appellant was notified by the licensing authority of the decision. An appeal may be made by an applicant if an application for a licence or certificate or for the variation of such a licence or certificate is refused by the licensing authority. An interested person or responsible authority may also submit an appeal if they made relevant representations to the licensing authority and the application or variation upon which they made those representations is approved. An appeal may also be made about the approval or wording of any condition attached to a licence or certificate by the authority.
- 17.2 In order to provide applicants, responsible authorities and interested parties with sufficient information to enable them to decide whether they wish to

appeal against a decision, the licensing authority will give comprehensive reasons for its decisions and will supply copies of those reasons to those parties who are entitled to appeal against a decision.

- 17.3 In hearing an appeal against a decision of the licensing authority, the magistrates court will need to have regard to this statement of licensing policy and to the Guidance issued by the Secretary of State but it is entitled to depart from the statement or Guidance if it is considered appropriate to do so because of the individual circumstances of any case or because the court regards the statement to be ultra vires.

18. ENFORCEMENT

- 18.1 Enforcement will be appropriate and proportionate and at the discretion of the licensing authority and the police as the enforcing authorities. A principle of risk assessment and targeting will prevail and inspections will be undertaken when they are considered necessary which will help to concentrate resources on problem areas.
- 18.2 In order to provide for an efficient deployment of resources, the licensing authority has developed with the police and other responsible authorities a protocol on enforcement issues which is attached at Annex G.
- 18.3 The licensing authority has also signed the local government enforcement concordat and has adopted a code of practice for licensing enforcement which is attached at Annex H.

19. TEMPORARY EVENTS NOTICES

- 19.1 Permission is not required for a temporary event in certain circumstances. However the organiser of an event where licensable activities are being provided is required to give notice to the licensing authority and to the police at least ten working days prior to the event being held. Although the licensing authority is unable to attach any terms, limitations or restrictions on the carrying on of licensable activities at such events under a temporary events notice, the organiser should have regard to such other legislative requirements as may apply to such events and the impact of the event upon others that may give rise to concern.
- 19.2 The licensing authority will therefore provide local advice about the following matters to event organisers –
- proper respect for the concerns of local residents;
 - other legislative requirements regarding health and safety, noise pollution or the building of temporary structures;
 - other necessary permissions, for example, with regard to road closures or the use of pyrotechnics or lasers in public places;
 - the impact of any local byelaws; and
 - the need to prevent anti-social behaviour by those attending.

19.3 The police may object to the event taking place for reasons of preventing crime and disorder which may arise because of concerns about the scale, location or timing of the event. If the police issue an objection notice, a hearing must be held by the licensing authority. The police also have powers to close an event for up to 24 hours without notice where the activity is in their opinion disorderly, likely to become disorderly or cause disturbance by excessive noise. To alleviate the possibility of police intervention, event organisers are encouraged not to rely on the minimum notice of 10 days but to contact the licensing authority and the police at the earliest possible opportunity about their proposals.

20. CONTACT DETAILS

20.1 The names and addresses of relevant authorities and bodies are given in Annex I.

GUIDANCE AND BEST PRACTICE

Various guidance and best practice has been issued which are relevant to the licensing activities regulated under the Licensing Act 2003. Some has been commended to licensing authorities in the Guidance issued by the Secretary of State.

The licensing authority similarly commends the following documents to those involved in licensable activities and other interested parties –

The Government's Alcohol Harm Reduction Strategy (www.dcms.gov.uk)

The National Pubwatch Good Practice Guide (www.nationalpubwatch.org.uk)

Guidance for pub operators on the Disability Discrimination Act (www.beerandpub.com)

The Government's Safer Clubbing Guide and Updated Drug Strategy (www.drugs.gov.uk)

The Anti-Social Behaviour Act 2003

The Violent Crime Reduction Act 2006

The Health Act 2006 – workplace smoking ban

The Clean Neighbourhoods and Environment Act 2005 which provides local authorities with the power to issue a fixed penalty notice to any licensed premises emitting noise that exceeds a permitted level between 11.00 p.m. and 7.00 a.m.

The Regulatory Reform (Fire Safety) Order 2005

The Event Safety Guide – A guide to health, safety and welfare at music and similar events (HSE 1999) ("The Purple Book") ISBN 0 7176 2453 6

Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X

5 Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804

The Guide to Safety at Sports Grounds (The Stationery Office 1997) ("The Green Guide") ISBN 0 11 300095 2

Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by the Independent Street Arts Network (www.streetartsnetwork.org/pages/publications)

Fire Safety Risk Assessment – Open Air Events and Venues (ISBN 978 1 85112 8235) available from www.communities.gov.uk/fire

Advice on steps to provide for the safety of people and performers with disabilities obtainable from the Disability Rights Commission's website (www.drc-gb.org).

The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks

The Noise Council Code of Practice on Environmental Noise Control at Concerts
Home Office guidance on the preparation of race impact assessments
(www.raceimpact.homeoffice.gov.uk)

HSE Guide The Radiation Safety of Lasers used for Display Purposes [HS/(G)95] and BS EN 60825: Safety of laser products)

British Standards CP 1007 (Maintained Lighting for Cinemas)

Guide to responsible alcohol retailing produced by the Association of Convenience Stores, the British Retail Consortium and the Wine and Spirits Trade Association
(www.thelocalshop.com/resposibleretailing).

**CONNECTIONS BETWEEN THE STATEMENT OF LICENSING POLICY AND
OTHER RELEVANT POLICIES**

Huntingdonshire District Council has developed either individually or in partnership with other authorities and organisations a range of policies and strategies which impact upon the licensing objectives and this statement of licensing policy. These include –

Huntingdonshire Sustainable Community Strategy

Huntingdonshire Local Plan 1995

Huntingdonshire Local Plan Alteration 2002

Huntingdonshire Interim Planning Policy Statement 2007

Huntingdonshire Community Safety Strategy 2005-08

Cambridgeshire Local Transport Plan 2004-11

Huntingdonshire Taxi Strategy 2003

Huntingdonshire District Council Corporate Equality Policy

Huntingdonshire Cultural Strategy 2007-10

Huntingdonshire District Council Communications and Marketing Strategy

Huntingdonshire District Council Local Economy Strategy

Copies of the policies and strategies are available on request from the Council or by viewing the Council's website on www.huntingdonshire.gov.uk .

EXEMPTIONS

The following activities are not regarded as regulated entertainment and are therefore exempt for the purposes of the Act:-

Exhibition of a Film

If the sole or main purpose of the entertainment is to demonstrate any product, advertise any goods or services, or provide information, education or instruction.

If the entertainment consists of or forms part of an exhibit put on show for any purposes of a museum or gallery.

Live Music or the Playing of Recorded Music

If the entertainment is incidental to some other activity which is not in itself within the description of regulated entertainment or the provision of entertainment facilities.

Television or Radio Receivers

If the entertainment consists of the simultaneous reception and playing of a programme included in a programme service within the meaning of the Broadcasting Act 1990.

Religious Services and Places of Worship etc

If the entertainment is for the purposes of, or for purposes incidental to, a religious meeting or service or at a place of public religious worship.

Garden Fetes etc

If the entertainment is at a garden fete, function or event of a similar character, unless the fete, function or event is promoted with a view to applying the whole or part of its proceeds for purposes of private gain (as defined in the Gambling Act 2005).

Morris Dancing etc

If the entertainment is a performance of morris dancing or any dancing of a similar nature or a performance of unamplified, live music as an integral part of such a performance, or facilities for enabling persons to take part in such activities.

Vehicles in Motion

If the entertainment is on premises consisting of or forming part of a vehicle and at a time when the vehicle is not permanently or temporarily parked.

Small Venues providing Unamplified, Live Music

Where,

- a premises licence or club premises certificate authorises the supply of alcohol for consumption on the premises and the provision of music entertainment; and
- the premises are used primarily for the consumption of alcohol on the premises; and
- the premises have a capacity of up to 200 persons; and
- the music entertainment comprises unamplified, live music or facilities to enable persons to take part in that music; and
- the entertainment takes place between 8.00 am and midnight;

any condition imposed on the premises licence or certificate which relates to the provision of the music entertainment will not have effect unless it was imposed on the grounds of preventing crime and disorder and/or public safety.

This exemption will not apply if a licence or certificate has been the subject of a review and has been modified by the licensing authority to include a statement disapplying this exemption to the licence or certificate.

GLOSSARY OF TERMINOLOGY

Licensable Activities and Qualifying Club Activities

- **Are defined in the Licensing Act as:**
 - (a) the sale by retail of alcohol;
 - (b) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
 - (c) the provision of regulated entertainment;
 - (d) the provision of late night refreshment.
- **For those purposes the following licensable activities are also qualifying club activities:**
 - (a) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption on the premises where the supply takes place;
 - (b) the sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place;
 - (c) the provision of regulated entertainment where that provision is by or on behalf of a club for members of the club or members of the club and their guests.

Qualifying Club**General conditions that a club must satisfy to be a qualifying club:**

- (a) Under the rules of the club, persons may not be admitted to membership or admitted as candidates for membership without an interval of at least two days between nomination or application and admission;
- (b) Under the rules of the club, persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of two days between their becoming members and their admission;
- (c) the club is established and conducted in good faith as a club;
- (d) the club has at least 25 members; and
- (e) that alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club

Regulated Entertainment

- **Is defined as:**

- (a) A performance of a play
- (b) An exhibition of film
- (c) An indoor sporting event
- (d) A boxing or wrestling entertainment
- (e) A performance of live music
- (f) Any playing of recorded music
- (g) A performance of dance
- (h) Entertainment of a similar description to that falling within paragraph e), f) or g)

where the entertainment takes place in the presence of an audience and is provided for the purpose, or for purposes which include the purpose, of entertaining that audience. Any reference to an audience includes a reference to spectators. This definition is subject to Part 3 of Schedule 1 to the Licensing Act 2003.

Entertainment Facilities

- **Are defined as:**

Facilities for enabling persons to take part in entertainment of a description falling within those mentioned above for the purpose, or for purposes which include the purpose, of being entertained. The descriptions of entertainment are making music, dancing, and entertainment of a similar description to that falling within those mentioned above. This definition is subject to Part 3 of Schedule 1 to the Licensing Act 2003.

Interested Party

- **Is defined as:**

- (a) a person living in the vicinity of the premises;
- (b) a body representing persons who live in that vicinity;
- (c) a person involved in a business in that vicinity;
- (d) a body representing persons involved in such businesses.

Responsible Authority

- **Is defined as:**

- (a) the Chief Officer of Police for any Police area in which the premises are situated;
- (b) the Fire Authority for any area in which the premises are situated;
- (c) the enforcing authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 for any area in which the premises are situated;
- (d) the local planning authority within the meaning given by the Town and Country Planning Act 1990 for any area in which the premises are situated;
- (e) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health;
- (f) a body which:
 - (i) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and
 - (ii) is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters.
- (g) any licensing authority (other than the relevant licensing authority) in whose area part of the premises is situated;
- (h) in relation to a vessel:
 - (i) a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities
 - (ii) the Environment Agency
 - (iii) the British Waterways Board, or
 - (iv) the Secretary of State
 - (v) a person prescribed for the purpose of this subsection.

Temporary Event

- **Is defined as:**

The use of premises for one or more of the licensable activities during a period not exceeding 96 hours usually where a premises licence covering the

licensable activity is not in place and limited to events involving less than 500 people.

Provision of Late Night Refreshment

- **Is defined as:**

- (a) The provision of hot food or hot drink to members of the public, or a section of the public, on or from any premises, whether for consumption on or off the premises between 11.00pm and 5.00am, or;
- (b) At any time between those hours when members of the public, or a section of the public, are admitted to any premises, a person supplies, or holds himself willing to supply, hot food or hot drink to any persons, or to persons of a particular description, on or from those premises, whether for consumption on or off the premises.

Hot Food or Hot Drink

- **Is defined as:**

Food or drink supplied on or from any premises is “hot” for the purposes of Schedule 2 to the Act if the food or drink, or any part of it:

- (a) before it is supplied, is heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and, at the time of supply, is above that temperature, or
- (b) after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.

DELEGATION OF FUNCTIONS

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Application for transfer of premises licence		If a police objection	All other cases
Cancellation of interim authority notice		If a police objection	
Application to review premises licence/club premises certificate		All cases	
Agreement that hearing is unnecessary where relevant representations received			All cases, after consultation with Chairman or Vice-Chairman
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc			All cases, after consultation with Chairman or Vice-Chairman
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police objection to a temporary event notice		All cases	
Proceedings for contravention of the provisions of the Act			All cases, after consultation with Chairman or Vice-Chairman

POOLS OF LICENSING CONDITIONS

1. Pool of Conditions

Guidance issued by the Secretary of State outlines a number of conditions that may be used to promote the licensing objectives. Whilst this list is not exhaustive it is an indication to applicants of the conditions that may be considered appropriate in individual cases. A risk assessment to identify any measures that are necessary to promote the licensing objectives should consider the individual circumstances of the premises and take into account a range of factors including the nature and style of the venue, the activities being conducted there, its location and the anticipated clientele.

It should be noted that the Licensing Act 2003 creates the following offences and conditions prohibiting these activities do not therefore need to be attached to licences and certificates:

- (a) knowingly to sell or supply or attempt to sell or supply alcohol to a person who is drunk;
- (b) knowingly to allow disorderly conduct on licensed premises;
- (c) for the holder of a premises licence or a designated premises supervisor knowingly to keep or to allow to be kept on licensed premises any goods that have been imported without payment of duty or which have otherwise been unlawfully imported; and
- (d) to allow the presence of children under 16 who are not accompanied by an adult between midnight and 5am at any premises licensed for the sale of alcohol for consumption on the premises, and at any time in premises used exclusively or primarily for the sale and consumption of alcohol.

2. Conditions relating to Crime and Disorder

(a) Door Supervisors

Conditions relating to the provision of door supervisors and security may be valuable in:

- (i) preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- (ii) keeping out individuals excluded by court bans or by the licence or certificate holder;
- (iii) searching and excluding those suspected of carrying illegal drugs or carrying offensive weapons and;
- (iv) maintaining orderly queuing outside venues

Where door supervisors are to be a condition of a licence which means that they would have to be registered with the Security Industry Authority, conditions may also need to deal with

- (i) the number of supervisors;
- (ii) the displaying of name badges;

- (iii) the carrying of proof of registration;
- (iv) where and at what times they should be stationed at the premises;
- (v) whether at least one female supervisor should be available (for example if female customers are to be given body searches).

(b) **Bottle bans**

Glass bottles and glasses may be used as weapons inflicting serious harm during incidents of disorder. Conditions may include:

- (i) No bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar
- (ii) No customer carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.

In appropriate circumstances, conditions may exempt bottles containing wine or similar sold for consumption with a table meal by customers who are seated in a separate area set aside from the bar area.

(c) **CCTV**

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions may include:

- (i) The need to have CCTV cameras on the premises
- (ii) The precise positioning of each camera
- (iii) The requirement to maintain cameras in good working order
- (iv) The requirement to retain recordings for an appropriate period.

(d) **Other conditions that may be considered relevant to promote the reduction of crime and disorder may include:**

- (i) Text/radio pagers connecting premises with the local police
- (ii) Restriction on drinking areas
- (iii) Capacity limits
- (iv) Proof of age cards
- (v) Crime prevention notices
- (vi) Signage at or immediately outside the premises
- (vii) Use of plastic containers and toughened glass (especially at outdoor events or during the televising of live sporting events such as international football matches)
- (viii) Open containers not to be taken from the premises
- (ix) Irresponsible drinks promotions
- (x) CCTV
- (xi) An appropriate ratio of tables and chairs to customers based on the capacity of premises used exclusively or primarily for the "vertical" consumption of alcohol (HVDDs).

3. Conditions Relating to Public Safety

Conditions relating to public safety will be those that are necessary to promote the objective of public safety for individual premises or clubs. They should not

duplicate other legal requirements. Equally the attachment of conditions to a premises licence or club premises certificate will not relieve employers of the statutory duty to comply with the requirements of Health and Safety at Work legislation and the requirements under the Management of Health and Safety at Work Regulations 1999 and the Regulatory Reform (Fire Safety) Order 2005 including the undertaking of risk assessments. Conditions enforcing these arrangements will therefore be unnecessary.

In addition those preparing an operating schedule, responsible authorities and the licensing authority should consider:

- Model National and Standard Conditions for Places of Public Entertainment and Associated Guidance ISBN 1 904031 11 0 (Entertainment Technology Press – ABTT Publications)
- The Event Safety Guide – a guide to health, safety and welfare at music and similar events (HSE 1999) (“The Purple Book”) ISBN 0 7176 2453 6
- Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X
- 5 Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804
- The Guide to Safety at Sports Grounds (The Stationery Office 1997) (“The Green Guide”) ISBN 0 11 300095 2
- Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by the Independent Street Arts Network, copies of which can be obtained through:
www.streetartsnetwork.org.uk/pages/publications.htm

The following British Standards should also be considered:

- BS 5588 Part 6 (regarding places of assembly)
- BS 5588 Part 9 (regarding ventilation and air conditioning systems)
- BS 5588 Part 9 (regarding means of escape for disabled people)
- BS 5839 (fire detection, fire alarm systems and buildings)
- BS 5266 (emergency lighting systems).

