

A meeting of the **HUNTINGDONSHIRE DISTRICT COUNCIL** will be held in the **BURGESS HALL, ST IVO LEISURE CENTRE, WESTWOOD ROAD, ST IVES PE27 6WU** on **WEDNESDAY, 21 APRIL 2010** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

**Time  
Allocation**

**PRAYER**

Father James Pullen, Vicar of All Saints Church, St Ives will open the meeting with prayer.

**APOLOGIES**

**CHAIRMAN'S ANNOUNCEMENTS**

- |  |                   |
|--|-------------------|
| <b>1. PETITION</b>   | <b>10 minutes</b> |
| Mr R Emmette to present a petition containing 221 signatures in respect of the closure of public conveniences in the District.   |                   |
| <b>2. MINUTES (Pages 1 - 20)</b>   | <b>2 minutes</b>  |
| To approve as a correct record the Minutes of the meeting held on 17th February 2010.  |                   |
| <b>3. MEMBERS' INTERESTS</b>   | <b>2 minutes</b>  |
| To receive from Members declarations as to personal and/or prejudicial interests and the nature of those interests in relation to any Agenda Item. Please see Notes 1 and 2 below. |                   |
| <b>4. BY-ELECTION - 25TH FEBRUARY 2010</b>   | <b>2 minutes</b>  |
| The Returning Officer to report that Mr C M Saunderson has been elected to the Office of District Councillor for the Fenstanton Ward at a by-election held on 25th February 2010.  |                   |
| <b>5. COUNCIL DEBATE</b>   | <b>60 minutes</b> |
| "What action can the Council take to promote the well-being of rural communities in Huntingdonshire?"  |                   |
| <b>6. OUTCOMES FROM DISTRICT COUNCIL DEBATE ON ANTI-SOCIAL BEHAVIOUR (Pages 21 - 32)</b>   | <b>5 minutes</b>  |
| <b>7. APPOINTMENT OF CABINET MEMBERS (Pages 33 - 34)</b>   | <b>10 minutes</b> |
| To consider a report by the Head of Democratic and Central Services.   |                   |

**8. REPORTS OF THE CABINET, PANELS AND COMMITTEE**

**30 minutes**

- (a) Cabinet (Pages 35 - 38)
- (b) Standards Committee (Pages 39 - 42)
- (c) Overview and Scrutiny Panel (Economic Well-Being) (Pages 43 - 46)
- (d) Overview and Scrutiny Panel (Environmental Well-Being) (Pages 47 - 50)
- (e) Overview and Scrutiny Panel (Social Well-Being) (Pages 51 - 56)
- (f) Development Management Panel (Pages 57 - 58)
- (g) Corporate Governance Panel (Pages 59 - 98)

**9. ORAL QUESTIONS**

**30 minutes**

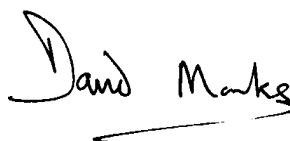
In accordance with the Council Procedure Rules (Section 8.3) of the Council's Constitution, to receive oral questions from Members of the Council

**10. LOCAL GOVERNMENT ACT 1972: SECTION 85**

**2 minutes**

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

Dated this 13th day of April 2010



Chief Executive

## Notes

1. *A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District –*
  - (a) *the well-being, financial position, employment or business of the Councillor, their family or any person with whom they had a close association;*
  - (b) *a body employing those persons, any firm in which they are a partner and any company of which they are directors;*
  - (c) *any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or*
  - (d) *the Councillor's registerable financial and other interests.*
2. *A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.*

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

[Agenda and enclosures can be viewed on the District Council's website –  
www.huntingdonshire.gov.uk](http://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.**

*Si vous voulez une traduction de ce document, veuillez nous contacter au 01480 388388 et nous ferons de notre mieux pour satisfaire à vos besoins.*

*Jeigu norite gauti šio dokumento išverstą kopiją arba atspausdintą stambiu šriftu, prašau kreiptis į mus telefonu 01480 388388 ir mes pasistengsime jums padėti.*

***Jeśli chcieliby Państwo otrzymać tłumaczenie tego dokumentu, wersję dużym drukiem lub wersję audio, prosimy skontaktować się z nami pod numerem 01480 388388, a my postaramy się uwzględnić Państwa potrzeby.***

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# Agenda Item 2

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the COUNCIL held in the Burgess Hall, St Ivo Leisure Centre, Westwood Road, St Ives, PE27 6WU on Wednesday, 17 February 2010.

PRESENT: Councillor J W Davies – Chairman.

Councillors J D Ablewhite, M G Baker, K M Baker, Mrs M Banerjee, I C Bates, J T Bell, Mrs B E Boddington, P L E Bucknell, E R Butler, K J Churchill, Mrs K E Cooper, S J Criswell, D B Dew, P J Downes, J J Dutton, R W J Eaton, R S Farrer, J E Garner, A N Gilbert, P M D Godfrey, P Godley, A Hansard, D Harty, C R Hyams, Mrs P A Jordan, L W McGuire, P G Mitchell, A Monk, M F Newman, D J Priestman, P D Reeve, Mrs D C Reynolds, T V Rogers, J M Sadler, T D Sanderson, M F Shellens, Mrs P E Shrapnel, L M Simpson, C J Stephens, P A Swales, Ms M J Thomas, G S E Thorpe, R G Tuplin, P K Ursell, P R Ward, J S Watt and R J West.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors W T Clough, Mrs J A Dew and J A Gray and Mr D L Hall.

IN ATTENDANCE: Ms R Harrison, Head of Contracts at NHS Cambridgeshire and Mr M Winn, Managing Director of Cambridge Community Services.

### 71. PRAYER

Councillor J E Garner opened the meeting with prayer.

### 72. CHAIRMAN'S ANNOUNCEMENTS

#### (a) New Year's Honours

On behalf of the Council, the Chairman congratulated those either residing or working in the District who had been honoured by the New Year's Honours in January 2010 –

Julie Spence, Chief Constable of Cambridgeshire Constabulary – Queen's Police Medal

Dr Angela Owen Smith for services to medicine and the community in Huntingdon – MBE

Ivy Sturgeon for services to the Prison Service – MBE

#### (b) Parking Award

The Chairman announced that all 28 of the Council's car parks had recently been re-assessed and that each had achieved the Park Mark Award for safer parking issued by

the British Parking Association.

(c) **Little Paxton Visitors' Centre**

The Chairman reported that he had been pleased to welcome guests to the official opening of the Little Paxton Visitors' Centre extension on 29th January 2010 and he thanked Jonathan Djanogly, MP for unveiling a special benefactor's board.

(d) **Neighbourhood Forums**

The Chairman extended his appreciation to those involved in the first round of neighbourhood forum meetings in Huntingdonshire which had taken place in January and had attracted over 200 people.

(e) **New Pathfinder House**

The Chairman updated Members on the progress of the new headquarters project and reported that the Customer Services Centre would open to the public on 23rd February 2010.

(f) **Receptions**

The Chairman announced that he would be hosting two receptions in the new Civic Suite to celebrate St George's Day and the end of his term of office and that details of both events would be forwarded to Members shortly.

**73. MINUTES**

The Minutes of the meeting of the Council held on 22nd December 2009 were approved as a correct record and signed by the Chairman.

**74. MEMBERS' INTERESTS**

No declarations were received.

**75. COUNCIL PROCEDURE RULES**

The Chairman reminded Members of the decision made by the Council to suspend Council Procedure Rule 11 (Rules of Debate) to enable headline debates and "white paper" proposals to be discussed by Members in an open manner. The Council therefore

RESOLVED

that Council Procedure Rule 11 (Rules of Debate) be suspended for the duration of the discussion on Minute Nos 76 and 78, during which time the common law rules of debate be observed by Members and applied by the Chairman.

**76. COUNCIL DEBATE**

By reference to a powerpoint presentation, a copy of which is

appended in the Minute Book, Councillor K J Churchill, Executive Councillor for Housing and Public Health opened the Council debate on –

“Is enough being done to tackle the occupational therapy waiting list in Huntingdonshire?”

In his opening remarks, Councillor Churchill introduced Ms Rachel Harrison, Head of Contracts, NHS Cambridgeshire and Mr Matthew Winn, Chief Executive of Community Services who also gave presentations to the Council (copies of the speakers’ presentations also are appended in the Minute Book).

Councillor R W J Eaton opened the debate by stating that occupational therapy provision was integral to social services and that the current system was failing a number of people.

Councillor G S E Thorpe added that without the assistance offered by hand held bars and rails, many elderly people were unable to bath, shower or access their homes without difficulty and that an eighteen month waiting list for such basic facilities was unsatisfactory. Having referred to a particular case, Councillor Thorpe contrasted the response he had received to a request for help from the RAF Benevolent Fund to that of Cambridgeshire Direct and had been disappointed that an assessment undertaken by the Fund had not been acceptable to Cambridgeshire Direct thus leading to further delays. He also suggested that work to fit handrails had been poorly undertaken and that it had taken nine months to achieve a response to the problem from Social Services.

As a District Council representative on the County Health and Adult Care Scrutiny Committee, Councillor Mrs M Banerjee indicated that she was aware of the problems around the OT process which were not helped by County Social Services’ refusal to accept OT assessments undertaken by the NHS or private agencies.

Whilst the personal circumstances described by councillors were unfortunate, Councillor Mrs D C Reynolds urged Members to look beyond their personal issues, to focus on the problems experienced by Huntingdonshire residents and to consider how waiting lists could be reduced given the scarcity of funds to achieve this.

At this point, Councillor T V Rogers, Executive Councillor for Finance reported that the District Council spent £1.2 million per annum on disabled facility grants towards which the Government contributed approximately £500,000. The outstanding amount in the region of £600,000 had to be met by the District Council and this figure was likely to increase significantly in 2010/11. Councillor Rogers questioned whether the structure required change so that that the assessment and budget provision was the sole responsible of one organisation.

Councillor M F Shellens suggested that there was an imbalance in facilities provided by social landlords and, whilst mindful of the funding situation, Councillor Thorpe emphasised how essential it was to improve the current system for the benefit of those in need and their carers with increasing waiting lists only serving to exacerbate the situation.

Returning to his experiences in Stilton, Councillor P G Mitchell discussed how two individuals in his ward had benefited from the service but he was of the view that it was not an efficient way of working. He suggested that one body should deal with all aspects of provision and that consideration should be given to enabling the service to operate more effectively in local areas rather than from Cambridge.

Having thanked the speakers for their presentations, Councillor P D Reeve commended the Occupational Therapy service and frontline service providers and suggested that it was the administration of the service and a lack of “joined up” thinking which was hindering effective provision.

Whilst accepting that every Councillor could recount their personal experience of the service, whether good or bad, Councillor P J Downes indicated that he would prefer Members to focus on “re-ablement” of the service.

Drawing the debate to a close, Councillor Churchill thanked the speakers for attending the meeting to address the Council and he undertook to raise the issues discussed at a future meeting of the OT Working Group which he attended in his capacity as Executive Councillor. Councillor Churchill further explained that the Working Group was meeting regularly to discuss positive ways to reduce waiting times. An action plan had been adopted which he was hopeful would elicit some improvement and was already achieving some success in reducing waiting times. Lastly Councillor Churchill reported that the Overview and Scrutiny Panel (Social Well-Being) also had begun to consider the extent of the waiting times for OT services and that he envisaged that further positive initiatives would emerge from this work.

## **77. FINANCIAL PLAN, MEDIUM TERM PLAN, 2010/11 BUDGET AND ASSOCIATED MATTERS**

In conjunction with a report by the Head of Financial Services (a copy of which is appended in the Minute Book) and Item Nos 67 and 68 of the Report of the Cabinet, the Executive Councillor for Finance, Councillor T V Rogers addressed the Council on the Financial Plan, Medium Term Plan 2011 – 2015, 2010/11 Budget and related prudential indicators contained in the Treasury Management Strategy and moved the recommendations of the Cabinet. In accordance with Section 30 (2) of the Local Government and Finance Act 1992, the Council also considered proposals as to the levels of council tax in 2010/11 for various parts of the Huntingdonshire District.

In his opening remarks, Councillor Rogers acknowledged the contribution and support of the Overview and Scrutiny Panels and members of the business community in the budgetary process. He described the approach taken by the Cabinet towards treasury management which involved an inevitable degree of risk management in balancing interest rates and prudential indicators. He suggested that the Council continued to be prudent in the management of its borrowing and investments.

In terms of the Financial Strategy, MTP and Budget, Councillor



Rogers drew attention to the requirement to fund capital expenditure from borrowing, the decrease in levels of revenue reserves, the achievement thus far in reducing spending levels, the withholding of Government grant and the continuing low level of council tax equating to Huntingdonshire being ranked the 19th lowest district of 238 authorities in terms of their council tax levels. Having described the implications of these issues in detail, Councillor Rogers concluded by advising that the Council expected to end the current financial year with revenue reserves of £11.2 million based upon an expectation that £12.9 million in revenue support would be received from Government and that £4.7 million from the reserve would be used to fund the deficit. Councillor Rogers assured the Council that he would continue to search for efficiency savings and other sources of income and he urged all Members to continue to forward any additional suggestions for savings to him so that advantage could be taken of any opportunities that arose.

Accordingly, Councillor Rogers reported that, if supported by the Council, the budget would be increased by 2.49% resulting in a band D council tax of £124.17 or £2.39 per week. He therefore commended the recommendations of the Cabinet to Council as set out in report by the Head of Financial Services.

In response, Councillor P J Downes, on behalf of the Liberal Democrat group, drew the Council's attention to a paper circulated at the meeting which described a series of amendments proposed to the budget by his group. A response by the Conservative group to these proposals also had been circulated (copies of both documents are appended in the Minute Book).

Councillor J D Ablewhite expressed the view that the Liberal Democrat group had had ample opportunity to identify proposals for savings through the budgetary process and to raise these at the meeting of the Overview and Scrutiny Panel (Economic Well-Being).

