

A meeting of the **OVERVIEW AND SCRUTINY PANEL (SERVICE SUPPORT)** will be held in the **COUNCIL CHAMBER, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **TUESDAY, 8 JULY 2008** at **7:30 PM** and you are requested to attend for the transaction of the following business:-

**PLEASE NOTE THERE WILL BE A BRIEFING FOR ALL MEMBERS OF THE PANEL
AT 7PM IN MEETING ROOM 1**

**Contact
(01480)**

APOLOGIES

1. MINUTES (Pages 1 - 6)

To approve as a correct record the Minutes of the meeting of the Panel held on 10th June 2008.

**Mrs C Bulman
388234**

2. MEMBERS' INTERESTS

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

3. LOCAL GOVERNMENT ACT 2000: FORWARD PLAN (Pages 7 - 12)

In accordance with the agreed procedure, Members are invited to note the Plan and comment as appropriate on the Items contained therein. A copy of the current Forward Plan is attached.

**Mrs C Bulman
388234**

4. SEWAGE PROBLEMS, ST AUDREY LANE, ST IVES

To discuss with representatives from Anglian Water the problems being experienced by residents of St Audrey Lane, Warren Road and Pig Lane, St Ives.

(Documentation that has previously been circulated will be available for Members).

5. REVIEW OF PUBLIC SPEAKING AT DEVELOPMENT CONTROL PANEL (Pages 13 - 48)

To consider a report by the Head of Administration.

**Mrs C Bulman
388234**

6. **PARISH CHARTER FOR HUNTINGDONSHIRE** (Pages 49 - 76)

To consider the report of the Working Group.

**R Reeves
388003**

7. **WORKPLAN STUDIES** (Pages 77 - 82)

To consider, with the aid of a report by the Head of Administration, the programme of studies.

**Mrs C Bulman
388234**

8. **OVERVIEW AND SCRUTINY PANEL (SERVICE SUPPORT)**
(Pages 83 - 92)

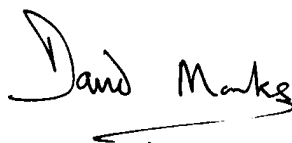
To consider a report by the Head of Administration on decisions taken by the Panel.

**Mrs C Bulman
388234**

9. **SCRUTINY** (Pages 93 - 102)

To scrutinise decisions since the last meeting. A copy of the relevant Decision Digest is attached.

Dated this 27 day of June 2008



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 Mrs Claire Bulman, Democratic Services Officer, Tel No 01480 388234/e-mail: Claire.Bulman@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 Panel.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

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

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

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit and to make their way to the car park adjacent to the Methodist Church on the High Street (opposite Prima's Italian Restaurant).

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Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the OVERVIEW AND SCRUTINY PANEL (SERVICE SUPPORT) held in the Council Chamber, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Tuesday, 10 June 2008.

PRESENT: Councillor J A Gray – Chairman.

Councillors M G Baker, K M Baker, J T Bell, J W Davies, P J Downes, A N Gilbert, P M D Godfrey, D Harty, Ms S Kemp, M F Newman, R G Tuplin and R J West.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors P H Dakers and L W McGuire.

IN ATTENDANCE: Councillor P L E Bucknell.

7. MINUTES

The Minutes of the meeting of the Panel held on 14th May 2008 were approved as a correct record and signed by the Chairman.

8. MEMBERS' INTERESTS

No declarations were received.

9. LOCAL GOVERNMENT ACT 2000: FORWARD PLAN

The Panel considered and noted the current Forward Plan of key decisions (a copy of which is appended in the Minute Book) scheduled for consideration by the Cabinet, which had been prepared by the Leader of the Council.

Members requested that the reports by the Planning Policy Manager on Parish Plans and Local Plan Policy, the Preferred Options for Development Control Policies and the Huntingdon West Area Action Plan be submitted to future meetings of the Panel.

10. LOCAL DEVELOPMENT FRAMEWORK: THE CORE STRATEGY SUBMISSION DOCUMENT

(Councillor P L E Bucknell, Executive Councillor for Planning Strategy and Transport was in attendance for this Item).

A report by the Head of Planning Services was presented (a copy of which is appended in the Minute Book) summarising the stages in the process towards approval of the Core Strategy by the Council in June 2008. Members were informed that since the despatch of the agenda

there had been a number of minor amendments to the wording of the Strategy to incorporate the comments of the Development Plan Policy Advisory Group.

The Head of Planning Services explained that the Core Strategy was the primary, over-arching document that guided and enabled the strategy for the future growth and development of Huntingdonshire. Planning strategy at a regional level was set by the East of England Plan which had recently been published. Once the Core Strategy had been submitted to the Secretary of State, it would be subject to examination by an independent Inspector to assess whether it met the tests of soundness.

In discussing the report, the Panel expressed their support for the proposed policies within the submission document. However concerns were expressed that insufficient importance had been paid to the role of agriculture in the local economy and as a local land use. Members referred to recent world food shortages and a growth in the use of bio-fuels which had increased the demand for agricultural crops. Members were of the opinion that the Core Strategy had failed to recognise the emergence of these trends in recent months, for example by referring within the Core Strategy to the historic role of agriculture and food production in Huntingdonshire. Although the Strategy placed emphasis on the need for strategic green space enhancement, concerns were expressed at the possible implication that access and enjoyment of the countryside might be regarded as more important than the contribution that agriculture made to the local economy and wider market. With this in mind, Members suggested that a change in wording and emphasis to retain the value of local agriculture in the Core Strategy would be advisable and helpful.

In response to a number of questions, the Head of Planning Services explained that environmental limits might need to be introduced at a later date for the market towns and some of the key settlements to indicate areas of significant change. Members were also informed that the future potential of Alconbury Airfield would need to be considered in the longer term as part of the next review of the Regional Spatial Strategy. Whereupon, it was

RESOLVED

that the report be endorsed and the Cabinet be informed of the Panel's views on the matter as outlined above.

11. CYCLING

(Councillor P L E Bucknell, Executive Councillor for Planning Strategy and Transport was in attendance for this item).

Further to Minute No. 07/78 and with the assistance of a report by the Head of Planning Services (a copy of which is appended in the Minute Book), the Panel was acquainted with details of progress being made in the development of a revised action plan for safe cycle routes, including a revised list of cycle schemes for Huntingdonshire.

Whilst the Panel was pleased with the action that had been taken to

date, Members recognised that the funding allocated for cycleway development in the District meant that little progress would be achieved in the delivery of new cycle routes in practice. Comments were made about the desirability of ensuring that, where possible, any funding for transportation arising from Section 106 Agreements was site specific.

In response to questions by Councillor M G Baker as to whether there was any evidence available to suggest that providing cycle routes encouraged people to change their mode of transportation, the Transportation Team Leader was asked to provide details of cycling trends, specifically in relation to the route from Brampton to Huntingdon. Members also suggested that, to Brampton being regarded as part of the wider Huntingdon area for development planning purposes, consideration should be given to cycle schemes in Brampton being incorporated into the Market Town Transport Strategy for Huntingdon which would release more resources for rural areas.

Having been advised that a revised list of cycle routes was to be submitted to a forthcoming Huntingdonshire Traffic Management Area Joint Committee meeting for prioritisation, the Panel questioned whether ward members had been consulted before the revision and updating the list which originated from the Cycling Strategy last approved by the Council in 2000. Having regard to the Panel's concerns about the need to ensure that the list of schemes was up to date and that there were no new potential routes that had been omitted, it was

RESOLVED

- (a) that the Transportation Team Leader be requested to invite Members to identify any additional routes within their wards; and
- (b) that the draft report on the prioritisation of schemes be considered by the Panel prior to its submission to the Huntingdonshire Traffic Management Area Joint Committee.

12. PARKING FOR HEAVY GOODS VEHICLES

(Councillor P L E Bucknell, Executive Councillor for Planning Strategy and Transport was in attendance for this item).

Further to Minute No. 07/41 and with the assistance of a report (a copy of which is appended in the Minute Book), Councillor P M D Godfrey acquainted the Panel with the outcome of the deliberations of the Working Group which had been established to review the issue of Heavy Goods Vehicles (HGV) parking throughout the District. The matter had been raised initially by Councillor P H Dakers in response to the closure of the "Night Owl" lorry parking facility at Alconbury and his concerns relating to a reduction in overnight parking facilities for HGVs across the District.

The Panel acknowledged that there was a clear need to provide suitable parking on the trunk road network to avoid the problems which arose from a lack of provision which was being exacerbated by the rationalisation of the lay-bys along the A14. However, Members recognised that there was little that the District Council could do in isolation to tackle a national problem and that the Council's main influence on the provision of lorry parking facilities in Huntingdonshire would be through the Local Development Framework in terms of the identification of sites for HGV parking and opposing the redevelopment of closed sites for alternative uses. The Panel also noted that the Alconbury site was now being advertised for sale again.

Subject to minor amendments to the Working Group's recommendations, it was

RESOLVED

- (a) that the Working Group's report and recommendations be endorsed for submission to the Cabinet, subject to the addition of the words "Cambridgeshire Constabulary" after the word "Parliament" in recommendation (a) and the substitution of the words "trunk roads across the District" in place of the words "conjunction with the A14 realignment scheme in recommendation (c); and
- (b) that Councillor P M D Godfrey be requested to present the report to the Cabinet for consideration.

13. MONITORING OF SECTION 106 AGREEMENTS (PLANNING OBLIGATIONS)

With the assistance of a report by the Head of Policy and Strategic Services (a copy of which is appended in the Minute Book), the Panel was updated on the receipt and expenditure of money negotiated under Section 106 Agreements by the Council.

Having commented on the significance of the sums of monies contained within the reports, Members agreed to note the quarterly report.

14. PERFORMANCE MONITORING

With the assistance of a report by the Head of Policy and Strategic Services (a copy of which is appended in the Minute Book), the Panel considered the performance of the Council against the priority objectives identified in "Growing Success", the Corporate Plan adopted by the Council in April 2007.

Having noted that most of the targets were being met or exceeded, the Panel expressed some concern about the failure to achieve the target relating to the objective of ensuring that the Council was an employer that people wished to work for. As the measure of satisfaction was derived from a staff survey, the Head of

Administration was asked to provide further details of the analysis of the staff response to ascertain whether there were any particular reasons that could be identified for the failure to meet the target and whether any measures had been or needed to be introduced to address this issue.

RESOLVED

that the Cabinet be informed of the Panel's views on this matter.

15. WORKPLAN STUDIES

The Panel considered and noted a report by the Head of Administration (a copy of which is appended in the Minute Book) reviewing the Panel's programme of studies. In doing so, the Panel noted that the final report on the Parish Charter would be submitted to its July meeting.

In discussing potential future studies, the Panel was informed that work was already underway to review internal communications with Members as a result of which there was little purpose in the Panel pursuing its own review. The Chairman indicated that he initially wished to discuss the Housing Needs Assessment with the Head of Planning Services before considering whether a full review was necessary. Having noted a suggestion by the Overview and Scrutiny Panel (Service Delivery) that a review of the process for handling planning applications be undertaken, it was agreed that suggestions for future studies would be discussed further in July 2008.

16. OVERVIEW AND SCRUTINY PANEL (SERVICE SUPPORT)

The Panel considered and noted a report by the Head of Administration (a copy of which is appended in the Minute Book) reviewing the Panel's progress to date on issues that had been discussed previously.

In referring to the recent study of the Council's Travel Plan, the Chairman asked the Head of Administration to ascertain the position with regard to the Panel's recommendation which had been approved by Cabinet concerning concessionary parking rates for members of staff who car shared and parked in Bridge Place Car Park.

The Panel noted that a report summarising in the comments received on the operation of the procedure for public speaking at meetings of the Development Control Panel would be considered at its July meeting.

Following a recent countywide conference, the Head of Administration was asked to make arrangements for a briefing session for all Members on the Cambridgeshire Local Area Agreement and its operation.

17. SCRUTINY

The Panel considered and noted the latest edition of the Council's Decision Digest, summarising the Council's decisions over the past month.

18. COUNCILLOR M G BAKER

The Chairman on behalf of the Panel, extended his gratitude for the contribution and commitment given by Councillor M G Baker as Vice-Chairman of the Panel over the past four years.

Chairman

FORWARD PLAN OF KEY DECISIONS

Prepared by **Councillor I C Bates**
 Date of Publication: **13 June 2008**
 For Period: **1 July 2008 to 31 October 2008**

Membership of the Cabinet is as follows:-

Councillor I C Bates	- Leader of the Council	4 Church End Hilton Huntingdon PE28 9NJ Tel: 01480 830250 E-mail: Ian.Bates@huntsdc.gov.uk
Councillor L M Simpson	- Deputy Leader of the Council and Executive Councillor for Customer Services and Information Technology	45 Devoke Close Stukeley Meadows Huntingdon Cambs PE29 6XE Tel: 01480 388946 E-mail: Mike.Simpson@huntsdc.gov.uk
Councillor P L E Bucknell	- Executive Councillor for Planning Strategy and Transport	Compass House Pathfinder Way Warboys PE28 2RD Tel: 01487 824222 E-mail: Peter.Bucknell@huntsdc.gov.uk
Councillor K J Churchill	- Special Advisor to the Cabinet	51 Gordon Road Little Paxton St Neots PE19 6NJ Tel: 01480 352040 E-mail: Ken.Churchill@huntsdc.gov.uk
Councillor D B Dew	- Executive Councillor for Leisure	4 Weir Road Hemingford Grey Huntingdon PE28 9EH Tel: 01480 469814 E-mail: Douglas.Dew@huntsdc.gov.uk
Councillor C E Hyams	- Executive Councillor for Operational and Countryside Services	22 Bluegate Godmanchester Huntingdon Cambs PE29 2EZ Tel: 01480 388968 E-mail: Colin.Hyams@huntsdc.gov.uk

Councillor A Hansard	- Executive Councillor for Resources and Policy	78 Potton Road Eynesbury St Neots PE19 2NN Tel: 01480 388942 E-mail: Andrew.Hansard@huntsdc.gov.uk
Councillor Mrs D C Reynolds	- Executive Councillor for Housing and Public Health	17 Virginia Way St Ives PE27 6SQ Tel: 01480 388935 E-mail: Deborah.Reynolds@huntsdc.gov.uk
Councillor T V Rogers	- Executive Councillor for Finance and Environment	Honeysuckle Cottage 34 Meadow Lane Earith Huntingdon PE28 3QE Tel: 01487 840477 E-mail: Terence.Rogers@huntsdc.gov.uk

Any person who wishes to make representations to the decision maker about a decision which is to be made may do so by contacting Mrs Helen Taylor, Senior Democratic Services Officer on 01480 388008 or E-mail: Helen.Taylor@huntsdc.gov.uk not less than 14 days prior to the date when the decision is to be made.

The documents available may be obtained by contacting the relevant officer shown in this plan who will be responsible for preparing the final report to be submitted to the decision maker on the matter in relation to which the decision is to be made. Similarly any enquiries as to the subject or matter to be tabled for decision or on the availability of supporting information or documentation should be directed to the relevant officer.

Roy Reeves
Head of Administration

Notes:- (i) Additions/significant changes from the previous Forward are annotated ***

(ii) For information about how representations about the above decisions may be made please see the Council's Petitions Procedure at <http://www.huntsdc.gov.uk/NR/rdonlyres/3F6CFE28-C5F0-4BA0-9BF2-76EBAE06C89D/0/Petitionsleaflet.pdf> or telephone 01480 388006

Subject/Matter for Decision	Decision/recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Consultation	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Insurance Liability Test Case - Zurich Municipal/MMI	Cabinet	17 Jul 2008	None	Vicki Stevens, Solicitor Tel No. (01480) 388023 or email - Vicki.Stevens@huntsdc.gov.uk		T V Rogers	Service Support

Subject/Matter for Decision	Decision/recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Consultation	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Community Engagement	Cabinet	17 Jul 2008	Previous Report to Cabinet	Susan Lammin, Head of Environmental Health Services Tel No. (01480) 388280 or email. Sue.Lammin@huntsdc.gov.uk		A Hansard	Service Delivery
New Accommodation Delivery - Mid-Programme Review	Cabinet	17 Jul 2008	None	Richard Preston, New Accommodation Project Co-ordinator Tel No. (01480) 388340 or email Richard.Preston@huntsdc.gov.uk	None	L M Simpson	Corporate and Strategic Framework
Public Arts Policy	Cabinet	17 Jul 2008	Public Arts Policy	Ms Viv Peters, Arts Service Manager Tel No. 01480 388057 or email Viv.Peters@huntsdc.gov.uk		Mrs D C Reynolds	Service Delivery
To adopt Design Brief for Mayfield Drive, Huntingdon	Cabinet	17 Jul 2008	Draft consultation document	Richard Probyn, Planning Policy Manager Tel No 01480 388430 or e-mail - Richard.Probyn@huntsdc.gov.uk	Approve changes for adoption having followed consultation with the public and statutory bodies	P L E Bucknell	Service Support
Sale of land at Mayfield Road, Huntingdon***	Cabinet	4 Sep 2008	Design Brief and Housing Growth Fund details		Portfolio Holders	A Hansard and Mrs D C Reynolds	Service Delivery/ Service Support
Financial Strategy***	Cabinet	4 Sep 2008	Previous Year's Budget Report Various Annexes	Steve Couper, Head of Financial Services Tel No. (01480) 388103 or email. Steve.Couper@huntsdc.gov.uk	Overview and Scrutiny (CSF)	T V Rogers	Corporate Strategic Framework
St Ives Environmental Improvements	Cabinet	4 Sep 2008	None.	Chris Allen, Project and Assets Manager Tel No 01480 388380 or email - Chris.Allen@huntsdc.gov.uk	Public consultation	T V Rogers	Service Delivery