Where existing legislation does not provide adequately for the safety of the public, consideration may be given to conditions covering:

(a) Disabled people

- (i) Adequate arrangements to enable their safe evacuation in the event of an emergency
- (ii) Disabled people on the premises are made aware of those arrangements.

(b) Escape routes

- (i) All exit doors are easily openable without the use of a key, card, code or similar means
- (ii) Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept
- (iii) Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff
- (iv) Exits are kept unobstructed with non-slippery and even surfaces, free of trip hazards and clearly identified

- (v) Where chairs and tables are provided in restaurants and other premises, internal gangways are kept unobstructed
 - (vi) The edges of treads of steps and stairways are maintained so as to be conspicuous.
- (c) **Safety Checks**
- (i) Safety checks are carried out before the admission of the public and details of such checks are kept in a log book.
- (d) **Curtains, Hangings, Decorations and Upholstery**
- (i) Curtains, hangings and temporary decorations are arranged so as not to obstruct exits
 - (ii) Temporary decorations are not used without prior notification to the licensing authority and relevant responsible body.
- (e) **Capacity limits**
- (i) Arrangements are made to ensure that any capacity limit imposed under the premises licence or club premises certificate is not exceeded
 - (ii) The licence holder, a club official, manager or designated premises supervisor should be aware of the number of people on the premises and required to inform any authorised person on request.
- (f) **Access for emergency vehicles**
- (i) Access for emergency vehicles is kept clear and free from obstruction.
- (g) **First aid**
- (i) An adequate and appropriate supply of first aid equipment and materials is available on the premises
 - (ii) Where appropriate, at least one suitably trained first-aider shall be on duty when the public are present and, if more than one suitably trained first-aider, that their respective duties are clearly defined.
- (h) **Lighting**
- (i) In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be fully in operation when they are present
 - (ii) Emergency lighting is not altered
 - (iii) Emergency lighting batteries are fully charged before the admission of the public, guests and members
 - (iv) In the event of failure of normal lighting where the emergency lighting has a capacity of one hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within that time normal lighting has been restored and the battery is being re-charged. If the emergency lighting battery has a capacity of three hours the appropriate

period by the end of which the public should have left the premises is one hour.

(i) **Temporary electrical installations**

- (i) Temporary electrical wiring and distribution systems shall comply with the recommendations of applicable British Standards 7671 or 7909
- (ii) Where they have not been installed by a competent person, temporary electrical wiring and distribution systems are inspected and certified by a competent person before they are put to use
- (iii) Temporary electrical wiring and distribution systems are not provided without notification to the licensing authority at least ten days before commencement of the work and/or prior inspection by a suitable qualified electrician.

(j) **Indoor sports entertainments**

- (i) If necessary, an appropriately qualified medical practitioner is present throughout a sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature
- (ii) Where a ring is being used, it is constructed by a competent person and inspected by a competent authority
- (iii) At any wrestling or other entertainment of a similar nature members of the public do not occupy any seat within 2.5 metres of the ring
- (iv) At water sports entertainments, staff adequately trained in rescue and life safety procedures are stationed and remain within the vicinity of the water at all material times.

(k) **Alterations to premises**

- (i) Premises should not be altered in such a way as to make it impossible to comply with an existing condition without first seeking a variation of the premises licence or club premises certificate to delete the relevant public safety condition.

(l) **Special effects**

- (i) Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff.

(m) **Other measures**

- (i) Other measures mentioned in relation to the prevention of crime and disorder may also be relevant to promote public safety, including the provision of door supervisors, bottle bans and the requirement to use plastic or toughened glasses.

4. Theatres, Cinemas, Concert Halls and Similar Places (Promotion of Public Safety)

In addition to the points made in Section 3, there are particular matters in the context of public safety which should be considered in connection with theatres and cinemas.

(a) Attendants

- (i) The number of attendants on each floor in a closely seated auditorium should be as set out on the table below:

Number of members of the audience present on a floor	Minimum number of attendants required to be present on that floor
1-100	One
101-250	Two
251-500	Three
501-750	Four
751-1000	Five
And one additional attendant for each additional 250 persons (or part thereof)	

- (ii) Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or require their absence from that floor or auditorium where they are on duty
- (iii) Any attendant shall be readily identifiable to the audience (but this need not entail the wearing of a uniform)
- (iv) The premises shall not be used for a closely seated audience except in accordance with a seating plan(s), a copy of which is available at the premises and shall be shown to any authorised person on request
- (v) No article shall be attached to the back of any seat which would reduce the clear width of seatways or cause a tripping hazard or obstruction
- (vi) A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.

(b) Seating

- (i) Where the potential audience exceeds 250, all seats in the auditorium should, except in boxes accommodating not more than 8 persons, be either securely fixed to the floor or battened together in lengths of fewer than 4 or more than 12.

(c) Standing and sitting in gangways etc.

- (i) Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate
- (ii) Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate
- (iii) In no circumstances shall anyone be permitted to –
 - (i) sit in any gangway;
 - (ii) stand or sit in front of any exit; or
 - (iii) stand or sit on any staircase including any landings.

(d) Drinks

- (i) Except as authorised by the premises licence or club premises certificate, no drinks shall be sold to or be consumed by a closely seated audience except in plastic and paper containers.

(e) Balcony Fronts

- (i) Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

(f) Special Effects

- (i) Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff.

Special effects include:

- dry ice machines and cryogenic fog;
- smoke machines and fog generators;
- pyrotechnics, including fireworks;
- real flame;
- firearms;
- motor vehicles;
- strobe lighting;
- lasers;
- explosives and highly flammable substances.

In certain circumstances, it may be necessary to require that certain special effects are only used with the prior notification of the licensing authority who shall notify the fire and rescue authority.

Further guidance can be found in the following publications:

HSE Guide 'The radiation safety of lasers used for display purposes' (HS(G)95)

'Smoke and vapour effects used in Entertainment' (HSE Entertainment Sheet No 3)

'Special or visual effects involving explosives or pyrotechnics used in film and television production' (HSE Entertainment Sheet No 16)

'Electrical safety for entertainers' (HSE INDG 247)

'Theatre Essentials' – guidance booklet produced by the Association of British Theatre Technicians

(g) Ceilings

- (i) All ceilings in those parts of the premises to which the audience are admitted should be inspected by a suitably qualified person who will decide when a further inspection would be necessary and a certificate concerning the condition of the ceilings forwarded to the licensing authority.

Premises used for film exhibitions

(a) Attendants – premises without a staff alerting system

- (i) Where the premises are not equipped with a staff alerting system the number of attendants present should be as set out in the table below:

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty
1-250	Two
And one additional attendant for each additional 250 members of the audience present (or part thereof)	
Where there are more than 150 members of an audience in any auditorium or on any floor	At least one attendant shall be present in any auditorium or on any floor

(b) Attendants – premises with a staff alerting system

- (i) Where premises are equipped with a staff alerting system the number of attendants present should be as set out in the table below:

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty	Minimum number of other staff on the premises who are available to assist in the event of an emergency

1-500	Two	One
501-1000	Three	Two
1001-1500	Four	Four
1501 or more	Five plus one for every 500 (or part thereof) persons over 2000 on the premises	Five plus one for every 500 (or part thereof) persons over 2000 on the premises

- (ii) Staff shall not be considered as being available to assist in the event of an emergency if they are:
 - (a) the holder of the premises licence or the manager on duty at the premises; or
 - (b) a member of staff whose normal duties or responsibilities are likely to significantly affect or delay his/her response in an emergency situation; or
 - (c) a member of staff whose usual location when on duty is more than 60 metres from the location to which he is required to go on being alerted to an emergency situation
- (iii) Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.
- (iv) The staff alerting system shall be maintained in working order.

(c) Minimum Lighting

- (i) The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film; and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007 (Maintained Lighting for Cinemas).

5. Conditions relating to the prevention of public nuisance.

Some protection to the general public from the effects of noise nuisance is contained in the provisions of the Environmental Protection Act 1990, the Noise Act 1996 and the Clean Neighbourhoods and Environment Act 2005. A senior police officer also may close down licensed premises and permitted temporary activities instantly for up to 24 hours if they are causing nuisance resulting from noise emanating from the premises.

Licence and certificate holders should have regard to the provisions of the legislation referred to before considering whether any of the following conditions are necessary:

(a) Hours

The hours during which the premises are permitted to be open to the public or to members and their guests can be restricted by the conditions of a premises licence or club premises certificate for the prevention of public nuisance. This must be balanced by the potential impact on disorder which may result from arbitrarily fixed closing times. However there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount considerations at all times. Conditions could include:

- (i) Restrictions on the hours during which premises are permitted to be open to the public or to members and their guests
- (ii) Restrictions may be necessary on the times when certain licensable activities take place even though the premises may be open to the public at such times
- (iii) Restrictions may be necessary on parts of a premise used for certain licensable activities at certain times.

(b) Noise and vibration

- (i) Noise or vibration should not emanate from the premises so as to cause a nuisance to nearby properties. This may be achieved by one or more of the following conditions:
 - a simple requirement to keep doors and windows at the premises closed;
 - limiting live music to a particular area of the building;
 - moving the location and direction of speakers away from external walls or walls that abut private premises;
 - installation of acoustic curtains;
 - fitting of rubber seals to doorways;
 - installation of rubber speaker mounts;
 - requiring the licence or certificate holder to take measures to ensure that music will not be audible above background level at the nearest noise sensitive location;
 - requiring the licence or certificate holder to undertake routine monitoring to ensure external levels of music are not excessive and take appropriate action where necessary;
 - noise limiters on amplification equipment used at the premises (if other measures are unsuccessful);
- (ii) Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly
- (iii) The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted
- (iv) The placing of refuse - such as bottles- into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.

(c) Noxious smells

- (i) Noxious smells from the licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.

(d) Light Pollution

- (i) Flashing or particularly bright lights on or outside licensed premises do not cause a nuisance to nearby properties. Any such condition must be balanced against the benefits of promoting the prevention of crime and disorder by bright lighting in certain places.

(e) Other measures

- (i) Other measures mentioned in relation to the prevention of crime and disorder may also be relevant to prevent public nuisance, including the provision of door supervisors, open containers not to be taken from the premises and restrictions on drinking areas

6. Conditions relating to the protection of children from harm

Restrictions on the access of children under 18 to premises where licensable activities are taking place should be made where it is necessary to protect children from harm.

Unless there are consequences justifying the contrary, there should be a strong presumption against permitting any access at all for children under 18 at any premises with known associations (provided that evidence is available) with or likely to give rise to:

- heavy or binge or underage drinking;
- drugs;
- significant gambling; or
- any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature.

For any premises not serving alcohol for consumption on the premises, but where the public are allowed on the premises after 11.00 p.m., there should be a presumption against the presence of children under the age of 12 unaccompanied by adults after that time.

Applicants wishing to allow access under the above circumstances should, when preparing new operating schedules or club operating schedules or variations of those schedules:

- explain their reasons; and
- outline in detail the steps that they intend to take to protect children from harm on such premises.

In any other case and subject to the licence or certificate holder's discretion, the expectation is that there would be unrestricted access for children subject to the terms of the Licensing Act 2003.

(a) Age Restrictions – specific

While it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place, the licensing authority will consider:

- (i) The hours of day during which age restrictions should or should not apply. For example, the fact that adult entertainment may be present at premises in the evening does not mean that it would be necessary to impose age restrictions for earlier parts of the day
- (ii) Types of event or activity that are unlikely to require age restrictions such as family entertainment or non-alcohol events for young age groups such as under 18 dances
- (iii) Types of event or activity which give rise to a more acute need for age restrictions than normal such as "Happy Hours" or drinks promotion nights or activities of an adult nature.

(b) Age Restrictions – Cinemas

The classifications for films recommended by the British Board of Film Classification should be those normally applied, unless the licensing authority notifies the licence or certificate holder that it will make a recommendation for that particular film.

- (i) In the event that the licensing authority decides to make a recommendation on the admission of children to films, the cinema or venue operator must submit any film to the authority that it intends to exhibit 28 days before it is proposed to show it. This will enable the authority time to classify it so that the licence or certificate holder is able to adhere to any age restrictions then imposed.
- (ii) When films are classified, by either the British Board of Film Classification as specified in the licence or the licensing authority they will be classified in the following way:
 - U – Universal, suitable for audiences aged four years and over
 - PG – Parental Guidance. Some scenes may be unsuitable for young children
 - 12A – Passed only for viewing by persons aged over 12 years or older or persons younger than 12 years when accompanied by an adult
 - 15 – Passed only for viewing by persons aged 15 years and over
 - 18 – Passed only for viewing by persons aged 18 years of age and over

- (iii) Immediately before any exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least 5 seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film
- (iv) Where the licensing authority has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises to make people aware of the classification attached to any film or trailer. The condition will be expressed that -

“Where a programme includes a film recommended by the licensing authority as falling into an age restrictive category, no person appearing to be under the age specified shall be admitted to any part of the programme; where a programme includes a film recommended by the licensing authority as falling into a category requiring any persons under a specified age to be accompanied by an adult, no person appearing to be under the age specified shall be admitted to any part of the programme unaccompanied by an adult; and the licence or certificate holder shall display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements, for example **PERSONS UNDER THE AGE OF (INSERT APPROPRIATE AGE) CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.**

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on duty, provided that the prior written consent of the person’s parent or legal guardian first has been obtained.

(c) Theatres

The admission of children to theatres is not expected to be restricted unless it is necessary to promote the protection of children from harm. However theatres may be the venue for a wide range of activities. Although the admission of children to performances normally should be left to the discretion of the licence or certificate holder, a condition restricting the admission of children to shows incorporating adult entertainment may be necessary.

(d) Performances especially for children.

- (i) Conditions may require a sufficient number of adult staff on the premises to ensure the well being of children on the premises during any emergency
- (iii) Where performances are presented especially for unaccompanied children in theatres and cinemas, conditions may require an attendant to be stationed in any area occupied by the children, in the vicinity of each exit or subject to a minimum of one attendant on duty per 50 children or part thereof on each level occupied by children.

(e) Children in performances

The Children (Performances) Regulations 1968, as amended, set out requirements for children performing in a show. Those requirements will not be duplicated in conditions but if additional conditions are considered necessary, the following matters will apply:

- (i) Venue – The backstage facilities should be large enough to accommodate safely the number of children taking part in any performance
- (iii) Special effects – It may be inappropriate to use certain special effects, including smoke, dry ice, rapid pulsating or flashing lights which may trigger adverse reactions especially with regard to children
- (iv) Care of Children - Children performing at such premises should be kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises. It is also important for children to be accounted for at all times in case of an evacuation or emergency.

(f) Proof of Age cards

Conditions may be attached to premises where alcohol is sold requiring the production of proof of age cards before any sale of alcohol takes place.

(g) Drinks Promotions

The Portman Group operates a code of practice on the naming, packaging and promotion of Alcoholic Drinks. The code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years or older. By means of its website, the trade press and an annual report, it reports on an Independent Complaints Panel's decisions on complaints about products and issues bulletins notifying retailers of products that breach this code, asking them not to re-stock or display any such product or point of display material until such time as the code is complied with.

In certain circumstances it may be appropriate to attach conditions requiring premises to comply with the Portman Group Code of Practice and its Retailer Alert Bulletins.

Licensing Act 2003

Memorandum of Understanding and Joint Enforcement Protocol signed between Huntingdonshire District Council (the Licensing Authority) and

- 1. Cambridgeshire Constabulary**
- 2. Cambridgeshire & Peterborough Fire & Rescue Authority**
- 3. Cambridgeshire County Council Trading Standards Service**
- 4. Cambridgeshire County Council Child Protection Service**
- 5. Huntingdonshire District Council Environmental Health and Planning Services.**

1. The above statutory organisations are the Parties to this Memorandum of Understanding and Joint Enforcement Protocol.
2. Huntingdonshire District Council and Cambridgeshire Constabulary, Cambridgeshire & Peterborough Fire & Rescue Authority and Cambridgeshire County Council aim to provide safe environments for the community of Cambridgeshire.
3. The Licensing Act 2003 introduces a new regime for the licensing of a variety of activities, including places where alcohol is sold and entertainment is provided. It sets out four equal licensing objectives which are to be promoted by licensing authorities, in conjunction with other “responsible authorities”, as defined by the Act, and the holders of licences. The Act also defines other bodies as responsible authorities, with rights of consultation and objection to applications, but it is not thought that formal agreements will be required with these bodies.

These are –

- (a) The prevention of crime and disorder.
 - (b) The promotion of public safety.
 - (c) The prevention of public nuisance.
 - (d) The protection of children from harm.
4. Each party has enforcement responsibilities in relation to premises licensed under the Act and recognises the importance of effective co-operation and liaison to ensure that premises licence holders, designated premises supervisors, personal licence holders and club premises certificate holders understand and comply with the law.

5. The Government has strongly recommended that protocols be set up between authorities and this document has been prepared with that in mind.
6. The purpose of this document is to ensure efficient and effective co-operation between agencies when dealing with areas of mutual interest, to secure -
 - (a) High levels of open communication between agencies.
 - (b) Clear lines of responsibility regarding enforcement of the law.
 - (c) Sharing intelligence, where appropriate to enable effective enforcement of the law.

It sets out the steps that have been agreed to achieve that aim, in accordance with guidance issued by the Office of the Deputy Prime Minister (ODPM).