With reference to the Liberal Democrat proposals and with the consent of Councillor Downes, Councillor I C Bates moved and it was duly seconded -

“That all the words in the first bullet point (on page 3 of the Liberal Democrat proposals) after the word ‘below’ in the first line be deleted and replaced with the words ‘be referred to the Employment Panel in the case of item 2 and to the Overview and Scrutiny Panel (Economic Well-Being)’ in the case of items 1 and 3 - 10 inclusive so that they can be investigated, implemented if appropriate or referred back for consideration as part of the budget process for 2011/12’,

that all of the words in the second bullet point, be deleted;  
and

that all of the words in the third bullet point be deleted,

so that the amended Motion would read –

‘It is proposed that the amendments detailed in the table below be referred to the Employment Panel in the case of item 2 and to the Overview and Scrutiny Panel

(Economic Well-Being) in the case of items 1 and 3 – 10 inclusive so that they can be investigated, implemented if appropriate or referred back for consideration as part of the budget process for 2011/12.’ ”.

Upon being put to the vote, the amendment was declared to be CARRIED.

In terms of the proposed level of council tax, Councillor Downes proposed that it be increased by an additional 0.5% to 2.99% to raise additional income and the baseline for future years should the Government grant be even lower. He added that the additional 0.5% would add less than 1p per week to the average council taxpayer.

In response, Councillor Mrs M Banerjee encouraged Members to be mindful of the impact of any increase on the low paid and those on low incomes and indicated her support for the proposed increase of 2.49% only.

Councillor G S E Thorpe indicated his support for the higher level suggesting that the increased revenue that would be generated would avoid the necessity to introduce additional charges for car parking and enable the retention of the public conveniences in St Neots.

As Chairman of the Overview and Scrutiny Panel (Economic Well-Being), Councillor Ablewhite re-affirmed the opportunity that the Liberal Democrat group had had to raise their proposals on the budget at the Panel meeting. He indicated his preference for a prudent and consistent approach to the tax base which had been recommended following detailed consideration by the Scrutiny Panel.

As Leader, Councillor Bates thanked those Officers who had contributed to the preparation of the budget, encouraged the Liberal Democrat group and other Members to bring forward their budget proposals at an earlier stage in the process, indicated that it was his belief that the budget was sensible, prudent and balanced and that it demonstrated the District Council's commitment to the people in Huntingdonshire.

Following closing remarks by Councillor Rogers, Councillor Downes moved and it was duly seconded –

“That the proposed council tax level be increased by 0.5% to 2.99% giving a council tax rate of £124.77 for 2010/11, that Appendix C (pages 73 – 78) be replaced with the revised version attached and required consequential adjustments are made to the MTP, Budget and Financial Plan and the Treasury Management Strategy and Prudential Indicators;

that the recommendations from Cabinet are revised to read -

- ◆ approve the proposed MTP, Budget and Financial Plan as amended by the proposals in the paper submitted by the Liberal Democrat group;
- ◆ approve the Treasury Management Strategy for 2010/11 as amended by the proposals in the paper submitted by the Liberal Democrat group; and

- ◆ approve the Treasury Management Indicators and Prudential Indicators for 2010/11 as amended by the proposals in the paper submitted by the Liberal Democrat group; and

that the final recommendation of page 1 of the Council Book is revised to read –

‘approve a band D council tax of £124.77 for 2010/11 and the formal resolutions shown in Appendix C as amended by the Liberal Democrat proposals’.”.

Upon being put to the vote, the amendment was declared to be LOST.

Whereupon, it was

RESOLVED

- (a) that the proposed Budget for 2010/11, Medium Term Plan for 2011 – 2015 and Financial Strategy as set out in Annexes D, G and H to the Report of the Head of Financial Services now submitted be approved;
- (b) that the Treasury Management Strategy and Prudential Indicators as set out Appendix B to the Report of the Head of Financial Services now submitted be approved;
- (c) that a Council Tax increase of 2.49% representing a Council Tax of £124.17 for a Band D property in 2010/11 be approved;
- (d) that the amendments detailed in the table on page 3 of the Liberal Democrat proposals be referred to the Employment Panel in the case of item 2 and to the Overview and Scrutiny Panel (Economic Well-Being) in the case of items 1 and 3 – 10 inclusive so that they can be investigated, implemented if appropriate or referred back for consideration as part of the budget process for 2011/12; and
- (e) that the following amounts be calculated by the Council for 2010/11 in accordance with Section 32 and 36 of the Local Government and Finance Act 1992:-

	£
(i) the aggregate of the amounts which the Council estimates for the items set out in Section 32(2) (a) to (e) of the Act <i>(Gross revenue expenditure including benefits and Town/Parish Precepts.)</i>	83,793,841
(ii) the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act <i>(Gross revenue income including reimbursement of benefits and use of reserves.)</i>	59,427,289
(iii) the amount by which the aggregate at (b) (i) above exceeds the aggregate at (b) (ii) above in	24,366,552

accordance with Section 32 (4) of the Act

**(Budget requirement plus Parish/Town Precepts [item i minus item ii].)**

- |        |   |   |
|--------|---|---|
| (iv)   | the aggregate of the amounts payable into the General Fund for the items set out in Section 33 (1) of the Act.<br><b>(Government support.)</b>  | <b>12,939,338</b>                         |
| (v)    | the aggregate of the amounts payable to the General Fund for the items set out in Section 33 (3) of the Act<br><b>(Collection Fund deficit.)</b>  | <b>34,756</b>                             |
| (vi)   | the basic amount of Council Tax for 2010/11 in accordance with Section 33 (1)<br><b>(District plus average Town/Parish Council Tax.)</b>  | <b>195.66</b>                             |
| (vii)  | the aggregate of special items referred to in Section 34 (1)<br><b>(Total Town and Parish Council precepts)</b>   | <b>4,188,356</b>                          |
| (viii) | the basic amount of Council Tax for 2010/11 for those parts of the District to which no special item relates<br><b>(District Council Tax.)</b>  | <b>124.17<br/>per band<br/>D property</b> |
| (ix)   | the basic amounts of Council Tax for 2010/11 for those parts of the District to which one or more special items relate in accordance with Section 34 (3) of the Act are shown by adding the Huntingdonshire District Council amount to the appropriate Parish Council amount in column "band D" set out in table 1 attached.  |   |
| (x)    | the amounts to be taken into account for 2010/11 in respect of categories of dwellings listed in the different valuation bands in accordance with Section 36 (1) of the Act are shown by adding the Huntingdonshire District Council amount to the appropriate Parish Council amount for each of the valuation bands in the columns "bands A to H" set out in table 1 attached. |   |
- (f) that the amounts of precept issued to the Council by Cambridgeshire County Council, Cambridgeshire Police Authority and Cambridgeshire & Peterborough Fire Authority for each of the categories of dwellings listed in different valuation bands in accordance with Section 40 of the Act shown in table 1 attached be noted.
- (g) that, having regard to the calculations above, the Council, in accordance with Section 30 (2) of the Local Government and Finance Act 1992, hereby sets the figures shown in table 2 as the amounts of Council Tax for 2010/11 for each of the categories of dwelling shown.

<b>TABLE 1</b>	<b>BAND A £</b>	<b>BAND B £</b>	<b>BAND C £</b>	<b>BAND D £</b>	<b>BAND E £</b>	<b>BAND F £</b>	<b>BAND G £</b>	<b>BAND H £</b>
Cambridgeshire County Council	698.52	814.94	931.36	1047.78	1280.62	1513.46	1746.30	2095.56
Cambridgeshire Police Authority	113.04	131.88	150.72	169.56	207.24	244.92	282.60	339.12
Huntingdonshire District Council	82.78	96.58	110.37	124.17	151.76	179.36	206.95	248.34
Cambridgeshire Fire Authority	38.58	45.01	51.44	57.87	70.73	83.59	96.45	115.74
<b>PARISH COUNCILS :-</b>								
Abbotsley	36.11	42.13	48.15	54.17	66.21	78.25	90.28	108.34
Abbots Ripton	28.65	33.42	38.20	42.97	52.52	62.07	71.62	85.94
Alconbury	37.37	43.60	49.83	56.06	68.52	80.98	93.43	112.12
Alconbury Weston	14.29	16.67	19.05	21.43	26.19	30.95	35.72	42.86
Alwalton	13.44	15.68	17.92	20.16	24.64	29.12	33.60	40.32
Barham & Woolley	12.35	14.40	16.46	18.52	22.64	26.75	30.87	37.04
Bluntisham	77.22	90.09	102.96	115.83	141.57	167.31	193.05	231.66
Brampton	57.77	67.40	77.03	86.66	105.92	125.18	144.43	173.32
Brington & Molesworth	18.52	21.61	24.69	27.78	33.95	40.13	46.30	55.56
Broughton	21.96	25.62	29.28	32.94	40.26	47.58	54.90	65.88
Buckden	41.74	48.70	55.65	62.61	76.52	90.44	104.35	125.22
Buckworth	38.71	45.16	51.61	58.06	70.96	83.86	96.77	116.12
Bury	24.79	28.93	33.06	37.19	45.45	53.72	61.98	74.38
Bythorn & Keyston	2.82	3.29	3.76	4.23	5.17	6.11	7.05	8.46
Catworth	35.65	41.59	47.53	53.47	65.35	77.23	89.12	106.94
Chesterton	11.49	13.41	15.32	17.24	21.07	24.90	28.73	34.48
Colne	31.01	36.17	41.34	46.51	56.85	67.18	77.52	93.02
Conington	6.39	7.46	8.52	9.59	11.72	13.85	15.98	19.18
Covington	22.22	25.92	29.63	33.33	40.74	48.14	55.55	66.66
Denton & Caldecote	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Diddington	22.22	25.92	29.63	33.33	40.74	48.14	55.55	66.66
Earith	35.65	41.60	47.54	53.48	65.36	77.25	89.13	106.96
Easton	24.89	29.03	33.18	37.33	45.63	53.92	62.22	74.66
Ellington	25.53	29.79	34.04	38.30	46.81	55.32	63.83	76.60
Elton	23.73	27.68	31.64	35.59	43.50	51.41	59.32	71.18
Farcet	34.48	40.23	45.97	51.72	63.21	74.71	86.20	103.44
Fenstanton	30.48	35.56	40.64	45.72	55.88	66.04	76.20	91.44
Folksworth & Washingley	36.51	42.59	48.68	54.76	66.93	79.10	91.27	109.52
Glatton	12.82	14.96	17.09	19.23	23.50	27.78	32.05	38.46
Godmanchester	38.24	44.61	50.99	57.36	70.11	82.85	95.60	114.72
Grafham	27.78	32.41	37.04	41.67	50.93	60.19	69.45	83.34
Great & Little Gidding	57.56	67.15	76.75	86.34	105.53	124.71	143.90	172.68
Great Gransden	26.37	30.77	35.16	39.56	48.35	57.14	65.93	79.12
Great Paxton	25.23	29.43	33.64	37.84	46.25	54.66	63.07	75.68
Great Staughton	22.92	26.74	30.56	34.38	42.02	49.66	57.30	68.76
Haddon	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hail Weston	43.40	50.63	57.87	65.10	79.57	94.03	108.50	130.20
Hamerton & Steeple Gidding	6.41	7.48	8.55	9.62	11.76	13.90	16.03	19.24

<b>TABLE 1 Cont.</b>	<b>BAND A £</b>	<b>BAND B £</b>	<b>BAND C £</b>	<b>BAND D £</b>	<b>BAND E £</b>	<b>BAND F £</b>	<b>BAND G £</b>	<b>BAND H £</b>
Hemingford Abbots	30.58	35.68	40.77	45.87	56.06	66.26	76.45	91.74
Hemingford Grey	27.39	31.95	36.52	41.08	50.21	59.34	68.47	82.16
Hilton	30.41	35.48	40.55	45.62	55.76	65.90	76.03	91.24
Holme	25.21	29.42	33.62	37.82	46.22	54.63	63.03	75.64
Holywell-cum-Needingworth	68.72	80.17	91.63	103.08	125.99	148.89	171.80	206.16
Houghton & Wyton	48.41	56.47	64.54	72.61	88.75	104.88	121.02	145.22
Huntingdon	67.63	78.90	90.17	101.44	123.98	146.52	169.07	202.88
Kimbolton & Stonely	54.01	63.02	72.02	81.02	99.02	117.03	135.03	162.04
Kings Ripton	33.33	38.89	44.44	50.00	61.11	72.22	83.33	100.00
Leighton Bromswold	29.27	34.14	39.02	43.90	53.66	63.41	73.17	87.80
Little Paxton	38.11	44.47	50.82	57.17	69.87	82.58	95.28	114.34
Morborne	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Offord Cluny & Offord D'Arcy	39.96	46.62	53.28	59.94	73.26	86.58	99.90	119.88
Old Hurst	27.21	31.75	36.28	40.82	49.89	58.96	68.03	81.64
Old Weston	7.66	8.94	10.21	11.49	14.04	16.60	19.15	22.98
Perry	15.09	17.61	20.12	22.64	27.67	32.70	37.73	45.28
Pidley-cum-Fenton	17.43	20.33	23.24	26.14	31.95	37.76	43.57	52.28
Ramsey	28.37	33.10	37.83	42.56	52.02	61.48	70.93	85.12
St.Ives	64.63	75.40	86.17	96.94	118.48	140.02	161.57	193.88
St.Neots	56.15	65.51	74.87	84.23	102.95	121.67	140.38	168.46
Sawtry	51.78	60.41	69.04	77.67	94.93	112.19	129.45	155.34
Sibson-cum-Stibbington	34.92	40.74	46.56	52.38	64.02	75.66	87.30	104.76
Somersham	49.78	58.08	66.37	74.67	91.26	107.86	124.45	149.34
Southoe & Midloe	50.63	59.07	67.51	75.95	92.83	109.71	126.58	151.90
Spaldwick	28.82	33.62	38.43	43.23	52.84	62.44	72.05	86.46
Stilton	44.67	52.12	59.56	67.01	81.90	96.79	111.68	134.02
Stow Longa	30.77	35.89	41.02	46.15	56.41	66.66	76.92	92.30
The Stukeleys	19.28	22.49	25.71	28.92	35.35	41.77	48.20	57.84
Tilbrook	18.52	21.61	24.69	27.78	33.95	40.13	46.30	55.56
Toseland	15.31	17.87	20.42	22.97	28.07	33.18	38.28	45.94
Upton & Coppingford	19.61	22.87	26.14	29.41	35.95	42.48	49.02	58.82
Upwood & the Raveleys	23.71	27.67	31.62	35.57	43.47	51.38	59.28	71.14
Warboys	32.23	37.61	42.98	48.35	59.09	69.84	80.58	96.70
Waresley-cum-Tetworth	13.70	15.98	18.27	20.55	25.12	29.68	34.25	41.10
Water Newton	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Winwick	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Wistow	20.15	23.51	26.87	30.23	36.95	43.67	50.38	60.46
Woodhurst	20.00	23.33	26.67	30.00	36.67	43.33	50.00	60.00
Woodwalton	29.41	34.32	39.22	44.12	53.92	63.73	73.53	88.24
Yaxley	51.47	60.04	68.62	77.20	94.36	111.51	128.67	154.40
Yelling	9.53	11.11	12.70	14.29	17.47	20.64	23.82	28.58
Wyton-On-The-Hill	31.40	36.63	41.87	47.10	57.57	68.03	78.50	94.20