Subject/Matter for Decision	Decision/recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Consultation	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Report on adoption of local standards for the provision of sports facilities in Huntingdonshire	Cabinet	4 Sep 2008	Local Standards for the provision of sports facilities in Huntingdonshire	Ms J Peadon, Leisure Development Manager Tel No 01480 388048 or e-mail - Jo.Peadon@huntsdc.gov.uk		Mrs D C Reynolds	Service Delivery
To adopt Somersham Conservation Area Boundary Changes and Character Statement	Cabinet	4 Sep 2008	Draft Consultation Document	Richard Probyn, Planning Policy Manager Tel No. 01480 388430 or email - Richard.Probyn@huntsdc.gov.uk	Approve changes for adoption having followed consultation with the public and statutory bodies	P L E Bucknell	Service Support
Sub-Regional Housing Strategy***	Cabinet	25 Sep 2008	None.	Steve Plant, Head of Housing Services Tel No. 01480 388240 or email - Steve.Plant@huntsdc.gov.uk	To be carried out with stakeholders July/August	Mrs D C Reynolds	Service Delivery
To adopt Urban Design Framework for south of High Street, Ramsey	Cabinet	25 Sep 2008	Draft consultation document	Richard Probyn, Planning Policy Manager Tel No 01480 388430 or e-mail - Richard.Probyn@huntsdc.gov.uk	Approve changes for adoption having followed consultation with the public and statutory bodies	P L E Bucknell	Service Support
Sustainable Community Strategy (draft and final documents)	Cabinet	25 Sep 2008	None.	Ian Leatherbarrow, Head of Policy and Strategic Services Tel No. 01480 388005 or email - Ian.L Leatherbarrow@huntsdc.gov.uk	Public/Stakeholder Consultation	I C Bates	Corporate Strategic Framework
Parish Plans and Local Plan Policy	Cabinet	25 Sep 2008	Previous Cabinet Report - Dec 2003	Richard Probyn, Planning Policy Manager Tel No. (01480) 388430 or email. Richard.Probyn@huntsdc.gov.uk	Adopt process of incorporating relevant Parish Plan Policies into Planning Policies	P L E Bucknell	Service Support

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Consultation	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Huntingdon West Area Action Plan Preferred Options	Cabinet	25 Sep 2008	Issues and Options Report and Summary of Representations	Richard Probyn, Planning Policy Manager Tel No. (01480) 388430 or email - Richard.Probyn@huntsdc.gov.uk	Approve for Consultation	P L E Bucknell	Service Support
Draft Planning Contributions Supplementary Planning Document***	Cabinet	16 Oct 2008	Huntingdonshire Development Plans	Richard Probyn, Planning Policy Manager Tel No. 01480 388430 or email - Richard.Probyn@huntsdc.gov.uk	Approve for Consultation	P L E Bucknell	Service Support
Proposals for Riverside Park***	Cabinet	16 Oct 2008	Draft proposals for Riverside Park	Richard Probyn, Planning Policy Manager Tel No. 01480 388430 or email - Richard.Probyn@huntsdc.gov.uk	Approve following consultation with the particular other key stakeholders	P L E Bucknell & Others	Service Support
To adopt Godmanchester Conservation Area Boundary Changes and Character Statement***	Cabinet	16 Oct 2008	Draft Consultation Document	Richard Probyn, Planning Policy Manager Tel No. 01480 388430 or email - Richard.Probyn@huntsdc.gov.uk	Approve changes for adoption having followed consultation with the public and statutory bodies	P L E Bucknell	Service Support
To adopt Kimbolton Conservation Area Boundary Changes and Character Statement***	Cabinet	16 Oct 2008	Draft Consultation Document	Richard Probyn, Planning Policy Manager Tel No. 01480 388430 or email - Richard.Probyn@huntsdc.gov.uk	Approve changes for adoption having followed consultation with the public and statutory bodies.	P L E Bucknell	Service Support

Subject/Matter for Decision	Decision/recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Consultation	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Development Control Policies Preferred Options	Cabinet	16 Oct 2008	Issues and Options Report and Summary of Representations	Richard Probyn, Planning Policy Manager Tel No. 01480 388430 or email - Richard.Probyn@huntsdc.gov.uk	Approve for Consultation	P L E Bucknell	Service Support
To adopt Urban Design Framework for land at Buttsgrove Way, Mayfield Drive, Huntingdon	Cabinet	16 Oct 2008	Draft consultation document	Richard Probyn, Planning Policy Manager Tel No 01480 388430 or e-mail - Richard.Probyn@huntsdc.gov.uk	Approve changes for adoption having followed consultation with the public and statutory bodies	P L E Bucknell	Service Support
To adopt Houghton and Wyton Conservation Area Boundary Changes and Character Statement***	Cabinet	16 Oct 2008	Draft Consultation Document	Richard Probyn, Planning Policy Manager Tel No. 01480 388430 or email - Richard.Probyn@huntsdc.gov.uk	Approve changes for adoption having followed consultation with the public and statutory bodies	P L E Bucknell	Service Support

OVERVIEW AND SCRUTINY PANEL (SERVICE SUPPORT)

8th JULY 2008

REVIEW OF PUBLIC SPEAKING AT DEVELOPMENT CONTROL PANEL (Report by the Head of Administration)

1. BACKGROUND

- 1.1 In 2005, the Overview and Scrutiny Panel (Service Support) began a review of Member involvement in the procedural arrangements for the determination of development control applications. As part of the review, the Panel contributed to the development of the scheme to enable public speaking in respect of planning applications at meetings of the Development Control Panel. The scheme was introduced in January 2007 and enables applicants, objectors, ward councillors and representatives of parish / town councils to address the Panel on a particular application.
- 1.2 At its meeting in February 2008, the Panel was reminded that it had been intended to review the operation of the procedure after twelve months. As the process had been instigated by the Panel, it was felt that the Panel should co-ordinate the review and it was agreed that comments should be invited from all Members and analysed for submission to the Development Control Panel.
- 1.3 Following a suggestion by the Chairman of the latter Panel, it was agreed by the Chairman of the Scrutiny Panel that comments should also be obtained from members of the public who had addressed the Development Control Panel on a planning application within the past year on their experience.

The current procedure and explanatory leaflet is set out at Appendix A to assist Members in their deliberations.

2. QUESTIONNAIRE RESPONSE

- 2.1 A questionnaire was distributed to all Members of the Council, a copy of which is attached at Appendix B. A modified version of the questionnaire was distributed to 62 members of the public and representatives of town and parish councils who had addressed the Development Control Panel since July 2007.
- 2.2 The response rate from Members of the Council was disappointing, with only 23% completing and returning the questionnaire. Only 4 Members of the Development Control Panel replied. A comprehensive list of all the responses to the questionnaire is attached at Appendix C. Nineteen responses were received from members of the public which

represented a response rate of 31%. Details of their responses are set out in Appendix D.

3. RESPONSES

- 3.1 Overall, Members of the Council felt that the introduction of public speaking had been well received. Specific comments were made about the opportunity for more informed debates at Development Control Panel meetings, applications being discussed more openly and greater transparency within the decision making process. Three respondents had received feedback from constituents who had addressed the Panel. The comments were broadly positive and it was considered that residents appreciated the opportunity to address members of the Panel.
- 3.2 Of the nineteen questionnaires which were returned by members of the public, ten were received from representatives of town and parish Councils, four from objectors and four from agents / applicants. One was unknown.
- 3.3 The reaction was mixed. Eight respondents considered their experience to be good or better, five thought it was reasonable and a further five considered it to be poor. Although one respondent commented on the welcome, guidance and advice received on the evening, other comments referred to the intimidating and daunting nature of the Panel and concern that Members paid little attention to the representations made by speakers.

4. COMMENTS

- 4.1 The comments made by both Members of the Council and members of the public can be summarised into a number of headings:-

4.2 a) Order of Speakers

Currently the order of speaking for meetings of the Development Control Panel is:-

- Parish / Town Councillor;
- Ward Councillor;
- Objectors; and
- the Applicant / their representative

- 4.3 Overall, Members of the District Council were of the opinion that the ordering and numbering of speakers addressing the Panel was correct.
- 4.4 The comments from members of the public relating to the number / order of speakers were mixed. Twelve respondents thought that the

existing order was satisfactory. However a suggestion was made for town and parish councillors to speak last to provide an opportunity to point out inaccuracies presented by the developers. It was also suggested by one respondent that the applicant / agent should speak first to provide an opportunity for objectors to respond to the points made.

b) Time Limits

- 4.5 Under the current procedure, Ward Councillors, representatives of parish / town councils, objectors and the applicant are permitted three minutes each to address the Panel. Where there are a number of objectors they are encouraged to agree that one person speaks on behalf of them all. If this is not possible the Council allows one third of the time to each of the first three persons who registered to speak.
- 4.6 Approximately 44% of public respondents considered that parties were not given sufficient time to present their case to a meeting of the Panel. Suggestions were made, that:-
- more time should be provided for larger applications or complicated / complex issues;
 - the timescales for objectors wishing to address the Panel should be based upon the number of written objections received;
 - town and parish councillors should be permitted to speak for longer than local residents;
 - time constraints were too rigid and offered too little flexibility; and
 - a division of time between objectors wishing to address the Panel was unfair and undermines the strength of feeling against a particular application.
- 4.7 Of those District Councillors who responded, six had addressed the Panel since the scheme had been introduced, three of whom commented upon the lack of time available to speak. Before the introduction of the scheme, the time limit for District Councillors to address the Panel had been five minutes but this was reduced to three minutes in line with the period afforded to applicants, objectors and representatives from town and parish councils. Two respondents thought that the allotted time for District Councillors should be returned to five minutes. A suggestion was also made that District Councillors should be able to sum up at the conclusion of the debate.
- 4.8 District Councillors also commented upon the occasions when three objectors were required to make representations within the three minutes period. One respondent suggested that in cases where there were several objectors, one minute per person was insufficient. Other comments made by individual Members included the need for officers

to be careful to avoid the introduction of additional information after the applicant / objectors / representatives had left the table and returned to the public gallery.

c) Points of Clarification

- 4.9 The current procedure enables all those who have made representations verbally to offer a final comment on a point of clarification before Panel Members debate an application. All District Councillors who responded considered this to be very valuable. However three respondents thought that the process was not being managed effectively. Concern was expressed by one Member that the process was not being followed and that representatives were being asked to return to the public gallery without being invited to clarify any points arising from discussions. One Member suggested that applicants / agents also should be permitted an opportunity to correct or challenge any statement made during the debate.
- 4.10 All of the members of the public who responded also agreed that this was a valuable exercise, with the majority agreeing that the opportunity to make points of clarification was adequate. Two respondents made suggestions whereby:-
- officers should be able to seek clarification from the agent / applicant if necessary;
 - objectors should be able to question statements made; and
 - the applicant should be offered the opportunity to challenge any statements thought to be false.

Only four public respondents were of the opinion that the process was being managed ineffectively.

d) Housekeeping Arrangements

- 4.11 A number of comments were made in relation to the housekeeping arrangements for meetings of the Development Control Panel with Members of the Council referring to the improvements which will arise from the new civic suite. Although it was acknowledged that there was little that now could be done in the current Council Chamber, specific comments were made by both councillors and members of the public on the need for a new microphone system and to improve the visibility of the Panel from some areas of the public gallery. It was also suggested that speakers should remain at the table until the conclusion of the debate on a particular item. There was a difference of opinion between Members as to whether applications where the public had

asked to speak should be dealt with at the beginning of the Panel meetings to prevent lengthy waiting times for speakers. Several members of the public were supportive of this suggestion.

A suggestion was also made that Panel meetings should be held during the day to prevent meetings running late into the evening.

e) Explanatory Leaflet

- 4.12 Having been asked to comment on the explanatory leaflet provided to members of the public, the majority of District Councillors considered the leaflet to be clear and comprehensive. The only minor improvement suggested was to advise the public about the limited parking availability at Pathfinder House.

Members of the public made the following suggestions:-

- the need to publicise arrangements more widely;
- that the leaflet be distributed with the original letter to residents;
- that objectors should be actively invited to attend and speak at the meeting; and
- a number of detailed comments relating to the text, photos and length of the document.

- 4.13 Members of the public's comments included:-

- an improvement to the audio equipment;
- the recording of speakers to ensure proper accountability;
- the need for members of the Panel to listen to representations with an open mind;
- greater publicity of the right to speak and;
- a separate time slot for groups with particular interests (ie History Society / conservation groups);

- 4.14 Members of the public also suggested a need for the process to demonstrate that it is open, transparent and fair such that speakers feel listened to and understood.

5. CONCLUSION

- 5.1 The responses received to the questionnaires have identified a number of suggestions for potential change to the current procedure. The Panel will now need to consider whether it wishes to pursue these suggestions further. To assist Members in their deliberations, the results of the questionnaire fall into the following areas:-

- Do the time limits for District Councillors, town and parish councillors, objectors and applicants need further consideration?

- Does any consideration need to be given to the current ordering of speakers?
- Is the opportunity for representatives to make points of clarification operating well in practice, is it being managed effectively and are any changes required?
- Should those applications involving speakers be moved to the beginning of the agenda for a particular meeting and should speakers be invited to remain at the table until the conclusion of the debate?
- Does the Panel wish to pursue any of the suggested improvements set out in paragraph 4.13 of the report (namely the recording of speakers, time slots for groups with particular interests and greater publicity for the scheme)
- Are any improvements required to the explanatory leaflet and / or the procedure for distributing this information to the public?

**Contact Officer: Mrs Claire Bulman, Democratic Services Officer
(01480) 388234**

BACKGROUND INFORMATION

Questionnaire responses

Minutes of the Overview & Scrutiny Panel (Service Support) 12th February 2008

APPENDIX A

HUNTINGDONSHIRE DISTRICT COUNCIL

PUBLIC SPEAKING AT DEVELOPMENT CONTROL PANEL

DRAFT PROCEDURE

1. Planning Officer will introduce the planning application.
2. Chairman will invite Parish or Town Councillor or a representative from the Parish Meeting, to come forward to address the meeting. Chairman will formally ask whether they have any interests to declare and that their views represent those of the Parish or Town Council or Parish Meeting and are not personal views. Time allowed 3 mins. The Chairman may invite the Planning Officer to respond to any questions. The Parish, Town Councillor or Parish Member will be asked to remain sitting at the table.
3. Chairman to invite the Ward Member(s) to address the meeting. Chairman to formally ask whether they have any interests to declare before making representation. Time allowed 3 mins. The Member will be asked to sit at the Representation table. The Chairman may invite the Planning Officer to respond to any questions. The Ward Member(s) will be asked to remain sitting at the table.
4. Chairman will invite any other Member whose Town / Parish Council and Parish meeting have been consulted on the application and who wished to speak to come forward and make representation. This will include members representing affected wards in neighbouring authorities and neighbouring parish councils which may be affected by the Development. Chairman to formally ask whether they have any interests to declare before making representation. Time allowed 3 mins. The Chairman may invite the Planning Officer to respond to any questions. The Member will be asked to remain sitting at the table.
5. Chairman to invite a representative from the objectors to come forward to sit at the table and make representation. Time allowed 3 mins. The objector will be asked to remain sitting at the table. If objectors cannot agree to one person presenting their case, up to 3 objectors will be allowed to make representation. The time allowed will be 1 minute each and therefore 3 mins in total. The 3 people allowed to speak will be the first three persons to register their wish to speak with the relevant Administrative Officer in the Planning Division.
6. Chairman to invite the applicant or their representative to come forward to make representation. Time allowed 3 mins in total. The applicant / representative will be asked to remain sitting at the table.
7. Chairman will invite Panel Members to put brief questions of clarification to those who have made representation.

8. Planning Officer and other Council Officers if appropriate will be asked to respond to Panel Members questions and to make further comment if necessary on any matters arising.
9. All those who have made representation will be asked if they wish to make a final comment about points of clarification only. They will then be asked to leave the table and return to the public gallery.
10. Panel Members will debate the application and seek advice from the Council's Officers if appropriate before taking a vote and reaching a decision.
11. If an application is to be referred to full Council by the Development Control Panel, subject to the Review of the Constitution, the process for consideration of that application at full Council shall follow the procedure above.



Your Right to **speak**

at Development Control Panel on Planning Applications



This leaflet explains how you can speak directly to Councillors at Huntingdonshire District Council's Development Control Panel meetings.

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.

If you wish to take part by speaking at the meeting and you have special needs and requirements, please let us know beforehand and we will try to accommodate your needs.

Public speaking at Development Control Panel on planning applications.

This leaflet explains how you can address Huntingdonshire District Council's Development Control Panel. It outlines the Council's public participation policy and answers some questions you may have about procedures, and what to expect at the meeting itself. It is based on some simple rules formulated by the Council to make the system as fair and as easy to operate as possible. This advice applies equally to applicants, their agents, supporters, objectors and to local council representatives.

What issues can I refer to?

Not all planning applications are considered by the Development Control Panel as the Head of Planning Services has delegated authority to determine many applications without the need to present the application to the Panel. It is not possible to speak in favour or against such applications that are dealt with under these delegated powers. However, if you have written in to the Council, your representation will be fully taken into consideration when a decision is made on a delegated application.

If you are unable to provide representation in writing, please contact us to discuss alternative methods available.

When does the Development Control Panel meet?

The Development Control Panel meet on Mondays, normally at four weekly intervals, in the Council Chamber at Pathfinder House in Huntingdon and the meeting starts at 7pm. The agenda is published a week before the meeting, and can be viewed on the Council's website www.huntsdc.gov.uk. In the agenda there is a detailed report of each application due to be presented to the Panel.

Applicants and any persons or Parish Council, Town Council or Parish Meeting who have made representations on an application to be determined by the Panel will be notified in advance that the application which they are interested in will be considered by the Panel. Objectors to the application can only speak at panel if they have written in to the Planning Department objecting to the application within the consultation period for the application.

What do I do if i wish to speak at panel?

You must notify Jackie Holland in Planning Services on 01480 388418 by 4.30pm on the Friday immediately before the Monday meeting if you wish to speak at the meeting. Failure to meet this deadline will exclude you from being able to speak.



If I have made representations do I have to speak?

No. Representations that have been received within the specified time period will be summarised and referred to in the Panel report. It is entirely at your own discretion whether you ask to speak at the Panel meeting. Representations can be accepted up to 4pm on the day of the meeting. Obviously these comments will not appear in the report but will be available for the Development Control Panel Members to read before the start of the meeting.

Who is permitted to speak to the panel?