7. Communication

- 7.1 Good communication between agencies is vital to ensure that information of mutual interest is shared effectively and, in particular, where responses are required within a tight timescale to meet statutory periods for determination of applications, that deadlines can be met. It is important that each organisation has a reliable contact point, and will identify nominated officers and their deputies. There must be a clear understanding about when, where and how contact shall be made, including for emergencies.

8. Sharing Intelligence

- 8.1 The parties to this Memorandum of Understanding need to share information about premises and people currently licensed or proposed to be licensed, in such a way as to enable the effective operation of the licensing process. This agreement enables the sharing of information by all parties in compliance with the rules on Data Protection, Freedom of Information and Human Rights.

9. Data Protection and Exchange of Information

- 9.1 Section 185 of the Licensing Act 2003 states that the licensing authority and responsible authorities may share information for the purpose of “facilitating the exercise of the Authority’s functions under this Act”. Information should not be further disclosed except to a licensing authority or responsible authority and only for the purpose mentioned above.
- 9.2 Section 29 of the Data Protection Act 1998 allows for the exchange of information for the purposes of the prevention of crime or the apprehension of offenders.
- 9.3 Section 115 of the Crime and Disorder Act 1998 enables information to be exchanged between authorities.
- 9.4 Parties to this Protocol may disclose information to other Parties for these purposes providing that the local Protocols applicable to each organisation for data protection are observed. Every request for information under the Act must be made in writing giving reasons why disclosure is necessary.

- 9.5 Information supplied must only be used for the purpose for which it is obtained, must be securely retained whilst in the possession of the responsible authority that has requested it, and must be securely disposed of when no longer required. It must not be further transmitted to a third party without the consent of the original authority that supplied the information.
- 9.6 This part of the Protocol may be supplemented by any Memorandum of Understanding on data exchange agreed either at a local or national level.

10. Indemnity

- 10.1 The signatories to this Memorandum of Understanding are all committed to the sharing of information to prevent and detect crime. As all signatories to this agreement are also signatories of the Cambridgeshire Partnership Information Exchange Protocol for Crime and Disorder, misuse of information provided within this Agreement will invoke the cover provided within the indemnity within the above protocol.

11. Enforcement Action

- 11.1 Enforcement action taken in respect of breaches of legislation will remain the responsibility of the agency designated for each piece of legislation, but the outcome of such action should be fed into the process for determining applications and reviewing the status of licences currently in force.
- 11.2 The Licensing Act does not transfer from any enforcement body, including the Police or the Fire Authority, powers of enforcement for any pieces of legislation. From time to time, however, it may be expedient for joint operations to be carried out in respect of licensed premises by officers from the licensing authority and officers from one or more of the relevant responsible authorities.
- 11.3 Joint operations will normally be conducted on the basis of a risk assessment applied to all licensed premises, or in response to specific complaints. Responsibility for seeking a joint operation will rest with the responsible authority with the expertise in dealing with the complaint in question (e.g. the Environmental Health Service for prevention of nuisance; the Fire & Rescue Service for fire risk issues).

12. Relevant Legislation

- (a) **Licensing Act 2003** – provides a clear focus on the promotion of the licensing objectives; introduces better and more proportionate regulation to give customers more choice, whilst providing the necessary protection for local residents and others.
- (b) **Police Act 1964** – imposes a primary responsibility on the Police Authority to maintain an adequate and effective Police Force.
- (c) **Fire & Rescue Services Act 2004** – places a duty on the Fire Authority to provide efficient arrangements for the giving, when requested, of advice in respect of buildings and other property as to fire prevention, restricting the spread of fires and means of escape in case of fire.

- (d) **Crime & Disorder Act 1998** – places a statutory requirement on Police Services, Local Authorities and other agencies to tackle crime and disorder by working in partnership.

13. Offences

- 13.1 The Parties agree that the prime responsibility for enforcing the offences under the Act should lie as follows:

Note: Abbreviations as follows –

*LA = Licensing Authority
CPC = Club Premises Certificate
DPS = Designated Premises Supervisor
PLH = Premises Licence Holder
AO = Authorised Officer*

Section	Offence	1 Authority
33 (6)	Failure to notify LA of change of name or address PLH or DPS	LA
40 (2)	Failure to notify existing DPS of variation to premises licence to exclude them	LA
41 (5)	Failure to provide premises licence to LA upon removal of DPS	LA
46 (4)	Failure to notify DPS of application for transfer of premises licence	LA
49 (5)	Failure to notify DPS of grant of interim authority notice	LA
56 (3)	Failure to provide premises licence at request of LA for amendment	LA
57 (4)	Failure to keep or display premises licence on premises	LA
57 (7)	Failure to produce premises licence to an AO for examination	LA
59 (5)	Obstruction of an AO entering premises to inspect before grant of a licence, review or a statement	LA
82 (6)	Failure to notify of change of name or alteration of rules of a club	LA
83 (6)	Failure to notify of a change of registered address of club	LA
93 (3)	Failure to produce CPC for amendment within 14 days of LA request	LA
94 (5, 6, 9)	Duty to keep, display and produce club premises certificate at premises	LA

96 (6)	Inspection of premises before grant etc of club premises certificate	LA
108 (3)	Obstruction of an AO in inspecting temporary event premises	LA or Police
109 (4)	Failure to keep or display temporary event notice on premises	LA
109 (8)	Failure to produce temporary event notice to an AO	LA
123 (2)	Failure to notify LA of conviction for relevant offence during application or renewal period	LA
127 (4)	Failure to notify LA of change of name or address of personal licence holder	LA
128 (6)	Fail to notify court of personal licence or "notifiable event" when being dealt with for a relevant offence	Police or LA
132 (4)	Failure to notify LA of conviction for relevant or foreign offence	LA
134 (5)	Failure to produce personal licence within 14 days to LA for updating	LA
135 (4)	Failure to produce personal licence to an AO whilst on premises to sell or authorise sale of alcohol	LA or Police
136 (1)	Allowing licensable activities otherwise than in accordance with an authorisation	LA or Police
137 (1)	Unauthorised exposure for retail sale of alcohol	LA or Police
138 (1)	Unauthorised possession of alcohol with intent to sell or supply	LA or Police
140 (1)	Allowing disorderly conduct on licensed premises	Police or LA
141 (1)	Sale or supply of alcohol to person who is drunk	Police or LA
142 (1)	Obtaining alcohol for a person who is drunk	Police or LA
143 (1)	Failure to leave licensed premises following a request from a PC or AO	Police
144 (1)	Keeping unlawfully imported goods on relevant premises	Police or Customs and Excise
145 (1)	Allowing unaccompanied children under 16 on relevant premises when alcohol is	LA or Police

	being supplied	
146 (1, 2, 3)	Sale or supply of alcohol to children under 18	LA, Police or Trading Standards
147 (1, 3)	Allowing sale or supply of alcohol to children under 18	LA, Police or Trading Standards
148 (1, 2)	Sale or supply of liqueur confectionery to children under 16	LA or Police
149 (1, 3, 4)	Purchase or supply of alcohol by or on behalf of children under 18	LA or Police
150 (1, 2)	Consumption on relevant premises of alcohol by children under 18, or knowingly allowing it to occur	LA or Police
151 (1, 2, 4)	Delivering or permitting others to deliver alcohol to children under 18	LA or Police
152 (1)	Sending a child under 18 to obtain alcohol for consumption	LA or Police
153 (1)	Permitting children under 18 to sell or supply alcohol to children	LA or Police
156 (1)	Sale of alcohol in or from a moving vehicle	Police
158 (1)	False statement in connection with a licensing application	LA
160 (4)	Keeping premises open in contravention of an area closure order	Police or LA
161 (6)	Permitting premises to be open in contravention of a premises closure order	Police or LA
165 (7)	Permitting premises to be open in contravention of a Magistrates' closure order	Police or LA
179 (4)	Obstructing entry by a PC or an AO to premises to check on the carrying out of licensable activity	Relevant responsible authority

14. Investigation of Offences

- 14.1 When the licensing authority or a responsible authority has become aware of an offence and would like another more appropriate responsible authority (or the licensing authority) to take formal action, they will take the following steps:
- (a) early discussion with the appropriate authority, including (unless in cases of extreme urgency) the licensing authority's enforcement officer;
 - (b) supply the relevant authority in a timely manner all of the relevant evidence (whether subsequently used or unused);

- (c) set out in writing details of the offence and request that the relevant authority take action.
- 14.2 Once in receipt of a written request to take action, the appropriate authority will:
- (a) assess the facts and take appropriate action in accordance with its own enforcement policy. The appropriate authority will, unless immediate action is required, commence an investigation within a maximum of 15 working days of receipt of the complaint;
 - (b) inform the authority that initiated the complaint, and any other relevant authority, of the action taken, and reasons why.

15. Responsibility for Prosecutions

- 15.1 Section 186 of the Act provides that proceedings for offences under the Act may be instituted by:
- (a) the licensing authority;
 - (b) the Director of Public Prosecutions;
 - (c) for offences under Ss. 146 and 147, the local weights and measures authority
- 15.2 It is expected that the Police and the weights & measures authority will normally bring proceedings, including the issue of formal cautions, as a result of offences which they have investigated, unless, in the case of some minor offences, it is specifically agreed that the licensing authority will do so. (This may, for example, be part of a prosecution which relates to a series of matters of which the offences form part).
- 15.3 In all other cases, the licensing authority will be the prosecuting authority.

16. Notification of Prosecutions and Cautions

- 16.1 Notwithstanding the duty of the court in section 131 (duty to notify the licensing authority of convictions) the appropriate prosecuting authority will inform the licensing authority within five working days of any conviction or caution under the Act.
- 16.2 The licensing authority for these purposes is the licensing authority that issued the personal licence, premises licence, club premises certificate or which received the temporary event notice, even if not a party to this Protocol.
- 16.3 The notification shall be in writing and shall state:
- (a) the name and address of the person convicted or cautioned;
 - (b) the nature and date of the conviction or caution; and
 - (c) the details of any conviction including any order under section 129 of the Act.

17. Register of Cautions

- 17.1 The licensing authority will maintain a register of formal cautions issued to holders of personal licences, premises licences, club premises certificates or persons issuing a temporary event notice.

18. Liaison between Parties to this Agreement

- 18.1 Liaison meetings will take normally place between the licensing authority and the Police on a monthly basis, depending on the nature and quantity of business and with other responsible authorities on a basis to be agreed, but not less than annually.
- 18.2 Responsible authorities will determine the basis for liaising with each other, but this will be not less than annually.

19. Consultation on Applications

- 19.1 Applicants for licences have a duty to send copies of applications to the appropriate responsible authorities at the same time as the application is submitted to the licensing authority. If this is not done, the application may be returned, as not duly made.
- 19.2 The licensing authority will communicate with all responsible authorities on a regular basis, to check that all relevant copies of applications have been received.
- 19.3 Responsible authorities have a maximum of 28 days to raise representations to licences, where they consider that the operating schedule does not address sufficiently one or more of the licensing objectives.
- 19.4 Representations should include suggestions for conditions which would overcome the perceived shortcomings of the application.
- 19.5 Responsible authorities are encouraged to contact applicants to discuss areas of concern, so that there is an opportunity to amend applications in advance of the date set by the licensing authority for a hearing. If this is successfully achieved, **and the licensing authority receives written confirmation of the amendments from the applicant**, a representation can be withdrawn, and this may obviate the need for a hearing.

20. Applications for Review of a Licence

- 20.1 This document recognises the right of any responsible authority to apply to the licensing authority for a licence or club premises certificate to be reviewed at any time.
- 20.2 Except in extreme cases (where there has been a serious incident of crime and disorder, a serious risk to public safety, a serious incident of public nuisance or a serious incident related to the protection of children from harm) the responsible authority seeking a review will be expected to:
- (a) give an early indication to the licensing authority of the events requiring an application;

- (b) seek an informal resolution to the matter if possible or appropriate;
- (c) be able to demonstrate to the licensing committee hearing the application for a licence review that, where appropriate, alternative approaches to dealing with the situation leading to the application have first been attempted, in accordance with the authority's enforcement policy.

21. Procedural Review

- 21.1 All parties to this agreement shall periodically review this document to ensure that it maintains a suitable response and working arrangement for all licensing functions and achieves necessary feedback to assist in meeting the statutory objectives. It is suggested that the first review should take place not later than one year following the Second Appointed Day.

Signed

Huntingdonshire District Council as the Licensing Authority, Environmental Health Authority and Planning Authority

Cambridgeshire Constabulary

Cambridgeshire & Peterborough Fire & Rescue Authority

Cambridgeshire County Council (Trading Standards Service)

Cambridgeshire County Council (Child Protection Service)

HUNTINGDONSHIRE DISTRICT COUNCIL LICENSING ENFORCEMENT POLICY

The Council's licensing enforcement policy which was approved by the Licensing and Protection Panel on 17th September 2002 and subsequently adopted by the Council has been amended, as appropriate, and applied to the enforcement of the Licensing Act 2003 by this annex to the statement of licensing policy.

LICENSING ENFORCEMENT POLICY

1. INTRODUCTION

- 1.1 The purpose of this policy is to express the commitment and intention of Huntingdonshire District Council ("the licensing authority") to the principles of consistent and effective enforcement legislation relating to those licensable activities defined in the Licensing Act 2003 and defined in Appendix 2 attached.
- 1.2 The policy sets out what businesses and others can expect from the Council's licensing officers and commits the licensing authority to good enforcement policies and procedures. It is designed to set out the arrangements by which the principles of the Enforcement Concordat, to which the licensing authority is a signatory, will be incorporated into actions.
- 1.3 Officers who carry out licensing enforcement on behalf of the licensing authority are authorised in accordance with the licensing authority's scheme of delegation. Appropriate means of identification will be carried.

2 GENERAL PRINCIPLES

- 2.1 The licensing authority will ensure the effective implementation of national and local policies, to comply with all legislative requirements and fulfil the statutory duties imposed on the licensing authority.
- 2.2 The licensing authority will protect the public by reacting promptly to complaints about issues that are within the licensing authority's remit and by delivering a balanced programme of inspection, education and enforcement designed to achieve compliance with relevant legislation in an equitable, practical and consistent manner.
- 2.3 The licensing authority recognises that most businesses and individuals want to comply with the law and officers will, therefore, take care to help them meet their legal obligations without unnecessary expense, whilst taking firm action, including prosecution where appropriate against those who flout the law or act irresponsibly. Prosecutions will be taken in line with the prosecution policy set out Appendix 1 to this policy.
- 2.4 The licensing authority recognises the importance of the precedents set by case law and Government guidance and will draw upon them to ensure that effective standards of enforcement are consistently applied
- 2.5 Authorised officers will have regard to this policy when carrying out their assigned duties.

- 2.6 Departures from these policy guidelines will be exceptional and only following agreement with the Head of Administration, or in his absence, the Central Services Manager.
- 2.7 Where there are issues of dual or joint enforcement responsibilities with other enforcement agencies such as the police and fire authority, consultation will, except in emergencies, take place with them prior to any enforcement action being initiated.
- 2.8 The licensing authority will ensure that its officers are competent with respect to the enforcement duties they have been authorised to carry out.

3 PRINCIPLES OF ENFORCEMENT

- 3.1 The enforcement of legislation is guided by the principles of the Enforcement Concordat to which the licensing authority is a signatory. This commits the licensing authority to good enforcement policies and procedures. The principles of the Enforcement Concordat are incorporated into the following:

3.2 Standards

- 3.2.1 The licensing authority is accountable to the local electorate for its actions and omissions. This means that it will have clear policies and standards against which it can be judged.

3.3 Openness

- 3.3.1 The licensing authority will provide information and advice in plain language on the law that it enforces and will disseminate this as widely as possible. It will also be open about how it sets about its work, including any charges that are made for specific activities. Officers will discuss general issues, specific compliance failures or problems with individuals or businesses experiencing difficulties.

3.4 Helpfulness

- 3.4.1 The licensing authority believes that prevention is better than cure and that its role therefore involves actively working with individuals and the business community, especially small and medium-sized enterprises, to advise and assist on compliance. It will provide a courteous and efficient service and the staff will identify themselves by name. Officers will provide a contact point and telephone number for further dealings with the licensing authority and will encourage business to seek advice/information from them. Applications for approval of establishments, licences, registration, etc, will be dealt with efficiently and promptly. The licensing authority will ensure that, wherever practicable, its enforcement services are effectively co-ordinated to minimise any unnecessary overlaps and time delays.

3.5 Complaints about the service

- 3.5.1 The licensing authority has a complaints procedure that is accessible to businesses and the public. The licensing authority will also make available the procedure for a complaint to be made to the Local Government Ombudsman that the licensing authority has acted with maladministration. This is without prejudice to any statutory rights of appeal that are available to businesses or members of the public which will be explained in writing by the licensing authority.