TABLE 2	TOTAL CHARGES							
	BAND	BAND	BAND	BAND	BAND	BAND	BAND	BAND
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Abbotsley	969.03	1130.54	1292.04	1453.55	1776.56	2099.58	2422.58	2907.10
Abbots Ripton	961.57	1121.83	1282.09	1442.35	1762.87	2083.40	2403.92	2884.70
Alconbury	970.29	1132.01	1293.72	1455.44	1778.87	2102.31	2425.73	2910.88
Alconbury Weston	947.21	1105.08	1262.94	1420.81	1736.54	2052.28	2368.02	2841.62
Alwalton	946.36	1104.09	1261.81	1419.54	1734.99	2050.45	2365.90	2839.08
Barham & Woolley	945.27	1102.81	1260.35	1417.90	1732.99	2048.08	2363.17	2835.80
Bluntisham	1010.14	1178.50	1346.85	1515.21	1851.92	2188.64	2525.35	3030.42
Brampton	990.69	1155.81	1320.92	1486.04	1816.27	2146.51	2476.73	2972.08
Brington & Molesworth	951.44	1110.02	1268.58	1427.16	1744.30	2061.46	2378.60	2854.32
Broughton	954.88	1114.03	1273.17	1432.32	1750.61	2068.91	2387.20	2864.64
Buckden	974.66	1137.11	1299.54	1461.99	1786.87	2111.77	2436.65	2923.98
Buckworth	971.63	1133.57	1295.50	1457.44	1781.31	2105.19	2429.07	2914.88
Bury	957.71	1117.34	1276.95	1436.57	1755.80	2075.05	2394.28	2873.14
Bythorn & Keyston	935.74	1091.70	1247.65	1403.61	1715.52	2027.44	2339.35	2807.22
Catworth	968.57	1130.00	1291.42	1452.85	1775.70	2098.56	2421.42	2905.70
Chesterton	944.41	1101.82	1259.21	1416.62	1731.42	2046.23	2361.03	2833.24
Colne	963.93	1124.58	1285.23	1445.89	1767.20	2088.51	2409.82	2891.78
Conington	939.31	1095.87	1252.41	1408.97	1722.07	2035.18	2348.28	2817.94
Covington	955.14	1114.33	1273.52	1432.71	1751.09	2069.47	2387.85	2865.42
Denton & Caldecote	932.92	1088.41	1243.89	1399.38	1710.35	2021.33	2332.30	2798.76
Diddington	955.14	1114.33	1273.52	1432.71	1751.09	2069.47	2387.85	2865.42
Earith	968.57	1130.01	1291.43	1452.86	1775.71	2098.58	2421.43	2905.72
Easton	957.81	1117.44	1277.07	1436.71	1755.98	2075.25	2394.52	2873.42
Ellington	958.45	1118.20	1277.93	1437.68	1757.16	2076.65	2396.13	2875.36
Elton	956.65	1116.09	1275.53	1434.97	1753.85	2072.74	2391.62	2869.94
Farcet	967.40	1128.64	1289.86	1451.10	1773.56	2096.04	2418.50	2902.20
Fenstanton	963.40	1123.97	1284.53	1445.10	1766.23	2087.37	2408.50	2890.20
Folksworth & Washingley	969.43	1131.00	1292.57	1454.14	1777.28	2100.43	2423.57	2908.28
Glatton	945.74	1103.37	1260.98	1418.61	1733.85	2049.11	2364.35	2837.22
Godmanchester	971.16	1133.02	1294.88	1456.74	1780.46	2104.18	2427.90	2913.48
Grafham	960.70	1120.82	1280.93	1441.05	1761.28	2081.52	2401.75	2882.10
Great & Little Gidding	990.48	1155.56	1320.64	1485.72	1815.88	2146.04	2476.20	2971.44
Great Gransden	959.29	1119.18	1279.05	1438.94	1758.70	2078.47	2398.23	2877.88
Great Paxton	958.15	1117.84	1277.53	1437.22	1756.60	2075.99	2395.37	2874.44
Great Staughton	955.84	1115.15	1274.45	1433.76	1752.37	2070.99	2389.60	2867.52
Haddon	932.92	1088.41	1243.89	1399.38	1710.35	2021.33	2332.30	2798.76
Hail Weston	976.32	1139.04	1301.76	1464.48	1789.92	2115.36	2440.80	2928.96
Hamerton & Steeple								
Gidding	939.33	1095.89	1252.44	1409.00	1722.11	2035.23	2348.33	2818.00
Hemingford Abbots	963.50	1124.09	1284.66	1445.25	1766.41	2087.59	2408.75	2890.50
Hemingford Grey	960.31	1120.36	1280.41	1440.46	1760.56	2080.67	2400.77	2880.92
Hilton	963.33	1123.89	1284.44	1445.00	1766.11	2087.23	2408.33	2890.00

TABLE 2 <i>Cont.</i>	TOTAL CHARGES							
	BAND	BAND	BAND	BAND	BAND	BAND	BAND	BAND
	A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£	£
Holme	958.13	1117.83	1277.51	1437.20	1756.57	2075.96	2395.33	2874.40
Holywell-cum- Needingworth	1001.64	1168.58	1335.52	1502.46	1836.34	2170.22	2504.10	3004.92
Houghton & Wyton	981.33	1144.88	1308.43	1471.99	1799.10	2126.21	2453.32	2943.98
Huntingdon	1000.55	1167.31	1334.06	1500.82	1834.33	2167.85	2501.37	3001.64
Kimbolton & Stonely	986.93	1151.43	1315.91	1480.40	1809.37	2138.36	2467.33	2960.80
Kings Ripton	966.25	1127.30	1288.33	1449.38	1771.46	2093.55	2415.63	2898.76
Leighton Bromswold	962.19	1122.55	1282.91	1443.28	1764.01	2084.74	2405.47	2886.56
Little Paxton	971.03	1132.88	1294.71	1456.55	1780.22	2103.91	2427.58	2913.10
Morborne	932.92	1088.41	1243.89	1399.38	1710.35	2021.33	2332.30	2798.76
Offord Cluny & Offord								
D'Arcy	972.88	1135.03	1297.17	1459.32	1783.61	2107.91	2432.20	2918.64
Old Hurst	960.13	1120.16	1280.17	1440.20	1760.24	2080.29	2400.33	2880.40
Old Weston	940.58	1097.35	1254.10	1410.87	1724.39	2037.93	2351.45	2821.74
Perry	948.01	1106.02	1264.01	1422.02	1738.02	2054.03	2370.03	2844.04
Pidley-cum-Fenton	950.35	1108.74	1267.13	1425.52	1742.30	2059.09	2375.87	2851.04
Ramsey	961.29	1121.51	1281.72	1441.94	1762.37	2082.81	2403.23	2883.88
St.Ives	997.55	1163.81	1330.06	1496.32	1828.83	2161.35	2493.87	2992.64
St.Neots	989.07	1153.92	1318.76	1483.61	1813.30	2143.00	2472.68	2967.22
Sawtry	984.70	1148.82	1312.93	1477.05	1805.28	2133.52	2461.75	2954.10
Sibson-cum-Stibbington	967.84	1129.15	1290.45	1451.76	1774.37	2096.99	2419.60	2903.52
Somersham	982.70	1146.49	1310.26	1474.05	1801.61	2129.19	2456.75	2948.10
Southoe & Midloe	983.55	1147.48	1311.40	1475.33	1803.18	2131.04	2458.88	2950.66
Spaldwick	961.74	1122.03	1282.32	1442.61	1763.19	2083.77	2404.35	2885.22
Stilton	977.59	1140.53	1303.45	1466.39	1792.25	2118.12	2443.98	2932.78
Stow Longa	963.69	1124.30	1284.91	1445.53	1766.76	2087.99	2409.22	2891.06
The Stukeleys	952.20	1110.90	1269.60	1428.30	1745.70	2063.10	2380.50	2856.60
Tilbrook	951.44	1110.02	1268.58	1427.16	1744.30	2061.46	2378.60	2854.32
Toseland	948.23	1106.28	1264.31	1422.35	1738.42	2054.51	2370.58	2844.70
Upton & Coppingford	952.53	1111.28	1270.03	1428.79	1746.30	2063.81	2381.32	2857.58
Upwood & the Raveleys	956.63	1116.08	1275.51	1434.95	1753.82	2072.71	2391.58	2869.90
Warboys	965.15	1126.02	1286.87	1447.73	1769.44	2091.17	2412.88	2895.46
Waresley-cum-Tetworth	946.62	1104.39	1262.16	1419.93	1735.47	2051.01	2366.55	2839.86
Water Newton	932.92	1088.41	1243.89	1399.38	1710.35	2021.33	2332.30	2798.76
Winwick	932.92	1088.41	1243.89	1399.38	1710.35	2021.33	2332.30	2798.76
Wistow	953.07	1111.92	1270.76	1429.61	1747.30	2065.00	2382.68	2859.22
Woodhurst	952.92	1111.74	1270.56	1429.38	1747.02	2064.66	2382.30	2858.76
Woodwalton	962.33	1122.73	1283.11	1443.50	1764.27	2085.06	2405.83	2887.00
Yaxley	984.39	1148.45	1312.51	1476.58	1804.71	2132.84	2460.97	2953.16
Yelling	942.45	1099.52	1256.59	1413.67	1727.82	2041.97	2356.12	2827.34
Wyton-On-The-Hill	964.32	1125.04	1285.76	1446.48	1767.92	2089.36	2410.80	2892.96



**78. EXECUTIVE POLICY ISSUES: THE HOMELESSNESS STRATEGY**

Councillor K J Churchill, Executive Councillor for Housing and Public Health, informed the Council that consultation was shortly to commence on a review of the Council's Homelessness Strategy under the Homelessness Act 2002. He envisaged that policies within the new Strategy would seek to reduce reliance on bed and breakfast accommodation, reduce the number of households in temporary accommodation and prevent homelessness. The new Strategy would include reference to the prevention of homelessness, work with private sector landlords and housing advice services. It was anticipated that the draft would be published for consultation in March and be circulated widely for comment with a view to its consideration by the Cabinet in July and Council in September 2010. Councillor Churchill urged all Members to respond to the consultation.

Councillor Mrs D C Reynolds indicated that she wished to congratulate the Housing Division for their achievement in reducing the number of homeless households during difficult economic circumstances, a sentiment which was endorsed by the Executive Councillor.

**79. REPRESENTATION OF POLITICAL GROUPS ON DISTRICT COUNCIL PANELS**

Following consideration of a report by the Head of Democratic and Central Services (a copy of which is appended in the Minute Book) and with the support of all Group Leaders, the Council

RESOLVED

that further variations to Panel memberships be deferred and the Council be invited to determine the allocation of seats to Panels, etc at the Annual Meeting on 19th May 2010.

**80. APPOINTMENT OF CABINET MEMBERS**

A report by the Head of Democratic and Central Services was submitted (a copy of which is appended in the Minute Book) regarding interim changes proposed to the formal leadership of the Council in advance of the implementation of more formal executive arrangements necessitated by the Local Government and Public Involvement in Health Act 2007 in May 2011.

As the changes required various alterations to be made to the Constitution and to the Council Procedure Rules, Members were reminded that any Motion to vary the Rules should stand adjourned without discussion to the next ordinary meeting of the Council. The Council therefore

RESOLVED

that consideration of the report and recommendations stand adjourned to the meeting of the Council to be held on 21st April 2010.

**81. APPOINTMENT OF INDEPENDENT MEMBERS TO THE OVERVIEW AND SCRUTINY PANELS**

A report was submitted by the Head of Democratic and Central Services drawing the Council's attention to the outcome of the formal process undertaken to co-opt a total of six Independent Members to serve on the Council's three Overview and Scrutiny Panels. Having been moved by Councillor S J Criswell and duly seconded, the Council

RESOLVED

that the individuals listed in paragraph 2.3 of the report now submitted be co-opted to the Overview and Scrutiny Panels for a period of four years.

**82. REPORTS OF THE CABINET, PANELS AND COMMITTEE**

**(a) Cabinet**

Councillor I C Bates, Leader and Chairman of the Cabinet presented the Report of the meetings of the Cabinet held on 17th December 2009 and 21st January and 11th February 2010.

.....

In connection with Item No. 55, Councillor G S E Thorpe indicated that he wished to convey his appreciation to the Head of Planning Services for the work undertaken by the Planning Division on the St Neots "health check" and that he hoped that the recommendations would be taken forward for the benefit of the people of St Neots.

.....

In connection with Item Nos 67 and 68, it was noted that the recommendations had been considered previously under Minute No. 77.

.....

In connection with Item No. 69, Councillor D B Dew, Executive Councillor for Planning and Transport, explained that the Secretary of State would determine whether the Development Management (DDP) Submission Document was sound and upon being put to the vote, the recommendations contained in the item were declared to be CARRIED.