The Planning Officer will give a short presentation to the Panel outlining the details of the proposal. After this the following individuals/organisations are permitted to address the Panel in the following order:

- A representative of the Town or Parish Council or Parish Meeting
- Ward Members
- Other Members (including from neighbouring authorities where applicable)
- Objectors to the application
- The applicant or agent for the application

Objectors to the application can only speak at panel if they have written in to the Planning Department objecting to the application within the consultation period for the application.

How long can I speak for?

Each person is allowed to speak for a maximum of 3 minutes. Only one speaker for the applicant and the Town/Parish Council is permitted to speak. Where more than one objector wishes to speak against a planning application, the Planning Department will contact the people involved before the meeting, and exchange relevant details with a view to encouraging them to agree that one person speaks for all. If the matter cannot be resolved in that way, then the Council will allow one third of the time, that is 1 min each, to each of the first three persons who registered as wishing to speak. The Chairman will ensure equity of opportunity between the various parties.

How will I know what time the application will be heard?



It is not possible to give an exact time when a particular application will be heard during a meeting and the running order of the meeting may be changed to accommodate public speakers. Therefore people wishing to speak should be there at the start of the meeting and if necessary be prepared to wait for the application to be considered

Who can ask questions?



Questions can only be asked by Panel Members, not by speakers and it would be beneficial for you to seek answers to any questions before the meeting and to state your case on the answers given to you. You must not interrupt other speakers or the debate.

What issues can I refer to?

When addressing the Panel you should try to make sure that you stick to 'material planning considerations'. The following list contains examples of the type of considerations that could and could not be taken into account:

Material:

- Relevant national planning policy and guidance, the Development Plan and other adopted planning guidance.
- Highway safety and traffic issues
- Impact on visual or residential amenity, including the unacceptable loss of outlook from a habitable room or residential garden
- Design, appearance and layout
- Previous planning decisions
- Impact on trees, the conservation area, listed buildings and nature conservation areas

Not Material:

Try to avoid referring to issues that are not planning matters or material considerations in the determination of a planning application such as:

- Matters covered by other laws and covenants
- Loss of private view unless it coincides with an important view from public land that would compromise the visual character of an area
- Effect upon the value of your property
- Personal dislike of the developer or his motives
- Suspected future development

If you attend the meeting and intend to speak please ensure what you say relates to that item only. If you do deviate from the proposal under consideration the Chairman may stop you from continuing with your presentation



How to find us:



Huntingdon Tourist Information Centre 01480 388388

This map was produced using aerial photography © Huntingdonshire District Council.

Contact Details:

To register to speak at Development Control Panel Meetings contact :

Jackie Holland, Administrative Officer

☎ 01480 388418.

✉ Planning Department
Pathfinder House
St Mary's Street
Huntingdon PE29 3TN

✉ jackie.holland@huntsdc.gov.uk



APPENDIX B

PUBLIC SPEAKING AT DEVELOPMENT CONTROL PANEL

The current scheme for public speaking in respect of planning applications was introduced by the Development Control Panel in January 2007. The scheme enables applicants, objectors, ward councillors and representatives of Parish/Town Councils to address the Panel on a particular application.

The current scheme was developed in conjunction with the Overview and Scrutiny Panel (Service Support) who were at the time undertaking a review of Member involvement in the procedural arrangements for the determination of development control applications.

When the current scheme was introduced, it was agreed that its operation would be reviewed after a 12 months period. With this in mind, and given its previous involvement in the development of the scheme, the Overview and Scrutiny Panel (Service Support) would like to invite comments from all Members on the operation of the procedure in order to positively feed into this review. Once the responses have been received they will be co-ordinated for onward submission to the Development Control Panel. To assist Members in commenting, a series of standard questions has been formulated. A copy of the applicable procedure and the public information leaflet is also attached to assist you.

(Please tick the appropriate box in answer to the questions and add any further comments as appropriate.)

1. Do you think that the introduction of public speaking at Development Control Panel has been well received?

Yes No

If yes, please clarify why you consider this to be/
If no, please clarify why you consider that to be the case:-

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2. If you are not a member of the Development Control Panel, have you addressed the Panel on a planning application since the scheme for public speaking was introduced?

Yes No

If yes, how did you find the experience?

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3. Having regard to the obvious need for certain time constraints, do you feel that all parties are given sufficient opportunity to put their case to a meeting of the Panel?

Yes No

If no, please add any specific comments below:-

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4. Do you have any comments on the current operation of the procedure for public speaking?

Is the number and ordering of speakers correct? Yes No

Are the current time limits sufficient? Yes No

Is the opportunity for points of clarification adequate? Yes No

Please provide any additional comments below:-

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5. Have you identified/encountered any particular problems with the operation of the current procedure?

Yes No

If yes, please provide details below:-

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6. Do you think that the procedure needs to be amended in any way?
(For example, are the right individuals/organisations being permitted to address the Panel? Should the scheme be extended to other representative groups? Should there be any changes to the number of objectors who are permitted to address the Panel?)

Yes No

If yes, please provide details below:-

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7. In your opinion, how valuable is the opportunity for representatives to make points of clarification at the conclusion of the debate?

Very Valuable Unsure
Valuable Of no Value

Is this being managed effectively?

Yes No

Please add any specific comments below:-

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8. Have you received any feedback from constituents who have addressed the Panel on how the public speaking process was managed?

Yes No

If yes, please provide details below:-

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9. Are the housekeeping arrangements on the evening of Panel satisfactory? (For example, is the layout of the Chamber satisfactory, should those applications for which there are speakers be dealt with at the beginning of the meeting?)

Yes No

If no, please provide details below:-

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10. Can you suggest any improvements to the explanatory leaflet provided to the public? *(Is it clear and comprehensive? Is it easily accessible? Are the arrangements for registering to speak adequate?)*

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11. Do you have any further comments or suggestions which you feel could improve the procedure/arrangements overall?

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Please provide your name below:-

Councillor.....

**PLEASE ENSURE THAT THE COMPLETED QUESTIONNAIRE
IS RETURNED TO THE DEMOCRATIC SERVICES TEAM
BY 25TH APRIL 2008**

**APPENDIX C
ANALYSIS OF DEVELOPMENT CONTROL QUESTIONNAIRES**

Councillor	Q1	Comments	Q2	Comments
Banerjee	Y	The "For" and "against" argument clears up a lot in decision making process. A few times the Panel decided against the Officers recommendations because of powerful argument by the public. It is a very useful tool for the Panel.	n/a	
Baker K M	Y	Gives public the right to address the Development Control Panel to state their case for or against proposed planning applications.	N	
Bates	Y		N	
Boddington	Y	Process is much more democratic, particularly with applicant able to speak	n/a	
Criswell	Y	Planning can be an emotive issue. Members of the public can be more easily placated if they can express their views.	Y	Good
Gray	Y	Public have welcomed the opportunity to speak. It has led to more informed debates with some excellent contributions from the public.	Y	Fairly similar to the experience before although frustrating as I had less time.
Hyams	Y	It at least gives the opportunity to address the Panel.	Y	I was fighting the clock to get my point across.
Newman	Y	More Transparent, Not all Details are within the report to Members. Applicant has opportunity to support his case for the development.	Y	
Simpson	Y	I can only comment on the rear of East Road, Huntingdon. It certainly helped to get to where we are now with that particular application.	Y	Excellent and my piece of wood was well received.
Sadler	Y	Gives everyone the opportunity to put their point of view forward. Also demonstrates to the general public that planning is a democratic process	Y	No problem. May be quite daunting for public
Thorpe	Y	Provides both applicants and protestors the opportunity to make their views known in open forum and contributes to open government.	n/a	
West	Y	Each application been openly discussed. Opportunity for	n/a	

		applicant and objector to raise all the points with regard to application.				
Councillor	Q3	Comments	Q4a	Q4b	Q4c	Comments
Banerjee	Y		Y	Y	Y	There is no time limit for the points of clarification – hence 3 minutes time limit for speaking is enough.
Baker, K M	Y		Y	Y	Y	
Bates	Y		Y	Y	Y	
Boddington	Y		Y	Y	Y	
Criswell	Y		Y	Y	Y	Officers should be careful not to introduce any additional thoughts or information after the applicant or objectors have spoken and left the table.
Gray	N	As a ward councillor, I am neither for, nor against some of the applications. Therefore unlike any of the other speakers, there are occasions where I only have 1 ½ minutes to put each side of the argument rather than the 3 that applicant / objector have. Think Councillor should return to 5 minutes.	Y	N	N	See 3. Also points of clarification are not being handled in accordance with the guidelines (see later)
Hyams	N	Elected members of HDC should have 5 minutes	N	N	Y	District Councillor should be allowed to sum up. His points may be forgotten during the debate. However the real problem is that officers have the final say. It is a very one sided way of reinforcing their view point.
Newman	Y		Y	N	N	If more than one objector 1 minute is very restrictive Applicant or agent should be able to correct or challenge any statement made during debate
Sadler	N	5 mins not sufficient. Should be 10.	Y	N	Y	Should be 10 minutes
Simpson	Y		Y	Y	Y	
Thorpe	Y		Y	Y	Y	
West	Y	I feel the Chairman shows discretion and allows a little extra time.	Y	Y	Y	

Councillor	Q5	Comments	Q6	Comments	Q6	Comments			
Banerjee	N				N				
Baker K M	N				N				
Bates	Y				N				
Boddington	N				N				
Criswell	N				N				
Gray	Y	See later.			N	Broadly speaking the framework if handled as planned is good; subject to my other points.			
Hyams	Y	The District Councillor should be allowed to sum up. His points may be forgotten during the debate. However the real problem is that officers have the final say – it is very one sided way of reinforcing their view point.			Y	The District Councillor should be allowed to sum up. His points may be forgotten during the debate. However the real problem is that officers have the final say – it is very one sided way of reinforcing their view point.			
Newman	Y	Supplementary information not made available to applicants			N				
Sadler	N				N				
Simpson	N				N				
Thorpe	N				N				
West	N				N				

Councillor	Q7a	Q7b	Comments	Q8	Comments
Banerjee	WV		In lot of occasions more related truth of the matter comes out and the situation clears up.	N	
Baker K M	WV	Y		N	
Bates	WV	Y		N	
Boddington	WV	Y		N	Not specifically but feels when talking to Parish Councils that they approve.
Criswell	WV	Y		N	
Gray	WV	N	This is not happening. All reps are sent back to the gallery and not invited to clarify points made erroneously during debate – if any.	Y	Broadly positive.
Hyams	WV	N	They sit in the audience frustrated and cannot reply to officer led statements.	N	
Newman	WV	N	Applicant or agenda should be able to correct or challenge any statement made during debate,	N	
Simpson	WV	Y	As far as my limited experience is concerned.	Y	They found it very useful but then it went their way so they would wouldn't they.
Sadler	WV	Y		N	
Thorpe	WV	Y		Y	Although nervous constituent appreciated the opportunity to address the Panel and believed that their views were given due consideration.
West	WV	Y		N	

**APPENDIX D
ANALYSIS OF DEVELOPMENT CONTROL QUESTIONNAIRES FROM THE PUBLIC**

Q1	Q2	Comments	Q3	Comments
Agent	VG		Y	
Obj	P	<p>Experience was appalling. The Panel and the setting are intimidating and the committee are over formal</p> <p>Whilst I understand the need to restrict people to 3 minutes the process for enforcing it is draconian.</p>	N	3 minutes is allowed irrespective of the impact and scale of the proposal.
Agent	G	The presentation by officers were good but some greater explanation of the issues were required, perhaps in the powerpoint presentation.	Y	
App	G		Y	
Agent	G		Y	
Rep	OK		Y	But additional time may be needed for complicated / complex issues. This would be in agreement with HDC.
Rep	G		Y	
Rep	Ok	We endeavour to make sure that a 3 minute presentation sticks to the material planning considerations. This is not always reciprocated by panel members.	Y	
Obj	P	Came away angry and frustrated. Spent a lot of time preparing only to find Panel paid little attention. V frustrating at not being able to clarify points further. One Panel member dismissed my comments saying they didn't know where I had got my information. Another said I must be confused with which site I was looking at. First time – left me disillusioned. Expected at least a fair hearing.	N	3 mins not long enough for speakers who are opposing the planning officers recommendations. Larger applications with a greater number of homes / buildings need more time. Base the time allowed for objectors to speak on the number of written objections received.
Rep	Ok	Controversial applications attracting large	N	Town Councillors should have longer to speak

		numbers of speakers should be prioritised to the start of the meeting. Applications which wont be decided should be noted at start of meeting to prevent speakers waiting through full meeting to find out if it has been deferred.			than residents.
Rep	Appalling		N	3 minutes too short for councillors dividing up the time between objectors suggests that councillors are more interested in getting tea than listening to the electorate. A minimum of 2 minutes each would be better.	
Rep	VG	Made welcome and appropriately advised and guided.	Y	3 mins is sufficient but needs appropriate preparation.	
Obj	P	Entire procedure was window dressing. Members of the Panel had already decided. Quote elderly female councillor who showed obvious bias.	N	3 mins is not long enough. Amalgamation of several points into one presentation is unfair. Undermines the strength of feeling against an application. If 3 people speak for 1 min makes a mockery of representation.	
Rep	OK	Daunting but read a statement so ok	Y		
OBJ	POOR	Information given to the Panel was ignored and not one Member of the Panel asked a question	N	2 mins inadequate especially if complex a mockery of public consultation	
Rep	OK	Large no. of people,daunting.	N	Time constraints too rigid, atmosphere too formal.	
Rep	Good		N		
Rep	Good		Y		

Q4a	Q4b	Q4c	Comments	Q5	Comments
Y	Y	Y		N	
N	N	N		Y	HDC Planning appears to happen in an atmosphere of secrecy.
Y	Y	N	Officers could seek clarification from the agent / applicant if members cannot articulate their concerns.	N	
Y	Y	Y		Y	There is no way to prove what any speaker said without making special arrangements. To ensure proper accountability every speaker should be recorded and the recording kept for a minimum period.
Y	Y	Y		N	
Y	Y	Y	But additional time may be needed for complicated / complex issues. This would be in agreement with HDC.	N	
N	Y	Y	Town and Parish Councillors should speak last. This gives the opportunity to point out inaccuracies and misleading statements by the developer.	Y	Speakers require a microphone stand and a lecturn. Microphone system makes councillors look silly.
Y	Y	Y		N	It is sometimes apparent that Panel members have not read the planning notes which can cause confusion and frustration. Are the notes made available with sufficient time for Panel members to read and understand.
Y	Y	Y	Order ok. Should allow greater time for larger applications and those with a number of written applications.	N	
N	N	Y	Town councillors should have longer to speak than residents Prioritise large controversial applications Note deferred items at the start.	N	
Y	N	Y		Y	Committee clearly simply going through the

Q6	Comments	Q7a	Q7b	Comments
Y	It needs to be less formal and the Panel need to realise that not everyone is comfortable to speak in public.	WV		
Y	If there are a number of individual objectors to a scheme, additional time could be found. Members of the public need to feel involved in the process and properly engage with the Committee, otherwise they may feel disenfranchised.	WV	Y	I was personally impressed by the way the DC Manager conducted the Panel meeting.
Y	Every speaker should be recorded as standard procedure.	V	Y	
N		V	Y	
N	Except for additional time for exceptionally complex issues.	WV	Y	
N		WV		
N		WV	N	
Y	Groups with a particular interest (ie Historic Societies, conservation groups should have their own time slot. When there are a large number of written objectors or very specific view points from different objectors number allowed should be more flexible. Base number of speakers on number of written objections.	WV	N	Important that speakers feel that what they have said has been understood. If speakers feel that the Panel have not understood a point there needs to be an opportunity for them to reclarify that point – maybe they could raise their hand and ask for a brief explanation.
N		WV		
	3 minutes too short for councillors dividing up the time between objectors suggests that councillors are more interested in getting tea than listening to the electorate. A minimum of 2 minutes each would be better.	V		
N	Wasn't aware that there was a limit to the number of objectors who may address the Panel.	WV	Y	
Y	Right to speak not widely known. Would be more democratic if planning department acknowledge all written complaints with a letter outlining the	WV	N	Did not happen at meeting I attended. I would have welcomed opportunity to ask questions of the applicant and

	procedure for addressing the Panel and informed interested parties of the date and time of the meeting.			clarify points.
N		W	Y	
Y	All relevant organisations should be invited, points made by objectors should not be repeated.	W	N	Only valuable if panel member knowledgeable enough to ask a question, law points should be clarified by the Chairman immediately, not wait until end when issues may have been overlooked. Essential to be allowed to ask the panel questions.
Y	If contentious matter more objectors should be heard, should be asked not to repeat points previously made but just note agreement, system fails to make people feel they have had their say, strong chairman needed.	V	Y	Valuable if questions can be answered, some people had no answers for questions even though had prior warning of question.
N		W	Y	Should occur after applicant has spoken.
N		W	Y	

Q8	Comments	Q9	Comments
N	Applications with speakers should be dealt with first Panel should meet during office hours to present the meeting running into late evening. I left at 10pm and there were still a number of cases left to discuss.		
Y		Y	Very unclear and found the planning dept elusive and unhelpful
N	The Chamber is not really conducive to public viewing. Hopefully the new building will be an improvement.		
Y		N	
N	Speakers should be heard first	N	
Y		N	
N	See remarks about microphones	N	
Y		N	
N	Would be helpful if applications with speakers were heard first. Those who have spoken should remain to the front whilst the application is being discussed. When I had spoken and moved back to the public gallery I was not able to see all the councillors and it was difficult to see who was saying what.		Clear and staff was helpful. Unclear as to when you can ring. Does it have to be the Friday or can it be anytime up to the Friday from receipt of letter.
Y		N	
	Applications with speakers should be heard first.		
Y	I was late one evening and was still offered the opportunity to speak. This flexibility is commendable.		Guidance is good.
Y		N	Right to speak should be more widely publicised. Objectors should be actively invited to attend the meeting and speak if they wish.
Y		N	
N	Screen not in sight of whole room, hidden from people waiting to speak.	Y	Sets out the albeit flawed arrangement well. Should be sent out with original letter to residents or when objector registers intention to speak.
	Satisfactory, but maps should be checked for accuracy.	Y	Reasonable but could be better, why

			<p>should expensive translations be offered, when leaflet is designed for people presumably who speak English. How to find us map poor. Photos irrelevant and waste of space. What do I do if I wish to speak at Panel and contact details should be merged so not necessary to give J Hollands contact details twice. If objectors have limited time because several to speak this is not a fair and equitable system. Limiting to 3 objectors is inadequate. Administrative convenience should not be allowed to dictate the process followed.</p>
N	All should be able to see photographs	Y	Rather wordy and complex
N	Applications with speakers should be dealt with first. All applications should be dealt with before any general business is addressed.		