3.6 Proportionality

- 3.6.1 As far as the law allows, the licensing authority will take account of the circumstances of each case and the attitude of the person committing the offence when considering action. Both those whom the law protects and those on whom it places a duty expect that compliance action taken by the licensing authority should be proportionate to the risks posed to the public and to the seriousness of any breach of legislation.
- 3.6.2 In dealing with small businesses, voluntary and community organisations, the licensing authority will make a particular effort to assist them in meeting their legal obligation without incurring unnecessary expense.
- 3.6.3 Some legal requirements are specific or mandatory, i.e. there is no room for discretion or individual interpretation. However, others require action in line with the principles of “reasonableness” or “appropriateness” and the regulatory system often includes the concept of proportionality through such principles. Deciding what is reasonable or appropriate to control risks involves the exercise of judgement and, when the law permits, discretion by licensing officers based on sound professional judgement. Where agreement cannot be reached, the final determination of what is reasonable in particular circumstances may ultimately be made by the Courts.
- 3.6.4 Some risks may be so serious that they cannot be permitted irrespective of the economic consequences, whilst at the other extreme, some risks may be so trivial that it may not be worth spending more to reduce them. In general, risk-reducing measures must be weighted against the associated costs, unless the cost of a particular action is excessive compared with the benefit of the risk reduction in terms of its magnitude of probability.

3.7 Consistency

- 3.7.1 Consistency of approach does not mean uniformity; it means taking a similar approach in similar circumstances to achieve similar ends. In dealing with enforcement issues the licensing authority will take a consistent approach in the service tendered, the use of powers, issuing of authorisations, decisions on whether to prosecute and responses to complaints.
- 3.7.2 The licensing authority recognises that in practice consistency is not a simple matter. Officers are faced with many variables such as the severity of the issue, the attitude and competence of the individual/management and the associated previous history of compliance. These factors may vary between individuals/businesses which otherwise appear similar. Decisions on enforcement are matters of sound professional judgement as to when the licensing authority, through its officers, will exercise discretion. It will continue to develop arrangements to promote consistency in the exercise of discretion. These will include effective arrangements for liaison with other enforcing agencies.

3.8 Transparency

- 3.8.1 Transparency means helping proprietors of businesses and the public to understand what is expected of them and what they should expect from the licensing authority. It also means making clear why an officer intends to or has taken a particular course of action. This means distinguishing between compulsory requirements on the one hand and advice and guidance about what is desirable, but not compulsory, on the other.

- 3.8.2 This document sets out the general policy framework within which the licensing authority will operate. Those with whom the licensing authority deals need to know what to expect when an officer visits and what rights of complaint are open to them.
- 3.8.3 In the case of informal enforcement action the officer will advise on the legal requirements, explain why a particular course of action is recommended, and if asked, distinguish legal requirements from best practice advice. Officers will, if asked, confirm any advice in writing.
- 3.8.4 In the case of a refusal of an application for a licence or registration, the reasons for the refusal will be given in writing and the appeals procedure explained.

3.9 Targeting

- 3.9.1 Targeting means making sure that resources are targeted primarily on those whose activities give rise to the most serious problem, or where hazards are least well controlled, and that action is focused on those who are responsible and who are best placed to control it.
- 3.9.2 The licensing authority will prioritise compliance inspections in accordance with a risk rating system based on a combination of the factors which determine the likely compliance of that business with statutory requirements and the potential risk of non-compliance to the public.
- 3.9.3 The priorities for visits in response to complaints from the public will take into account the nature and severity of the allegations.
- 3.9.4 Where formal enforcement action is necessary, it will be directed against the person by whose act, default or sufferance the breach occurred. Where several individuals share responsibility, the licensing authority will take action against those who can be shown to be in breach.

4 METHODS OF ESTABLISHING COMPLIANCE

4.1 Education

- 4.1.1 The licensing authority will make every effort to provide information both to members of the general public and businesses concerning the legislation for which the licensing authority is the enforcing authority.
- 4.1.2 The information will be made available through the licensing authority's website, leaflets, at public buildings, upon request or given at the time of an inspection.
- 4.1.3 Where a requirement for information becomes evident either through problems in a particular area of enforcement or because of requests then specific information will be made available in such a way as to inform those in need.

4.2 Investigations

- 4.2.1 Information on possible offences is often the result of complaints from members of the general public who have witnessed events or whose lives are being adversely affected by the actions or inactions of others.

- 4.2.2 Provided that it will not prejudice their inquiries, Officers will identify themselves at the premises at the time of entry and will show their licensing authority identification.
- 4.2.3 The licensing authority will respond to, and where appropriate, commence investigations into complaints within 3 working days. The response time may vary according to the nature of the allegation and its severity.
- 4.2.4 The person, business or land owner subject to complaint may be informed of the complaint prior to, part way through or at the end of the investigation as may be considered appropriate depending upon such facts as the nature of the complaint, the need for covert surveillance and the risk of intimidation of the complainant.
- 4.2.5 A complainant's details will not be released without either the complainant's permission or following a legal requirement to do so. This will be decided this on a case-by-case basis.
- 4.2.6 The complainant will be kept informed as considered appropriate of progress with the investigation and of the eventual outcome.
- 4.2.7 Where it has been considered appropriate to advise the alleged offender that an investigation is in progress, that person will be kept advised of the progress of the investigation. At the end of the investigation, they will be informed of the outcome and whether the licensing authority will take any further action.
- 4.2.8 Where, as a result of an investigation, action of an informal or formal nature may be taken, the alleged offender will be advised as soon as practicable upon completion of the investigation
- 4.3 **Routine Inspections**
- 4.3.1 Under normal circumstances, routine compliance visits will be arranged in advance. Spot check visits may be made without prior warning particularly when information has been obtained suggesting a breach of the law.
- 4.3.2 The main purpose of a compliance visit to land or premises is to ensure the requirements of the law are being met.
- 4.3.3 Officers will make the purpose of the inspection clear at the start of the visit with the person in charge at that time. Inspections will normally involve discussions with local management or the person in operational control of the business, activity or land at the time of the visit. At the conclusion of all inspections officers will normally offer to discuss, as may be appropriate, the findings and follow this up in writing.
- 4.3.4 The licensing authority have a number of leaflets or guidance notes that may assist in the understanding of legal requirements which will normally be provided free of charge. Some written information may be available from other sources and where this is the case the officer will supply details as to where the information can be obtained. Letters can be translated into other languages and interpreters can be used if considered appropriate.
- 4.3.5 Action of an informal or formal nature may be taken as a result of an inspection and the alleged offender will be advised as soon as practicable upon completion of the investigation

5 ENFORCEMENT OPTIONS

5.1 There are a number of enforcement options available where contraventions of the law have been identified. This part of the policy provides detailed guidance on when each of the options may be considered. The options are:-

- take no action;
- take informal action;
- use formal cautions;
- revoke an authorisation, permit or licence;
- prosecute (can sometimes be taken in addition to serving notices);
- co-ordinate action with other agencies;
- any combination of the above.

5.2 Generally, enforcement will be undertaken in a graduated approach, unless immediate action is required. In the first instance, a discussion of requirements will take place with the operator or licence holder or other person by whose act default or sufferance the breach occurred.

5.3 No Action

5.3.1 Where an inspection, observation or investigation reveals that, on the basis of evidence, there is a breach of legislation then no further action will be taken if after taking into account all relevant circumstances enforcement would be disproportionate or otherwise inappropriate. Confirmation of the results of the investigation will be given to any complainant and to the person or business complained of if they had previously been made aware of the investigation.

5.4 Informal Action

5.4.1 Informal action may consist of any of the following:

- advice
- verbal warnings
- warning letter requesting action and setting out the consequences of failure to comply with legal requirements.

5.4.2 Officers will use informal procedures as long as they believe such actions will secure compliance with the requirements of legislation within a timescale judged reasonable depending upon the relevant facts.

5.4.3 Offences of a less serious nature may be dealt with in a number of appropriate ways including advice, verbal warning, observations, follow up letter, a re-visit or any combination of these. Persistent failures will result in more formal enforcement action.

5.4.4 Where an officer offers verbal advice following an inspection, then if requested it will be confirmed in writing.

5.4.5 While the action taken by the officer will depend on the circumstances of any particular case, for guidance purposes only, the licensing authority considers that informal action is likely to be appropriate in the following circumstances:

- a) The offence is not serious enough to warrant formal action e.g. an offence which can be immediately remedied and poses no risk;
 - b) From the past history, it can reasonably be expected that informal action will achieve compliance; or
 - c) There is reason to be confident that the breach will be dealt with promptly without the need for formal action.
- 5.4.6 Informal letters sent following inspections will distinguish legal requirements from advice, give a time period for compliance and state the offences being committed. They will also give the details of who to contact if there are any queries, or issues the recipient wishes to discuss.
- 5.4.7 If significant contraventions of legal requirements are found, then rather than taking immediate formal action the officer may arrange for a further visit to be carried out to determine compliance. The time period between the original inspection and any revisit will be proportionate to the risks identified. Such informal action will not necessarily preclude formal action.

5.5 Formal action

5.5.1 When considering formal enforcement, account will be taken of:-

- the extent of non-compliance
- the risk(s) posed
- failure to hold or apply for a licence or certificate;
- failure to apply for a variation of a licence or certificate;
- failure to apply for the transfer of a licence or certificate;
- failure to submit an appropriate notice;
- failure to comply with an informal approach to remedy breaches of legislation;
- cumulative breaches of legislation
- any act of obstruction

5.5.2 Formal action can include any of the following actions that are considered appropriate under the circumstances:-

- revocation of a licence or certificate,
- a formal caution,
- prosecution for the offence,
- obtaining an injunction.

5.5.3 **Licences and certificates**, where these are revoked, the reason for the action and the appeal mechanisms will be set out in writing to the offender at the time the action is taken.

5.5.4 **A formal caution** may be considered as an alternative to a prosecution when the following conditions are fulfilled. Refusal will result in the matter being re-considered for prosecution taking account of a person's unwillingness to accept a formal caution.

- There must be evidence of the suspected offender's guilt sufficient to give a realistic prospect of conviction if a prosecution were to be taken as an alternative; and
- the suspected offender must admit the offence; and
- the suspected offender must understand the significance of a formal caution, give an informed consent to being cautioned and will be advised to seek legal advice prior to agreeing to receive a formal caution.

The purpose of a caution is to:

- deal quickly and simply with less serious offences;
- divert less serious offences away from the Courts;
- reduce the chances of repeat offences.

A Formal Caution may only be administered by the Head of Administration or the Central Services Manager

5.5.5 **Injunctions** may be sought when the normal criminal process has proved or is likely to prove to be unlikely to remedy the problem that is occurring or likely to occur. It will be used only in exceptional circumstances.

5.5.6 **Prosecution.** Every case will be judged on its merits and in accordance with the prosecution policy set out in Appendix 1 to this policy.

6. AUTHORISATIONS OF PROSECUTIONS

6.1 Through its Scheme of Delegation, the licensing authority has delegated authority to prosecute to designated officers after consultation with the Chairman, or in his absence, the Vice-Chairman of the Licensing Committee.

6.2 In consultation with his/her supervising officer and, where appropriate, the licensing authority's legal adviser, the investigating officer(s) will gather appropriate evidence and prepare the case on behalf of the licensing authority. Where, having considered all the evidence, it is considered that a prosecution may be warranted, a written report will be prepared for consideration and authorisation. Following written authorisation to proceed, the licensing authority's legal service will instigate the prosecution. Regard will be had to the requirements of Police and Criminal Evidence Act 1984 (PACE) and the Criminal Procedure and Investigation Act 1996 (CPIA).

7. POWERS OF AUTHORISED OFFICERS

7.1 Authorised officers of the licensing authority have a variety of powers available to them for the purpose of discharging the functions of the licensing authority. These include, in appropriate cases as permitted by the Licensing Act 2003, the power of entry to relevant premises at any reasonable time (or at any time if it appears that there is serious problem).

7.2. If it is believed that entry may be refused, or entry by force may be necessary a warrant to enter will be sought from a Justice of the Peace. Refusal of entry, as permitted by the law, is obstruction and will lead to prosecution in all but exceptional circumstances.

HUNTINGDONSHIRE DISTRICT COUNCIL

PROSECUTION POLICY

In keeping with its preventative role, the licensing authority will use a variety of means to ensure that the law, which it is required to enforce, is complied with within the Huntingdonshire District. These means will include education, advice, guidance, warning letters, cautions and prosecution.

The licensing authority will use discretion in deciding whether to initiate a prosecution and recognises that the decision to prosecute is significant and could have far reaching consequences on the offender. Before deciding to recommend a prosecution, they will take account the criteria set out below.

The power to make a decision to prosecute is generally set out in the licensing authority's scheme of delegation. It is delegated to the Head of Administration (or in his absence the Central Services Manager) after consultation with the Chairman or Vice-Chairman of the Licensing Committee.

In determining whether or not to institute legal proceedings the public interest will be of paramount consideration. The following matters will be taken into account in addition to any other matter that may be considered relevant in any particular case.

The licensing authority will determine whether the evidence available is sufficiently reliable, admissible and substantial to provide a realistic prospect of conviction, having regard to the evidential and public interest tests set down in the Code for Crown Prosecutors and any other prosecution code or government guidance for the time being relevant to the case under consideration. Such consideration will include:-

- the general record and attitude of the offender;
- the attitude and reliability of any witnesses;
- the gravity of the offence (including where the alleged offence involves a flagrant breach of the law such that public safety is put at risk);
- the failure by offenders to comply with lawful written directions of Officers provided the offenders have been given reasonable opportunity to comply with those directions;
- whether it is desirable to deter others from similar failures to comply with the law;
- whether it is more appropriate after consideration of all the circumstances and on being satisfied of a person's guilt and the offender accepting that guilt to offer a formal caution in accordance with guidance laid down in Home Office Circular 18/1994 as may be amended from time to time.

This prosecution policy also relates to the prosecution of individuals and individual managers or directors where the licensing authority consider that a conviction is warranted and it can be shown that the offence was committed with their consent or connivance or to have been attributable to neglect on their part.

Having decided to prosecute, the policy of the licensing authority is to proceed without any unnecessary delay. Once the prosecution has been determined by a court of law, the licensing authority will contact all its witnesses to inform them of the outcome.

LICENSING ACT 2003

1. The sale by retail of alcohol.
2. The supply of alcohol by or on behalf of a club to, or to the order or, a member of the club.
3. The provision of regulated entertainment.
4. The provision of late night refreshment.

CONTACT POINTS

Further information on application forms, operating schedules, the statement of licensing policy and advice as to whether or not activities need to be licensed can be obtained from –

The Licensing Section,
Huntingdonshire District Council,
Pathfinder House
St Mary's Street
Huntingdon
Cambs
PE29 3TN

Telephone – 01480 388010/388209

Fax. – 01480 388099

E-mail – Greg.Peck@huntsdc.gov.uk

John.Frampton@huntsdc.gov.uk

Charlotte.Taylor@huntsdc.gov.uk

This information is available on the licensing authority's website at www.huntingdonshire.gov.uk.

Completed applications and temporary events notices should be sent to –

Licensing Section
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon
Cambs
PE29 3TN

An applicant must give notice of his/her application to each of the following responsible authorities and such other persons as may be prescribed within the prescribed period –

The Chief Constable of Police
Cambridgeshire Constabulary
Hinchingsbrooke Park
Huntingdon
PE29 6NP

Chief Fire Officer
Cambridgeshire Fire and Rescue Service
Hinchingsbrooke Cottage
Brampton Road
Huntingdon
PE29 2NA

The Head of Environmental and Community Health Services
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon
Cams
PE29 3TN

Director General
The Health and Safety Executive
Rose Cottage
2 Southwark Bridge
London
SE1 9HS

The Head of Planning Services
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon
Cams
PE29 3TN

The Director of of the Office of Children and Young Persons
Cambridgeshire County Council
Shire Hall
Cambridge
CB3 0AP

The Environment Agency
Kingfisher House
Goldhay Way
Orton Goldhay
Peterborough
PE2 5ZR

The British Waterways Board
Willow Grange (HQ)
Church Road
Watford
Herts
WD17 4QA

Or

Ground Floor (SE)
Witan Gate House
500-600 Witan Gate
Milton Keynes
MK9 1BW

Those organisers serving a temporary events notice upon the licensing authority are also required to serve a copy on the Chief Officer of Police as above.

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Cabinet

Report of the meetings held on 4th & 18th October and 22nd November 2007

Matters for Decision

38. BUDGET AND MEDIUM TERM PLAN 2008-2013

In conjunction with the Overview and Scrutiny Panel (Corporate and Strategic Framework) and by way of a report by the Head of Financial Services (a copy of which is attached as an Appendix) the Cabinet has reviewed the draft 2008/09 budget, the Medium Term Financial Plan for the period up to 2012 – 2013 and the longer term financial forecast to 2018 – 2019. Final approval of the proposals will be dealt with by Council at their meeting on 20th February 2008.

In discussing the content of the report, Members have emphasised the need to consider a range of potential schemes, particularly given the uncertainty as to future levels of revenue support grant and the possible impact of a lower than expected increase in Government grant in 2008/2009. With this in mind, the Cabinet

RECOMMEND

- (a) that the implications of receiving a low level of revenue support grant in terms of future Council Tax increases be noted and that Officers be requested to report to a future meeting on other options which would involve increases of between 4.99% and 7.5%
- (b) that a policy of limiting increases in the budget requirement to 4.99% be supported but Officers be invited to consider models requiring a lower requirement approximately to circa 4%;
- (c) that the content of the draft Medium Term Financial Plan, appended to the report now submitted, be approved to assist in the production of the budget for 2008/09, revised Medium Term Plan for 2009/2013 and the financial plan to 2018/2019; and
- (d) that officers be requested to critically review all budgets and Medium Term Plan schemes (revenue and capital).