.....

In connection with Item No. 70 and in response to a question from Councillor Thorpe, Councillor Bates confirmed that the car parking review had been called in for consideration by the Overview and Scrutiny Panel (Environmental Well-Being).

.....

Whereupon, it was

RESOLVED

that, subject to the foregoing paragraphs, the Report of the meetings of the Cabinet held on 17th December 2009 and 21st January and 11th February 2010 be received and adopted.

**(b) Standards Committee**

Councillor T D Sanderson presented the Report of the meeting of the Standards Committee held on 3rd December 2009.

.....

Whereupon, it was

RESOLVED

that the Report of the meeting of the Standards Committee held on 3rd December 2009 be received and adopted.

**(c) Overview and Scrutiny Panel (Economic Well-Being)**

Councillor J D Ablewhite presented the Report of the meetings of the Overview and Scrutiny Panel (Economic Well-Being) held on 10th December 2009 and 14th January and 4th February 2010.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny Panel (Economic Well-Being) held on 10th December 2009 and 14th January and 4th February 2010 be received and adopted.

**(d) Overview and Scrutiny Panel (Environmental Well-Being)**

Councillor P M D Godfrey presented the Report of the meetings of the Overview and Scrutiny Panel (Environmental Well-Being) held on 8th December 2009 and 12th January and 9th February 2010

.....

In connection with Item No. 34, Councillor G S E Thorpe expressed his appreciation for the views expressed by the Panel in respect of the potential redevelopment of land in and around the old Fire Station and Depot, Huntingdon Street, St Neots and the opportunities it offered to enhance

the facilities available to the people of St Neots.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny Panel (Environmental Well-Being) held on 8th December 2009 and 12th January and 9th February 2010 be received and adopted.

**(e) Overview and Scrutiny Panel (Social Well-Being)**

Councillor S J Criswell presented the Report of the meetings of the Overview and Scrutiny Panel (Social Well-Being) held on 1st December 2009 and 5th January and 2nd February 2010.

.....

Referring to Item No. 36, Councillor Criswell advised the Council that the Panel had discussed the level of service provided by occupational therapy within the District on a number of occasions which had prompted improvements in the service.

.....

In terms of Item No. 39, Councillor Criswell announced that a further Stakeholder Panel meeting would be held at Hinchingsbrooke House on 25th February 2010 to consider the new governance arrangements for Hinchingsbrooke Hospital.

.....

In connection with Item No. 41 and in response to a question from Councillor P J Downes regarding the extension of kerbside recycling services to include glass bottles and containers, Councillor C R Hyams, Executive Councillor for Operational and Countryside Services replied that a proportion of the recycling credits would continue to be paid to parish councils once the new arrangements were in place. Councillor I C Bates added that the improvements would enable access to the service for those who previously had been unable to visit mini-recycling sites and that there might be potential in future to share the service with neighbouring authorities.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny Panel (Social Well-Being) held on 1st December 2009, 5th January and 2nd February 2010 be received and adopted.

**(f) Development Management Panel**

Councillor P G Mitchell presented the Report of the meetings of the Development Management Panel held on 21st December 2009 and 18th January 2010.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Development Management Panel held on 21st December 2009 and 18th January 2010 be received and adopted.

**(g) Employment Panel**

Councillor Mrs B E Boddington presented the Report of the meetings of the Employment Panel held on 9th December 2009 and 2nd February 2010.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Employment Panel held on 9th December 2009 and 2nd February 2010 be received and adopted.

**(h) Licensing and Protection Panel**

Councillor J M Sadler presented the Report of the meeting of the Licensing and Protection Panel held on 27th January 2010.

.....

Whereupon, it was

RESOLVED

that the Report of the meeting of the Licensing and Protection Panel held on 27th January 2010 be received and adopted.

**(i) Licensing Committee**

Councillor J M Sadler presented the Report of the meeting of the Licensing Committee held on 27th January 2010.

.....

In connection with Item No. 4 and in response to a question from Councillor P J Downes, Councillor Sadler confirmed that a premises licence had been granted to the Secret Garden Parity in perpetuity as there had been no representations received from responsible authorities or interested persons which would have prompted a hearing by the Licensing Sub Committee. However there were sufficient safeguards in place to respond to any difficulties arising from the event should they occur.

.....

Whereupon, it was

RESOLVED

that the Report of the meeting of the Licensing Committee held on 27th January 2010 be received and adopted.

**(j) Corporate Governance Panel**

Councillor C J Stephens presented the Report of the meeting of the Corporate Governance Panel held on 9th December 2009.

.....

Whereupon, it was

RESOLVED

that the Report of the meeting of the Corporate Governance Panel held on 9th December 2009 be received and adopted.

**83. ORAL QUESTIONS**

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

**Question from Councillor A N Gilbert to the Executive Councillor for Housing and Public Health, Councillor K J Churchill**

In response to a question regarding the application of the "scores on the doors" scheme to St Neots Leisure Centre, Councillor Churchill explained that the Leisure Centre had been inspected on 7th July 2008 when it had achieved three stars. At that time no significant issues had been identified although it was recognised that there were structural and food servery matters to address. A further inspection had occurred on 7th January 2010 at a time when the kitchen was being refurbished and it was the expectation that a further inspection would take place in April when the kitchen had re-opened.

**Question from Councillor R J West to the Executive Councillor for Housing and Public Health, Councillor K J Churchill**

In response to a question regarding the potential for review of the Council's decision to meet in the evening as recommended under the Democratic Structure Review, Councillor Churchill replied that it was the intention to review the outcome of all initiatives recommended by the Working Group after approximately one year's operation at the Council meeting to be held in September 2010.

**Question from Councillor M G Baker to the Leader, Councillor I C Bates**

In response to a question regarding the potential for use of the open space to the front of Pathfinder House for additional car parking, the Leader advised that planning permission had been granted for the development of town houses or further office space on the site but that he would ask the Deputy Leader and Vice-Chairman of the Cabinet to respond directly to the questioner with details of the intentions for the site. Notwithstanding that reply, Councillor Bates also indicated that the area would not be tarmaced and that access and egress from the site could prove to be problematic.

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

In response to a question regarding the Cabinet's decision to charge for car parking in the Riverside Park, St Neots, Councillor Bates replied that the Members' Car Parking Working Group would consider all representations received to the Off Street Parking Places Order prior to its implementation and that the questioner should forward his observations to his colleague on that Working Group to raise during its deliberations.

**Question from Councillor P D Reeve to the Leader, Councillor I C Bates**

In response to a question regarding the closure of public conveniences and the District Council's support of the market towns, Councillor Bates replied that the Council had and would continue to work hard to promote and support the market towns.

**Question from Councillor P J Downes to the Leader, Councillor I C Bates**

In response to a question regarding the decision when to undertake the close of poll count, Councillor Bates replied that the decision when to hold the close of poll count was at the personal direction of the Returning Officer.

**Question from Councillor R J West to the Executive Councillor for Planning Strategy and Transport, Councillor D B Dew**

In response to a question regarding the potential for use of part of the housing and planning delivery grant to fund additional enforcement activity, Councillor Dew replied that the delivery grant already contributed to elements of the planning process.

**84. LOCAL GOVERNMENT ACT 1972: SECTION 85**

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

The meeting concluded at 9.39 pm.

Chairman



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## **Outcomes from District Council Debate on Anti-Social Behaviour**

### **Report by the Head of Environmental and Community Health Services**

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#### **1. PURPOSE**

- 1.1 The purpose of this report is to advise Members of Huntingdonshire District Council about the outcomes from the District Council's debate on 23rd September 2009.

#### **2. INTRODUCTION**

- 2.1 The outcomes of the Huntingdonshire District Council's debate: "How successful is the Council and its partners in tackling anti-social behaviour and the fear of crime in Huntingdonshire?" were discussed at the meeting of the Huntingdonshire Community Safety Partnership (HCSP) on 26th November 2009.
- 2.2 The relevant agencies represented on the HCSP were asked to respond to the issues raised at the debate and these are outlined below.

#### **3. ISSUES RAISED IN DEBATE**

- 3.1 The first issues arising in the debate concerned the needs of young people: importance of engaging young people in positive activities; careful spatial planning of developments and specific issues in relation to a lack of facilities for young people in St Neots. The HSP Children and Young People's Partnership were asked to detail their work in engaging young people in positive activities and the situation in St Neots. An outline of those activities is included at Appendix A to this report. It was also requested that a brief on the work of the Police Architectural Liaison Officer (ALO) and his involvement with the Council's Planning Officers be provided (bottom of Appendix A).
- 3.2 A number of issues were raised in connection with specific wards, such as: speeding, litter, dog-fouling and horse droppings.

Speeding: There is a scheme that already exists that may assist: the Community Speedwatch Scheme. This scheme allows the public to get actively involved in monitoring the speed of vehicles travelling through their neighbourhood. The point of contact is the Neighbourhood Policing Team, they have been alerted to concerns expressed.

Litter: This is not always the responsibility of the District Council. Some areas across the District are managed and maintained by Town and Parish Councils and this will involve litter picking as well as emptying the bins provided on footpaths and park areas. The Operations Division have not historically received many complaints about litter other than that associated with the late-night economy. Where this is the case, the team will work with the owner of the premises to encourage them to take responsibility; if this is not effective enforcement will be considered.

Dog-Fouling: The current Dog Fouling Control Order (2007) applies to certain areas of land. Under the order fixed penalty notices of £75 (or £50 if paid within ten days) are available for enforcement officers to use. The Council's Dog Warden Service will consider enforcement action against offenders where evidence supports such action.

Horse-droppings: Complaints have not been received, by the Streetscene Team, about horse-droppings being a problem in any particular area of Huntingdonshire. Huntingdonshire is made up of both rural and urban areas and it would be expected that horse-droppings would be seen in the rural areas of the District. It was felt that the level of droppings is not high enough in any area of the District to warrant the need for a policy-response. Any complaints will be investigated and are generally treated as litter.

- 3.3 The use and effectiveness of Antisocial Behaviour Orders (ASBOs) in Huntingdonshire was raised during the debate. The nature and use of these in Huntingdonshire is outlined in Appendix C.
- 3.4 The issue of a fear of crime, particularly in rural areas featured in the debate. The Huntingdonshire Community Safety Partnership (HCSP) identified 'addressing the fear of crime' as a priority for the period 2009 – 11 within their Community Safety Plan and intends to continue to focus on this area, in the coming year.
- 3.5 During the debate it was suggested that Huntingdonshire Community Safety Partnership (HCSP) should explore ways of increasing engagement with the public through the Neighbourhood Forums, to be trialled in Huntingdonshire during 2010. The newly introduced forums are being led and supported by Huntingdonshire District Council with members of the Community Safety Partnership attending the Forum meetings to respond to any relevant questions and actions. It is intended that representatives from the HCSP will continue to attend the Forums and will encourage attendance and participation from others as appropriate.
- 3.6 Alcohol misuse was also raised as an issue affecting the incidence of anti-social behaviour. Alcohol related disorder has been prioritised by the HCSP for the period 2010 – 11, this means that targeted work will take place to address hotspot areas. Funding has been agreed to roll the 'Night Watch' scheme out to the Huntingdon area and it is hoped that the scheme will be up and running by March/ April 2010.

- 3.7 The debate centred for a while on the procedures and processes that exist to accept and deal with reports of all-types of hate crime in Huntingdonshire. Historically in Huntingdonshire, Open Out has offered victims of hate crime the opportunity to report an incident at locations/ services other than a police station. After a review (2009) of the Open Out reporting/ information centres and the continued low levels of reporting of this crime type, it was thought more sensible that one phone number be introduced that victims could call. This new scheme, still to be known as Open Out, will be launched in March 2010.
- 3.8 The disturbance caused by use of open spaces, for ball-games, in some residential areas was raised during the debate. Ball-games generally don't constitute anti-social behaviour but complaints in the summer about ball-games do account for a significant proportion of the Community Safety Team's workload each spring and summer. In order to seek ways to minimise the disturbance arising in some areas a conference was held in Huntingdonshire, November 2009. The outcomes and recommendations from this meeting are detailed in Appendix D.

#### **4. CONCLUSIONS**

- 4.1 The comments and issues that arose during the District Council's debate in September 2009 were reported Huntingdonshire Community Safety Partnership in November 2009. The various partners have subsequently considered how those issues are being addressed or can be addressed in the future.

#### **5. RECOMMENDATIONS**

- 5.1 Members are requested to note the actions currently in-hand or proposed to tackle anti-social behaviour, general disturbance and the fear of crime in Huntingdonshire.

#### **BACKGROUND INFORMATION**

Minutes of the meeting of the Council held on Wednesday, 23 September 2009

Huntingdonshire Community Safety Plan 2008/11 at - <http://www.huntingdonshire.gov.uk/Community%20and%20People/Crime%20and%20disorder/Huntingdonshire%20Community%20Safety%20Partnership/Pages/default.aspx>

Contact Officer: Dr Susan Lammin,  
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## ENGAGING YOUNG PEOPLE IN HUNTINGDONSHIRE

### HOLIDAY SCHEMES

A programme of activities are run via the four OCYPS locality teams across Huntingdonshire – jointly funded by LPSA, Lottery and BCU and supported by the partnerships. The size and scale of each project differs according to the size and need of the local area. All projects are aimed at providing positive activities for young people over the school holiday periods at local youth clubs and other venues. The projects started in 2009 and will run for 3 years. An overview of each project is as follows:

- **Ramsey, Sawtry and Yaxley:** Activities for young people (aged 11-16 yrs) in the summer and other holiday periods in this area. A range of activities will take place in each area and also joint activities across the three areas. This includes providing accreditation opportunities for young people in each of the three areas for 20 hours per week.
- **St Ives:** Activities for young people (aged 10 – 14) in St Ives in the Summer holidays 2009 - 2012.
- **St Neots:** Developing a second Proud-to-be-Loud site for young people aged 14+ named Fun 4 Teens (F4T's). To increase the breadth and depth of activities on offer and enable young people to develop personal and social skills. Activities included Jig, climbing wall, singing, Self-defence, sexual health workshop, bowling trip, pumpkin carving, cooking and power kiting.