Q10	Comments
Y	I would suggest that both the Planning Department and the members be reminded that they are public servants and are not their for their own gratification but have a public service to perform rather than follow their own agendas.
Y	The process needs to be seen at least, to be open, fair and transparent. If not, people will not engage in the process.
Y	Important that speakers feel listened to and understood. Panel members need to respond to questions / points raised by speakers. Don't leave the public feeling ignored.
Y	Planning Department need to be re-educated regarding their responsibilities to the community at large. Public participation is not only the individuals right it is a fundamental principal of good government. Where matters of concern are repeatedly decided by a few behind closed doors the public become cynical and disengaged/.
Y	Would have liked to have corrected an incorrect point made by the applicant previously, but wasn't asked about any further points, realises this would make the meeting longer.
Y	Flawed arrangements seeking to give impression of public consultation, whilst restricting input that renders this impossible.
N	
	In a dispute photos always favour officers decisions. Objectors should be able to see these in advance.

Councillor	Q9	Comments	Q10	Comments
Banerjee	Y		N	
Baker, K M	Y		N	
Bates	Y		N	
Boddington		Can only judge building as at present – new civic suite will be a big improvement	N	
Criswell	Y	The use of lollipop mikes is an embarrassing joke. The sooner we move into the new building the better.	N	
Gray	N	Think all speakers should sit at the table until the end of the debate (alongside one another) Can't see some of the councillors round the pillar Applications should be dealt with the order as present.	N	Think this is fine.
Hyams	N	They are the best you can do at the moment.	N	
Newman	Y		N	
Simpson	Y	Again as far as my experience.	N	
Sadler	Y		N	
Thorpe	N	All applications with speakers should be afforded priority to prevent lengthy waiting times for speakers.	Y	Regarding "How to find us" it may be beneficial to advise that there is little parking space at Pathfinder House and to identify public parking areas nearby.
West	N	I wish we had a different microphone system. I understand this will change in the new building.	N	

Councillor	Q11	Comments
Banerjee	Y	There is not adequate room for the procedure to be convenient for everybody. The new Council Chamber when built will help us hopefully.
Baker, K M	N	
Bates	N	
Boddington	N	
Criswell	N	
Gray	N	Most issues are already addressed.
Hyams	N	
Newman	N	
Simpson	N	
Thorpe	N	
West	N	

PARISH CHARTER FOR HUNTINGDONSHIRE (Report of the Working Group)

1. INTRODUCTION

- 1.1 At its meeting held on 12th June 2007, the Overview and Scrutiny Panel (Service Support) decided to establish a Working Group to consider the preparation of a Parish Charter for the Council's relationship with town and parish councils in the District.
- 1.2 The Working Group comprised Councillors J W Davies, P J Downes and R G Tuplin and has met on a number of occasions in the ensuing months.

2. BACKGROUND

- 2.1 The Government's Quality Parish Council Initiative was originally launched in June 2003 to provide an opportunity for towns and parishes to attain 'Quality Status'. 5 towns and parishes in Huntingdonshire have successfully achieved this status and others are working towards achieving it. Another element of the initiative was the establishment of a Charter between principal authorities and parish councils. Work on the development of a Parish Charter for Cambridgeshire has involved officers from the Cambridgeshire and Peterborough Association of Local Councils (CPALC), the County Council, District Councils in the county and a number of town and parish councils.
- 2.2 The scheme envisages that a Charter will set out how principal authorities and town and parish councils within an area will work in partnership, addressing a number of general principles and covering a common set of topics which can be tailored to meet local needs. It is anticipated that a Charter will recognise the additional benefits and responsibilities that town and parish councils can undertake as a result of achieving Quality Status.
- 2.3 Earlier work resulted in the drafting of a Charter which was intended for adoption countywide. However as further progress was looking unlikely and concern was being expressed about the delay in its adoption, the draft was modified for adoption in Huntingdonshire only. A copy of the draft is attached at Annex A.
- 2.4 Initial discussions on the formulation of a charter involved CPALC and a small representative number of parish clerks in Cambridgeshire. Although CPALC consulted the Huntingdonshire District Association on the content of the draft for Huntingdonshire, the Working Group was conscious of the fact that not all of the parish councils in the District are members of CPALC and that it did not appear that individual authorities had been asked for their views.

3. QUESTIONNAIRE RESPONSE

- 3.1 A questionnaire, together with a copy of the suggested charter, was distributed to town and parish councils in January. It was thought that

the use of a questionnaire, as opposed to the invitation of comments generally, would focus the consideration of the Councils on the pertinent parts of the charter and enable the responses to be analysed more easily. Following complaints about the short timescale for reply, the deadline was extended to 10th March, with several late responses being incorporated into the final analysis.

- 3.2 A comprehensive list of all of the issues raised from the questionnaire appears in Annex B to the report. An analysis of the responses is summarised below.
- 3.3 Of the 84 town and parish councils and parish meetings in Huntingdonshire, 36 responded (43%). Annex C lists the town and parish councils that replied and those that didn't. The questions asked and answers supplied were as follows. Councils were invited to elaborate on their answers where this was thought to be helpful, although some of the reasons given for the answers do not always appear to be relevant.

Questions

2. Do you support the establishment of a Parish Charter between the District Council and the town and parish councils and parish meetings in Huntingdonshire?

YES 28
NO 5
N/a 2

3. Are you a Quality Town or Parish Council?

YES 5
NO 30

4. Are you planning to become a Quality Town or Parish Council in the next 2 years?

YES 11
NO 15
N/a 9

5. Do you agree with the general principles set out in the Charter?

YES 28
NO 5
N/a 2

6. If the answer to question 5 is no, please explain why:

- System already works
- Don't agree with the involvement of CPALC

7. Do you think that the delegation of responsibility for service provision should be restricted to Quality Parish and Town Councils?

YES 8

NO 24

N/a 3

8. Please give your reason(s) for your answer to question 7 (summary):

- Quality Status is gained in recognition of a Council's ability to conduct business responsibly and effectively and provide value for money along with the raising of standards throughout the District;
- Concerns that as the scheme is voluntary, those who opt out will be penalised even though they may carry out the same duties to the required standard;
- Concerns of labelling and discrimination against those, especially smaller councils, who struggle to meet the criteria but still provide good standards of service.

9. Are you interested in taking responsibility for the delivery of certain services currently provided by the District Council in your parish or town?

YES 17

NO 16

N/a 2

10. Please list the services that you would be interested in having delegated:

- Grass Cutting 7
- Maintenance of play areas 3
- Street naming and numbering 3
- Minor planning applications 2

11. Do you agree with the general financial aspects of delegation contained in Appendix 1 of the Charter?

YES 25

NO 9

N/a 1

12. If the answer to question 11 is no, please explain how you think the delegation should be funded:

- Grant basis / annual review
- At the discretion of HDC
- Concerns of funding provision being maintained

13. Are you interested in the District Council providing services for your parish or town council on an agency basis?

YES 8

NO 22

N/a 5

14. If question 13 is answered yes. Please list the services:

- Grass cutting
- Professional Clerk
- General grounds and play area maintenance

17. Is there anything else that you think should be included in the Charter?

YES 2
NO 29
N/a 4

19. Additional comments:

- For: shows leadership, quality of service delivery, standards of the council, represents value for money and best practice
- Against: discriminates against smaller parishes in achieving status, opting out doesn't necessarily mean poor service, Charter has taken too long to develop, discussions should be between parish and town councils and the District Councils not CPALC.

4. STATUS OF PARISH COUNCILS

- 4.1 To achieve Quality Status, one of the criteria is that 80% of Council seats must have been contested when the Council first becomes accredited. Accreditation lasts only 4 years after which a Council must re-apply to retain its status. On re-accreditation, 100% of the seats must be contested. A review of the Quality Status scheme has been undertaken nationally with one of the recommendations being that the electoral mandate should be dropped to 80% on re-accreditation. The review's findings were deferred while the Local Government and Public Involvement in Health Bill was proceeding through Parliament last year.
- 4.2 The Bill was enacted in October 2007. The Act does not make any reference to Quality Status but it does extend the powers of promoting economic, social and environmental well-being to eligible parish councils. The term "eligible" has yet to be defined and will be the subject of a subsequent order by the Secretary of State. It is anticipated that this will be Quality Parish Councils.
- 4.3 The power of well-being will enable eligible councils to undertake any service providing that it deals with the promotion of economic, social and environmental well-being which will encompass almost any service that they wish to provide. Previously, town and parish councils could only act where they had specific legislative powers to do so, although the list of powers is wider than might be imagined (summary attached as Annex D). In addition, town and parish councils can use Section 137 of the Local Government Act 1972 to spend up to an amount equivalent to £5.30 per person on the electoral roll on anything that is in the interest of the parish or its inhabitants.
- 4.4 The Working Group is also aware of recent announcement by the Secretary of State for Communities and Local Government about the role that parish councils can play in reinvigorating local democracy. With

another White Paper on community engagement imminent, the powers of parish councils may be further enhanced in the next round of local government legislation.

5. ELECTORAL ARRANGEMENTS

- 5.1 The Working Group is aware that contested elections for parishes (other than in the towns of Huntingdon, St Neots and St Ives) have been a rarity in recent years in Huntingdonshire. A ballot was required in only 3 out of 16 towns and parishes in 2008. Although all except one of the remaining parishes would have met the requirement for first accreditation, with 80% of the seats being filled by nominations submitted, only 5 would have met the test for re-accreditation of 100%. In 2007, 11 out of 38 towns and parish councils required ballots.
- 5.2 The review of the Quality Status scheme discussed the possibility of the re-accreditation test being dropped to 80% of seats being filled by nomination. Unless it does, there is a risk that several of the councils locally that have achieved or are considering quality status will fail to achieve the required standard for re-accreditation. It is arguable whether having to fill 20% of a Council's Seats by co-option is representative of a healthy and vibrant authority.

6. SERVICE PROVISION

- 6.1 The Working Group has been made aware that current legislation already provides for one tier of authority to carry out work for another on an agency basis. This has happened in a number of instances in Huntingdonshire where the District Council has undertaken work for parishes on an agency or contractual basis. The reverse has been a rare occurrence, although it is not unusual for parishes to supplement a District Council service to provide an enhanced level of provision, litter collection being probably the most common example.
- 6.2 Although the Quality Parish scheme, in line with Government initiatives announced in the 'Strong and Prosperous Communities' White Paper, is designed to encourage communities to provide services locally, other Government pronouncements such as the Gershon efficiency programme require cost savings on the part of the district and county councils and encourage the sharing of services between authorities to reduce expenditure. The latter does not apply to town and parish councils.
- 6.3 There is a concern that if towns and parishes are able to demand the delegation of service provision, this will lead to a loss of the economies of scale if the District Council then has to deliver services in a patchwork of parishes that do not wish to go down the delegation route. Similarly if 84 parishes are providing a service individually, this will not be as economical as a service provided by a single contractor. The draft charter acknowledged this dichotomy by proposing that if a service were to be delegated, the money to be passed to each parish in question would be reduced by any additional costs to the District in providing a marginally smaller service elsewhere.
- 6.4 Coincidentally, the Working Group was aware that proposals in the recent Parish Review undertaken by the District Council to combine smaller parishes to reduce the size of Council membership and create

larger, more economically viable authorities led to widespread opposition on the part of the parishes affected.

- 6.5 There is of course great diversity between the 84 parishes in Huntingdonshire. The towns of Huntingdon, St Neots and St Ives can employ full time personnel and have aspirations to deliver additional services. Elsewhere, some of the medium sized councils are progressive and have taken full advantage of the existing powers available to them to provide a wider range of services. However the majority of Councils seem relatively content with the status quo and this seems particularly true of the smaller Councils. This diversity is reflected in the wide range of Council Tax precepts that are set in the District.

7. DELEGATION OF SERVICES

- 7.1 The Working Group acknowledged that this is the most contentious of the proposals in the draft Parish Charter. The Quality Parish Council scheme suggests that quality parishes should be able to apply to their respective district, county or unitary council to have service provision delegated to them and for the cost of carrying out the work to be funded by the relevant district or county to avoid double taxation, i.e. Council taxpayers in the parish paying through their parish precept both for the service in that parish and in the remainder of the district through the district council tax.

- 7.2 On the question of delegation itself, 17 Councils indicated that they would be interested. That represents 20% of the total number of parishes in Huntingdonshire. Of those that gave examples, the most popular services for transfer were grass cutting, play areas, street naming and numbering and planning applications. The Working Group was apprised of the following information in respect of each service.

Grass Cutting – there have been attempts previously to try to co-ordinate grass cutting regimes in parishes where the county, district and parish councils all have maintenance responsibilities and better prices can be achieved for a combined service. This is not dependent upon a Parish Charter.

Play Areas – the District Council manages few play areas and regards this as essentially a matter for parish council provision, except for strategic areas such as Riverside Parks, Priory Park and Hill Rise Park. There have been other instances in the past where town and parish councils have been reluctant to accept playgrounds that have been provided as part of planning approvals.

Street Naming and Numbering – it is a simple procedure for a town and parish council to suggest a name for a new street when planning applications are being considered. Developers are normally happy to accept suggestions that have a local or logical explanation. The statutory process for street naming and numbering provides little room for flexibility with the choice of street name being at the discretion of the developer and the only route for a District Council that disagrees with the choice being to appeal to the Magistrates Court. It is possible that towns and parishes do not appreciate how little discretion the District Council has in such circumstances.

Planning Applications – the determination of planning applications must accord with the approved Local Development Framework and its component policies, design guidance and planning policy statements and guidance issued by the DCLG. It is unlikely that any of the town and parishes in Huntingdonshire would be able to attract and employ planning officers with sufficient expertise and experience to deal with the complexity of even minor applications.

- 7.3 The Working Group concluded that the picture that emerges is little practical benefit in the delegation of services under a Charter as opposed to those that can already be dealt with under existing legislation. Moreover, the recent legislative change has opened up the possibility of eligible parishes providing any service that promotes the well-being of the area or its inhabitants. Against a requirement for the District Council to achieve savings to meet Gershon targets, the Working Group is of the opinion there seems little merit in pursuing delegation as part of a Parish Charter.

8. CONCLUSION

- 8.1 If the provisions relating to service delegation are removed, the Parish Charter is limited to a statement of the relationship between the District and the towns and parishes. That is evolving constantly and the Working Group questioned whether there was any practical value in simply documenting that relationship, especially when the role of the parishes is changing in response to legislative change and Government initiatives.
- 8.2 The Working Group found the response of the towns and parishes to the questionnaire to be disappointingly low. Only 43% responded and of those only 77% were in favour of a parish charter, with even less (47%) being interested in delegated services. The response appears even more stark across the District as a whole with only one third of all town and parish councils in favour of a Charter and one fifth in favour of service delegation.
- 8.3 With such limited interest, the Working Group acknowledged the potential for potential confusion as to where a charter applied. If a charter was to be signed with CPALC, more than half of the town and parish councils appear to have little interest and not all parishes are Members of the Association. If a charter was signed with individual councils, a mosaic arrangement would result.
- 8.4 The Working Group found that only one fifth of the town and parish councils were interested in delegation. Of the services identified by the parishes, some are not suitable for delegation and others are not reliant on a charter for delegations / agencies to be entered into. Mandatory delegation would produce a patchwork of services across the District and may adversely affect steps to make the Council's own delivery of Services more efficient.
- 8.5 The Quality Parish Scheme gave the prospect of delegated services in a charter as a potential reward for achieving quality parish status but that has now been superseded by the extension of the general power of well being to eligible councils. Having regard to the increased powers shortly to become available to town and parish councils and possible future measures in the forthcoming White Paper, the Working Group concluded that a formal charter added little practical value to the present relationship

between the District Council and the town and parish councils in Huntingdonshire.

- 8.6 The Working Group acknowledge that some town and parish councils will be disappointed if a Parish Charter does not proceed. However the Working Group does not regard a Parish Charter as critical in establishing and maintaining good relations between the tiers of authorities in Huntingdonshire, particularly as it would seem to serve little practical purpose.

9. **RECOMMENDATION**

- 9.1 On the basis of its investigations and discussions, the Working Group

RECOMMEND

that the Overview and Scrutiny Panel recommend the Cabinet not to proceed with the development of a Parish Charter with the town and parish councils in Huntingdonshire at the present time for the reasons outlined in their report.

BACKGROUND INFORMATION

Notes of the Working Group
Parish Charter questionnaire responses
Draft Parish Charter (version 1.4)

Contact Officer: Mr Roy Reeves
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PARISH CHARTER – HUNTINGDONSHIRE

Draft – Version 1.3

March 2007

Charter

Definitions:

The Principal Authority is the Huntingdonshire District Council (the Council).

Cambridgeshire and Peterborough Association of Local Councils (CALC) is the representative body for Parish and Town Councils in Cambridgeshire and Peterborough.

A Quality parish or town council is a council that has achieved the necessary accreditation under the Quality Parish and Town Council Scheme introduced by the Government in association with various local government associations and other bodies in June 2003.

This document defines the relationship between the Council and the parish and town councils in Huntingdonshire, irrespective of whether they are members of CALC.

Introduction

1. CALC and the Council have agreed to publish a charter which sets out how they aim to work together for the benefit of local people. This Charter is the result of discussions locally to establish a new way of working and to confirm existing good practice.
2. The Council acknowledges that parish and town councils are the grass-roots level of local government. By working with them and CALC, the Council aims to act in partnership with local communities in ways which are consistent with the duty to have regard to the needs of the wider community.
3. In their role as democratically accountable bodies, both the Council and parish and town councils shape the decisions that affect their communities. The parish and town councils offer a means of decentralising the provision of certain services and of revitalising local communities. In turn, the parish and town councils recognise the strategic role of the Council, the equitable distribution of services which it has to achieve and the potential economies of scale that can be achieved by centralising the provision of certain services.
4. This Charter reflects the increasing importance of partnership working and the development of Quality Status. Thus the first part of the Charter (Part 1) applies to all parish and town councils in the area. The second part (Part 2) applies to Quality Parish and Town Councils only.