39. LICENSING ACT 2003: STATEMENT OF LICENSING POLICY

The Cabinet has considered the results of a consultation exercise on the production of a revised Statement of Licensing Policy under the Licensing Act 2003. A separate report appears elsewhere on the agenda for the Council meeting and the Cabinet therefore

RECOMMEND

that the Statement of Licensing Policy be approved and implemented with effect from 31st January 2008 for a period of three years.

Matters for Information

**40. ST IVO OUTDOOR CENTRE:
RELEASE OF SECTION 106 FUNDING**

Further to Item No. 113 of their Report to the meeting of the Council held on the 22nd February 2006, the Cabinet has been acquainted with developments in relation to a project within the Medium Term Plan to improve football facilities at the St Ivo Outdoor Leisure Centre. Executive Councillors have been advised that, as a consequence of a previous commitment to provide changing facilities at Priory Park, St Neots, the St Ivo scheme will be reliant on the receipt of Section 106 contributions from local housing developments and the success of a grant application to the Football Foundation. The original scheme has been revised on the advice of the Foundation and now incorporates a synthetic football pitch with floodlighting.

In that respect, the Cabinet have considered issues surrounding the timing of the bid and the receipt of Section 106 income. To enable the scheme to proceed, the Cabinet has approved the submission of a bid for £1,000,000 to the Football Foundation and, subject to this being successful, authorised expenditure of £500,000 by the District Council in advance of the receipt of the Section 106 contributions.

**41. MEDIUM TERM PLAN –
REQUEST FOR THE RELEASE OF FUNDS**

The Cabinet has agreed to release £71,000 from the Medium Term Plan towards the cost of resurfacing the synthetic pitch at Huntingdon Leisure Centre. This sum is net of a contribution of 26% by the County Council towards the cost of the scheme under a cost sharing agreement recently achieved whereby they will contribute towards the implementation of the Leisure Centre condition survey over the next 5 years.

42. CULTURAL STRATEGY REPORT

The Cabinet has approved a Cultural Strategy for Huntingdonshire which will be used as a reference document for the current review of the Sustainable Community Strategy. However the Cabinet are conscious of the current level of expenditure from the Council's budget on cultural objectives and they have stressed that the delivery of any new initiatives will need to be financed from alternative funding sources such as Sport England or the Lottery Commission.

43. SUSTAINABLE COMMUNITY STRATEGY

The Cabinet has considered the contents of the draft revised Sustainable Community Strategy for Huntingdonshire which sets out arrangements for involving partners and stakeholders, including the business and voluntary sectors, in the process of improving the economic, social and environmental well-being of the District.

In discussing the following six strategic themes within the Strategy –

- ◆ Growth and Infrastructure;
- ◆ Health and Wellbeing;
- ◆ Inclusive, Safer and Cohesive Communities;
- ◆ Children and Young People;
- ◆ Economic Prosperity; and
- ◆ Environment

the Cabinet has requested the inclusion of appropriate references to the guided bus network, the development of effective transport networks to meet the demands of the area, improved recreational facilities for young people and improvements in road safety for children.

The next stage in the Strategy's development will be the refinement of the specific objectives and action planning. Once these have been completed, an updated version of the Strategy will be submitted to a meeting of the Cabinet in January 2008.

44. TREASURY MANAGEMENT INVESTMENT PERFORMANCE

The Cabinet has reviewed the respective levels of performance achieved during the period 1st April to 31st August 2007 by external Fund Managers in the matter of investment of the Council's capital receipts. Having regard to the performance of one of the Fund Managers and in particular the lower than predicted investment returns achieved, the Cabinet has noted the circumstances behind the decision to bring the funds managed by this company back in-house.

45. VOLUNTARY SECTOR COMMISSIONING

The Cabinet has agreed to replace the Council's Grant Aid allocation process with a commissioning framework linked to the Council's identified community objectives. It is anticipated that commissioning

will allow the Council to be more pro-active in seeking bids for funding support to meet specific service criteria. Service objectives will be determined at the outset and monitored throughout the life of the commissioning agreement to ensure that the desired outcomes are being realised. The process will clearly set out what services or activities the Authority wishes to directly commission along with a description of the service to be provided, key targets, performance indicators and the level of funds available for each area of activity.

The Cabinet has acknowledged that moving to a model of this nature may cause some difficulties for small organisations who are not able to supply commissioned services. Historically the revenue grant aid budget has been used by these small organisations to purchase equipment, such as computers. As these are capital items, the Cabinet has agreed that the terms of reference for the capital grant aid budget should be amended to relax the eligibility criteria to allow applications of this type to be considered.

46. PROMOTING BETTER HEALTH IN OLDER PEOPLE THROUGH PHYSICAL ACTIVITY

Further to Item No. 46 of their Report to the meeting of the Council held on the 27th September 2006, the Cabinet's attention has been drawn by the Overview & Scrutiny Panel (Service Delivery) to the operational and financial implications of participation by the Council in providing enhanced services in the District for older people. In discussing the development of Council services and the potential for a pilot programme of exercise for older people, supported by the Luminus Group, the Cabinet has requested further clarification as to the associated budget requirements and the anticipated cost to the Council. Subject to receipt of the latter, the Cabinet has –

- ◆ noted the arrangements that have been put in place for Officers to support the "Out and About" Steering Group;
- ◆ endorsed the importance of promoting "Out and About" through the Council's leisure services and District Wide;
- ◆ noted "Out and About's" targets to establish a programme of exercise for older people at Luminus sheltered housing and extended to hub villages and the progress being made towards them;
- ◆ endorsed the financial arrangements relating to a programme of development, the provision of facilities at Leisure Centres for external trainers promoting classes for those over 65 years and the associated marketing material;
- ◆ noted the current position with regard to the "Active at 50" project bid;
- ◆ endorsed the introduction of measures to ensure continuity of existing classes provided by the voluntary sector;
- ◆ supported the compiling and maintenance of a comprehensive and up to date database of exercise services and facilities for older people;
- ◆ requested that Huntingdonshire Strategic Partnership's Culture and Leisure Thematic Group consider adopting the promotion

of physical exercise amongst older people as one of its objectives; and

- ◆ requested that a review of progress on the above be submitted to the Overview & Scrutiny Panel (Service Delivery) in the near future.

47. REPRESENTATION ON COMMITTEES/ADVISORY GROUPS

The Cabinet has appointed Councillor Dew to the Ramsey, St Ivo and Sawtry Leisure Centre Management Committees to replace Councillors Bucknell, Rogers and Hyams respectively. The changes have arisen following Councillor Dew's appointment as Executive Councillor for Leisure Centres.

48. FINANCIAL MONITORING – REVENUE BUDGET

The Cabinet has noted the expected revenue budget variations already identified in the current year.

49. MONITORING OF THE CAPITAL PROGRAMME 2007/08

The Cabinet has been acquainted with variations in the Capital Programme in the current year.

50. CAR PARKING STRATEGY – DRAFT ACTION PLAN

Following an earlier meeting of the Overview and Scrutiny Panel (Service Support), the Cabinet has considered the contents of a draft Car Parking Strategy Action Plan for Huntingdonshire which sets out the short and long term proposals for improving car parking in the District. Recommendations also were made by the Overview & Scrutiny Panel, details of which are contained in Item No. 20 of their Report. In approving the document for public consultation, the Cabinet has highlighted a number of issues that require further consideration including –

- ◆ the recommendations of the Overview & Scrutiny Panel (Service Support);
- ◆ the potential use of the car park to be provided in St Ives for the proposed guided bus service other than by users of the service;
- ◆ the possible use of the District's leisure centre car parks by non-customers;
- ◆ the application of charging for Members and staff of the District Council who use car parks in conjunction with their official duties or employment;
- ◆ the introduction of resident permit zones within designated areas around St Neots and Huntingdon Railway Stations;
- ◆ the effect of differential charging rates to reflect off-peak hours; and
- ◆ the management and level of disabled parking.

The Cabinet has requested that the Members' Car Parking Working Group be reconvened to consider these issues and the

recommendations of the Panel in light of the outcomes of the public consultation.

51. PUBLIC EMERGENCY WARNING SYSTEM

The Cabinet has noted a proposal to establish a text messaging and e-mail warning system for the public on occasions of flooding and other major emergency incidents. Huntingdonshire residents will be able to sign up to receive either a free text message or an e-mail advising them of an incident in the area and directing them where to obtain further information. The scheme will be publicised through press releases, the Council's website and Districtwide. It is anticipated that the cost of the system to the Council will be minimal and can be covered through the existing Emergency Planning budget.

**52. ST IVES CONSERVATION AREA:
CHARACTER STATEMENT AND BOUNDARY REVIEW**

Having been acquainted with the responses received from the consultation exercise on the Character Statement and Boundary Review for the St Ives areas, the Cabinet has agreed to adopt the documents for use as material considerations in planning decisions and project work. The Cabinet also has authorised the Head of Planning Services, after consultation with the Executive Councillor for Planning Strategy, Environment and Transport to make any minor consequential amendments to the text and illustrations as necessary.

53. GROWING SUCCESS PERFORMANCE REPORT

In conjunction with the Overview and Scrutiny Panels, the Cabinet has noted performance management information on the achievement of the objectives in the Council's Corporate Plan – "Growing Success". The Plan identifies 50 short, medium and long term objectives to help achieve aims and ambitions for Huntingdonshire's communities and the Council itself. Progress against all 50 objectives is monitored on a quarterly basis in order to identify those achieving target and those where performance is considered unacceptable, thus enabling responsive action to be undertaken. As part of this process a joint working group of the Overview and Scrutiny Panels currently reviews those objectives that are considered to be high priority and Executive Members have requested that a summary of the Panel's deliberations be appended to future monitoring reports.

54. DECENT HOMES FOR VULNERABLE PEOPLE IN THE PRIVATE SECTOR

Further to Item No. 24 of their Report to the Council held on 27th September 2006, the Cabinet has been advised that the Council had been awarded a capital grant of £167,000 from EERA's Housing and Sustainable Communities Panel to help improve "non-decent homes in the private sector". In discussing how the grant should be used, Members were reminded that a previous award had been reserved for thermal efficiency improvements. Despite targeted publicity the take-up of this grant has been lower than anticipated. Having been

advised that failure to spend the grant on the intended use might prejudice further allocations, the Cabinet has agreed to reserve the 2007/08 award for future years' spend on the provision of insulation improvements to private sector homes occupied by vulnerable people.

55. HOMELESSNESS PREVENTION FRAMEWORK

The Cabinet has approved a Homelessness Prevention Framework for Discretionary Payments designed to support the Council's preventative approach to homelessness. The framework enables the Council to spend relatively small amounts of money to prevent homelessness, thereby reducing the use of bed and breakfast and other forms of temporary accommodation and benefiting households by avoiding the upheaval and trauma of being made homeless.

56. PROPOSED STUKELEY MEADOWS SKATE PARK

The Cabinet has agreed to bring forward a scheme identified for inclusion in the 2009/2013 Medium Term Plan to develop a skate park at Stukeley Meadows, Huntingdon. The scheme is estimated to cost £180,000 towards which £160,000 has been secured from external sources. In that respect Members referred to the absence of any funding thus far from Huntingdon Town Council, particularly given the benefits of the proposal for the town. With this in mind, the Cabinet has requested that the Town Council be approached to consider meeting the running costs of the scheme estimated at £10k per annum. Given that some of the funding already pledged is time limited and can only be spent during the current financial year, the Cabinet has agreed to release up to £20,000 from the Capital Programme, prior to approval of the Council's Medium Term Plan to enable the scheme to proceed.

57. LOCAL ECONOMY STRATEGY

The Cabinet has approved the content of a Local Economy Strategy for Huntingdonshire. The Strategy has been developed in consultation with the business community and the Huntingdonshire Economic Forum and aims to provide a focus for investment, activities and interventions for a range of organisations working in the local economy for continued economic success. The development of the Strategy comes at an important time for the District coinciding with the review of the East of England regional economy strategy and the sub-national review of economic development and regeneration. There is a move for a regional spatial policy to be brought together on regional policies and it is important therefore that Huntingdonshire has a clear, unified vision for its local economy and how it fits into the regional and national picture.

58. DEVELOPER CONTRIBUTIONS TOWARDS AFFORDABLE HOUSING: SUPPLEMENTARY PLANNING DOCUMENT

Further to Item No. 14 of their Report to the meeting of the Council held on 27th June 2007, the Cabinet has considered responses

received from the public consultation exercise on the draft supplementary planning document, “Developer Contributions towards Affordable Housing”, along with an accompanying sustainability appraisal and a consultation statement. In approving the contents of the papers, the Cabinet has authorised the Head of Planning Services after consultation with the Executive Councillor for Planning Strategy, Environment and Transport to approve any minor consequential amendments to the text and illustrations as necessary.

**59. LOCAL DEVELOPMENT FRAMEWORK:
THE CORE STRATEGY – PREFERRED OPTIONS**

The Cabinet has approved for public consultation preferred options for inclusion in the Council’s Core Strategy. The document describes the spatial vision for the District up to 2026 and includes references to essential housing development, stable economic growth and environmental improvements. Having noted the timescale and procedure for public consultation prior to the document’s submission to the Secretary of State, the Cabinet has authorised the Head of Planning Services to make any minor changes to the document as he considers necessary, after consultation with the Executive Councillor for Planning Strategy, Environment and Transport.

**60. LAND AT ST. MARY’S STREET, REAR OF 22 HIGH STREET,
HUNTINGDON**

The Cabinet has approved terms and conditions for the sale of Council owned land at St Mary’s Street and to the rear of 22 High Street, Huntingdon. The land is a narrow strip of amenity land and was registered in the Council’s ownership in August 2006 as part of the programme of voluntary registration of land.

I C Bates
Chairman

**BUDGET AND MEDIUM TERM PLAN 2008-2013
DRAFT PROPOSALS
(Report by the Head of Financial Services)**

1. PURPOSE

- 1.1 The purpose of this report is to allow the Cabinet to review the draft 2008/09 budget, the Medium Term Financial Plan (MTP) to 2012/13 and the longer term financial forecast to 2018/19.

These are all based on the previous assumptions on Revenue Support Grant (RSG) that the Council will receive.

- 1.2 Once approved by Council in December, these drafts will be used to produce the final budget and MTP for the following 4 years for consideration and approval by Council in February.
- 1.3 Until the position on RSG for the next 3 years is known considerable uncertainty on the Council's financial plan will remain. It is expected that the RSG information for the full 3 year period will not be available until the new year. This will then allow the final decisions to be made on any further spending adjustments, use of reserves and the level of Council Tax.

2. BACKGROUND

- 2.1 Cabinet will recall the Financial Strategy Report that they considered at their 6 September meeting which highlighted certain increased costs and the major uncertainty on RSG levels over the next 3 years. The provisional grant announcement for 2008/09 may not be received by the date of this meeting but, if it is, an update will be tabled.
- 2.2 Since the production of the Financial Strategy, Heads of Service have reviewed their budgets and 5 year service Visions to propose various adjustments to the existing approved MTP. Those proposals supported by the Chief Officers' Management Team have been included in this report together with any necessary technical adjustments.

3. SUMMARY

- 3.1 The following table summarises the Council's financial position over the MTP period:

FINANCIAL SUMMARY	FORECAST	BUDGET	MTP			
	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
	£000	£000	£000	£000	£000	£000
DRAFT SPENDING TOTAL	18,784	20,818	22,640	24,584	25,488	24,975
Use of revenue reserves	815	1,952	2,833	3,789	3,655	2,053
Remaining revenue reserves EOY	18,640	16,688	13,855	10,066	6,411	4,358
Budget Requirement	17,969	18,866	19,807	20,795	21,833	22,922
% increase		4.99%	4.99%	4.99%	4.99%	4.99%

Total Spending Adjustments as yet unidentified		-543	-1,319	-2,145	-2,759	-5,071
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Forecast Capital Spending	14,302	15,039	14,084	7,637	7,394	5,009
Remaining capital reserves EOY	16,040	2,601	0	0	0	0
Accumulated Borrowing EOY			10,383	16,920	23,215	27,124
Net Interest and Borrowing Costs	-2,712	-1,984	-786	234	942	1,502

Note: The 2007/08 forecast is funded by £564k from the "delayed projects reserve" and £251k from general revenue reserves. Both reserves are treated as revenue reserves for financial planning purposes.

A fuller summary including the corresponding figures for the Forecast Period is shown in Annex A.

- 3.2 The current approved MTP highlighted the strategy of increasing Council Tax by more than 5% (5.7% in 2008/09) as long as the increase in budget requirement was less than 5% which accorded with the Government's past practice of operating capping. 2008/09 is the first year when this strategy can impact and so this section takes a different approach to previous years.
- 3.3 The Plan is based on two key principles. Firstly, that the level of revenue reserves should not be reduced more quickly than approved in the current plan i.e. £4.4m will still be available at the end of 2012/13. Secondly, a continuation of limiting the increase in budget requirement to just under 5%. This results in an increase in spending adjustment needed in 2012/13 (see para. 4.4 below).
- 3.4 Based on a Budget Requirement increase of 4.99%, Council Tax increases greater than 5% are inevitable if Government Grant increases by less than 5%. The following table gives some examples based on the budget requirement of £18.866m for 2008/09:

RSG		Council Tax		
Increase	Total	Total	Rate	Increase
%	£000	£000	£	%
0.0%	11,657	7,209	£ 124.89	13.6%
1.0%	11,774	7,092	£ 122.87	11.8%
2.0%	11,890	6,976	£ 120.85	10.0%
3.0%	12,007	6,859	£ 118.83	8.1%
4.0%	12,123	6,742	£ 116.81	6.3%
5.0%	12,240	6,626	£ 114.79	4.4%

- 3.5 It is therefore important to limit increases in budget requirement because the likely low increases in RSG will force high Council Tax increases and also increase the likelihood of capping.