This scheme also aims to help reduce anti-social behaviour statistics during holiday periods and build on community cohesion by encouraging young people to build positive relationships with their community and to increase the inclusion of young people from all sections of the community.

The target is to have achieved 2,700 attendances by the end of the project.

- **Huntingdon** The project is called Fusion. Activities for young people (aged 8-19yrs) during holiday periods. (8 weeks per year 2pm – 8pm Mon-Fri). The aims of the project are: to encourage personal and social development of young people – develop life skills, attitudes, knowledge which will positively impact their transition into adulthood. e.g. volunteering opportunities, to help reduce local anti-social behaviour statistics during holiday periods to encourage young people to build positive relationship with their community – build on community cohesion, barriers between generations, local partners i.e. the police and to increase the inclusion of young people from all sections of the community including traveller, young people from EU countries who have moved to the area.

## **YOUNG PEOPLE'S ACTIVE INVOLVEMENT:**

Recent developments in some key projects to actively involve children and young people in Huntingdonshire:

- The Area Manager for Hunts Localities (OCYPS, Cambridgeshire County Council) , Young Lives and the HSP Children Young People's Active Involvement officer meet every two months to look at involvement priorities and identify options for joint working.
- HSP Children Young People's Active Involvement officer, with representatives from St Peters school and Huntingdon leisure centre are to develop a quality award for 'young people friendly' services.
- Developing a model to involve children and young people in neighbourhood forums
- Successful holiday schemes run over October 2009 half-term in St Neots, Ramsey and Huntingdon-incorporating arts and culture.
- Anti-Bullying Week 16th-21st November. A variety of events took place across Huntingdonshire with schools and localities to promote awareness of cyber-bullying. Events included drama productions, stalls to raise awareness of bullying, events for parents and competitions.
- Following the arts and culture work with ADEC a newsletter has been produced to promote positive images of young people engaging in these activities

## **ARTS AND CULTURE:**

Part of the area Children and Young Peoples' plan (point 1.1.6) aims to develop youth and arts facilities in areas where there are gaps. In order to meet this objective an arts consortium for Huntingdonshire has been organised to meet with all partners who have an interest in arts and culture work with young people.

In partnership with ADEC, arts and culture activities have been developed via the locality youth work and summer schemes to enable young people to take part in a variety of arts based positive activities e.g. dance, graffiti art, Ding, use of media, craft and arts. There has also been an opportunity for young people to undertake the arts award. Each locality has youth workers now trained to deliver the arts award.

## **ARCHITECTURAL LIAISON**

Architectural Liaison is a task carried out within the Community Safety/ Crime Reduction Units of each Police Division by specially trained officers.

The primary function is to provide a service to Public, Local Authorities, Housing Associations, Architects and the Construction Industry by:-

- Providing advice on Crime Prevention Through Environmental Design (CPTED\*)
- Carrying out Consultations with Local Authorities and Partner Agencies relating to proposed building developments and designing out crime.
- Providing advice on designing out crime in Environmental Improvements.
- Promoting, administering and advising on 'Secured by Design'©

- Promoting, administering and advising on 'Safer Parking Award'©

\*'CPTED' is the creation, through design, of a physical environment that is conducive with a high level of security for the community.

### **ADVICE OFFERED**

It is acknowledged that the built environment can influence behaviour. The ALO works closely with other agencies, public and private, in re-designing and altering the existing and future built environment, to address known crime and disorder generators. Applying the principles of defensible space and territoriality, together with good practice in building layout, car parking, natural surveillance, lighting and landscaping, can all contribute to reducing the opportunity for crime and disorder.

### **Central Division (Huntingdonshire & Fenland)**

Mr George Sykes  
(Safer Parking Assessor for Cambridgeshire Constabulary)  
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**EFFECTIVENESS OF ANTI-SOCIAL BEHAVIOUR ORDERS (ASBOS)**

The Anti-Social Behaviour Act 2003 introduced additional powers and tools that could be used by Local Authorities to address persistent offenders of anti-social behaviour.

Anti-social Behaviour is defined in the Crime and Disorder Act 1998 as acting "in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself and which is not reasonable in all circumstances". It does not have to be a criminal act. It can include a range of problems: noisy neighbours, abandoned cars, vandalism, graffiti, litter and intimidating groups. The police, local authorities and housing associations have been given powers to tackle this problem.

Anti-Social behaviour Orders (ASBOs) are just one of the many tools available and it is a statutory creation that carries legal force. ASBOs have been used in Huntingdonshire as appropriate, often after other interventions have been tried. The conditions in any ASBO are decided by the court; on the evidence provided to them by the agencies involved in the application. Prior to the application for an ASBO, other interventions such as an Acceptable Behaviour Contract (ABC) which is a voluntary contract based on agreed conditions signed by the perpetrator and the lead agencies, may have been tried.

Huntingdonshire District Council's Community Safety Team has two ASB Case Workers that cover the district. These two officers work to address complaints received about individuals, families and groups of people involved in anti-social behaviour from members of the public, local and District Councillors and partner agencies. The Case Workers support the monthly Police Sector ASB Problem Solving Groups that are attended by relevant organisations to agree action with regard to persistent offenders of anti-social behaviour.

Within Huntingdonshire, the Police have made use of CRASBOs. A CRASBO is an addition to a criminal sentence and is considered separately from the criminal part of proceedings. Usually the Crown Prosecution Service requests the court to impose the order. "CRASBOs" are based on the assumption that the individual will re-offend.

Table 1: showing the ASBOs (no. & type) put in place since 2003, in Huntingdonshire:

Type	Number	Lead Agency
ASBO	2	HDC
CRASBO	25	Cambridgeshire Constabulary

Some successes have been seen from the CR/ASBOs but it is essential that the right conditions are attached.

It is important that ASBOs are not perceived to be the only remedy. For example, the Community Safety Team invests a lot of time in: educating young people on ASB and consequences– ASB Streetwise Days, Junior PCSO Scheme, Youth IMPACT; diversionary activities – FUSION Holiday Scheme, Street Sports Project; initiatives to address alcohol-related ASB – Night Watch Night Time Economy Scheme, CAP Project, etc.; support for victims and perpetrators of ASB – ASB Self Help Guide; Parenting Support Programme; Developing and using appropriate ABCs and offering appropriate support e.g. drug or alcohol referral; referrals to support services – Victim Support, Cambridge Mediation Service, Drinksense, DIAL DrugLink, etc.

The assumption is often made that it is only young people who are the perpetrators of ASB but it is more likely that young people are the victims of crime, disorder and ASB. The Community Safety Team works with perpetrators from the age of 10 years through and into adulthood and ensures that the most appropriate response to their behaviour is put in place in partnership with other relevant organisations.

## APPENDIX D

### BALL GAMES CONFERENCE

#### 1. BACKGROUND

- 1.1 The Community Safety Team and other services at Huntingdonshire District Council recognised an increase in the calls for service associated with the playing of ballgames on grassed areas in residential areas. The District Council does not perceive the playing of ball games to be anti-social but does recognise the impact that behaviours associated with these activities can have a negative impact on some residents' quality of life.
- 1.2 To date, the Community Safety Team at the District Council has put in place a number of initiatives to address the issues raised, including:
- Red Card, Yellow Card Scheme
  - Fair Play for All
  - Considerate Use signs
- 1.3 Although some of these schemes have been successful in some areas, an increase in complaints has been seen and this was supported by the recent findings reported through the Strategic Assessment 2009.

#### 2. PROCESS

- 2.1 At the beginning of November 2009 a Ball Games Conference, hosted by Huntingdonshire District Council was held at Huntingdon Leisure Centre to which a variety of partner agencies were invited to attend. Representatives from the following organisations were in attendance: Cambridgeshire Constabulary, OCYPS, Luminus Group, Nene Housing, Axiom Housing and Huntingdonshire District Council (Members and Officers).
- 2.2 The purpose of the conference was to agree a way forward for dealing with complaints about ball games.
- 2.3 The conference started with a presentation outlining the type of complaints that have been received and the increase in calls for service over the last 5 years. A second presentation followed outlining the Police's response to this type of complaint. A group discussion then followed before breaking into work-groups.
- 2.43 Each working group was asked to consider a scenario. Feedback and a group discussion on the way forward then followed.

#### 3. OUTCOMES

- 3.1 The following suggestions were made:
- Developing some grassed areas into community gardens
  - Fencing grassed areas - balls less likely to damage property
  - Dispersal Orders where appropriate
  - Make parents aware and requesting their support
  - Make use of the Mediation Service
  - Establish Management Groups involving local residents
  - Parish and Town Councils on board where possible
  - Install additional litter bins where appropriate
  - Educate older young people: role models

- 'Considerate Use' signs to all green areas in the District
  - Issues associated with ball games when considering new developments
  - Look at local youth provision
  - Shared database of issues– one central number/ point of contact
- 3.2 It was also recognised by those present that agencies had not just received complaints about ball games on grassed areas but also anti-social use of grassed areas in the form of the riding of mini-motos and parking of vehicles.
- 3.3 The group felt that it was important to address these issues as a whole and share the data that agencies with regard to all complaints associated with grassed areas.

#### **4. RECOMMENDATIONS**

- 4.1 It was recommended that as a result of the Ball games Conference, an 'Open Space Working Group' be formed that will meet on a quarterly basis to discuss and put actions in place to address the anti-social use of grassed areas. The Open Space Working Group be a task and finish group that works to an action plan that is reported to the Community Safety Partnership on a quarterly basis.
- 4.2 As this issue has been identified as a priority through the Huntingdonshire Community Safety Partnership's Strategic Assessment 2009.

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## **Appointment of Cabinet Members**

### **Report by the Head of Democratic and Central Services**

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#### **1. INTRODUCTION**

- 1.1 When the Structure Review Working Party reported to Council in April 2009 with recommendations to amend the structure of the Council, it proposed changes to the form of leadership of the Council necessitated by the Local Government and Public Involvement in Health Act 2007. It has since become apparent that those changes may not be implemented until the annual meeting of the Council in 2011 and the Working Party has therefore proposed that interim changes be made in May 2010 which will take the Council along the path towards the new form of leadership required by the Act.

#### **2. CHANGE REQUIRED BY THE ACT**

- 2.1 The 2007 Act requires the Council to implement either an elected mayor or an executive leader in May 2011. The powers of both positions are broadly similar, except that the mayor is directly elected by the electorate whereas the executive leader is a serving councillor. Both terms of office are for a period of 4 years.
- 2.2 The Act requires the various tiers of councils, counties, metropolitans and districts, to move to the new form of leadership on a phased basis. In the case of district councils, the change cannot be made before the annual meeting in May 2011.

#### **3. INTERIM ARRANGEMENTS**

- 3.1 As the change cannot be made as envisaged in 2010, the Democratic Structure Working Party has proposed that, in the interim, the Leader of the Council be authorised to determine the membership of the Cabinet with effect from May 2010 as opposed to this being a decision of the Council. This is an option that has been available since the Local Government Act 2000 was introduced and which many authorities have adopted.
- 3.2 The change will require various alterations to the constitution and to the Council Procedure Rules. Such changes would normally be subject to discussion by the Corporate Governance Panel with a recommendation to the Council. However a meeting of the Panel has not been held since the Working Party met.
- 3.3 Council Procedure Rules require any motion to vary the Rules to stand adjourned without discussion to the next ordinary meeting of the Council. The latter will take place on 21st April which will enable

details of the change to be discussed by the Corporate Governance Panel at its meeting to be held on 24th March.

#### **4. CONCLUSION**

- 4.1 Both the elected mayor and executive leader forms of leadership enable the holders of those positions to determine the size and membership of the Cabinet. The Council must adopt one of those formats with effect from May 2011 but in the interim can move to the 'strong leader' model of leadership provided for by the 2000 Act whereby the Leader, rather than the Council, chooses the membership of the Cabinet.
- 4.2 A report which lists all of the changes required to the current constitution to accommodate the change will be submitted to the Corporate Governance Panel meeting to be held on 24th March but, if this is to be implemented in May 2010, a motion to amend the relevant Council Procedure Rules must be submitted to and adjourned at the Council meeting on 17th February.

#### **5. RECOMMENDATIONS**

- 5.1 **The Democratic Structure Working Party therefore recommends that**
- (a) that the following Council Procedure Rules be deleted with effect from the annual meeting of the Council in May 2010 –**
    - '1.1(vii) appoint the Deputy Leader;**
    - 1.1(viii) agree the number of members to be appointed to the Cabinet and appoint those members to the Cabinet;' and**
  - (b) that a report on the consequential changes to the constitution be submitted to the Corporate Governance Panel meeting to be held on 24th March 2010 for subsequent consideration at the Council meeting to be held on 21st April 2010.**

#### **BACKGROUND PAPERS**

Nil

**Contact Officer:** Roy Reeves, Head of Democratic and Central Services  
☎ 01480 388003

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## **Cabinet**

### **Report of the meetings held on 16th and 18th March 2010**

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#### **Matters for Information**

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#### **75. CALL-IN - CAR PARKING REVIEW UPDATE**

Further to Item No. 70 of their Report to the meeting of the Council held on 11th February 2010, the Cabinet has been advised of the deliberations of the Overview and Scrutiny Panel (Environmental Well-Being) in relation to their call-in of the Cabinet's decision relating to car parking charges. (Item No. 53 of their Report refers.)

The Panel had disagreed with the Cabinet's decision to accept the Car Parking Working Party's recommendation to provide 38 spaces offering two hours free parking in the de-marcated area at the Riverside Car Park, St. Neots. The Panel felt that the implementation of charges and the limited number and duration of free car parking spaces would:-

- ◆ lead to more cars and vehicles parking in areas adjacent to the car park and an increase in use of the town centre car parks;
- ◆ create additional congestion in the High Street and town centre;
- ◆ increase pollution in the High Street, an area identified by environmental health as having above acceptable levels of pollution;
- ◆ exacerbate the reduction in retail footfall currently being experienced in St. Neots; and
- ◆ reduce visitors and tourism opportunities.