SUSTAINABILITY

5. The Council and the parish and town councils in Huntingdonshire will work together to promote sustainable social, economic and environmental development for the benefit of local communities.

COMMUNITY PLANNING AND PARTNERSHIP WORKING

6. The Council recognises CALC as a key community partner and has made provision for the Association to be represented on the Huntingdonshire Local Strategic Partnership. The Council will consult and involve parish and town councils accordingly about the content and direction of the community strategy as it affects the local communities they represent.
7. Where a parish or town council either individually or collectively has prepared a parish or town plan, the Council will take account of its proposals and priorities in developing and implementing the community strategy as it affects the local areas concerned. The Council will strengthen links between the parish or town council and the Local Strategic Partnership in order to improve delivery of local priorities.

LOCAL GOVERNANCE

8. The Council will hold liaison meetings with representatives of all parish and town councils that wish to take part. There shall be a minimum of 2 liaison meetings per annum which shall be facilitated between the Council and CALC who shall ensure that all parish and town councils in Huntingdonshire are invited to the meeting, irrespective of their membership of the Association.
9. Parish and town councils will invite representatives (councillors and/or officers) of the Council to meetings of the Huntingdonshire District Association of CALC which will be co-ordinated by a single point of contact at the Council.
10. The Council will organise the administration of local parish and town council elections in Huntingdonshire and will endeavour, wherever possible, to hold such elections on the same day as another national or local government election in that parish or town. Where the local parish or town council election is held on the same day as another election, the Council will divide the cost of the elections equitably so that the parish or town council will share the cost of the election. Otherwise the cost of a parish or town council election and any parish poll will be recharged to the respective parish or town council.

CONSULTATION

11. The Council will aim to give parish and town councils the opportunity to comment before making any decision which affects the respective parish or town. This is without prejudice to any statutory arrangements for consultation between the Council and the parish and town councils in Huntingdonshire. In furtherance of this, the Council will publish its agenda and reports for its meetings including its Cabinet, panels etc. on its website at the same time as they are sent to members of the Council. The

Council will supply each parish and town council with the specific website address where such agenda and reports may be viewed on the website of the Council.

12. This will not apply to circumstances where, on the grounds of confidentiality, the Council does not intend to embark upon public consultation. Parish and town councils similarly will not be entitled to receive or have access to reports of a confidential nature which are to be or have been submitted to meetings of the Council, its Cabinet, panels etc.
13. To help achieve the objectives laid down in this Charter, liaison and consultation (both formal and informal) will be further developed at parish and town council level through regular meetings or specific service consultative groups and, at officer level, individually or through working parties and groups. The Council will consider use of the meetings of CALC to facilitate wider consultation.
14. The Council will attend meetings with parish and town councils and/or meetings of the Huntingdonshire District Association of CALC at a mutually agreed time to discuss matters of common interest. This is in addition to the liaison meetings referred to in paragraph 8 above.
15. Upon request parish and town councils will send copies of their meeting agenda and reports to the Council and to district councillors who represent the respective parish and town. Officers and councillors of the Council will be given an opportunity to speak, by prior arrangement, at parish and town council meetings on matters of mutual interest appearing on the agenda of the latter meetings. In addition, officers and councillors of the Council will endeavour to attend meetings of parish and town councils at their request to speak on specific issues. It is understood that no electioneering will be undertaken at such meetings.

LAND USE AND DEVELOPMENT PLANNING

16. Where a parish or town council (or group of councils) has prepared in consultation with the Council a parish or town plan which includes proposals concerning land use and development control issues (eg. a village design statement) the Council will normally adopt this as Supplementary Planning Guidance (provided it meets the requirements set out in national planning guidance). As with other planning policies and guidance, the Council shall have regard to the currency of the plan produced by the parish or town council.
17. Where the parish or town plan proposals imply some changes to the current development plan or the local development framework for their area, the Council will consider and discuss the proposals with the parish and town council (or councils) as part of its next review of that plan. If any aspects of the proposals are not accepted the Council will explain the reasons in a letter to the parish or town council(s).

INFORMATION AND COMPLAINTS

18. When the Council consults parish and town councils, it will provide them with sufficient information to enable them to reach an informed view on the matter, and give them adequate time to respond in accordance with

the statutory requirements, where applicable, having regard to the operational procedures of the parish and town councils.

19. The Council will communicate with parish and town councils and others in the community by publishing District Wide its quarterly newsletter and making it available in the local community. It will also keep parish and town councils informed by sending them copies of other relevant newsletters/local promotional material produced by the Council. The Council will provide a list, at least annually, of newsletters and local promotional material available and each parish and town council will advise the Council which of the literature it requires.
20. The Council and parish and town councils will acknowledge letters and e-mails requiring a reply sent by one party to another within 10 working days of their receipt. The first acknowledgement will contain a full response to the letter or e-mail or give an indication of the date by which a full answer will be given. Both will provide substantive answers to letters which need a reply.
21. If the Council or a parish or town council is dissatisfied with the actions, response to a request for information or a failure to consult as defined in this charter, either party may make a formal complaint about the other party's actions. The respective authorities should consider the involvement of CALC in such situations to act as mediator but without the result of such mediation being binding on either party.

STANDARDS COMMITTEE

22. Both the Council and the parish and town councils have adopted members' codes of conduct, based on the national model code. The parish and town councils will work with the Council's Standards Committee to promote and maintain high standards of conduct and the Monitoring Officer of the Council shall act as the Monitoring Officer of the parish and town councils without charge. The parish and town councils will be entitled to nominate two representatives to the Standards Committee and the Council will consult and agree the arrangements with the parish and town councils for their appointment using the facility of the Huntingdonshire District Association of CALC, such representatives to be drawn from parish and town councils throughout Huntingdonshire irrespective of their membership of CALC. Without prejudice to the generality of paragraph 11, the Council shall supply the parish and town councils with copies of the agenda and minutes of meetings of the Standards Committee at the same time as these are sent to the members of the Committee.

DELEGATING RESPONSIBILITY FOR SERVICE PROVISION

23. If a parish or town council (or group of local councils) wishes to discharge a function on behalf of the Council, the Council will consider this where it provides equal or better value (taking account of cost, quality, local preference, practicality and the ability of the District to continue to deliver the service throughout the remainder of Huntingdonshire no less economically than before). Where it is not good value or practicable the Council will, in consultation with the parish or town council, explore alternative solutions to encourage more local-level input into service delivery.

24. If the Council wishes to discharge a function on behalf of a parish or town council on an agency basis, the parish or town council will similarly consider this on the same criteria as in paragraph 23.
25. The provisions of Appendices 1 and 2 shall apply in such circumstances.

FINANCIAL ARRANGEMENTS

26. Where a parish or town council takes on the provision of certain services, the level of funding will be agreed by the Council and the parish or town council. It is agreed that the Council will be the service provider of last resort and any delegated funding will be by way of grant from the Council. Any such funding shall have regard to the Council's responsibility to continue to provide a standard of service without detriment and without financial disadvantage in the other parts of Huntingdonshire.
27. Where the Council acts as the agent for a parish or town council, it shall do so on a rechargeable basis, such charge to be fixed by agreement between the Council the relevant parish or town council.

LOCAL COMMUNITY LIFE

28. The Council will promote local community life through financial support by way of capital grants and loan schemes for village halls and other community facilities and will circulate this information to parish and town councils. The availability of such grants and loans shall extend to parish and town councils on application and subject to the appropriate criteria being met.

PRACTICAL SUPPORT

29. The Council will, where practicable, offer parish and town councils access to their own support services, to enable them to take advantage of facilities such as printing and purchasing, at a mutually agreed price. In addition, officers of the Council will provide information and advice, where appropriate, on request to parish and town councils without charge. Officers of the Council reserve the right to decline to offer such information and advice where this would involve excessive time or investigation or may offer to provide the advice at a mutually agreed price. In particular, assistance will be offered in identifying and helping to meet the training needs of parish and town councils (for example, through County Training Partnerships.)

Part 2 Quality Parish and Town Councils

30. In addition to the above, the Council has agreed to work in the following ways with those parish and town councils which are recognised as having attained Quality status.

INFORMATION AND ACCESS POINTS

31. If a Quality parish council (or group of Quality parish councils) wishes to become a local information and/or access point for the Council's services, the Council will help it to do so. The Council may: -

- + issue to the parish council (and up-date as necessary) relevant written information on and application forms for its services
- + give electronic access to similar information and forms (where it provides these electronically), provided the parish or town council has appropriate technology
- + provide suitable briefing, training and support to staff of the parish or town council

DELEGATION OF FUNCTIONS AND SERVICE PROVISION

32. The Council will consider a request by a Quality parish or town council (or group of Quality councils) the opportunity to take on one or more of the functions currently provided by the Council. It is agreed that all services, which may be legally delegated, may be considered. The arrangements contained in paragraphs 23 and 25 will apply in such circumstances.

Appendix 1

General Financial Aspects of Delegation

A – The general rule shall be that funding will follow delegation

B – That delegated funding shall be calculated on a pro rata basis which includes fixed as well as variable costs. At the time of agreeing the charter the population of Huntingdonshire is anticipated to continue to grow and this growth will offset any disadvantage by the delegation of fixed costs. The Council will provide a cost breakdown if requested to support the delegated amount.

C – If it appears to the Council, that the delegation of a service will result in marginally higher costs to the Council in the delivery of the service to the remainder of its area, the delegated funding will be reduced by an amount equivalent to the increased cost to be incurred by the Council.

D - The funding will be delegated by way of grant. This will provide a prudent structure should the delegated service be returned to the Council at some point in the future.

E – The amount of the grant should be reviewed every two years and increased in line with the Retail Price Index or the overall costs of the Council whichever is the greater.

F – In the event of the Council acting as the agent for a parish or town council in the delivery of a service, the arrangements described in sub-paragraphs A to E shall apply.

Appendix 2

A - Any agreement between the Council and parish and town councils for the delegation of service delivery or for this to be undertaken on an agency basis shall be the subject of an agreement in writing between the parties on the standard of service to be delivered.

B - In the event of the standard failing to be achieved, the Council or the parish or town council shall meet to attempt to resolve any shortfall in standards. If this is unsuccessful, the Council or the parish or town council may take back the service from the other party and the procedure for such action shall be contained in the agreement for the delegation/agency arrangements.

	PARISH COUNCIL	2	3	4	5	6	7	8
1	St Neots Town (+letter)	Y	Y	n/a	Y	n/a	Y	Quality assurance is essential to transfer of function
2	Hollywell-cum-Needingworth	Y	Y	n/a	N	Para 1 = PC/TC not CALC	Y	Concern issue may become political, unclear how managed/monitored
3	Alconbury	Y	N	Y	Y	n/a	Y	Quality = gained recognition of ability to conduct business responsibly
4	Little Paxton	Y	Y	Y	Y	n/a	Y	Quality = standards
5	Grt & Little Gidding	Y	Y	Y	Y	n/a	N	Councils may be able to tick some but not all boxes for QP staus
6	Colne	Y	N	Y	Y	n/a	N	n/a
7	Toseiland	Y	N	Y	Y	n/a	N	Scheme is voluntary, doesn't mean not capable of carrying out services
8	Glatton	Y	N	Y	Y	n/a	N	Hard to recruit clerks in smaller PC if made a requirement
9	Chesterton	N	N	Y	Y	n/a	N	Discriminate to smaller PC
10	Hemingford Abbots	Y	?	Y	Y	n/a	Y	give some assurance of effective discharge of responsibility
11	St Ives Town Council	Y	Y	Y	Y	Para 1 = PC/TC not CALC	Y	Quality = gained recognition of ability to conduct business responsibly
12	Houghton and Wyton	N	Y	Y	N	Lang used - misleading	N	Don't need a badge / label
13	Bury	Y	N	Y	Y	n/a	N	It is a forum of discrimination
14	Offord Cluny	Y	Y	Y	Y	n/a	N	Should be for DC to determine whether PC has ability to discharge function
15	Fenstanton PC	Y	N	Y	Y	n/a	N	Status is no indignation of overall capability and efficiency
16	Southoe & Midloe	N	N	N	N	Adds bureaucracy	N	Existing volunteers should be consulted
17	Warboys	Y	N	Y	Y	n/a	N	n/a
18	Great Gransden	N	N	N	N	system already works well	N	Will cause confusion and more beaurocracy
19	Tilbrook	Y	N	Y	Y	n/a	Y	n/a
20	Hemingford Grey	Y	Y	Y	Y	n/a	Y	Quality status = well run and providing value for money
21	Buckworth	Y	N	Y	Y	based on version 1.4	N	Capable of carrying out responsible service provision without Quality status
22	Farcet	?	Y	?	?	n/a	n/a	n/a
23	Waresley	Y	N	Y	Y	n/a	N	Should not be penalised for not having status. Not all can obtain
24	Kimbolton & Stonely	Y	N	Y	Y	n/a	N	Extra costs for attaining status - could be spent elsewhere
25	Wistow	N	N	Y	Y	n/a	N	Bureaucratic exercise, small parishes can't do it justice
26	Brampton	?	?	Y	N	n/a	N	Delegation through choice of PC, still high service without status
27	Sibson cum Stibbington	Y	Y	?	Y	n/a	n/a	PC: take delegated responsibility if in best interests - service/costs
28	Huntingdon	Y	Y	?	Y	n/a	n/a	Encourage QS to raise standards district wide although based on discretion
29	Ellington	Y	Y	?	Y	Subject to amendment	N	Can opt out of QS but should not be excluded from service provision
30	Somersham	Y	Y	?	Y	Subject to contract (equal)	N	Status is no indignation of overall capability and efficiency
31	Kings Ripton	Y	N	Y	Y	n/a	N	Not option for smaller councils
32	Sawtry	Y	Y	n/a	Y	n/a	N	Small PCs will struggle to meet criteria but still provide service
33	Blunfisham	Y	N	n/a	Y	n/a	N	If considered competent now, why need QS?
34	Ramsey	Y	Y	Y	Y	n/a	N	If not QS can still take delegated responsibilities
35	Waresley	Y	N	n/a	Y	n/a	N	n/a
36	Holme	Y	N	N	N	confidential issues	N	Councils still capable without Quality Status

	9	10	11	12	13
1	Y	Playgrounds, grass cutting, street naming & No, cleaning, parks, minor planning apps	Y	n/a	N
2	Y	Grass cutting	Y	n/a	N
3	N	n/a	N	A(Y)B(?)C(N)D(Y)E(N)	N
4	Y	Grass cutting	Y	n/a	Y
5	N	n/a	Y	n/a	N
6	Y	Grass cutting	Y	Grant basis/annual review	N
7	Y	n/a	Y	n/a	N
8	Y	Grass cutting, litter picking	Y	n/a	Y
9	N	n/a	Y	n/a	N
10	N	n/a	Y	n/a	N
11	Y	Car parking, landscaping, play areas, street cleaning	Y	n/a	N
12	N	n/a	N	PC & DC funds questionable	N
13	N	n/a	Y	n/a	N
14	Y	currently anticipating amalgamation with Offord Darcy PC	Y	n/a	Y
15	N	n/a	N	year on adjustment appropriate	N
16	N	n/a	Y	n/a	Y
17	N	n/a	Y	n/a	N
18	N	n/a	N	Money - discretion of HDC	N
19	N	n/a	Y	n/a	N
20	?	n/a	Y	n/a	?
21	N	n/a	Y	concern of funding provision maintained?	Y
22	n/a	n/a	n/a	n/a	n/a
23	N	n/a	Y	n/a	N
24	Y	Tourism/Marketing/Street Markets/Car Parking/Planning apps	Y	n/a	N
25	N	n/a	N	n/a	N
26	Y	Road naming, grass cutting	N	concern of funding provision maintained?	N
27	Y	n/a	Y	DC: cost breakdown prior to committing	?
28	Y	Play areas, maintenance - parks/green space, Town Hall, street benches	Y	n/a	Y
29	Y	Grass cutting - currently good contract	Y	n/a	N
30	Y	Too simplistic - services should be evaluated by the Parish - priority	N	if delegated - funding to parish not HDC	n/a
31	N	n/a	N	Not workable	N
32	Y	Street naming and No. Need more time to consult on other possibilities.	N	No recognition of removing double taxation	Y
33	Y	Need more info from DC about what will be delegated	Y	n/a	?
34	Y	Services that would provide benefits to HDC & RTC	Y	n/a	Y
35	N	n/a	Y	n/a	N
36	N	n/a	N	Value for money needs focus	n/a

	14	15	16	17	18
1	n/a	N	n/a	N	n/a
2	n/a	Y	Web hosting	N	n/a
3	n/a	N	n/a	N	n/a
4	what services will be avail?	N	n/a	N	n/a
5	n/a	Y	Cutting of playing field	N	n/a
6	n/a	N	n/a	N	n/a
7	n/a	N	n/a	N	n/a
8	Grass cutting, litter picking	N	n/a	Y	Plan apps- reason from DC: overuling
9	n/a	N	n/a	Y	n/a
10	n/a	N	n/a	N	n/a
11	n/a	N	n/a	N	n/a
12	n/a	N	n/a	N	n/a
13	n/a	N	n/a	N	n/a
14	n/a	Y	n/a	N	n/a
15	n/a	Y	Dog waste bins	N	n/a
16	Playground & Cemetery maintenance, prof clerk	N	n/a	N	n/a
17	n/a	N	n/a	N	n/a
18	n/a	N	n/a	N	n/a
19	n/a	N	n/a	N	n/a
20	n/a	?	n/a	N	n/a
21	Grass cutting & maintenance at competitive rate	N	n/a	n/a	n/a
22	n/a	n/a	n/a	n/a	n/a
23	n/a	N	n/a	N	n/a
24	n/a	N	n/a	N	n/a
25	n/a	N	n/a	N	n/a
26	n/a	?	see response	N	n/a
27	Not enough clarification - agency/responsibility	N	n/a	N	n/a
28	Waste management and collection	Y	Support: Youth TC, H&S, Insurance, HR	N	n/a
29	n	N	n/a	N	n/a
30	Need proper consultation first	n/a	need consultation	n/a	Finance Charter: relationship of tiered Gov
31	n/a	Y	Play area - use is increasing	N	n/a
32	Grass cutting	Y	n/a	?	n/a
33	n/a	N	n/a	N	n/a
34	Currently provide grounds maintenance, play eqp	N	n/a	N	n/a
35	n/a	N	n/a	N	n/a
36	n/a	n/a	n/a	n/a	n/a

1	Lead to a closer working relationship
2	Lead to a closer working relationship, consider info point for community, evening mtgs
3	n/a
4	Improve leadership and provision of better services
5	n/a
6	n/a
7	Document stating relationships between PC/TC/DC/CPALC
8	n/a
9	In smaller PC difficulty attending meetings of PC affairs - elderly
10	n/a
11	n/a
12	started in 2003 not consulted til 2008 - disappointing / layout & structure of draft incoherent
13	n/a
14	n/a
15	n/a
16	Impossible to recruit and keep Clerks, decreases interest in helping community.
17	n/a
18	n/a
19	n/a
20	n/a
21	Charter needs to be flexible & regularly reviewed to reflect changing communities and gov. legislation
22	When Clerk qualified= go for Q/S, submit by end of year. Cllr Butler informed that charter always dismissed.
23	Good idea to have consultation between DC & PC, DC need to listen to opinions of PC
24	n/a
25	n/a
26	Concern about 1st/2nd tier relationships- perceive DC as unresponsive to PC views eps planning apps
27	Consideration of additional responsibility from 'paid' Councillors to volunteers/clerks
28	Paper attached
29	n/a
30	Constant prevention by local gov of the delegation of services to parishes - need to fully embrace concept
31	n/a
32	Unsure of CPALC involvement when they wont serve on TC and PCs
33	n/a
34	n/a
35	Good to consult between PC and DC but DC needs to listen
36	n/a

ANNEX C

Town and Parish Councils that have responded / not responded to the consultation survey.