- 3.6 It would of course be technically possible to increase the use of revenue reserves next year to reduce the level of Council Tax rise but this would reduce the flexibility which currently exists to introduce spending adjustments gradually to ensure they are the most effective with least impact on service provision.
- 3.7 Much of the current uncertainty, compounded by the delays resulting from the new Comprehensive Spending Review, will be resolved by January and there may also be some Government pronouncements that will provide clues as to how any capping limits may apply.

4. THE KEY ELEMENTS

- 4.1 The total increase in spending between the 2007/08 budget and the 2008/09 draft budget of £1,036k (5.3%) is shown in the table below:

DRAFT SPENDING TOTAL	DRAFT BUDGET	
	2008/09	
	£000	£000
2007/08 Approved Budget		19,534
Approved MTP adjustments for 2008/09	+1,286	
Proposed MTP Variations	295	
<i>Rephasing (includes items delayed from 2007/08)</i>	81	
<i>No extra cost or saving</i>	-60	
<i>Extra Cost</i>		
<i>Unavoidable</i>	52	
<i>High Priority - Other</i>	211	
<i>Technical</i>	11	
Other Variations	-297	
<i>Inflation on revenue variations</i>	-13	
<i>Forecast Outturn</i>		
<i>Interest and Borrowing</i>	-284	
TOTAL VARIATIONS		1,284
DRAFT SPENDING TOTAL		20,818
% increase on 2007/08 budget		6.6%

- 4.2 A summary of the existing MTP and proposed variations together with the new appraisal forms are available on the Council's website and via a link on the Member's section of the intranet. The final budget report will contain a list of the 2007/08 and 2008/09 starts that will require further approval from COMT or Cabinet before proceeding.

The total variation is summarised below by service area:

SUMMARY OF VARIATION	
	£000
Refuse and Recycling	88
Leisure Centres	-171
Planning (rephasing of planning delivery grant)	266
Community Initiatives	52
Housing	76
Housing Benefits	67
Concessionary Fares	-166
Car Parking	-209
Environmental Strategy	55
Land Charges	32
PFH/Eastfield House	222
IT	123
HR and Training	50
Technical (mainly inflation and interest)	714
Other Services	85
TOTAL	1,284

- 4.3 In addition to the above variations a number of schemes are to be funded from existing budgets. These will be the first call on sums identified in the review of existing budgets referred to in para. 5.2 below. The total for these items is shown below:

TO BE FUNDED FROM EXISTING BUDGETS	BUDGET	MTP			
	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Proposals not included in the MTP that will be met from existing budgets.	148	187	146	140	135

5. TARGETED SPENDING ADJUSTMENTS

The table below shows the target set in the current approved MTP and the sums already identified:

TARGETED SPENDING ADJUSTMENTS	BUDGET	MTP			
	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Previously approved spending adjustments required not yet permanently identified	-643	-1,369	-2,195	-2,809	-3,579
Add: Further spending adjustments now required	0				-1,492
TOTAL	-643	-1,369	-2,195	-2,809	-5,071
Less: Assumed level of general underspendings	-100	-50	-50	-50	
STILL TO BE IDENTIFIED	-543	-1,319	-2,145	-2,759	-5,071

Figures for subsequent years are shown in Annex B

The following actions are underway to identify how these adjustments will be achieved, particularly to confirm the requirement for 2008/09 before the budget is finalised in February.

Existing budgets are being reviewed in the light of historic underspendings to determine whether further spending proposals can be met from

existing resources. This will be the main source for identifying the adjustments needed for 2008/09.

New and potential sources of income, including Government specific grants, will continue to be investigated to ensure opportunities for funding existing spending plans or enhancing services at no additional cost are maximised.

A programme of Business Transformation reviews will be introduced to ensure that efficiencies are identified and resulting savings made.

6. RISKS AND OPPORTUNITIES

6.1 The above figures do not yet include the following items which will need to be brought into the MTP when they become available:

- The grant proposals for 2008/09 to 2010/11 and subsequent assumptions. (Potentially significant loss but see paragraph 6 below)
- Final review of future interest rates. Current assumptions are 5.5% 2008/09, 5.25% 2009/10 and 5% thereafter. (0.5% reduction in interest rates from April 2008 would cost the Council £160k in 2008/09 but this would steadily fall as reserves are utilised so the overall cost in the period to March 2019 would be £530k)
- The Middle Level Drainage Board is proposing to construct a major new pumping station on its main drain at St Germans, south west of Kings Lynn. At some stage, a proportion of the cost will fall on this Council via increased Drainage Board rates or special levies.
- Any benefit received under the Government's Local Authority Business Growth Incentive scheme (which allows authorities a portion of increases in business rates over and above a norm) for 2006/07 onwards. It is expected that we will receive a payment for 2007/08 though it is difficult to estimate how much will be received and when. (Could be as much as £400k). There will be no further grant in 2008/09.
- Any S106 monies that can be used to finance existing planned expenditure. (Unlikely to be significant)
- Any variation between the Specific Grant for Concessionary Fares and the, as yet, unquantifiable additional cost. (Too early to assess).
- Any contribution from the County Council towards the Capital Maintenance of Leisure Centres. (This could be in the region of a £1m capital contribution).

6.2 The Council's "Budget Requirement" (net revenue spending less use of reserves) is funded from Government Support (RSG) and the Council Tax.

The Government will cap (force a retrospective reduction in its Council Tax) any Council that has a Council Tax increase **and** a Budget Requirement increase in excess of levels it will determine after all Council Taxes have been set. There will always be a risk that an individual Council is over optimistic on the levels that the Government will decide are acceptable. Last year's assumption was that capping would only apply to those Councils that increased both their budget requirement **and** their council tax by more than 5%. The plan therefore limited the Council Tax rise to 5% in 2006/07 but the Budget

Requirement increase to 5% (4.99%) thereafter. As explained in paragraph 3.3 above the level of RSG will have a significant impact on this and so formal consideration of this aspect will have to be deferred until January/February when the next three years grant figures are known.

7. CSR07 and RSG

- 7.1 Details of the Government's Comprehensive Spending Review 2007 (CSR07) were announced in October. The settlement has been described by the LGA as the "worst financial settlement for councils in a decade". In total it provides real terms increases of 1.5%, 0.8% and 0.7% over the next three years but this is considered insufficient to "deliver the new services promised by Government, or meet the cost of providing services to increasing numbers of older people and meeting the increasing cost of waste management".
- 7.2 If this Council were to receive such increases they would be broadly in line with our previous forecast but the totals are likely to mask transfers of funding between services. For example if a major service like education or Social Services were to receive extra funding then District Council funding would be increased by less than the rate of inflation.
- 7.3 There is also the question of changes to the allocation formula itself, particularly in relation to the area cost adjustment, which could lose the Council £0.5m per year.
- 7.4 It has now been decided that the extra funding for Concessionary Fares changes from April 2008 will not be included in RSG but provided via a specific grant, at least for the next three years. A consultation paper has been received which indicates the Council would receive between £197k and £368k depending on the formula chosen though there are recent concerns about the robustness of the data used. Likely costs of the new scheme are unlikely to emerge, with any certainty, until some months into the new financial year and so the assumption for this report is that the grant will be sufficient.
- 7.5 CSR07 also introduces a new Performance Indicator which will require authorities to show whether they have achieved the Government's new cashable savings target of 3% per year from 2008/09 to 2010/11.

8. CONCLUSIONS

- 8.1 Whilst the Council's spending plans have been thoroughly reviewed there remain two fundamental uncertainties – the Government's attitude to capping and the level of Grant that we will receive. These are intrinsically linked in that a very poor settlement will make it very difficult for many Councils to achieve low Council Tax increases.
- 8.2 It is hoped that there will be some information on the provisional grant settlement before the meeting date but it has been suggested that this may only include the first year of the three year settlement and the remaining years will follow later.
- 8.3 Work is ongoing to identify the required spending adjustments for 2008/09 and prepare service level budgets for formal approval in February.

9. RECOMMENDATIONS

9.1 Cabinet are asked to:

- Highlight to Council the implications for Council Tax levels of low RSG levels (para. 3.3)
- Recommend to Council the policy of limiting increases in Budget Requirement to 4.99%
- Recommend to Council this draft Medium Term Financial Plan to Council as the basis for the production of the 2008/09 budget, the revised MTP for 2009/10 to 2012/13 and the financial plan to 2018/19.

Annexes

- A Financial Summary to 2018/19
- B Spending Adjustments still to be identified

ACCESS TO INFORMATION ACT 1985

Source Documents:

1. Working papers in Financial Services
2. 2007/08 Revenue Budget and the 2008/12 MTP
3. Financial Strategy Report

Contact Officer: Steve Couper, Head of Financial Services
☎ 01480 388103

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FINANCIAL SUMMARY	FORECAST	BUDGET	MTP				FORECAST					
	2007/08 £000	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000	2013/14 £000	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000	2018/19 £000
2007/08 BUDGET/MTP	19,534	20,820	22,462	23,716	24,052	24,456	24,900	25,750	26,985	28,252	29,429	30,734
MTP Variations*	-616	295	435	955	1,373	1,841	2,257	2,665	3,183	3,718	4,097	4,703
<i>Rephasing</i>	-246	81	-65	-166	-144	-171	-186	-186	-186	-186	-186	-186
<i>No extra cost or saving</i>	-334	-60	-103	-207	-221	-237	-294	-227	-227	-227	-227	-227
<i>Extra Cost</i>												
<i>Unavoidable</i>	-11	52	83	306	445	522	558	558	558	558	558	558
<i>High Priority - Added Years</i>	0	0	5	13	32	126	204	204	204	204	204	204
<i>High Priority - Other</i>	5	211	231	241	196	191	191	191	191	191	191	191
<i>Technical</i>	-30	11	284	768	1,065	1,410	1,784	2,125	2,643	3,178	3,557	4,163
Other Variations	-134	-297	-257	-87	63	170	204	247	271	279	303	339
Additional Spending Adjustments now required	0	0	0	0	0	-1,492	-2,476	-2,856	-3,911	-4,397	-4,587	-5,074
NEW FORECAST	18,784	20,818	22,640	24,584	25,488	24,975	24,885	25,806	26,528	27,852	29,242	30,702
Use of revenue reserves	815	1,952	2,833	3,789	3,655	2,053	819	539	0	0	0	0
<i>Remaining revenue reserves EOY</i>	<i>18,640</i>	<i>16,688</i>	<i>13,855</i>	<i>10,066</i>	<i>6,411</i>	<i>4,358</i>	<i>3,539</i>	<i>3,000</i>	<i>3,000</i>	<i>3,000</i>	<i>3,000</i>	<i>3,000</i>
Budget Requirement	17,969	18,866	19,807	20,795	21,833	22,922	24,066	25,267	26,528	27,852	29,242	30,702
% increase		4.99%	4.99%	4.99%	4.99%	4.99%	4.99%	4.99%	4.99%	4.99%	4.99%	4.99%
FUNDING												
Government Support	-11,650	-12,162	-12,684	-13,033	-13,391	-13,759	-14,138	-14,526	-14,926	-15,336	-15,758	-16,192
Collection Fund Deficit	-7	0	0	0	0	0	0	0	0	0	0	0
Council Tax	-6,313	-6,704	-7,124	-7,763	-8,442	-9,163	-9,928	-10,741	-11,602	-12,516	-13,484	-14,510
COUNCIL TAX LEVEL	£109.91	£116.14	£122.81	£133.15	£144.08	£155.61	£167.77	£180.60	£194.11	£208.35	£223.35	£239.15
% increase	5.0%	5.7%	5.7%	8.4%	8.2%	8.0%	7.8%	7.6%	7.5%	7.3%	7.2%	7.1%

Forecast Capital Spending	14,302	15,039	14,084	7,637	7,394	5,009	5,133	5,263	5,396	5,532	5,671	5,812
Remaining capital reserves EOY	16,040	2,601	0	0	0	0	0	0	0	0	0	0
Accumulated Borrowing EOY	0	0	10,383	16,920	23,215	27,124	31,156	35,319	39,615	44,047	48,618	53,330
Net Interest and Borrowing Costs	-2,712	-1,984	-786	234	942	1,502	1,879	2,210	2,526	2,826	3,128	3,434

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TARGETED SPENDING ADJUSTMENTS	BUDGET	MTP				FORECAST					
	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000	2013/14 £000	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000	2018/19 £000
Previously approved spending adjustments required not yet permanently identified	-643	-1,369	-2,195	-2,809	-3,579	-4,349	-4,765	-4,624	-4,624	-4,624	-4,760
Add: Further spending adjustments now required	0				-1,492	-2,476	-2,856	-3,911	-4,397	-4,587	-5,074
TOTAL	-643	-1,369	-2,195	-2,809	-5,071	-6,825	-7,621	-8,535	-9,021	-9,211	-9,834
Less: Assumed level of general underspendings	-100	-50	-50	-50							
STILL TO BE IDENTIFIED	-543	-1,319	-2,145	-2,759	-5,071	-6,825	-7,621	-8,535	-9,021	-9,211	-9,834

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Standards Committee

Report of the meeting held on 23rd October 2007

Matters for Information

**9. APPLICATION FOR DISPENSATION –
FOLKSWORTH AND WASHINGLEY PARISH COUNCIL**

Following advice given at a training session offered to town and parish councils on the new code of conduct, an application for dispensation has been received on behalf of the Members of Folksworth and Washingley Parish Council who act as custodian trustees to land occupied by the Village Hall.

Having been satisfied that approval of the application was required to prevent the business of the Parish Council from being impeded, the Committee has granted dispensations to the Members of that Council to enable them to speak and vote for the period ending 30th April 2010 on business involving the award of financial assistance to the Village Hall Management Committee should this arise at their meetings.

10. ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

Three Members reported on their attendance at the 6th Annual Assembly of Standards Committees held in Birmingham in October and have drawn attention to a series of issues which the Committee might be required to address in the future. Notably these included a suggestion that the Code of Conduct could be further refined in 2008, the scale of additional resources required for local authorities to manage the local filter from April 2008 and the potential for the appointment of an additional Independent Member and Parish Council representative to fulfil the requirements of the various bodies needed to consider cases involving breaches of the Code of Conduct.

D L Hall
Chairman

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Overview & Scrutiny Panel (Corporate and Strategic Framework)

**Report of the meetings held on 2nd October and
13th November 2007**

Matters for Information

**6. A SUSTAINABLE COMMUNITY STRATEGY FOR
HUNTINGDONSHIRE**

The Panel has discussed the draft sustainable community strategy for Huntingdonshire. Members have been reminded of its background and that the strategy will influence the allocation of resources under the Local Public Service Agreement.

In response to written comments submitted by Councillor J A Gray on the lack of reference to rural areas, Members have been informed that Cambridgeshire ACRE have been consulted on the strategy and specific issues to address rural communities will appear in the action plan.

The Panel has discussed each of the strategic themes. With regard to the theme of growth and infrastructure, Members have expressed their concern at the inadequacy of infrastructure to meet demand following housing development in the District. They suggest that appropriate community and leisure facilities for new and existing communities should be a priority and that there is a need for the guided bus to incorporate a park and ride facility in Huntingdon. Members also concluded that the health and well-being theme should include greater reference to older people and to social care facilities.

The Panel has noted that fear of crime will be added to the inclusive, safer and cohesive communities strategic theme and is of the opinion that the Council should support the Police and Partner organisations to achieve additional resources to address anti-social behaviour in the District.

In respect of the children and young people strategic theme, the Panel has emphasised the need for research and evaluation of existing services in this area. Further comment has been made under the economic prosperity theme on the need to achieve a balance between growth, housing and employment. Members have been informed that work is ongoing to promote specific types of employment to reduce out-commuting and that links will be made with the Local Development Framework and Local Development Plan.

The Panel has been informed that air pollution from cars is the main issue for the district under the environment strategic theme and that flooding will be addressed through both prevention and protection measures. Members have endorsed an action plan under the efficient use of resources outcome to plant trees but have stressed that this should not be at the expense of agriculture and that a balance should be maintained.

The Strategic Partnership Thematic Groups will now start to develop action plans for each strategic theme, which will be submitted to the Panel for comment in January 2008.

7. DRAFT BUDGET AND MEDIUM TERM PLAN

The Panel has reviewed the draft budget and Medium Term Plan to 2012/13 within the context of a long term financial forecast covering the period up to 2018/19.

Arising from questions about the role of Councillors in scrutinising and determining the budget, the Panel has been assured that Executive Councillors have been involved in compiling the proposals and reminded that the role of scrutiny was to consider the budget as a whole in addition to any new MTP bids.

As further announcements have yet to be made about the level of the revenue support grant allocation for 2008/09, the Panel has agreed that the final budget report should be considered at their meeting in January 2008 when all of the outstanding information should be available.

Councillors have been reminded of the previous capping criteria and acquainted with some early indications as to how this may be applicable to 2008/9, as well as the methodology behind the annual budget requirement increase. In considering the proposed financial strategy, the Panel has expressed its support for any increase in the annual budget requirement to be limited to 4.99% and for the recommendations contained in the report to be submitted to Cabinet and Council.