The Panel was of the opinion that the Cabinet should introduce a more extensive free parking policy for 3 hours for the whole of the car park.

The Cabinet has debated a variety of issues relating to the enforcement of the Panel's proposal, the financial implications of extending the free area, environmental considerations and the impact of the proposals on footfall levels in the town centre. In terms of income, Members considered the possibility of recouping any loss in income by introducing a higher charge for parking after 3 hours. On balance, the Cabinet decided that the original decision (38 spaces free for 2 hours) was the best approach to providing some free parking for park users while achieving the aims of the car parking strategy.

The Cabinet was conscious of the fact that the proposals will be the subject of public consultation as part of the statutory order making process which would provide the public with an opportunity to express views on the proposal. With that in mind, the Cabinet has agreed that the Off-Street Parking Places Order 2010 should be prepared and published for public consultation including the provision of 38 spaces offering 2 hours free parking in a demarcated area at the Riverside Car Park, St. Neots.

**76. REQUEST FOR A LOAN TO THE WILDLIFE TRUST FOR BEDFORDSHIRE, CAMBRIDGESHIRE, NORTHAMPTONSHIRE AND PETERBOROUGH**

The Cabinet has approved a loan of up to £1.2m to the Wildlife Trust for Bedfordshire, Cambridgeshire, Northamptonshire and Peterborough, subject to the Director of Commerce and Technology and the Head of Law, Property and Governance, in consultation with the relevant Executive Councillor, being satisfied with the terms, interest rate and security being offered.

The loan will enable the Trust to acquire the leasehold of land considered to be key to progress the Great Fen Project.

In reaching this decision, the Cabinet has had the benefit of the views of the Overview and Scrutiny Panel (Economic Well-Being) which are summarised in Item No. 50 of their Report elsewhere on the Agenda.

**77. RURAL STRATEGY FOR CAMBRIDGESHIRE 2010 - 2015**

The Cabinet has considered the contents of the Rural Strategy for Cambridgeshire produced by Cambridgeshire ACRE on behalf of the Cambridgeshire Together Board. The Strategy has been prepared to identify the challenges of living and working in a rural community. In discussing the priorities accorded to the strategy's three themes of living in the countryside, economic well-being and land and environment, the Cabinet has considered a summary of Officers' comments on each of the proposed actions. In so doing, the Cabinet has concurred with the Overview and Scrutiny Panel (Social Well-Being) that the Strategy:-

- ◆ lacks evidence of partnership working and that any work carried out under the strategy should be carefully co-ordinated;
- ◆ could potentially lead to a duplication of service provision;
- ◆ fails to consider the need for retirement homes in rural areas, to enable the elderly to remain close to their families and communities;
- ◆ refers to "widening transport options" which requires action on a national scale; and
- ◆ fails to address the difficulties faced by residents living in rural areas who do not have their own transport and are reliant on other transport providers to attend health and other public service facilities.



Therefore, the Cabinet has requested that these views be included in the Council's response to Cambridgeshire ACRE.

## **78. DEVELOPMENT MANAGEMENT PROCESS WORKING GROUP**

Following a presentation by Councillor M Baker on behalf of the Overview and Scrutiny Panel (Environmental Well-Being) the Cabinet has considered the findings of a study by a Working Group regarding the Council's Development Management process.

In considering the Panel's recommendations, the Cabinet has been advised that several of the proposals have already been implemented by the Development Management Service. In concurring with the Panel that the current process was working well, while recognising that some areas mostly relating to enforcement and public speaking at the Development Management Panel could be improved, the Cabinet has:-

- ◆ requested that the possibility of charging developers for pre-submission advice be investigated further;
- ◆ agreed to consult relevant consultees and neighbours again on amended plans, except for those of very minor significance;
- ◆ suggested that care should be exercised to consult households that abut a development site, including the over-printing of envelopes with a suitable message to indicate that it is an important communication concerning a planning application;
- ◆ agreed that applicants be advised in the clearest terms at the outset of the process that they are unlikely to receive any further communication until all of the consultees' views have been received, which could be towards the end of the 8 or 13 week determination period;
- ◆ suggested that members of town and parish councils be encouraged to undertake training on all aspects of the Development Management process;
- ◆ invited the Development Management Panel to give consideration to the possibility of a mechanism that allows external speakers to respond to what they perceive to be factually incorrect information so that the Panel can make well-informed decisions, as part of the next review at the public speaking procedure; and
- ◆ requested that the Council continues to reinforce the message wherever possible that development that takes place without permission is discouraged and adopts an appropriate and robust approach concerning the retention of the development where permission is subsequently refused.

**79. SUPPLEMENTARY ESTIMATE FOR NATIONAL NON-DOMESTIC RATE RELIEF**

*(The following Item was considered as a confidential item under Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.)*

The Cabinet has approved a supplementary estimate of £20,000 for the National Non-Domestic Rates Discretionary Rate Relief Budget for 2010/2011 to enable an application for hardship relief to be processed.

I C Bates  
Chairman

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## **Standards Committee**

### **Report of the meeting held on 4th March 2010**

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#### **Matters for Information**

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#### **19. REPORT OF THE REFERRALS (ASSESSMENT) SUB-COMMITTEE**

The Chairman of the Referrals (Assessment) Sub-Committee regularly updates Members on the outcome, in general terms, of cases considered by the Sub-Committee. On this occasion, the Sub-Committee had met on three occasions and of the cases considered, no further action was recommended in two of them and in the remaining case, the matter was referred to the Monitoring Officer for other action which involved the submission of an apology to his local Council by the councillor concerned.

The Committee has been reminded that an earlier complaint had exposed an issue with regard to the level of awareness of the Local Authority Code of Publicity. The Monitoring Officer has now confirmed that, in accordance with the instructions of the Sub-Committee, all town and parish councils in Huntingdonshire have been reminded of the requirements of the Code. This advice will be repeated in advance of the elections every year irrespective of whether elections are scheduled in a parish or otherwise. The Monitoring Officer also has incorporated a section on the Code in his training presentation to town and parish councils.

#### **20. UPDATE ON CODE REVISION**

The Committee has been informed that the Department of Communities and Local Government has announced that a new Code of Conduct for Members will not be laid during this Parliamentary session due to insufficient time. In practice this means that a new Code will not now be made until after the General Election.

#### **21. LOG OF CODE OF CONDUCT ENQUIRIES**

The Committee has noted the nature of the Code of Conduct enquiries recently recorded by the Monitoring Officer and has been reminded that the areas of the Code which appear to cause the most concern form the basis for the Monitoring Officer's approach to training for parish councils.

The Monitoring Officer also has confirmed that he will be preparing a series of "frequently asked questions" which will be made available

on the 'Standards and Conduct' pages of the District Council's website.

**22. PREDISPOSITION, BIAS, PRE-DETERMINATION AND THE CODE**

For training purposes, the Committee has noted the content of an article which examined the relationship between bias, predisposition, pre-determination and the Code of Conduct drawing upon recent and relevant case law in the area. A copy of the advice has been circulated to all Members.

**23. REQUESTS FOR DISPENSATION - ST. IVES TOWN COUNCIL**

Following advice offered in response to an enquiry regarding potential interests held by the Members serving on St. Ives Town Council, it has become apparent that Members of that Council required dispensation to enable them to continue to consider matters likely to affect a community interest company set up to manage the Corn Exchange in St. Ives.

Having considered the Town Council's request, the Committee has been satisfied that approval of the application in the circumstances described is required to prevent the business of that authority from being impeded. The Committee has, therefore, granted a dispensation to fifteen Members of St. Ives Town Council to enable them to speak and vote on the subject for the period ending 30th April 2012, after which time an application for the newly elected councillors will need to be submitted.

**24. STANDARDS FOR ENGLAND ANNUAL RETURN 2010**

The Committee has noted that it is the intention of "Standards for England" (SFE) to collect annual information returns from Monitoring Officers for 2010. Last year's return had indicated that 59% of authorities had produced an annual report. As it appeared that SFE were encouraging all authorities to produce such a report, the Committee has requested that this task also be undertaken annually by the Monitoring Officer and that the inaugural report be prepared for the July meeting. The Committee also understands that the report will assist in responding to the requirements of the Audit Commission in the completion of the Use of Resources assessment.

In welcoming the initiative, the Committee has requested that the report be produced in the most cost-effective way, that it should emphasise the role of the Committee in training councillors on the Code of Conduct and that it should be promoted via the District Council's website and District Wide, the Council's in house magazine.

**25. CODE OF CONDUCT ADVICE AND RECENT TRIBUNAL DETERMINATIONS**

For learning purposes, the Committee has noted the content of a guide on the position of Freemasons and the Code of Conduct and

details of cases recently published by SFE following complaints considered by Blackpool Borough and Daventry District Councils.

Mr D L Hall  
Chairman

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## **Overview & Scrutiny Panel (Economic Well-Being)**

**Report of the meeting held on 11th March 2010**

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### **Matters for Information**

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#### **49. ICT STUDY PROPOSAL**

The Panel has received a presentation by Dr J Stanley, University of Cambridge, Dr G Briscoe, London School of Economics and J Josephra, Bind Technology on Sustainable Information Communications Technology (ICT) Provision. The Council had been contacted by Dr Stanley with a suggestion for a study into the use of cloud technology as she felt it could have considerable benefits for the Council and for the District.

As part of the presentation, the Panel has been acquainted with common causes of problems with the development of large scale ICT projects, which include being locked into existing contracts and poor initial requirement specifications. Dr Stanley has proposed that an independent governance panel might be established to provide advice on project development before requests for proposals are issued. The long term goal is to create an expanded governance panel taking representation from a number of regional authorities with the aim of creating a knowledge and skills pool and a special skills register.

Having considered the proposals within the presentation, the Panel has decided not to proceed with a study. Members are of the opinion that, given the current financial constraints being faced by the Council they could not justify the employment of consultants to undertake the work that would be required for the governance panel. This conclusion is reinforced by the fact that the Council already has strong project management arrangements in place for ICT development.

#### **50. GREAT FEN LOAN**

The Panel has been acquainted with the details of a request for a loan from the Wildlife Trust for Bedfordshire, Cambridgeshire, Northamptonshire and Peterborough for up to £1.2m. The Trust needs the loan to acquire the leasehold of land which will assist in the delivery of the Great Fen Masterplan and the decision on the report is reported under item 76 of the Report of the Cabinet.

In considering the request, the Panel has been informed that the Trust is confident of obtaining sufficient donations and grants over the next few years in order to repay the loan. The Panel has discussed detailed aspects of the loan and as a result, has expressed, concerns relating to the security being offered as part of the loan agreement and suggested that the Wildlife Trust's fund raising plans need to be examined to establish whether they are realistic and achievable. Comments have also been made in relation to the wider principle of making a loan and whether there is a risk that the Council might suffer damage to its reputation either by being a cause of the loss of agricultural land or through the failure of the loan arrangement. In order to reduce this risk the Panel has suggested to the Cabinet that the resolution of the outstanding governance arrangements should be made a condition of the loan.

With regard to the flexible repayment arrangements being sought by the Trust, which will allow for its early repayment, the Panel has concluded that the request for a cap on the maximum level of interest that is payable should not be granted and that alternatives methods of repayment should be explored. Subject to these points and the Director of Commerce & Technology being satisfied with the robustness of the terms and the security offered, the Panel has recommended that the Cabinet approve the loan to the Wildlife Trust.

#### **51. LEISURE CENTRES' INCOME AND EXPENDITURE**

As performance monitoring reports in the previous two quarters have indicated that the Council's Leisure Centres have not achieved their financial targets, the Panel has requested and received details of the Leisure Centres' financial performance for the year 2009/10. Members noted that although income is lower than the target, greater savings in the same period mean that the net position represents an overall improvement. However, Members have been advised that, following the introduction by Cambridgeshire County Council of new school sport funding arrangements, income from school bookings will be £80k lower than the previous year but that negotiations to effect a solution to this problem are ongoing.

In discussing individual centres, Members have been advised that capital investment at One Leisure Huntingdon has generated a 26% increase in income and a 13% rise in admissions. With regard to the planned redevelopment of One Leisure St Neots, Members have been informed that research by the in-house marketing team strongly suggests that the new facilities will attract more customers and that the Council's investment will be recouped.

#### **52. PROPOSED AMENDMENTS TO THE HUNTINGDONSHIRE DISTRICT COUNCIL BUDGET 2010 - 2011**

The Panel has received details of proposed amendments to the Budget 2010 – 11, which had been submitted by the Liberal Democrat Group to the full Council meeting on 17th February 2010. The Council referred them to the Panel for consideration. In order to investigate the proposals fully, the Panel has agreed to convene a



special meeting and various additional information has been requested.

**53. PERFORMANCE MONITORING**

The Panel has considered the Council's performance against its priority objectives in the quarter to 31st December 2009. Members concurred with a suggestion by the Corporate Plan Working Group that the Cabinet should investigate whether there are any opportunities for jointly employing expert staff to avoid the greater costs incurred by using specialist consultants.

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**Other Matters of Interest**

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**54. FORWARD PLAN**

The Panel has been acquainted with details of the current Forward Plan of Key Decisions, which has been prepared by the Leader of the Council. In doing so, Members have asked to see the report on the transfer of the Section 106 asset at Loves Farm prior to its consideration by the Cabinet in June 2010.

J D Ablewhite  
Chairman

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## **Overview & Scrutiny Panel (Environmental Well-Being)**

**Report of the meetings held on 2nd and  
9th March 2010**

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### **Matters for Information**

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#### **53. CAR PARKING REVIEW UPDATE**

Following publication of the Cabinet's decision on 11th February 2010 regarding the Car Parking Review, the Panel called-in the matter for further consideration. The Panel had earlier submitted alternative proposals that the Cabinet had not accepted, and at the Panel's invitation Councillors D B Dew and T D Sanderson as the Executive Councillor for Planning Strategy and Transport and Chairman of the Car Parking Working Party respectively, attended the meeting when the call-in was discussed.