Not Responded

	PARISH COUNCIL
1	Abbotsley
2	Abbots Ripton
3	Alconbury Weston
4	Alwalton
5	Barham & Woolley
6	Brington & Molesworth
7	Broughton
8	Buckden
9	Bythorn & Keyton
10	Catworth
11	Conington
12	Covington
13	Denton & Caldecote
14	Diddington
15	Earith
16	Easton
17	Elton
18	Eynesbury Hardwicke
19	Folksworth & Washingley
20	Godmanchester
21	Grafham
22	Great Paxton
23	Great Staughton
24	Haddon
25	Hail Weston
26	Hamerton
27	Hilton
28	Leighton Bromswold
29	Morbourn
30	Offord D'Arcy
31	Oldhurst
32	Old Weston
33	Perry
34	Pidley-cum-Fenton
35	Spaldwick
35	Steeple Gidding
36	Stilton
37	Stow Longa
38	Tetworth
39	The Stukeleys
40	Upton & the Raveleys
41	Water Newton
42	Winwick
43	Woodhurst
44	Woodwalton
45	Yaxley
46	Yelling

Responded

	PARISH COUNCIL
1	St Neots Town (+letter) Hollywell-cum-
2	Needingworth
3	Alconbury
4	Little Paxton
5	Grt & Little Gidding
6	Colne
7	Toseland
8	Glatton
9	Chesterton
10	Hemingford Abbots
11	St Ives Town Council
12	Houghton and Wyton
13	Bury
14	Offord Cluny
15	Fenstanton PC
16	Southoe & Midloe
17	Warboys
18	Great Gransden
19	Tilbrook
20	Hemingford Grey
21	Buckworth
22	Farcet
23	Waresley
24	Kimbolton & Stonely
25	Wistow
26	Brampton
27	Sibson cum Stibbington
28	Huntingdon
29	Ellington
30	Somersham
31	Kings Ripton
32	Sawtry
33	Bluntisham
34	Ramsey
35	Waresley
36	Holme

ANNEX D

- (j) Fire precautions under the Offices, Shops and Railway Premises Act will be a county council responsibility.
- (k) Through agency.
- (l) Subject to amalgamation schemes.

Local authorities have power under section 101 of the Local Government Act 1972 to arrange for the discharge of their functions by any other authority.

Powers may be vested in joint boards under various Acts and the provisions of the Local Government Act 1972 may be applied to such boards under section 241 of the Act. Many local authorities have acquired power to undertake other functions by means of local Acts.

C. UNITARY AUTHORITIES

All functions in Wales are exercised by county and county borough councils as unitary authorities. **5-01.2**
 Unitary authorities have been established in some places in England by orders under the Local Government Act 1992.

[THE NEXT PARAGRAPH IS 5-02]

APPENDIX 2

PRINCIPAL POWERS AND DUTIES OF PARISH AND COMMUNITY COUNCILS

<i>Function</i>	<i>Powers and Duties</i>	<i>Statutory Provisions</i>	5-02
Allotments	Power to provide allotments. Duty to provide allotment gardens if demand unsatisfied.	Small Holdings and Allotments Act 1908, ss.23-33	
Areas of outstanding natural beauty in England	Duty to have regard to purpose of enhancing natural beauty of area of outstanding natural beauty when performing functions in relation to or so as to affect land in such an area. Right to appoint members of Conservation Boards	Countryside and Rights of Way Act 2000, s.85 Countryside and Rights of Way Act 2000, Sch.13, para.5	
Baths and washhouses	Power to provide public baths, washhouses and bathing places	Public Health Act 1936, ss.221, 222, 223 and 227	

5005

Local Govt. R.60: December 2003

5-02	<i>Function</i>	<i>Powers and Duties</i>	<i>Statutory Provisions</i>
	Burial grounds, cemetaries and crematoria	Power to provide	Local Government Act 1972, ss.214 and 215. Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s.1
	Bus shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provisions) Act 1953, s.4
	By-laws	Power to make by-laws in regard to— Pleasure grounds, etc.	Public Health Act 1875, s.164, Public Health Act Amendment Act 1890, s.45. Local Government Act 1894, s.8
		Cycle parks	Road Traffic Regulation Act 1984, s.57
		Baths and washhouses	Public Health Act 1936, s.223
		Public Bathing	Public Health Act 1936, s.231
		Open spaces	Open Spaces Act 1906, s.15
		Mortuaries and post-mortem rooms Power to enforce by-laws made by another authority as respects access land in its area	Public Health Act 1936, s.198 Countryside and Rights of Way Act 2000, s.17(8)
	Charities	Power to transfer property of parochial charity to parish council; power to appoint charity trustees	Charities Act 1993, s.79
	Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2

PRINCIPLE POWERS AND DUTIES OF PARISH AND COMMUNITY COUNCILS

<i>Function</i>	<i>Powers and Duties</i>	<i>Statutory Provisions</i>	5-02
Closed churchyards	Powers as to maintenance	Local Government Act 1972, s.215	
Commons and common pastures	Powers in relation to inclosure and as to regulation and management	Inclosure Act 1845 Local Government Act 1894, s.8(4). Smallholdings and Allotments Act 1908, s.34	
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144	
Community centres	Power to provide and equip buildings for use of clubs having athletic, social or educational objects	Local Government (Miscellaneous Provisions) Act 1976, s.19	
Consultation	Right to be consulted in designated matters by country or district council	Local Government Act 1972, s.33A, Local Government and Rating Act 1997, s.21	
Crime Prevention	Power to establish and maintain crime prevention equipment or scheme	Local Government and Rating Act 1997, s.31	
Drainage	Power to deal with ponds and ditches	Public Health Act 1936, s.260	
Education	Right to appoint school governors	School Standards and Framework Act 1998, Sch,10, para.15.	
Entertainment and the arts	Provision of entertainment and the support of the arts	Local Government Act 1972, ss.144 and 145	
Gifts	Power to accept	Local Government Act 1972, s.139	
Highways	Public to repair and maintain public footpaths	Highways Act 1980, ss.30, 43, 50	
	Power to light roads and public places	Parish Councils Act 1957, s.3 Highways Act 1980, s.301	
	Provision of litter bins	Litter Act 1983, ss.5, 6	

5006/1

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PART 5—APPENDICES

5-02 Function

<i>Powers and Duties</i>	<i>Statutory Provisions</i>
Power to provide parking places for bicycles, motorcycles and other vehicles	Road Traffic Regulation Act 1984, ss.57-60
Power to acquire rights of way	Highways Act 1980, ss.30, 72
Power to provide roadside seats and shelters, and omnibus shelters	Parish Councils Act 1957, s.1. Local Government (Miscellaneous Provisions) Act 1953, s.4
Consent of parish council required for stopping up or diversion of highway	Highways Act 1980, ss.47, 116
Power to complain to district council as to maintenance of highways or protection of rights of way and roadside wastes	Highways Act 1980, s.130
Power to prosecute unlawful ploughing of a footpath or bridleway	Highways Act 1980, s.134
Power to contribute to traffic calming works	Highways Act 1980, s.274A, inserted by the Local Government Rating Act 1997
Power to provide traffic signs and other notices	Road Traffic Regulation Act 1984, s.72
Power as to roadside verges	Highways Act, 1980, s.96
Right to be notified of order requiring operator to provide tunnel or bridge for footpath or bridleway over railway	Transport and Works Act 1992, s.48
Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11, as amended

Investments

5006/2

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PRINCIPLE POWERS AND DUTIES OF PARISH AND COMMUNITY COUNCILS

<i>Function</i>	<i>Powers and Duties</i>	<i>Statutory Provisions</i>	5-02
Land	Acquisition	Local Government Act 1972, ss.124-127	
	Rights of way, over land (other than highways)	Local Government Act 1894, s.8(1)(g)	
Litter	Provision of receptacles	Litter Act 1983, ss.5, 6	
Lotteries	Power to promote	Lotteries and Amusements Act 1976, s.7	
Mortuaries and post-mortem rooms	Power to provide mortuaries and post-mortem rooms	Public Health Act 1936, s.198	
National Park	Duty of Secretary of State to appoint parish members of National Park Authorities	Environment Act 1995, Sch.7	
	Duty of parish council to have regard to purposes for which National Parks are designated	National Parks and Access to the Countryside Act 1949, s.11A	
Nuisances	Power to deal with offensive ponds, ditches and gutters	Public Health Act 1936, s.260	
Open spaces	Power to acquire land	Public Health Act 1875, s.164, Open Spaces Act 1906, ss.9 and 10	
Parish and property and documents	Management and custody	Local Government Act 1972, s.227	
Postal and telecommunications facilities	Power to pay any public telecommunications operator any loss sustained in providing or continuing to provide telecommunications facilities	Telecommunications Act 1984, s.97	
Public buildings and village halls	Power to provide buildings for offices and for public meetings and assemblies	Local Government Act 1972, s.133; Local Government (Miscellaneous Provisions) Act 1976, s.19	

5007

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5-02 Function	Powers and Duties	Statutory Provisions
Public conveniences	Power to provide	Public Health Act 1936, s.87
Recreation	Power to acquire land for recreation grounds, public walks and open spaces and to manage and control them	Local Government Act 1894, s.6. Public Health Act 1890, s.44. Open Spaces Act 1906, ss.9 and 10
	Power to provide gymnasiums, playing fields, holiday camps	Local Government (Miscellaneous Provisions) Act 1976, s.19
	Provision of boating pools	Public Health Act 1961, s.54
Town and County Planning	Right to be notified of planning applications	Town and Country Planning Act 1990, s.252, Sch.1, para.8, Sch.14, para.1
Tourism	Power to encourage	Local Government Act 1972, s.144
Transport	Power to establish car-sharing scheme	Local Government and Rating Act 1997, s.26
	Power to make grants for bus services	Transport Act 1985, s.106A, inserted by the Local Government and Rating Act 1997, s.27
	Power to make arrangements for taxi fare concessions	Local Government and Rating Act 1997, s.28
	Power to publicise information about public passenger transport services and to investigate such services, the use of roads and traffic control	Local Government and Rating Act 1997, s.29
Village greens	Power to provide	Public Health Act 1875 s.164, Local Government Act 1972, Sch.14, para. 27

PRINCIPLE POWERS AND DUTIES OF PARISH AND COMMUNITY COUNCILS

<i>Function</i>	<i>Powers and Duties</i>	<i>Statutory Provisions</i>	5-02
War memorials	Power to maintain, repair, protect and adapt war memorials	War Memorials (Local Authorities' Powers) Act 1923, as amended by Local Government Act 1948, s. 133	
Water supply	Power to utilise well, spring or stream and to provide facilities for obtaining water therefrom	Public Health Act 1936, ss. 125, 260	

[THE NEXT PARAGRAPH IS 5-04.1.]

NOTE

As to the powers and duties of parish councils under the Local Government and Housing Act 1989, see Circular 23/90. **5-04.1**

[THE NEXT PARAGRAPH IS 5-05]

5009

Local Govt. R.60: December 2003

ANNEX E

Principle Powers and Duties of Parish and Community Councils (Addition to Annex D)

Climate Change and Sustainable Energy Act 2006, s 20(1) & (2)

- To encourage or promote any of the following in their area –
 - microgeneration;
 - the use of electricity generated or heat produced by microgeneration, biomass or any such fuel;
 - efficiency in the use of electricity, heat, gas, fuel and other descriptions or sources of energy;
 - reductions in the amounts of energy used; and
 - production of biomass or any fuel derived from biomass.

- To provide information. Advice or assistance about goods or services available within their area for the purpose of encouraging or facilitating any matters mentioned above.

Local Government and Public Involvement in Health Act 2007, s 77 & 78

- To promote economic, social and environmental well-being having regard to any community strategy prepared by a relevant principal council.

Clean Neighbourhoods & Environment Act 2005, s 55 & 58

- A primary or secondary authority may make an order, known as a 'dog control order', providing for an offence or offences on any land in its area relating to one of the following matters –
 - fouling of land by dogs and the removal of dog faeces;
 - the keeping of dogs on leads;
 - the exclusion of dogs from land; and
 - the number of dogs which a person may take on to any land.

- A dog control order may be revoked or amended by the authority which made it in relation to any amendment of a dog control order as if it were the making of a new order.

Agenda Item 7

**OVERVIEW AND SCRUTINY PANEL
(SERVICE SUPPORT)**

8th JULY 2008

**WORK PLAN: STUDIES
(Report by the Head of Administration)**

1. INTRODUCTION

1.1 The purpose of this report is to allow Members of the Panel to review their programme of studies.

2. STUDIES

2.1 The Council has a duty to improve the social, environmental and economic well-being of the District. This gives the Overview and Scrutiny Panels a wide remit to examine any issues that affect the District by conducting in-depth studies.

2.2 Studies are allocated according to the Panels' respective terms of reference. These are currently:-

Service Delivery:

Environment
Transport
Leisure
Housing & Public Health
Operational & Countryside Services

Service Support:

Finance
Resources & Policy
Information Technology
Planning Strategy

2.3 Ongoing studies have been allocated between the Panels accordingly -

STUDY	PANEL	STATUS
Cleaning Regimes in Town Centres	Service Delivery	Report expected at July meeting.
Processes and Procedures involved with the adoption of roads and sewers.	Service Delivery	Meeting held on 11 th April 2008. Further meeting being arranged.
Traffic Enforcement	Service Delivery	Awaiting report following decision by AJC.
The Processes Involved in Applying for Community Development Grant Aid and the Effectiveness of Grant Schemes.	Service Delivery	Investigations ongoing with officers. Another meeting being arranged.
Disability Access	Service Delivery	Representative from Hunts Forum to attend July meeting to discuss the issue of disability access.
State of the District Consultation	Service Delivery	Report presented to Cabinet. Information sought on financial implications and a clearer link to be established to the Council's Consultation and Engagement Strategy. Further report to be submitted to Cabinet, on wider issues affecting community

		engagement.
Community Safety Partnerships	Service Delivery	Scoping report to be considered at July meeting.
Parish Charter for Huntingdonshire	Service Support	Final Report to be presented to July meeting.
Heavy Goods Vehicle	Service Support	Final report considered by the Cabinet at their meeting on 26 th June 2008. Update to be provided to Panel meeting.
Section 106	Service Support	Meeting to be held on 3 rd July 2008.

2.4 The Service Support Panel have also identified the following as possible future studies:-

Review of evidence that justifies the Housing Needs Assessment Final Report.	Service Support
Review of the incentives of the Council's Travel Plan.	Service Support
Process for dealing with Planning Applications.	Service Support

2.5 The Service Delivery Panel have also identified the following as possible future studies:-

Joint working between the three tiers of local government and the implications of the white paper	Service Delivery
Role and effectiveness of the East of England Regional Assembly.	Service Delivery
Support for vulnerable people	Service Delivery
The Council's Plans in terms of Tourism and Sports Infrastructure in preparation for the 2012 Olympics.	Service Delivery
Great Fen Project	Service Delivery
Impact of New A14 in terms of air quality and noise pollution.	Service Delivery

3. RECOMMENDATION

3.1 The Panel is requested to note the progress of the studies selected.

Contact Officer: Mrs Claire Bulman - ☎ (01480) 388234.

BACKGROUND DOCUMENTS

Minutes and Reports from previous meetings of the Overview and Scrutiny Panels.

AREA OF REVIEW	DETAILS/COMMENTS
Title of Study (name of Working Group)	Parish Charter Working Group
Appointing Panel	Overview and Scrutiny (Service Support) Panel
Members Assigned (including date Working Group appointed)	Councillors J W Davies, P J Downes and R G Tuplin. Appointed by Panel on 12 th June 2007.
Possible Co-Options to the Group	N/A
Interests Declared	None received,
Rapporteur	Councillor P J Downes
Officer Support	Mr Roy Reeves – Head of Administration, HDC Mrs Karen Pauley – Support Services Assistant, HDC Miss Natalie Giles – Trainee Democratic Services, HDC
Purpose of Study / Objective (specify exactly what the study should achieve)	To review the draft Parish Charter for the Council's relationship with town and parish councils in the District and to make recommendations to Cabinet.
Rationale (key issues and/or reason for conducting a study)	As identified above.
Terms of Reference	Government Quality Parish Council Initiative Establishment of more formalised arrangements with Town and Parishes in Huntingdonshire.
Links to Council Policies/Strategies	Yes ~ to achieve the Council aim identified in the Corporate Plan "to improve our systems and practices".