S J Criswell/J A Gray
Chairmen

Overview & Scrutiny Panel (Service Delivery)

**Report of the meetings held on 2nd October and
6th November 2007**

Matters for Information

12. PERFORMANCE MONITORING

The Panel has reviewed the Council's performance against the priorities contained in "Growing Success" – the Council's Corporate Plan that fall within its remit. Members have been reminded that the Council continues to monitor its performance against all of its aims and objectives and details are available if required.

With regard to the Council's homelessness objectives, attention has been drawn to the risks that might hinder the provision of affordable housing. Members have requested that future reports include the number and proportion of housing completions on qualifying sites that are affordable.

13. MARKET UPDATE 2006/07

The Panel has received updated information on the District's markets. Additional information on the markets budget and on the Ramsey market has been requested. The Panel has decided not to undertake any further study work in this area.

14. OVERVIEW AND SCRUTINY INTERNAL AUDIT REPORT

In conjunction with the Overview and Scrutiny Panel (Service Support), the Panel has been acquainted with the findings of an internal audit report on Overview and Scrutiny. Attention has been drawn to the overall conclusion that the Overview and Scrutiny function at the Council is performing well and suggested recommendations for improvements.

The Panel has approved amendments to the study template which are intended to address the identified audit actions.

15. A SUSTAINABLE LOCAL ECONOMY STRATEGY FOR HUNTINGDONSHIRE

The Panel has reviewed the draft Sustainable Local Economy Strategy for Huntingdonshire. The overall aim is to develop a

strategy that could contribute towards achieving 20,000 additional jobs that are needed in the District in the period to 2021 in line with the draft Regional Spatial Strategy.

The Panel has discussed each of the six strategic priorities in detail, which have been developed to focus future activities. With regard to the outcome of providing Business Support, Members have commented on the need for the Council to support the installation of infrastructure facilities in areas of land identified for industrial development in order to make them more attractive to businesses and on the need to promote existing sites for development. It has been suggested that older units should be refurbished for this purpose.

Members have been informed that the 20,000 new jobs will be in addition to the 68,000 existing jobs in the District. Members have requested that they are kept informed of changes to the designation of industrial land for planning purposes. In addition they are of the opinion that there is unmet demand for “move on” premises and that small companies need support to make the transition.

The Panel has noted that the Physical Infrastructure Development strategic priority refers to the importance of ensuring that infrastructure requirements are reflected in the Regional Spatial Strategy and, in particular, that there is a need for an effective transport network.

In respect of the Skill Development strategic priority, Members have commented that, in addition to providing training, priority housing also should be provided for key workers. Having been acquainted with an example of how similar assistance has been provided to a company which relocated to the District, Members have noted that the Regional College consults industry on its training needs and has developed courses to support creative industries.

The Panel has been informed of the objectives of the Town Centre Support and the Visitor Development strategic priorities. With regard to the latter, Members have requested and received details of the sub-regional approach it is intended to adopt. A regional brand will be developed and a Tourism Officer for Cambridgeshire and Peterborough will be appointed and managed by the District Council to support partners across the County to deliver projects for the benefit of Cambridgeshire and Peterborough.

The final strategic priority covers the industry sectors it is intended to promote. The Panel has identified a need for planning policies to allow diversification in the use of redundant buildings in rural areas for this purpose and for measures to attract industries, including assistance with start-up, transfer and technical matters. Members have outlined their views on the desirability of providing adequate and sufficient services to serve the increased population. An extra 10,000 jobs are currently needed locally to balance the levels of inward and outward commuting to and from the District.

In the context of recent job losses in manufacturing in St. Neots, the Panel has stated that particular emphasis should be placed in this area by encouraging new types of industry, building housing and resisting the re-designation of industrial sites for residential purposes.

The Strategy and Action Plan will be submitted to the Panel in the New Year for further consideration.

16. STRATEGIC PARTNERSHIP SCRUTINY

The Panel has discussed the scrutiny of the Local Strategic Partnership. Members have been informed that the Community Strategy and Strategic Partnership structure are in the process of being reviewed. Having been informed that national studies have stressed the importance of involving Councillors in the process, the Panel has recognised the need for Executive Councillors to be involved at all levels of the Strategic Partnership and for it to be scrutinised. As a result, it has been agreed that the Corporate Plan Working Group will monitor the Strategic Partnership's progress and that reports on the allocation of funding by the Partnership will be received by the Panel as appropriate.

17. WORKING GROUPS

(a) Youth Forum

The final report of the Youth Forum Working Group had been submitted to the Panel.

The Working Group had been tasked with reviewing a suggestion, put forward under the review of the Council's Constitution, that the Council should consider introducing a District youth forum. Having examined the matter in detail, the Working Group has not identified a need to introduce a forum at the present time. Members' attention has been drawn to ongoing bids for funding and the successful Partnership Action in Rural Communities project. Work in this area generally is dependant on external funding continuing.

Having expressed the view that session workers are essential for Town and Parish Councils, Members have been acquainted with the timetable for a number of funding bids to be considered.

In endorsing the Working Group's recommendations, the Panel has decided:

- ◆ that the Corporate Governance Panel should be recommended to note the work being undertaken to involve young people and not to introduce a Youth Forum at this time but to remain open to re-considering this as and when circumstances permit;

- ◆ that the promotion of the Countywide model for involving children and young people in decision-making should be supported;
- ◆ that the submission of a bid for funding to the National Volunteering Charity “V” for work with 16-24 year olds should be supported;
- ◆ that the bid to the Local Public Service Agreement Board Reward Money for funding for developing strategic work, including how the involvement of children and young people can be embedded into the work of organisations and coordinating/promoting partnership working, should be supported;
- ◆ that the recommendation that application is made to the Local Public Service Agreement Board for funding to provide training for members of Town and Parish Councils on involving young people and to provide “session” workers to support Town and Parish Councils should be supported;
- ◆ that quarterly reports should be submitted to the Overview and Scrutiny Panel (Service Delivery) on the outcomes of the Council’s engagement work with children and young people;
- ◆ that measures to raise awareness of current work in this field should be supported; and
- ◆ that a progress report should be submitted to the Panel in 12 months time.

(b) State of the District Consultation

The Panel has received a progress report by the State of the District Consultation Working Group. Members’ attention has been drawn to the potential benefits of holding consultation events and a suggestion that a trial is held. They have endorsed a suggestion that the Working Group should look at using different consultation methods as part of the trial.

(c) Adoption of Roads and Sewers

The Panel has received an update on the work of the Adoption of the Roads and Sewers Working Group.

18. OVERVIEW AND SCRUTINY PANEL (SERVICE DELIVERY) – PROGRESS

The Panel has reviewed its programme of studies at each of its meetings. Members have requested details of the decision by the Cabinet in respect of the study on Promoting Better Health in Older People Through Physical Activity. They also have requested that information might usefully be obtained from Directions Plus and from the Papworth Trust on the study on disability access.

Other Matters of Interest

19. LOCAL GOVERNMENT ACT 2000 – FORWARD PLAN

The Panel has been acquainted with details of the relevant Forward Plan of Key Decisions at its meetings. Members will consider items on Migrant Workers in Huntingdonshire, the Consultation and Engagement Strategy and Decent Homes for Vulnerable People in the Private Sector at future meetings.

20. 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

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Overview & Scrutiny Panel (Service Support)

**Report of the meetings held on 9th October and
13th November 2007**

Matters for Information

20. CAR PARKING STRATEGY: DRAFT ACTION PLAN

The Panel has received a presentation and report detailing the Council's proposed Car Parking Strategy Action Plan following the work undertaken by the Members' Car Parking Strategy Working Group. Members were acquainted with the short, medium and long-term measures identified for each of the market towns to address the issues contained in a study commissioned from consultants.

The Panel raised a number of questions relating to commuter parking, alternative car parking provision to offset that lost by the closure of the car park at Pathfinder House, new ticket machines and methods of payment, the adequacy of the incentives proposed for use of cars with low emissions, the development of an improved working relationship with rail and bus operators and the possibility of establishing a park and ride facility at Hartford to access the guided bus service in St. Ives. Further concerns were expressed by Members regarding the potential impact that the introduction of parking charges at Riverside Car Park, Huntingdon, would have on nearby residential streets. The Panel discussed the need for further consideration to be given to the operation of residential permits/parking and thought that the proposed nine hours maximum parking period in Huntingdon to align with that at the railway station was too short. The Panel also felt that it would be inequitable for certain charges to be imposed at Riverside Car Park in Huntingdon but not at Riverside Car Park in St. Neots.

As a result, the Panel has requested the Cabinet to invite the Car Parking Strategy Working Group to consider and undertake further investigative work on the following matters prior to approval of the draft Action Plan and commencement of the public consultation exercise –

- ◆ the offer of incentives sufficient to motivate drivers to purchase vehicles with green low-vehicle emission rates (for example, free parking for a narrower group of vehicles available to all users and not just season ticket holder residents);

- ◆ that the time related charge of nine hours be extended to at least ten or eleven hours which should still be of sufficient length to deter rail commuters from parking in town centre car parks;
- ◆ that it be made clear where the surplus income generated by increased parking charges would be spent, given the target within the existing strategy to use this to encourage “integrated, sustainable and accessible” transport;
- ◆ that the long and medium term opportunities offered by the new guided bus be investigated eg. the possibility of a park and ride at Huntingdon and the benefits which might accrue from the award of grant to Cambridgeshire County Council from the Transport Innovation Fund;
- ◆ how the overspill of car parking in the residential roads of Huntingdon would be managed following the imposition of charges in the Riverside and other car parks in Huntingdon;
- ◆ whether the suggestion in Option 1 that a residents car parking permit in town centres should be priced at £40 was sufficient to encourage residents to consider whether it was necessary to have a car when living in a town centre location as opposed to using other forms of transport; and
- ◆ how a charge for long stay car parking in Riverside Car Park, Huntingdon could be justified when no similar charge was recommended for the Riverside Car Park in St. Neots.

21. PERFORMANCE MONITORING

The Panel has received a report summarising the progress made to date by the authority against the priority objectives identified in “Growing Success” the Corporate Plan adopted by the Council earlier in the year. In the ensuing debate, the Panel was informed that, although the responsible transport authority was the County Council, the District Council could still contribute towards the reduction of car journeys by influencing the Market Towns Transport Strategy through its membership of the Huntingdonshire Traffic Management Area Joint Committee and via Section 106 funding arising from developments in the towns. Following the success of the IWA Festival, the Panel has expressed its wish to see increased partnership working and the development of opportunities that would benefit local businesses.

22. OVERVIEW AND SCRUTINY: INTERNAL AUDIT REPORT

The Panel has noted the outcome of an audit undertaken by the consultants Deloitte and Touche Public Sector of the Council's performance against its overview and scrutiny function.

Although areas of strength had been commended by the consultants, the Panel were advised of four issues that needed to be addressed relating to agreed timescales for the conclusion of studies, the linking of studies to the Council's strategic objectives, the establishment of formal terms of reference for studies and the need for Members to declare interests when participating in study groups. The Panel has agreed the actions required to meet the risks identified and introduced a template for capturing the information required in current and future studies.

23. CORPORATE PLAN WORKING GROUP

The Panel has appointed Councillor R G Tuplin to the Corporate Plan Working Group in place of Councillor D B Dew.

**24. CALL CENTRE QUARTERLY PERFORMANCE:
JULY TO SEPTEMBER 2007**

The Panel has received a quarterly performance report on the Council's Call Centre for the period July to September 2007 and discussed the reasons for the higher than anticipated call volumes in September with the change in refuse collection days coinciding with the Oxmoor fly tipping campaign. A high volume of calls extended to October with over 1,000 calls for concessionary bus passes alone.

Having regard to the need for Officers to improve communication with customer facing services when major changes or initiatives were taking place, the Panel has suggested that procedures are introduced that the Call Centre, Customer Service Centre and Document Centre be advised in advance in such circumstances.

Having regard to the length of time that the call centres now have been operational, the Panel decided that the performance monitoring report should be submitted to future meetings every six months but the information still collated on a quarterly basis.

25. CORE STRATEGY PREFERRED OPTIONS

The present position with regard to the adoption of the Core Strategy as part of the Local Development Framework has been explained to the Panel and a Preferred Options report submitted in advance of its approval by Cabinet for public consultation.

With regard to the projected scale of growth in the District, the Panel has been advised that all local planning authorities have been challenged by Government to deliver housing growth in excess of the targets set and in drafting the Core Strategy, Officers had attempted to be realistic in their approach which would enable a more robust defence to be made against inappropriate sites and provide an opportunity to address infrastructure deficits in those areas where growth is planned. With regard to the key service centres and smaller settlements in the District, the Panel also has been informed that some limited development and rural exception sites will be accommodated which similarly will enable infrastructure issues to be addressed.

In commending the Head of Planning Services and his staff for the effort in managing the volume and complexity of the work involved in producing the Core Strategy document, the Panel has expressed its support for the recommendations to be submitted to Cabinet.

26. AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT

The Panel has endorsed the contents of a proposed Supplementary Planning Document (SPD) on Developer Contributions Towards Affordable Housing as part of the Local Development Framework. The document provides for an affordable housing level of 40% in the Cambridge sub-region compared to a figure of 35% in the East of England Regional Plan and 29% elsewhere in the District.

The methodology for the proposed levels has been explained to the Panel and the significance of the exercise to update the Housing Needs Assessment for the District. Noting the restraints imposed by national planning policy, particularly in relation to the exemption provided to small sites in larger settlements, the Panel has supported the recommendations to Cabinet but has asked that a copy of the final Housing Needs Assessment be circulated to the Panel Members when this becomes available.

27. ON-LINE PETITIONS: PROCEDURAL IMPLICATIONS

Further to Item No. 16 of their Report to the Council meeting held on 26th February 2007, the Panel has reviewed the constitutional implications of introducing an on-line petition facility on the Council's website. The Panel has recommended that, subject to certain criteria being met, on-line petitions should be dealt with in the same manner as petitions submitted in a traditional format and will be submitting recommendations to both the Corporate Governance Panel and Cabinet on the use of electronic communication to engage with the public.

28. WORKPLAN STUDIES

The Panel has discussed its work plan and noted the progress made to date with the Travel Plan, Cycling, Parish Charter and Town Centre Initiatives Working Groups. The Panel has also requested preliminary work to be undertaken on issues relating to HGV parking throughout the District in preparation for a proposed future study.

29. OVERVIEW AND SCRUTINY PANEL (SERVICE SUPPORT) – PROGRESS

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

30. FORWARD PLAN

The Panel has been acquainted with details of the forward plan of forthcoming key decisions prepared by the Leader of the Council. In so doing, Members have identified a number of items for consideration at future meetings and have been updated on the likely dates for consideration of those reports previously requested.

J A Gray
Chairman

Development Control Panel

Report of the meetings held on 15th October, 19th and 26th November 2007

Matter for Decision

11. **DEVELOPMENT APPLICATION – ERECTION OF FOOD STORE, PETROL FILLING STATION, RESIDENTIAL DEVELOPMENT, COMMUNITY FACILITIES AND ASSOCIATED HIGHWAYS AND INFRASTRUCTURE WORKS, LAND AT THE CORNER OF STOCKING FEN ROAD AND ST MARY'S ROAD, RAMSEY**

Reproduced at agenda item no. 3 for the Council meeting is a report by the Head of Planning Services containing details of an outline application considered by the Panel for the erection of a foodstore, petrol filling station, residential development, community facilities and associated highways and infrastructure on land at the corner of Stocking Fen Road and St Mary's Road, Ramsey. Means of access, including a new roundabout, forms part of the application and a proposed footbridge will link the two parts of the site over the High Lode, Ramsey. All other matters are reserved. The application, submitted by Tesco Stores Ltd and Abbey Properties, Cambridge Ltd, indicates a store of 3,610 square metres (gross) and 2,316 square metres (net) of retail space with 270 car parking spaces. Negotiations have secured contributions via a Section 106 Agreement for a package of items which are detailed in paragraph 7.8 of the report of the Head of Planning Services but which include a community centre and the extension of an existing bus service from the town centre to the new store. The Section 106 Agreement Advisory Group has indicated its support for the proposed terms of the Agreement.

When considering the application, the Panel received representations from Councillor I Walker of Ramsey Town Council and Mr C Akrill, agent for the applicants. In addition to those representations referred to in paragraph 6.1 of the report of the Head of Planning Services, the Panel was advised that five further letters from a local organisation and residents had been received in support of the development. The original concerns of the Middle Level Commissioners had been overcome by an additional condition relating to surface water drainage.

During a lengthy debate, the Panel was made aware that the part of the site to the north-west of High Lode forms part of a B1/B2/B8 employment allocation in the Huntingdonshire Local Plan, 1995. That part of the site to the south-east abutting Stocking Fen Road forms

part of a "Recent Employment Completions/Outstanding Major Employment Commitments" in the Huntingdonshire Local Plan, 1995. Not being B1/B2/B8 uses, the development proposed will represent a departure from the Local Plan.