The Panel was concerned that the Cabinet's decision to provide 38 spaces offering two hours free parking in a demarcated area of Riverside Car Park for leisure usage could result in the free spaces being dominated by shoppers, which would reduce their availability for those wanting to use the park for leisure and recreational purposes. Members acknowledged that there was no way in which use of the proposed free spaces could be restricted to park users. Members suggested that 38 spaces is insufficient for a free period for parking and that two hours is not long enough before charging begins, either for users of the park or those who wish to walk into the town.

The Panel agreed to refer back the decisions of the Cabinet on the car parking review to the Cabinet for further consideration. The Panel has suggested that the Cabinet re-consider allowing three hours free parking in the whole of the Riverside Car Park which will benefit those who wish to park there for short periods and assist those who want to use the park for leisure and recreational purposes. The Panel suggested that a charge be set in line with that proposed for the car park at Cambridge Street for those who park longer than three hours.

The Panel's deliberations were considered by the Cabinet at its meeting on 16th March 2010, details of which are set out in its report to this meeting.

#### **54. DEVELOPMENT MANAGEMENT PROCESS WORKING GROUP**

The Panel has received the final report of its Working Group which had been established to investigate the process for the determination of planning applications and make recommendations where appropriate. In doing so, the Panel has acknowledged that development management is a contentious subject, which by its nature, can generate strong feelings and concerns which can influence the views of users of the service. The Working Group has found overall that the development management process works well in Huntingdonshire but felt that the treatment of amendments to applications and communication between case officers and residents could benefit from further improvement.

The Panel subsequently approved the following recommendations for submission to the Cabinet and the Development Management Panel:-

- (a) that the possibility of charging developers for pre-submission advice be investigated further by the Council;
- (b) that relevant consultees and neighbours be consulted again on amended plans, except for those of very minor significance, with a seven days deadline for reply;
- (c) that care is required by officers to ensure that all of those households that abut a development site, as a minimum, be sent a consultee letter and that the envelope be overprinted with a suitable message to indicate that it is an important communication concerning a planning application;
- (d) that applicants be advised in the clearest terms at the outset of the process that they are unlikely to receive any further communication until all of the consultees' views have been received, which could be towards the end of the eight or thirteen weeks determination period;
- (e) that further training be made available for town and parish councils on all aspects of the development management process;
- (f) that when the public speaking procedure at the Development Management Panel is next reviewed, consideration be given to the introduction of a mechanism that allows external speakers to respond to what they perceive to be factually incorrect information so that the Panel can make well informed decisions;
- (g) that the Council reinforces the message wherever possible that development that takes place without permission is discouraged and that the Council will take a robust approach concerning the retention of development where permission is subsequently refused.

The Panel has requested to be notified of the Cabinet's response to the report by June 2010.

**55. PERFORMANCE MONITORING**

The Council's performance against the environmental well-being targets within the corporate plan "Growing Success" has been reviewed by the Panel.

Having had their attention drawn to the Council's position in relation to the Making Cambridgeshire Count initiative, the Panel has requested the Leader of the Council and the Director of Central Services to attend its next meeting to provide an update on the Council's involvement in the programme.

**56. LOCAL GOVERNMENT ACT 2000 - FORWARD PLAN**

The Panel has been acquainted with details of the Forward Plan of forthcoming decisions prepared by the Leader of the Council.

**57. WORK PLAN STUDIES**

Having previously suggested planning enforcement as a possible topic for a future study, the Panel has received a report summarising the Council's enforcement activity for 2009. As a result, the Panel is satisfied that enforcement activity is sufficiently monitored by Members and has discounted this as a potential study subject. Members have suggested flood protection measures in Huntingdonshire and land use for agricultural purposes in the context of planning policies and its contribution to the local economy, as possible subjects for future studies.

The Panel has requested information showing the waste disposal arrangements for the District.

**58. OVERVIEW AND SCRUTINY PANEL  
(ENVIRONMENTAL WELL-BEING) PROGRESS**

The Panel has been advised of progress on issues that had been previously discussed.

Councillor Mrs M Banerjee has been appointed as a substitute member to the Joint Accountability Committee.

**59. SCRUTINY**

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

P M D Godfrey  
Chairman

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## **Overview and Scrutiny Panel (Social Well-Being)**

**Report of the meetings held on 2nd March 2010 and  
6th April 2010**

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### **Matters for Information**

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#### **54. RURAL STRATEGY FOR CAMBRIDGESHIRE 2010 - 2015**

In conjunction with the Cabinet (Item No. 77 of their report refers) the Panel has considered the draft Rural Strategy for Cambridgeshire 2010-2015. In receiving background information on the Strategy, the Panel has noted that the Cambridgeshire Together Board commissioned Cambridgeshire ACRE to prepare the Strategy in order to identify the challenges of living and working in a rural community. The Panel's attention has been drawn to the actions and "Ambitions" identified under the three themes of living in the countryside, economic well-being and land and environment.

The Panel has received details of the consultation undertaken to date with statutory agencies, community organisations, rural businesses and residents. Referring to comments made by District Council Officers to the Strategy, whilst these have been endorsed by the Panel, Members have registered concern at the lack of ownership and prioritisation of the actions and of identification of funding to implement the Strategy.

The Panel has stressed the importance of recognising that rurality is an equalities issue. Members also have commented that the Strategy sometimes lacks evidence of partnership working where it is required and that work carried out under the Strategy should be carefully co-ordinated as it appears there is potential for duplication in service provision. Particular recognition has been given to the fact that Town and Parish Councils will be important in delivering many of the actions.

Having regard to the theme of living in the countryside, specific comment has been made on the need for retirement homes to be provided on "exception sites" in rural areas. This will enable elderly individuals to remain close to their families and communities. However, with regard to the actions identified within the "Widening transport options" priority, the Panel is of the view that this matter requires action at national level.

Finally, comment has been made on the difficulties faced by residents living in rural areas who do not have their own transport and who are

reliant on other transport providers to attend health service facilities. While there are some local providers, including volunteer car schemes, it is evident that there are gaps in provision and this is something that could be addressed through the Strategy.

**55. PRIVATE SECTOR HOUSING ENFORCEMENT:  
THE CRIMINAL LAW ACT 1977 & THE PROTECTION FROM  
HARRASSMENT ACT 1997**

The Panel has endorsed a proposal that the Cabinet should authorise Officers to use powers under the Criminal Law Act 1977 and the Protection from Harassment Act 1997 to deal with allegations of harassment and illegal eviction in the private housing sector.

Each year 8 to 10 reports of potential cases of harassment or illegal eviction are reported but, at present, the Council does not have the necessary powers to undertake investigations and prosecute offenders. The new powers are only now being sought as recent demographic changes in the private sector housing market have led Officers to believe that these powers are necessary and could effectively be utilised to protect potentially vulnerable tenants. They will enable Officers to regain possession of property on tenants' behalf, enabling them to reside there until the correct legal procedures for possession have been followed.

**56. PERFORMANCE MANAGEMENT**

In conjunction with the Overview and Scrutiny Panels for Environmental Well-Being and for Economic Well-Being, the Panel for Social Well-Being has reviewed the Council's performance against its priority objectives, which are contained in "Growing Success" - the Corporate Plan. An update on developments relating to the Council's involvement in Making Cambridgeshire Count has been received and a suggestion by the Corporate Plan Working Group that the Cabinet should be recommended to investigate whether there were any opportunities for jointly employing expert staff in order to avoid the greater costs of using specialist consultants has been endorsed by the Panel.

**57. STUDY – PARKING AT HINCHINGBROOKE HOSPITAL**

The Panel has finalised its report into car parking at Hinchingsbrooke Hospital and submitted it to the Hospital for consideration. Subsequently, at the meeting in April, Members have been informed that the Hospital's Senior Executive Group has taken the decision to reduce the minimum length of stay to 2 hours for which a charge of £2 will be made. The charge will rise by £1 for every hour thereafter. Although Members are disappointed that this decision was reached before the Panel's report was received they are of the view that no change would have been made if they had not decided to investigate this matter and that the charge that has been introduced will be of benefit to visitors to the Hospital. At the same time the Panel has been made aware that further reducing the minimum length of stay would have significant financial implications for the Hospital. Visitors



will, however, be further helped by the fact that the Hospital will introduce more spaces for stays up to 30 minutes at no charge. The Panel's other recommendations will be subject to consideration by the Executive Group in the future. The Hospital's Business Facilities Manager will be invited to attend a future Panel meeting to report upon their decisions and progress made.

**58. HUNTINGDONSHIRE COMMUNITY SAFETY PARTNERSHIP**

The Panel has been reminded that under the Police and Criminal Justice Act 2006, it is required to scrutinise the work of the Huntingdonshire Community Safety Partnership. The Partnership was established in response to a requirement of the Crime and Disorder Act 1998, and aims to reduce crime, disorder and anti-social behaviour within the District. A number of strategic links have been established by the Partnership, particularly to the Huntingdonshire Strategic Partnership (HSP), as well as to other District and County-wide groups. The Panel has acknowledged the complexity of the way in which the Partnership is required to operate to meet the challenges faced by the District and has concluded that it is effective in its work.

The Panel has reviewed the Huntingdonshire Community Safety Plan 2010-11 and Members have been advised that a Strategic Assessment is conducted each year to inform the priorities that are included within the Plan. Members have discussed a number of matters including the publication of crime statistics, the contribution made by all Partners to the work of the Partnership, various projects/initiatives undertaken and the role of the two Anti-Social Behaviour Case Workers.

In concluding their discussions, the Panel has expressed their satisfaction that the Partnership has appropriate monitoring and accountability mechanisms in place. Additionally, the Panel has been reminded of the programme of events that has been devised to assist all Members of the Overview and Scrutiny Panels in complying with the duty to scrutinise the HSP.

**59. PROVISION OF PLAY FACILITIES WORKING GROUP**

The Provision of Play Facilities Working Group has submitted a report on its findings to the Panel. The Working Group had been tasked with examining the availability of play facilities across the District and the ongoing revenue costs associated with such facilities. As the provision of activities for teenagers was identified in the 2008 Place Survey as the highest priority area in need of improvement in Huntingdonshire, the Working Group decided to focus primarily on the provision of facilities for teenagers.

Investigations have been undertaken into a number of areas associated with operating play facilities, including the maintenance and insurance of facilities, the inspection of facilities for maintenance purposes, Royal Society for the Prevention of Accidents inspections and the costs associated with these activities. Having analysed each of these areas, the Working Group has made a number of

recommendations, which are intended to ensure that there is adequate provision for teenagers in Huntingdonshire. Whilst these have been endorsed, the Panel has decided that owing to the current financial pressures on the Council, the feasibility should first be investigated of introducing a maintenance agreement in which responsibility for meeting town facilities' revenue costs is divided between the District Council, Town Councils and users before consideration is given to extending the Council's own commitments in this respect.

The Executive Councillor for Operational and Countryside Services has been involved in the Working Group's deliberations from the outset and Councillors P G Mitchell and R J West will be presenting the report to the Cabinet at its meeting on 22nd April 2010.

**60. CAMBRIDGESHIRE HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE**

Councillor R J West has provided Members with an update on matters discussed at recent meetings of the Health and Adult Social Care Scrutiny Committee, which include an overspend in Adult Support Services, the County Council's 2010 Budget Plan and the overall financial position of NHS Cambridgeshire. Other matters that have been discussed include Occupational Therapy waiting times, pressures on Cambridgeshire's acute hospitals as a result of the severe winter weather, service quality and staffing at Hinchingsbrooke Hospital and primary care out of hours services. Councillor West also has drawn attention to issues discussed surrounding mental health and the inequalities in service provision that exist within the District. In pursuit of the latter, Councillor West has been appointed to a Working Group to investigate dementia services. The next meeting of the Committee will be held on 13th May 2010.

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**Other Matters of Interest**

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**61. OVERVIEW AND SCRUTINY PANEL (SOCIAL WELL-BEING) - PROGRESS**

The Panel has reviewed its work programme at each of its meetings. Members have received an update on the outcome of a recent meeting of the Hinchingsbrooke Hospital Stakeholder Panel. The Chairman is a member of a Sub-Group of the Stakeholder Panel that has been appointed to meet with bidders in a private session to discuss their proposals.

The Panel has requested the Executive Councillor for Operational and Countryside Services to attend a future meeting to discuss their previous recommendations regarding town centre cleaning on Sundays. The District's towns have become very busy at weekends and now that a new Operations Manager has been appointed Members are of the view that it might be timely to initiate

consultations with the Town Councils in accordance with the Cabinet's previous decision.

The Chairman and Vice-Chairman of the Panel have agreed to raise the question of whether further work will be undertaken on the findings of the Place Survey at the next meeting of the Corporate Plan Working Group.

**62. WORK PLAN STUDIES**

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

**63. LOCAL GOVERNMENT ACT 2000 – FORWARD PLAN**

The Panel has been acquainted with details of the current Forward Plan of Key Decisions. Members have requested sight of items entitled Home Improvement Agency Review – Future Delivery Model Consultation and Homelessness Strategy prior to their consideration by the Cabinet.

**64. SCRUTINY**

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

S J Criswell  
Chairman

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## **Development Management Panel**

**Report of the meetings held on 22nd February and  
15th March 2010**

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### **Matters for Information**

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#### **25. DEVELOPMENT APPLICATIONS**

Over two meetings, the Panel has determined a total of seventeen applications of which eleven were approved and six refused.

The District Council also has been consulted on an outline planning application received by Peterborough City Council for the development of a new township, Great Haddon, which would be located to the south of Hampton Vale between the A15 and the A1 west of the village of Yaxley. Representations on the application were made to the Panel by Ward Councillors, Parish Council representatives, an objector and the agent. During detailed debate on the application, the Panel raised several concerns which related to the proposed closure of the A15 by a bus gate, use of the proposed new secondary school for Yaxley children, use of valuable farm land for further development, the impact of the scheme on Yaxley and other Huntingdonshire communities and the importance of the retention of Yaxley as a separate village.