ACTION BY WORKING GROUP	
Methodology / Approach (what types of enquiries will be used to gather evidence)	Consultation with County and other District Councils in Cambridgeshire.
External/Specialist Support	N/A
Existing Documentation	Existing draft Parish Charter Government Quality Parish Council initiative Impending legislation change
Evidence to be Obtained (e.g. witnesses, documents, site visits, consultation, research, etc)	<ul style="list-style-type: none"> • Research cost of services that could potentially be devolved • Progress made by Cambridgeshire County Council and other District councils towards Charter implementation • Consultation with CALC • Consultation with parish councils
Reference Sites	None
Investigations	With the Town and Parish Councils.
Witnesses	Town and Parish Clerks.
Site Visits (if necessary) (where and when)	N/A

Meetings of the Working Group	<p>First meeting held ~ 28th August 2007</p> <p>Second meeting held ~ 26th September 2007.</p> <p>Third meeting held – 2nd June 2008</p>
Costs (resource requirements, additional expenditure, time)	<p>Officer time – both to conduct research and provide support.</p> <p>No other external costs identified to date.</p>
Possible Barriers to the Study (potential weaknesses)	N/A
Projected Timescale (Start and end times)	<p>Start ~ 12th June 2007</p> <p>Completion of Study expected July 2008</p>

AREA OF REVIEW	DETAILS/COMMENTS
Title of Study (name of Working Group)	Section 106 Working Group
Appointing Panel	Overview and Scrutiny (Service Support) Panel
Members Assigned (including date Working Group appointed)	Councillors P J Downes, D Harty, M F Newman and R G Tuplin Appointed by Panel on 12 th February 2008.
Possible Co-Options to the Group	Councillor T D Sanderson Appointed by Panel on 8 th April 2008.
Interests Declared	Councillors P J Downes and D Harty as members of Cambridgeshire County Council.
Rapporteur	Councillor D Harty
Officer Support	Mr Roy Reeves – Head of Administration, HDC Mrs Claire Bulman –Democratic Services, HDC Mr Steve Ingram – Head of Planning Services, HDC Mr Ian Leatherbarrow – Head of Policy & Strategic Services
Purpose of Study / Objective (specify exactly what the study should achieve)	To investigate the Section 106 process adopted by the Council including the relationship with other infrastructure partners and make recommendations if improvements are thought to be necessary.
Rationale (key issues and/or reason for conducting a study)	Arising from Members concerns relating to S106 monitoring reports and the study by the Cycling Working Group which found it difficult to create an audit trail of money spent by different authorities.
Terms of Reference	To be agreed at next meeting of the Group.
Links to Council Policies/Strategies	Links to Council's Policy Framework.

ACTION BY WORKING GROUP	
Methodology / Approach (what types of enquiries will be used to gather evidence)	Information from Heads of Service, Partner Organisations and other Members of the Council.
External/Specialist Support	N/A
Existing Documentation	Current monitoring reports Report of the Cycling Working Group ~ Feb 2008
Evidence to be Obtained (e.g. witnesses, documents, site visits, consultation, research, etc)	Most of the evidence will be obtained by the Democratic Services Team together with information from Environmental & Community Services Directorate.
Reference Sites	To be established

Investigations	Initially presentations to be made by Heads of Planning Services, Operations, Housing Services and Policy & Strategic Services. Partner organisations also to be invited to attend. Questionnaire to be issued to all members at a later date.
Witnesses	As above.
Site Visits (if necessary) (where and when)	N/A at current time.
Meetings of the Working Group	20th May 2008. 3 rd July 2008
Costs (resource requirements, additional expenditure, time)	Officer time ~ both to provide support and to conduct research. No other external costs identified to date.
Possible Barriers to the Study (potential weaknesses)	None identified.
Projected Timescale (Start and end times)	Start ~ 12 th February 2008 Finish – October 2008

OVERVIEW & SCRUTINY PANEL (SERVICE SUPPORT)

8TH JULY 2008

PROGRESS TO DATE (Report by the Head of Administration)

1. INTRODUCTION

- 1.1 The Panel have asked for the submission of a brief progress report to their monthly meetings to monitor action taken and the response to any recommendations which they have made.

2. PROGRESS REPORT


- 2.1 The monthly progress report therefore is attached which covers all outstanding items. Actions previously reported upon as having been completed have been deleted from the report as the process rolls forward. The report is in tabular form and comprises a brief synopsis of the Panel's decisions and the subsequent action taken.

3. CONCLUSION

- 3.1 The Panel are requested to note the contents of the attached report.

BACKGROUND INFORMATION

Minutes and Reports of the Overview & Scrutiny Panel (Planning and Finance/
Service Support)

Contact Officer: Mrs C Bulman –Democratic Services Officer
 (01480) 388234

Panel Date	<u>Decision</u>	<u>Action</u>	<u>Response</u>	<u>Date</u>
06/07	PARISH CHARTER WORKING GROUP Agreed to establish a working group to review the draft Parish Charter on the Council's relationship with Town and Parish Councils in the District.	Meetings of the working Group held in August, September 2007 and June 2008..	Final report to be considered at July meeting. Agenda Item No. 6 refers.	June 08
12/02/08	THE COUNCIL'S TRAVEL PLAN Endorsed the report of the working group and their recommendations for submission to the Cabinet. Further consideration to be given by the Working Group to possible incentives for employees to use public transport or travel by foot or cycle.	Cabinet approved the recommendations and requested that they be investigated in the context of the emerging Environment Strategy, the car parking action plan and the travel plan. To be considered at a later date.	Included in future list of studies.	
11/03/08	Panel requested Corporate Governance Panel to consider those recommendations relating to Member's allowances Asked Head of Environmental Management to consider those recommendations relating to the preparation of a new Environment Strategy.	Report considered by the Corporate Governance Panel at their meeting on 26 th March 2008. Email sent to Head of Environmental Management drawing his attention to relevant recommendations.	Recommendations endorsed by full Council. Next stage is consultation with Independent Remuneration Panel for September Council meeting. Email sent from Head of Environmental Management to Chairman of Panel. Reports on Pool Car Emissions and costs to be prepared at a later date.	
10/06/08	Asked the Head of Administration to establish the current position with regard to their recommendation that Employees travelling to work by means of a car share be permitted to park in Bridge Place car parking charges are introduced to the car park by the Council.	Email sent to Team Leaders for Transportation and Environment. Awaiting response.		

Panel Date	<u>Decision</u>	<u>Action</u>	<u>Response</u>	<u>Date</u>
12/02/08	<p>CYCLING IN HUNTINGDONSHIRE</p> <p>Endorsed the Working Group's report and recommendations for submission of the Cabinet and requested that the study recommendations be placed on the progress report for future monitoring.</p> <p><i>[Recommendations are appended to this report].</i></p>	<p>Considered by the Cabinet at their meeting on 12th February 2008. Cabinet noted the recommendations and requested a further report by officers addressing the wider issue of Section 106 funding and partnership working. Agreed that discussions should be held with Cambridgeshire County Council regarding their offer to update the Huntingdonshire Cycling Strategy and the issue of partnership working on cycling provision.</p>	<p>Report updating the Panel on the current position the review of the Cycling Strategy and the provision for funding for Huntingdonshire in the LTP included on Agenda for the meeting for June 08 meeting.</p>	June 08
10/06/08	<p>Asked the Transportation Team Leader to email all Members of the Council asking about any specific issues with regard to cycle routes in their wards. Requested sight of the draft report on the prioritisation of cycle schemes before any consideration by the AJC.</p>	<p>Since the June Panel meeting, it has come to light that the list of potential cycle routes have already been scored and prioritised. A report will be considered by the AJC at their meeting on 7th July 2008, seeking ratification of the cycle routes as scored. Requests have been made for reviews to be undertaken annually, with the first review with Members to start in the autumn.</p>		
12/02/08	<p>HEAVY GOODS VEHICLE PARKING IN THE DISTRICT</p> <p>Agreed to establish a working group comprising Councillors K M Baker, P H Dakers, P M D Godfrey and L W McGuire to identify and review the issue of Heavy Goods Vehicle parking throughout the District.</p>	<p>Meeting held on 25th April 2008.</p>	<p>Panel's recommendations endorsed by the Cabinet at their meeting on 26th June 2008.</p>	July 08

Panel Date	<u>Decision</u>	<u>Action</u>	<u>Response</u>	<u>Date</u>
12/02/08	<p>PETITION BY ST AUDREY LANE AREA RESIDENTS, ST IVES</p> <p>Asked for a robust reply to be sent to Anglian Water.</p> <p>Requested submission of a report on the respective responsibilities of the relevant agencies with a view to the possible invitation to Anglian Water for a representative from the company to attend a future meeting of the Panel.</p>	<p>Letter sent 9th April 2008.</p> <p>Representative from Anglian Water invited to attend a future meeting of the Group.</p> <p>Councillors K Baker, M G Baker and J W Davies appointed to a Working Group for the purpose of obtaining further information from local residents.</p>	<p>Anglian Water to attend Panel meeting on 8th July 2008.</p> <p>Site visit held on 20th May 2008.</p>	
12/02/08	<p>SPEAKING AT DEVELOPMENT CONTROL PANEL MEETINGS</p> <p>Agreed that comments should be invited from all Members on the operation of the procedure for public speaking at meetings of the Development Control Panel and co-ordinated for submission to the Development Control Panel.</p>	<p>Questionnaire circulated to all Members of the Council.</p> <p>Additional Questionnaire also circulated to members of the public who had addressed the Development Control Panel within the past year.</p>	<p>Responses received from 12 Members.</p> <p>Responses being collated. Agenda Item No.5 refers.</p>	July 08
14/05/08	<p>CORPORATE PLAN – GROWING SUCCESS</p> <p>Councillors M G Baker, J A Gray and R G Tuplin appointed to Corporate Plan Working Group.</p>	<p>Quarterly reports submitted to Overview & Scrutiny.</p> <p>Working Group to act as a conduit between the Panels and the LAA Board.</p>	<p>Further meetings on 26th June and 24th July 2008.</p>	Sept 08

Panel Date	<u>Decision</u>	<u>Action</u>	<u>Response</u>	<u>Date</u>
	REVIEW OF LOCAL PROCUREMENT			
09/01/07	Endorsed the recommendations of the Working Group established to consider the question of local procurement by the Council. In light of the issues raised, agreed that the Chairman, Vice Chairman, Executive Councillor and Members of the Working Party should meet with representatives of the Huntingdonshire Business Network, Federation of Small Businesses and the Chamber of Trade.	Meeting held on 28 th February 2007. Positive outcomes, agreed that a number of measures be explored to improve local business awareness of future contracts. Suggested future meeting should be arranged to keep communication channels open.		
13/03/07	Agreed that Working Group should continue in existence to monitor progress in Autumn and meet with the business community at this time.	Subsequent meeting held on 22 nd November 2007. Report presented at Panel's December meeting.	Further meeting to be held in new Municipal Year to review progress and consider the implications of the Council's emerging Environment Strategy.	Sept 08
	LOCAL AREA AGREEMENTS			
15/01/08	Minutes of future meetings of the Cambridgeshire Together Local Accountability Committee should be circulated to all Panel Members.			
14/05/08	Councillor J A Gray appointed to Joint Accountability Committee. Substitute members to be appointed in consultation with Head of Administration.	Next meeting 22 nd October 2008 at 18.00pm.		
10/06/08	Head of Administration asked to prepare a briefing session on Local Area Agreements for District Council Members.	Session to be arranged for July 2008.		July 08
	CALL CENTRE MONITORING			
13/11/07	Requested that quarterly performance reports be circulated informally to Members of the Panel and an item included on the agenda every 6 months in future.	Formal report due September		Sept 08

Panel Date	<u>Decision</u>	<u>Action</u>	<u>Response</u>	<u>Date</u>
	AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT			
13/11/07	Requested that copies of the Strategic Housing Market Assessment proposed in the SPD should be distributed when this became available.	Copy provided to Chairman for further consideration.		
10/06/08	Chairman to discuss issues relating to the justifications for the Housing Needs Assessment with the relevant Head of Service and report back to the Panel.			
	LOCAL PETITION AND CALLS FOR ACTION			
13/11/07	Head of Administration drew attention to "community calls for action" proposals contained in recent legislation which was intended to enable the public to raise issues for scrutiny and would submit a report on the implications when the guidance had been issued by Government.	Report submitted to February meeting inviting comments on a consultation paper from the Department for Communities and Local Government on local petitions and calls for action.	Subject to a number of proposed amendments to reflect the comments of the Panel, endorsed the proposed answers to the consultation. Further reports to be submitted on legislative changes to overview and scrutiny when guidance and regulations emerge.	Unknown
	ICT DEVELOPMENTS			
09/01/07	Requested sight of the Flexible Working Strategy prior to its consideration by Cabinet.	Briefing Note on Flexible Working Strategy submitted to Panel's September meeting.	Update on Flexible Working to be presented to September meeting.	Sept 08
09/07	Asked for a future report on the outcome of the home working project in the Revenues and Benefits and Environmental and Community Health Service Divisions be submitted to a future meeting.		Report to be included on future agenda.	Autumn 08

Panel Date	<u>Decision</u>	<u>Action</u>	<u>Response</u>	<u>Date</u>
14/04/05	<p>MONITORING OF SECTION 106 AGREEMENTS</p> <p>Quarterly reports to be submitted to the Panel.</p>	<p>Next report due Sept 2008. Head of Policy & Strategic Services asked to include details of any non-monetary receipts as well as income in future reports.</p>		Sept 08
12/12/06	<p>Asked Head of Planning Services to consult the Panel on any consultation on possible planning gain supplement development tax which would lead to changes in policy as this became available.</p>	<p>Email from Head of Planning Services circulated to Panel. (June 07)</p>	<p>Government abandoned previous proposals to introduce planning gain supplement. Currently consulting on potential introduction of a community infrastructure levy. Seminar held for all members regarding current s106 procedures and the potential introduction of CIL held on 4th March.</p>	
11/09/07	<p>Request for further information on the mechanisms for ensuring that money received from s106 agreements is spent for the purpose specified in the agreement.</p>			
11/12/07	<p>Executive Councillor for Operations, Parks and Countryside asked to consult with the Panel on any proposals that emerged from his investigations into the review of the s106 process.</p>			
12/02/08	<p>Agreed to establish a working Group comprising Councillors P J Downes, D Harty, M F Newman and R G Tuplin to investigate the current Section 106 Agreement Mechanism for the negotiation of agreements and the distribution of money received.</p>	<p>Group asked to arrange interview with Councillor Bates to seek strategic guidance to ensure that the work of the group takes the same direction as intended by the leadership. First meeting held on 20th May 2008.</p>	<p>Agreed that Scrutiny would undertake an all encompassing review of s106 agreements. Further meeting of the working group to be held with relevant Heads of Service and partner organisations on 3rd July 2008.</p>	

Panel Date	<u>Decision</u>	<u>Action</u>	<u>Response</u>	<u>Date</u>
10/06/08	<p>PERFORMANCE MONITORING</p> <p>Expressed concerns about the failure to achieve the target relating to the objective of ensuring that the Council is an employer that people wish to work for. Asked for further details of the analysis of the staff response to ascertain whether there are any particular reasons that can be identified for the failure to meet the target.</p>	Panel's comments conveyed to Cabinet at their meeting on 12 th June 2008. Further information to be obtained.		
	<p>FORWARD PLAN</p> <p>08/04/08 Development Control Policies Preferred Options</p> <p>Requested that report should be considered at a future meeting of the Panel.</p> <p>09/10/07 Huntingdon West Area Action Plan</p> <p>Requested that the report should be considered at a future meeting of the Panel.</p> <p>13/11/07 Parish Plans and Local Plan Policy</p> <p>Circulate report when this becomes available.</p>		<p>To be included on Agenda for October meeting.</p> <p>To be included on agenda for September meeting.</p> <p>To be included on agenda for September meeting.</p>	<p>Oct 08</p> <p>Sept 08</p> <p>Sept 08</p>

RECOMMENDATIONS ARISING FROM CYCLING IN HUNTINGDONSHIRE

- (a) that the offer by the County Council to update the Council's existing cycling strategy and to prepare an action plan for its implementation be welcomed and officers requested to conclude this work within the next six months;
- (b) that, following completion of the strategy and action plan, specific contributions be sought in Section 106 Agreements for cycleway provision in Huntingdonshire in appropriate cases;
- (c) that contributions negotiated under (b) above be retained by the District Council for expenditure on implementation of the cycling strategy action plan;
- (d) that the District Council seek the allocation of specific funding through the Local Transport Plan for cycleway provision in Huntingdonshire;
- (e) that the approval of individual cycleway schemes continue to be the responsibility of the Huntingdonshire Traffic Management Area Joint Committee with District Council expenditure continuing to be allocated on a scheme by scheme basis.

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Decision Digest

Edition 85

Monthly summary of the decisions taken at meetings of the Council, Cabinet, Overview & Scrutiny and other Panels for the period 31st May to 27th June 2008.

EQUALITY OF OPPORTUNITY POLICY

Arising from recent legislation which has placed a greater accountability on employers for ensuring that there is equality of opportunity in the workplace, the Employment Panel has endorsed the contents of a policy outlining the District Council's commitment to equality of opportunity for employees and Councillors. The Policy details how this is to be achieved and monitored and will compliment the existing Corporate Equality Policy.

REQUESTS TO FILL VACANT POSTS

The Employment Panel has considered the circumstances applicable to a number of vacancies across the Council's Directorates and has authorised the Head of HR and Payroll Services to recruit to the following posts:-

- ◆ Housing Service Administrator;
- ◆ Benefits Manager;
- ◆ Environmental Health Officer;
and
- ◆ Director of Central Services.

LOCAL DEVELOPMENT FRAMEWORK: THE CORE STRATEGY DOCUMENT SUBMISSION

The Overview and Scrutiny Panel (Service Support) has considered the submission document for the Core Strategy before it is approved by Council for formal submission to the Secretary of State.