The Panel, therefore, has considered whether there are any material planning considerations which justify supporting the scheme as a departure. The Panel has noted that the proposal and associated obligations will fulfil a large part of the vision for the Ramsey Gateway Urban Development Framework which was adopted as Interim Planning Guidance by the Council in November 2004. The area also has been identified as an opportunity site in the Ramsey Action Plan. The Framework supports the enhancement of this area as the gateway to the town and envisages the provision of a food store and residential development. In addition, by providing a fundamental part of the road infrastructure in the form of a new roundabout to serve the site, the proposal could help to prompt the development of the remainder of the employment allocation and overcome the infrastructure costs which have been prohibitive to other employment uses until now.

In terms of its impact on the Conservation Area, the scheme is considered to enhance its character and appearance and to accord with the advice contained in Planning Policy Guidance Note 15 and policies En5 and En9 of the Huntingdonshire Local Plan.

As background to their deliberations and in response to the representations made, the Panel was advised that, whilst unable to do little to alter the poor road network, the Council was being proactive in dealing with infrastructure and skills training with the Urban Design Framework having been produced as a response to those issues. The highway measures and sewerage infrastructure required as part of the development not only would provide access to the proposed superstore and housing but would open up and service approximately 2 hectares of employment land to the north west. The new store also would be accessible to pedestrians and cyclists, with it being pointed out that the proposal was aimed at traffic containment rather than introducing extra traffic flow.

The Panel's attention was drawn to the fact that the Council is promoting economic regeneration in Ramsey through an application to the East of England Development Agency for funding to build a business and enterprise centre that will include small serviced micro units and training facilities. Its purpose is to unlock the potential for growth through new jobs and business and provide an encouragement for the private sector to build small to medium units allowing businesses starting in the enterprise centre to expand.

With regard to the 'triggers' for the delivery of the community centre and the road infrastructure to serve the remainder of the employment allocation, the Panel has been informed that the applicant has indicated agreement to these facilities being provided prior to the opening of the food store or the occupation of any of the market dwellings, which ever is the sooner.

Having considered the balance of the arguments put forward and taken into account the relevant material considerations, the Panel

RECOMMEND

- (i) that, subject to conditions to be determined by the Head of Planning Services to include surface water drainage, no new adverse material considerations being raised to the scheme in respect of the impact of the development on the character and appearance of the Conservation Area and to the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990, the application for the erection of a foodstore, petrol filling station, residential development, community facilities and associated highways and infrastructure works on land at the corner of Stocking Fen Road and St Mary's Road, Ramsey be supported;**
- (ii) that, if the application is supported by the Council, the Government Office for the Eastern Region be requested to consider whether they wish to call in the proposal; and**
- (iii) that, in the event that the proposal is not called in by the Government Office, the application be approved and the Director of Operational Services authorised to advertise the application as a departure from the Development Plan.**

Matters for Information

12. HUNTINGDON CONSERVATION AREA: BOUNDARY REVIEW AND CHARACTER STATEMENT – CONSULTATION DOCUMENTS

The boundary of the Huntingdon Conservation Area was first designated in 1972. Following a methodology for boundary review adopted in 2003, it has been proposed that the boundaries now be redrawn and extended to encompass the historic setting of the town and to reflect both significant views such as Castle Hill and Mill Common and the historic landscape, for example Hinchingbrooke House.

Having welcomed the benefit that the boundary review will have in ensuring that proposed future development in the Conservation Area will be sympathetic to existing properties and preserve as far as possible the open green areas in the town, the Panel has endorsed the content of both the Huntingdon Conservation Area Character

Assessment and Boundary Review and recommended the Cabinet to adopt both documents as Council policy.

**13. LOCAL DEVELOPMENT FRAMEWORK
THE CORE STRATEGY – PREFERRED OPTIONS**

The Preferred Options report for the Core Strategy of the Local Development Framework has been approved for pre-submission public participation by the Cabinet under Regulation 26 for the period 30th November to 11th January 2008.

In recognising the importance of this process for Huntingdonshire and the complexity of the exercise, the Panel has deferred detailed consideration of their response to the Preferred Options until their December Panel meeting. This will allow Panel Members to attend various stakeholder meetings and seminars which have been arranged in the interim and present an opportunity for Members to attend and encourage their respective town and parish councils to formulate their own local responses.

14. PERFORMANCE MONITORING: DEVELOPMENT CONTROL

In receiving a statistical report on the performance of the Development Control Section over the period 1st July – 30th September 2007, the Panel has been reminded that it is essential for the Section to continue to meet the national performance targets set for the determination of major applications given the formal designation of the Council as a "standards authority" for such applications in 2007/08.

15. DEVELOPMENT APPLICATIONS

In addition to the application discussed at Item No. 11 ante, the Panel has determined, over three meetings, a total of 24 development applications of which 14 were approved, 9 refused and 1 deferred.

Of interest to the Council will be the decisions taken by the Panel in respect of applications for gypsy/travellers sites at Brington Road, Catworth and Chatteris Road, Somersham. Both applications were refused for various reasons including sustainability, justifiable need, access and adverse impact on the character and appearance of the countryside. An application for one residential caravan to be located on land at the corner of St Ives Road and Pidley Sheep Lane, Pidley was approved for a period of three years subject to conditions.

P G Mitchell
Chairman

Employment Panel

Report of the meetings held on 2nd October and 20th November 2007

Matter for Decision

6. TECHNICAL SERVICES – MANAGEMENT ISSUES

The Panel has undertaken a comprehensive review of a series of management issues in the Technical Services Division which has been prompted by the significant demands placed on the Division by the Headquarters and Other Accommodation Project, the Council's environment programme and other corporate priorities.

Having considered in detail the management and financial implications of a range of options, the Panel has, in the first instance, approved the transfer of the existing Head of Technical Services to a temporary post of New Accommodation Project Co-ordinator on a fixed term contract terminating on 4th April 2011. Recruitment to the vacated Head of Service post and other consequential vacancies also has been authorised.

Given the priority accorded to the Council's Environment Strategy and programmes and to emphasise the importance of the Council's response to environmental issues, the Panel also

RECOMMEND

that the post of Director of Operational Services be re-designated Director of Environmental and Community Services.

Matters for Information

7. RECRUITMENT PROCESS

In Item No. 4 of the Report to the Council held on 27th June 2007, the Panel indicated that they had requested information on the Council's procedures for filling vacant posts, given their involvement in overseeing the recruitment process. A paper on the Council's recruitment process has now been submitted and a copy sent to all Members of the Council for information. The document also has

been posted on the intranet for the benefit of both employees and Members.

The process reflects good HR practice and the principles which have been developed by the District Council as an employer over the years. Members also have taken the opportunity to reaffirm their existing practice which requires recruitment to new and existing posts graded 1-9 to be authorised by the Panel and the retention of arrangements for these to be considered via the submission of a schedule to Panel meetings.

8. EMPLOYEE OPINION SURVEY 2007

The response by employees to an opinion survey undertaken during summer 2007 has been presented to the Panel. The survey highlighted two specific areas which required further attention which related to salary/grading and communication arrangements. The Panel are of the view that both the current review of the salary/grading scheme and the completion of the new headquarters project should go some way to resolving the issues identified.

9. GENDER EQUALITY SCHEME: EMPLOYEE SURVEY

The Panel has noted the results of an employee survey undertaken in accordance with the Gender Equality Scheme and has endorsed an action plan proposed in response to the issues raised.

Whilst disappointed at the overall response rate of 19%, the Panel has acknowledged that, as an employer, the Council should use the information received to promote gender equality positively.

10. EQUAL OPPORTUNITIES MONITORING

The Panel has received and noted the outcomes of equal opportunities monitoring of employees over the period 1st July 2006 to 30th June 2007. Further details are available on request from the Head of HR and Payroll Services.

Although noting that there was little change in comparison with the previous twelve months period, the Panel has acknowledged that there has been an increase in the number of employees taking maternity leave and choosing to return to work which reflects well on the organisation as an employer.

11. REQUESTS TO FILL VACANT POSTS

Having been satisfied that it was essential to recruit to vacancies in the Environmental and Community Health, Planning, Policy and Strategic Services and Information Management Divisions, the Panel has authorised the Head of HR and Payroll Services to commence recruitment to the posts identified and to any consequential vacancies that may arise as a result of the recruitment process.

12. EXIT QUESTIONNAIRE – REVIEW

A system of exit questionnaires was introduced in August 2002 to better understand why employees chose to leave the Council's employment, to identify trends and take any action considered to be necessary to address issues which might be highlighted. The Panel has considered the results of the responses received during 2006/7 and although returns have reduced in comparison with previous years, the survey has revealed positive comments in respect of training opportunities offered, communications and working relationships. The Panel has noted the information presented and is satisfied that it is a reasonable indicator of the views of employees leaving the authority.

13. RECRUITMENT OF SUB-REGIONAL TOURISM OFFICER

The Council and partners, through the Greater Cambridge Economic Partnership, have developed a County wide tourism strategy to promote prosperity throughout Cambridgeshire. Partners have identified a need for an officer post to deliver this Strategy, to co-ordinate activity across the County and to manage cross boundary projects. For this purpose, the Panel has approved a proposal to establish a post of Sub-Regional Tourism Officer for a fixed term of 3 years on local grade 8. The post will be funded by the East of England Development Agency (EEDA) and other partner organisations.

The Panel has agreed to host the post within the Policy and Strategic Services Division with the officer appointed reporting to the Greater Cambridge Partnership and partners sharing the employment costs.

14. NEW LOCAL GOVERNMENT PENSION SCHEME 2008 – TIERED CONTRIBUTION RATES

The Panel has been advised of proposed changes to be introduced to the Local Government Pension Scheme with effect from 1st April 2008 and their impact on arrangements for employee contributions. Currently pension contributions are collected at a flat rate of 6% irrespective of the level of remuneration received by an individual. This approach will be replaced by a tiered contribution rate based on the full time equivalent salary for each post. Although final Regulations are yet to be published, it is estimated that the net monthly increment for the majority of posts with a proposed contribution rate of 6.5% and 6.8% would be less than £30. The changes will also affect the Council's rate of contribution but final confirmation on the exact costs is still awaited. The Panel has approved transitional arrangements to allow the increase to take effect over 3 years so employees will be paying the full revised banded contributions by 1st April 2010.

Similar transitional arrangements also have been approved by the Panel for those employees who have previously benefited from 'protected status'. Information on the proposed changes will be

placed on the intranet at the request of the Employees Side of the Employee Liaison Advisory Group.

15. RETIREMENT OF PERSONNEL - ACKNOWLEDGEMENT

The Panel has placed on record its recognition of and gratitude for the excellent contribution made by Mrs N E Head, receptionist at the St Ivo Leisure Centre during her 33 years employment in the local government service and conveyed its best wishes to her for a long and happy retirement.

K Reynolds
Chairman

Licensing and Protection Panel

Report of the meeting held on 23rd October 2007

Matters for Information

7. HACKNEY CARRIAGE FARES

The Panel has been reminded of an agreement with hackney carriage proprietors to review the table of fares periodically, which was last undertaken in January 2005. A consultation exercise has been undertaken with the proprietors themselves, in which a number of issues were discussed relating to the licensing of hackney carriages and private hire vehicles in the District. Having taken into account the views expressed on fare options for the following year, the Panel has agreed a revised tariff of hackney carriage fares which will now be the subject of a public consultation exercise. The Panel has also requested that a report on the licensing of hackney carriage and private hire vehicles in Huntingdonshire, including current conditions and standards of service, be presented to the next meeting of the Panel.

8. LICENSING AND PROTECTION APPLICATIONS SUB-GROUP

The Panel has received the Minutes of the meetings of the Licensing and Protection Applications Sub-Group held on 13th June and 2nd August 2007.

J M Sadler
Chairman

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Licensing Committee

Report of the meeting held on 23rd October 2007

Matters for Information

6. LICENSING ACT 2003 - GUIDANCE

The Committee has been acquainted with changes that have been made in new guidance issued by the Secretary of State for Culture, Media and Sport under the Licensing Act 2003 and updated on the status of the authority's Statement of Licensing Policy. Members have noted the implications for the Council of the clarification received in relation to the authorisation of the sale of alcohol, temporary events notices and representations by individual Councillors, together with the changes introduced by the new Fire Safety Order. As the existing Statement of Licensing Policy will expire in January 2008, a new draft statement has been issued for consultation to all Members and a wide variety of organisations. The Committee has authorised the Head of Administration, after consultation with the Chairman and Vice-Chairman, to make any changes to the Statement in light of the replies received and invited the Cabinet to endorse the content of the document and recommend its approval to Council.

(A separate item on this subject appears elsewhere on the Agenda for the meeting of the Council.)

7. LICENSING ACT 2003 – CURRENT UPDATE

The Committee has been acquainted with the work undertaken by the Licensing Section under the Licensing Act 2003. Information was presented on the number of licences, certificates and temporary events notices that have been issued during the past year and are currently in existence, the number of hearings that have been held and the inspections and enforcement undertaken by the Section. This has included a review of two licensed premises in St. Neots which resulted in the suspension of their licences and the closure of the premises for a temporary period.

8. GAMBLING ACT 2005 – IMPLEMENTATION

The Committee has been apprised of the progress to date with the implementation of the Gambling Act 2005 and the work still to be undertaken. Members were advised of the number of licences processed, the anticipated volume of permits that will need to be dealt with and details of statutory fees set under the legislation.

J M Sadler
Chairman

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Corporate Governance Panel

Report of the meeting held on 25th September 2007

Matters for Information

6. INTERNAL AUDIT SERVICE - ANNUAL AUDIT REPORT

The Panel has been acquainted with progress made against the 2006/07 Annual Audit Plan and the performance standards achieved. Members have been informed of the Internal Audit Manager's opinion on the level of assurance provided by the Council's internal control environment in terms of the effective exercise of its functions. They also discussed the rate at which agreed actions are implemented, which generally matches that of other district councils.

7. RISK MANAGEMENT UPDATE

The Panel has been acquainted with progress made to embed risk management within the Council. Members have noted the requirements to improve the Council's current rating to level 3 against the risk management standard, one of which is to require all Members of the Panel to receive training on risk management awareness.

8. CODE OF GOVERNANCE

The Panel has adopted a revised Code of Governance. The Code complies with the new Governance in Local Government Framework published by CIPFA/SOLACE and represents current good practice.

9. GOVERNANCE STATEMENT

The Panel has approved the Statement of Assurance on Corporate Governance which summarises the corporate governance work carried out in 2006/07 and identifies matters to be addressed during 2007/08.

10. APPROVAL FOR PUBLICATION OF 2006/07 ACCOUNTS

The Panel has approved the report and accounts for the year 2006/07. Having endorsed the Council's Letter of Representation, Members have been informed by the Council's external auditor that an unqualified opinion will be provided on the accounts.

Members have been advised of the matters contained in the Action Plan to the auditor's report including those where Officers have taken a different view to that of the auditor.

C J Stephens
Chairman

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Elections Panel

Report of the meeting held on 20th November 2007

Matter for Decision

1. PARISH ELECTORAL REVIEW – FINAL RECOMMENDATIONS

Further to Item No. 4 of their Report to the meeting of the Council held on 18th April 2007, the Panel has considered further information arising from the parish electoral review of the District, including comments received as part of the consultation exercise.

The Panel has taken into consideration the representations received from interested parties in the formulation of final recommendations for changes to parish boundaries and electoral arrangements and as a result a number of proposals for amalgamation of the smaller parishes have not been put forward as final proposals.

The Panel has approved a new scale of Parish Council representation which has been developed to replace the existing scale that has been in existence since 1974, in the light of significant changes to the size of parishes over the years. This has resulted in a review of the number of Councillors of some of the parishes.

A separate report on the subject appears on the Agenda for the Council to consider. The Panel therefore

RECOMMEND

- (a) that the new scale of parish council representation as outlined in the report be approved;**
- (b) that the final recommendations for changes to parish electoral arrangements as detailed at Annex A for the Council to implement these changes by Order at the next scheduled parish elections be approved;**
- (c) that the proposal to invite the parishes of Buckden and Diddington to group under a common parish council be supported; and**
- (d) that the final recommendations for changes to parish boundaries and electoral arrangements as detailed at Annex B be approved for submission to the Secretary of State and the Electoral Commission.**

2. POLLING DISTRICTS AND POLLING PLACES REVIEW

The Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006 requires the Council to undertake a review of the polling district and all of the polling places in its area on a regular four yearly cycle. The first such review must be completed by 31st December 2007. The aim of the review is to ensure that all electors have reasonable facilities for voting and that the polling places are accessible to all electors.

The Panel has noted the results of the consultation exercise that was undertaken and specific consultation with all District Councillors, Town and Parish Councils, Returning Officers, political agents/parties and local disability groups. Arising from the representations made, the Panel has approved the changes to the polling district boundaries and polling places. The Panel has also noted that a review of all the polling places will be undertaken at least every four years, but in the intervening period, authority has been delegated to the Chairman or Vice Chairman of the Panel to determine any changes necessary to polling places, within a ward, in the light of any housing development.

3. ELECTIONS – PERFORMANCE INDICATORS

The Panel has been advised of new powers introduced under the Electoral Administration Act 2006 that permits the Electoral Commission to set and monitor performance standards for electoral services and collect information on costs. A consultation paper has been issued on indicators for the conduct of elections and the Panel has been acquainted with a summary of the data, together with the new and proposed measures to be collected.

Having endorsed the general comments on the Commission's consultation paper, specifically the difficulties associated with capturing data for the measures, the Panel has authorised the Chief Executive, after consultation with the Chairman and Councillor P J Downes, to respond to the Electoral Commission on the detailed measures.

D Harty
Chairman