The Panel has expressed its support for the proposed policies within the submission document but considers that insufficient importance has been paid to the role of agriculture in the local economy and as a local land use. Recent world food shortages and the growth in the use of bio-fuels has increased the demand for agricultural crops but the Panel feels that the Core Strategy has failed to recognise the emergence of these trends in recent months, for example by referring in the Core Strategy to the historic role of agriculture and food production in Huntingdonshire. Although the Core Strategy places emphasis on the need for strategic green space enhancement, the Panel is concerned at the possible implication that access and enjoyment of the countryside may be regarded more important than the contribution that agriculture

makes to the local economy and wider market. The Panel has therefore suggested to the Cabinet that a change in wording and emphasis to retain the value of local agriculture in the Core Strategy would be advisable and helpful.

Subsequently, the Cabinet has requested that the Spatial Vision document be amended to reflect this. Having authorised the Head of Planning Services, after consultation with the Executive Councillor for Planning Strategy and Transport, to approve any amendments to the documents prior to their publication, the Cabinet has recommended to Council that the Core Strategy and its supporting papers be approved for submission to the Secretary of State.

CYCLING IN HUNTINGDONSHIRE

Following the conclusion of its investigations into the Council's expenditure on cycling in Huntingdonshire earlier in the year, the Panel has been updated on progress in developing a revised action plan for safe cycle routes, including a revised list of cycle schemes for Huntingdonshire.

Although the Panel is pleased with the progress which has been made, it remains of the view that the County Council should invest more funding into cycleway development in the District. Having been advised that a revised list of cycle schemes is to be submitted to the Huntingdonshire Traffic Management Area Joint Committee, the Panel has also raised questions over the involvement of Ward Members in revising and updating

the list which originates from the Cycling Strategy last approved by the Council in 2000.

PARKING OF HEAVY GOODS VEHICLES

The Panel has received the final report of its Working Group which had been established to investigate the use of Heavy Goods Vehicles (HGV) parking throughout the District. The matter had been raised initially by Councillor P H Dakers in response to the closure of this "Night Owl" lorry parking facilities at Alconbury and his concerns relating to a reduction in overnight parking facilities for HGVs across the District.

The Panel has acknowledged that there is a clear need to provide suitable parking on the trunk road network to avoid the problems which arise from a lack of provision for local authorities, local communities and haulage drivers alike. The problem is being compounded by proposals to rationalise layby arrangements along the A14 corridor. However, the Panel has recognised that there is little that the District Council can do in isolation to tackle a national problem and the Council's main influence on the provision of lorry parking facilities in Huntingdonshire will be through the Local Development Framework in terms of the identification of sites for HGV parking and opposing the redevelopment of closed sites for alternative uses.

Having regard to issues that are being experienced elsewhere within the County, the Panel have concluded that a collaborative

approach involving all of the local authorities within Cambridgeshire would be the most effective way of raising awareness and achieving progress. The Panel has therefore recommended to the Cabinet:-

- ◆ that the County Council be invited to establish a countywide forum, involving the County Council, District Councils, local Members of Parliament, Cambridgeshire Constabulary and HGV operators to lobby Government to investigate the problem urgently and take steps to resolve it;
- ◆ that the matter be raised through the Cambridgeshire Together: Local Area Agreement Board; and
- ◆ that the District Council as local planning authority seek to influence the development of suitable HGV parking opportunities on the trunk roads across the District.

PERFORMANCE MONITORING

The Council's performance against the targets within the Corporate Plan "Growing Success" has been reviewed by the Overview and Scrutiny Panels.

The Overview and Scrutiny Panel (Service Support) has been pleased to note that most of the targets are being met or exceeded. However, the Panel has observed a failure to achieve the target relating to the objective of ensuring the Council is an employer that people wish to

work for. As the measure of satisfaction was derived from a staff survey, the Panel has asked for further details of the analysis of the staff response to ascertain whether there are any particular reasons that can be identified for the failure to meet the target and whether any measures have been or need to be introduced to address this issue.

In reviewing the Council's performance against its priority objectives, the Overview and Scrutiny Panel (Service Delivery) has noted the reasons why the two areas identified within the report have not achieved their respective targets. The Panel has expressed their satisfaction with the levels of performance achieved by the Council in 2007/08 and noted that a review of Growing Success will be completed over the ensuing months and that, the views of the Corporate Plan Working Group will be taken into account during this process.

The timetable for review and performance data also has been received by the Cabinet.

MONITORING OF SECTION 106 AGREEMENTS: PLANNING OBLIGATIONS

The Panel has been updated on the receipt and expenditure of money negotiated under Section 106 Agreements by the Council.

CAMBRIDGE SUB-REGION STRATEGIC HOUSING MARKET ASSESSMENT

The Overview and Scrutiny Panel (Service Delivery) has appraised the contents of the Cambridge Sub-

Regional Strategic Housing Market Assessment and its implications for the District.

The Panel has discussed housing register trends, migration into and out of the District and the availability of affordable housing in light of current economic trends. The Panel has noted that the Government is currently discussing with the Housing Corporation the possible relaxation of restrictions which might enable registered social landlords to utilise unoccupied private sector housing as, at present, the specification for these buildings is not the same as that required for social housing.

CORPORATE EQUALITY POLICY: ACTION PLAN AND PROGRESS

The Overview and Scrutiny Panel (Service Delivery) has reviewed the progress made in respect of the Council's Corporate Equality Policy Action Plan. Having noted the achievements under the Plan over the previous year, including the attainment of Level 2 of the Equality Standard, Members have been advised that the Council will now work towards achieving Level 3 of the Standard.

A random sample survey carried out by an independent market research company has revealed that 84% of local people believe that the Council offers services that meet their needs.

The Panel also has been advised that the Council maintains a directory of employees fluent in other languages and that an interpretation service, both face to

face and via the telephone, is available if required. In terms of literature, documents are made available in the four main languages spoken in the District.

As a result of their deliberations the Panel has suggested that the Cabinet should approve the new Corporate Equality Action Plan and a revised Equality Impact Assessment timetable. Subsequently, the Cabinet has approved the Plan and proposed timetable for assessment.

OVERVIEW AND SCRUTINY PANEL (SERVICE DELIVERY) – STUDIES

The Overview and Scrutiny Panel (Service Delivery) has reviewed its programme of studies and considered its work programme for the forthcoming year. The Panel has been reminded of the adoption of a study template following an internal audit of the Overview and Scrutiny function in the previous year and were reminded that both Scrutiny Panels had a budget of approximately £6,000 for use to pursue their study aims.

Owing to their interests in the study, Councillors M F Shellens and J S Watt have been appointed to the Adoption of Roads and Sewers Working Group.

In acknowledging that the study on Disability Access will conclude shortly, the Panel has discussed potential future study areas, including the Community Safety Partnership, the Great Fen Project and the impact of the new A14 in terms of air quality and noise

pollution. A scoping report on Community Safety Partnerships will be submitted to the next Panel meeting.

BUDGET AND MEDIUM TERM PLAN (MTP) PROCESS 2009 – 2010

The Overview and Scrutiny Panel (Corporate and Strategic Framework) has reviewed the approach, process and timing for the review and approval of the financial strategy, the 2009/10 budget and the 2010/14 Medium Term Plan (MTP). Attention has been drawn to the Council's financial performance in previous years, likely future inflation trends and Executive Councillors' role in compiling next year's budget. The Panel has been informed of the order of required additional income or reduced spending in 2009/10 and in subsequent years and of the need for ongoing efficiency savings to be identified throughout the Council. Assurances have been received from the Executive Councillor for Finance and Environment that Executive Councillors will consider all future MTP bids critically in light of the Council's current financial position.

Members' attention has also been drawn to future years' forecast variations from the current year's budget, including the reasons for the variations, and the project income, planned use of resources and additional savings that are required in the period to 2012/13. The Panel has noted that a number of financial receipts are expected in the course of next year, which will be included in the budget.

Having queried the financial implications of the Council's Environment Strategy, it has been reported that provision for it has been included within the MTP for the current year and in the following two years.

Following concerns raised regarding the impact on the Council of increased fuel costs, the Panel has been advised that efforts are being made across the Council to enhance energy use efficiency. Changes in the cost of fuel will be factored into inflation calculations in September for use in future forecasting.

Members have been encouraged to forward to Officers suggestions for spending adjustments before September 2008. The Panel has recommended that the Cabinet should approve the timetable of the stages for considering amendments to service plans, the financial strategy, budget and MTP and confirm the importance of identifying efficiency savings across the Council. Subsequently, the Cabinet has endorsed the proposed timetable and having been reminded that the Budget/Medium Term Plan process should be increasingly challenging over the coming years, the Cabinet has reiterated the need to view all budgets and schemes to identify further opportunities for efficiency savings.

HUNTINGDONSHIRE SUSTAINABLE COMMUNITY STRATEGY AND LOCAL ECONOMY STRATEGY

The Overview and Scrutiny Panel (Corporate and Strategic

Framework) has discussed the outcome of work to refine the outcomes and objectives contained within the Huntingdonshire Sustainable Community Strategy and to develop delivery plans for each of the strategic themes.

With regard to the strategic theme for Growth and Infrastructure and, particularly the need to improve the provision of school and health facilities, the Panel has been advised that it is intended to produce an Investment Strategy for Huntingdonshire. The Strategy will be based on evidence and will include likely costs for proposed schemes.

The Panel has been advised that the Council's Environment Strategy will form the basis of the Action Plan for the environment strategic theme.

In respect of the Children and Young People's strategic theme, comment has been made on the fact that contact with some statutory organisations, such as Connexions, is not compulsory for young people. The Panel has been advised that the Inclusive, Safe and Cohesive Communities strategic theme includes reference to community transport and have also been reminded that the Council has appointed Councillor Hansard as its Champion for Children and Young People. The Panel were encouraged to note the range of work already being undertaken by the Council to incorporate children and young people's views into its policies and services.

In examining the Action Plan for the Inclusive, Safe and Cohesive

Communities strategic theme, the Panel has discussed the potential benefits of providing advocacy services for migrant workers. Having been acquainted with the likely financial implications for the Council of this suggestion, the Panel has been reminded of a previous Scrutiny Panel recommendation that Cambridgeshire should attempt to become a targeted area for English for Speakers of Other Languages, which is being pursued via the Regional College.

As a result of a previous request, the Panel has reviewed the Action Plan associated with the Local Economy Strategy for Huntingdonshire. Members have noted that new statutory powers have become available with which to pursue the current work and that the Plan will be used to attract funding and to influence regional activities. The Panel has requested that pump priming for commercial sites be included in the Plan. Finally, Members have discussed the agricultural industry in the District. As it represents a small proportion of economic activity and of employment locally it has not been included as one of the sectors that the Plan intends to promote. It will, however, be promoted through the local procurement network.

The Action Plans have yet to be finalised and Members have been invited to submit comments on them for this purpose. Completed Action Plans for all the strategic themes will be presented to the Panel in September. Furthermore, the Local Strategic Partnership structure is currently under review and Members will be informed of the

resulting changes at a seminar in July 2008.

THE EAST OF ENGLAND PLAN – REVISION TO THE REGIONAL SPATIAL STRATEGY FOR THE EAST OF ENGLAND

The Government Office for the East of England has issued the East of England Plan – which is the Spatial Strategy for the Region for the period to 2021 and beyond. The Development Control Panel has noted that the Plan will guide and influence all strategic development and planning decisions in the region, impact upon the future character of Huntingdonshire and be relevant material evidence in the determination of development applications by the Panel. The Plan also has been received by the Cabinet.

LOCAL ASSESSMENT OF CODE OF CONDUCT COMPLAINTS: REQUIREMENTS OF NEW REGIME

The Standards Committee has responded to the introduction of the Standards Committee (England) Regulations 2008 by establishing Referrals (Assessment) and Review Sub Committees and approving a terms of reference for each body.

The Sub Committees which will comprise one Independent Member, one Town and Parish Councillor and one District Councillor, will have responsibility for the initial assessment of allegations, and review decisions made on an original allegation should the complainant request it.

To populate the various sub committees and hearings, should they be necessary and to ensure membership of each body does not overlap, the Committee has recommended that the Council appoint an additional Independent Member for the remainder of the current four year term to May 2011.

Other matters required of the authority by the Regulations have been delegated by the Committee to the Director of Central Services and Monitoring Officer.

APPLICATION FOR DISPENSATION

The Standards Committee has granted a dispensation to 16 Members of St Ives Town Council, who act as trustees to the Norris Library and Museum Charity to enable the Councillors to speak and vote at meetings of the Town Council or its committees on matters relating to the Library and Museum until 30th April 2012.

DELIVERING THE GOODS: LOCAL STANDARDS IN ACTION

Messrs P Boothman and D L Hall, Independent Members and Mr G Watkins, town and parish council representative have been authorised by the Committee to attend the Annual Assembly of Standards Committee to be held in Birmingham in October. The conference is to focus on the new local standards framework and the delivery of effective local assessment.

TREASURY MANAGEMENT ANNUAL REPORT

The level of performance for the year ending 31st March 2008 of fund managers in the investment of the Council's capital receipts has been noted by the Cabinet.

PROSPEROUS PLACES: TAKING FORWARD THE SUB NATIONAL REVIEW OF ECONOMIC DEVELOPMENT AND REGENERATION CONSULTATION DOCUMENT

The Cabinet has approved the contents of a suggested response to a consultation paper issued by the Department for Business Enterprise and Regulatory Reform entitled "Prosperous Places: Taking Forward the Sub National Review of Economic Development and Regeneration". The document proposes a series of measures aimed at streamlining the regional tier, strengthening the local authority role in economic development and supporting collaboration by local authorities across economic areas. In considering the proposals outlined, the Cabinet has emphasised that a concerted approach should be made to ensure that local input at district level is an integral element within this process.

ECO-TOWNS: LIVING A GREENER FUTURE – RESPONSE TO THE DEPARTMENT OF COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION.

The attention of the Cabinet has been drawn to the inclusion of a greenfield site at Hanley Grange near Hixton in South

Cambridgeshire in the Governments shortlist of fifteen possible locations for new eco towns as part of their initiative to develop additional housing growth in sustainable ways. Having recognised the implications of the proposals for the District in terms of the adverse impact upon the Cambridgeshire Planning and Sub Region Growth Strategies, the Cabinet has authorised the Head of Planning Services, after consultation with the Executive Councillor for Planning Strategy and Transport, to approve the content of a joint response being prepared by Cambridgeshire Authorities and Cambridgeshire Horizons.

CONSERVATION AREAS: BOUNDARY REVIEWS AND CHARACTER ASSESSMENT STATEMENTS

Approval has been given by the Cabinet to draft character statements and boundary reviews for the Earith and the Hemingfords Conservation Areas which will be used to guide decisions on planning matters to ensure that the character and appearance of these areas are not diminished.

BENEFIT FRAUD PROSECUTION POLICY AND PROCEDURES

A draft Benefit Prosecution Policy for the prosecution of benefits claimants, landlords, employees and Members who may committed benefit fraud has been considered and endorsed by the Corporate Governance Panel and the Cabinet. At the same time, the Corporate Governance Panel and the Cabinet have authorised the Fraud Manager to undertake court hearings and

issue formal cautions and administration penalties. Staff within the Fraud Team have been authorised to undertake investigations in fraud affecting all other District Council services and to report to the relevant Head of Service on the outcomes, findings and recommendations arising from these investigations. A number of efficiencies will be gained in pursuing this course of action, particularly given the number of cases being investigated which continues to rise year on year.

REPRESENTATIONS ON ORGANISATIONS – 2008/09

The Cabinet and Licensing and Protection Panel has made appointments/nominations for representatives to serve on a variety of organisations and authorised the Chief Executive, after consultation with the Deputy Leader of the Council, to make any changes that may be required throughout the year and to appoint to the vacant post of “Champion” for Oxmoor and for training.

FINAL ACCOUNTS 2007/08

The Corporate Governance Panel has approved the draft statement of accounts for the year ended 31st March 2008 to enable the audit to commence. Members’ attention has been drawn to a number of corrections and a series of issues arising from the accounts, which included the Council’s investments, its debtors and creditors, the pension provision, the treatment of capital and the collection fund.

The Panel has noted that the accounts would be published on the Council’s website and publicised in District Wide.

The Panel’s attention has been drawn to minor changes to the way the accounts were compiled and have questioned Officers on the financial accountability of Eastfield House, in particular, the perceived value of the building. The Panel has expressed their view that consideration should be given to the future benefits to be received from the Operations Centre over a prolonged period of time.

The Panel has been apprised of the sources of the Council’s income, which excluded the Leisure Centres, and have noted that Centre accounts were dealt with separately.

ANNUAL REVIEW OF THE INTERNAL AUDIT SERVICE

The Corporate Governance Panel has been acquainted with the outcome of a review of the effectiveness of the system of internal audit, which is a requirement of the Accounts and Audit Regulations 2006. Members have noted the external auditor’s view of the service and identified areas for improvement. Additionally, the Panel has recommended that a review of the Council’s effectiveness against CIPFA’s best practice guidance for Audit Committees be undertaken.

**INTERNAL AUDIT SERVICE:
INTERNAL AUDIT AND
ASSURANCE PLAN**

The Corporate Governance Panel has approved the Internal Audit and Assurance Plan for a 12 month period commencing 1st August 2008.

**CHANGES TO THE
CONSTITUTION – STANDARDS
COMMITTEE**

The Corporate Governance Panel has recommended the Council to approve the changes required to the Constitution under the Standards Committee (England) Regulations 2008.

COMPLAINTS

The Corporate Governance Panel has received an analysis of the Council's internal complaints and a summary of complaints concerning the District Council which have been determined by the Local Government Ombudsman in 2007/08.

**LOCAL GOVERNMENT
OMBUDSMAN: LOCAL
SETTLEMENT OF COMPLAINT**

The Corporate Governance Panel has received details of a complaint against the Council by a member of the public and the terms of compensatory payment negotiated by way of local settlement.

**COUNCIL TAX BENEFIT
COMPLAINT: AWARD OF
COMPENSATION**

The Corporate Governance Panel has approved a compensation payment made under the Council's internal complaints system.