The Head of Planning Services has been requested to respond formally to the City Council to convey to that Council the concerns raised at the meeting and to discuss issues in respect of the Masterplan, transportation and benefits likely to accrue from the development. The Panel and speakers will continue to be updated on these discussions as they progress.

#### **26. SCHEME OF DELEGATION – DEVELOPMENT MANAGEMENT PANEL**

With effect from 1st October 2009, the Planning Act 2008 introduced a mechanism for local planning authorities to make non-material amendments to an existing planning permission following an application by a person with an interest in the land. In practice, these amendments will constitute "very small changes" to the original application for which consultation with parish councils and neighbours will not be necessary provided the local planning authority is satisfied that the amendment is non-material.

In these circumstances, the Panel has authorised the Head of Planning Services or in his absence, the Planning Service Manager (Development Management) to determine all applications for non-material amendments and further agreed that the Panel's scheme of delegation be adjusted accordingly with immediate effect.

**27. DEVELOPMENT MANAGEMENT PROGRESS REPORT:  
1ST OCTOBER - 31ST DECEMBER 2009**

The Panel has undertaken its regular review of the activities of Development Management services over the period 1st October - 31st December 2009 in comparison with the preceding quarter and the corresponding period in 2008. Whilst noting that quarterly income from planning fees was less than anticipated, the Panel was informed that income levels compare favourably with those of neighbouring authorities and that it was expected that annual income will be close to that envisaged in the final budget.

P G Mitchell  
Chairman

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## **Corporate Governance Panel**

### **Report of the meeting held on 24th March 2010**

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#### **Matters for Decision**

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#### **21. PROPOSED CHANGES TO THE CONSTITUTION**

By reference to a report by the Head of Financial Services (a copy of which is reproduced as an Appendix hereto) and after consideration of proposed changes to the Code of Financial Management and Code of Procurement, the Panel

#### **RECOMMEND**

**that the Council approve the amended Code of Financial Management and Code of Procurement as appended to the report attached.**

#### **22. APPOINTMENT OF CABINET MEMBERS**

By reference to a report by the Head of Democratic and Central Services consideration was given to a proposal by the Structure Review Working Party to amend the Constitution in relation to the power of the Leader. Members of the Council will recall that the proposal was initially drawn to the attention of the Council at its meeting on 17th February 2010 (Minute No. 09/77 of the Council Minutes refer). Whilst the Local Government and Public Involvement in Health Act requires the Council to implement either an elected mayor or an executive leader model at its annual meeting in May 2011, it is being proposed that interim arrangements should be made for the Leader of the Council to be authorised to determine the membership of the Cabinet with effect from May 2010. The Panel therefore

#### **RECOMMEND**

**that the Council approve interim arrangements to move to the 'strong leader' model of leadership and delete the following Council Procedure Rules with effect from the annual meeting of the Council in May 2010:-**

**"1.1 (vii) appoint the Deputy Leader;**

**1.1 (viii) agree the number of members to be appointed to the Cabinet and appoint those members to the Cabinet."**

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## **Matters for Information**

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**23. HOUSING AND COUNCIL TAX BENEFIT FRAUD STRATEGY AND PROSECUTION POLICY**

In noting the increasing levels of fraud detection, sanction and prosecution activity undertaken by the Council, the Panel has approved the content of a revised Benefit Fraud Strategy and Benefit Fraud Prosecution Policy. Additionally, the Panel has authorised staff within the Fraud Team to undertake investigations in the fraud affecting local taxation and housing services and all other District Council services and to report to the relevant Directorate on the outcomes, findings and recommendations arising there-from.

**24. ORGANISATIONAL ASSESSMENT 2008/09**

The Panel has been acquainted with the Council's Organisational Assessment for 2008/09. The Audit Commission has confirmed that the Council has performed well overall, improving in a number of areas that matter to local people.

**25. EXTERNAL AUDITOR'S REPORT:  
CERTIFICATION OF GRANTS CLAIMS 2008/09**

The Panel has received and noted a report from the External Auditor detailing the certification of specific grants received by the Council in 2008/09. No significant issues have been raised in the report.

**26. NATIONAL FRAUD INITIATIVE**

The Panel has received background information to the National Fraud Initiative and the work undertaken by the Council on the resulting potentially fraudulent matches in data provided by the Audit Commission. Results of the data matching exercise indicate that a low number of fraud cases and errors have been identified. These are currently being investigated by the Fraud Team.

**27. RISK REGISTER**

The Panel has been acquainted with changes made to the Risk Register between the period 1st September 2009 to 28th February 2010. A request has been made for specific information on the "very high" residual risks to be included in future reports.

**28. INTERNAL AUDIT SERVICE: INTERIM PROGRESS REPORT**

The Panel has been acquainted with progress by the Internal Audit Service against the Audit Plan for 2009/10 and noted the performance standards achieved.



**29. PROGRESS REPORT ON ISSUES IDENTIFIED IN THE ANNUAL GOVERNANCE STATEMENT AND RISK ASSURANCE**

Progress made to date in respect of the achievement of the action plan supporting the Annual Governance Statement and the Council's improvement plan has been noted by the Panel, together with an overview of the level of assurance provided to the Council for those risks identified within the Risk Register.

**30. MEMBER DEVELOPMENT POLICY**

The Panel has reviewed and endorsed the content of a Member Development Policy.

C J Stephens  
Chairman

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**PROPOSED CHANGES TO THE CONSTITUTION  
(Report by the Head of Financial Services)**

**1 BACKGROUND AND PURPOSE**

- 1.1 The Code of Financial Management and the Code of Procurement are important elements of the Council's Constitution that detail sound governance principles for key activities. It is important that they are "live" documents that adapt to the changing needs of the Council and so they are reviewed each year.
- 1.2 The purpose of this report is to allow the Panel to propose amendments to the Council at its meeting on the 21 April.

**2 CODE OF FINANCIAL MANAGEMENT**

- 2.1 The draft code is attached as Appendix A and includes some minor changes to tidy up the wording as well as some more significant changes outlined below:

**General (section 1.1)**

Extends the requirement for an agreed written report to bodies making recommendations.

**Chief Officer and Heads of Service Responsibilities (section 1.11)**

The list of options that must be considered when an employee leaves have been brought forward from annex B to give them a higher profile and the consideration of opportunities for joint working has been added.

Extra requirement added - to seek improvements in the efficiency of their services.

**Treasury Management (sections 4.3 and 1.5)**

Changes to formalise the responsibility of Overview and Scrutiny, which reports must be considered by Council and other changes to reflect the new CIPFA code and government guidance.

**Payments (section 4.4)**

Extended to reflect the increased use of corporate and procurement cards and importance of obtaining VAT receipts.

**3 CODE OF PROCUREMENT**

- 3.1 The draft code is attached as Appendix B. The amendments are outlined below:

**EU thresholds (Sections 2.1 & 2.2)**

Revised to January 2010 values.

**Best value guidance (Section 5.1)**

Consolidated in one section

**Tender options revised. (Section 6.1)**

New subparagraphs:

- simplified 'rules' for framework contracts
- open and restricted tenders in line with procedures in the EU Procurement Directive. In the 'open' procedure the competition is open to any contractor who expresses an interest whereas the in the restricted procedure invitations to tender are 'restricted' to shortlisted contractors.

### **Selection criteria (Sections 6.3 & 6.4)**

Selection criteria have been separated from evaluation criteria in line with the EU Procurement Directive. The logic is that selection criteria (features of the contractor: H&S, financial viability, equalities, capability, references, etc) removes unfit or incapable contractors whereas evaluation criteria (features of the offer: cost, performance, service levels, delivery etc) determines the best offer when compared with the requirement.

### **Lists of approved tenderers (Section 7)**

The instructions have been revised and simplified

### **e-marketplace (various sections)**

Whilst the e-marketplace is a major change to procurement practice the impact on the Code of Procurement is quite small because it operates within existing procedures. There are 3 modest amendments needed to incorporate the e-marketplace:

- Add the e-marketplace as the method for ordering.
- Task the Procurement Manager with making adopted catalogues and frameworks available through the e-marketplace. Requiring Heads of Service to ensure use of such adopted catalogues and frameworks through the e-marketplace.
- Including the e-marketplace as an authorised means of inviting and receiving tenders and quotes.

## **4 RECOMMENDATION**

4.1 The Panel is asked to recommend the revised Codes to the Council.

### **ACCESS TO INFORMATION ACT 1985**

Current Codes of Financial Management and Procurement

#### **Contact Officers:**

<b>Steve Couper,</b>	Head of Financial Services	<b>☎ 01480 388103</b>
<b>Nigel Arkle,</b>	Procurement Manager	<b>☎ 01480 388104</b>

Huntingdonshire District Council

# **CODE OF FINANCIAL MANAGEMENT**

**DRAFT 2010**

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## **1. FINANCIAL RESPONSIBILITIES**

### **1.1 General**

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

### **1.2 The Council**

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

Will approve the Council's Treasury Management Strategy.

### **1.3 The Corporate Governance Panel**

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

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

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

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

Will consider the external auditor's annual management letter.

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

### **1.4 The Cabinet**

Will propose to the Council:

- the Financial Strategy
- the MTP
- the annual budget and council tax level
- the a combined annual Treasury Management Strategy, Treasury Management Policy and Prudential Indicators,

after appropriate consultation, which will include the appropriate Overview and Scrutiny Panel and. representatives of the business community.

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

1.5 **Overview and Scrutiny Panels**

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

1.6 **Panels, Working Groups or Committees**

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

1.7 **Members and Employees**

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

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

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

Any employee who becomes involved in a transaction between the Council and a third party in which he/she has an interest shall obtain advice from the Monitoring Officer as to whether decisions on this transaction shall be taken by another employee.

1.8 **The Head of Law, Property and Governance, as Monitoring Officer** or, in his/her absence, the Deputy Monitoring Officer

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

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

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

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



the Local Government Act 1972, section 114 of the Local Government Act 1988 and the Accounts and Audit Regulations).

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

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

#### 1.10 **The Head of Financial Services**

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

#### 1.11 **Chief Officers and Heads of Service**

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

The Manager responsible for a budget:

- may incur financial commitments and liabilities in accordance with this Code, the Council's Scheme of Delegation and resources allocated in budgets that have been released subject to Annex B. In particular they may make purchases of goods and services, subject to the requirements of the Code of Procurement, and employ staff, in accordance with the Officer Employment Procedure Rules. They will normally delegate appropriate elements of this responsibility to members of their staff. Annex B deals with the implications of the turnover contingency and includes the requirement that, when an employee leaves, the Head of Service to determine whether:
  - the post is kept vacant for a period before a decision is made,
  - the post can be deleted,
  - a restructuring should be proposed,
  - joint working with another body should be considered
  - the post should be filled at the end of a defined period,
  - it should be filled as soon as possible,
  - it should be filled as soon as possible and temporary employees or consultants are engaged to provide cover in the meantime.
- will be responsible for regular and effective monitoring and forecasting of the financial position relating to their services.
- will be responsible for proper financial and resource management and the prevention of fraud and corruption within the services and functions under their control.
- will determine the inherent risks, within their services, to the achievement of the Council's priorities and establish, maintain and document adequate systems of risk management and internal control, in consultation with the Internal Audit Service, and ensure that relevant employees or Members are familiar with such systems.

- will be responsible for providing in a timely manner, the information necessary to ensure that the final accounts can be completed by the statutory deadlines.
- will be responsible for annually reviewing their services to identify any aspects where surplus capacity could be utilised to reduce the net cost of the Council's services. All identified opportunities shall be introduced unless Cabinet or both the Executive Councillor for Finance and of the relevant service consider it would not be appropriate.
- will be responsible for seeking improvements in the efficiency of their services.
- will be responsible for identifying opportunities and then bidding for grants or contributions from other bodies to support the achievement of the Council and Community objectives through their services.
- will be responsible for maximising the income from fees and charges relating to their service in accordance with Annex C.

#### **1.12 Internal Audit**

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

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

## **2. FINANCIAL AND SERVICE PLANNING**

### **2.1 In the Summer - Overall Review**

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

### **2.2 In the Autumn - Financial Strategy**

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

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

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

## 2.4 In the Spring - Service Financial Plans

Following approval of the annual budget each Head of Service shall update their Service Plan(s) to reflect the approved budget and how the resources allocated will be used to meet service objectives in the forthcoming year.

## 3. CONTROLLING FINANCIAL PLANS

### 3.1 Financial Monitoring

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

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

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

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

### 3.2 Commitments to Expenditure in Future Years

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

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

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

### 3.3 Grants, Cost Sharing and S106 agreements

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

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

A Head of Service may utilise sums of money received under S106, or equivalent, agreements where there is no discretion. The Head of Financial Services should be informed of the details.

#### **3.4 Approvals for additional spending with a net impact**

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

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

#### **3.5 Approvals for additional spending with compensating savings**

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

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

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

#### **3.6 Budget Transfers**

The Council has five main types of budgets:

- **Service Revenue Budgets**  
Service budgets relate to the provision of services directly to the public and are defined as the lowest level included in the report to Council when the budget is approved. They include depreciation relating to capital assets and recharges from Management Units and Overhead Budgets.
- **Capital Scheme Budgets**  
These provide the funding to complete a defined capital project and are likely to include some recharges from Management Units and Overhead Budgets. When the project is completed a charge for depreciation is made to the appropriate Service Revenue Budget.
- **Management Unit Budgets**  
Management Unit budgets collect together the costs of employees, and their ancillary costs that relate to supporting services, before they are recharged to service budgets or overhead budgets based on the degree of benefit that is being received.
- **Overhead Budgets**  
Overhead budgets collect together a relevant portion of management unit costs together with other related costs before they are recharged

based on the degree of benefit that is being received. Examples include the costs of office provision or of the Printing Service.

- **Technical Budgets**  
These include items such as interest on investments, the reversal of depreciation charges and the Minimum Revenue Provision and will not be available for transfer to other budgets except in meeting the specific purpose for which they were established.

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

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

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

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

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

- Consistent with increasing, or at least maintaining the achievement of service objectives and compatible with the Council's Financial and other relevant Strategies.
- Not to or from a Technical Budget or a recharge or from a pay, NI or pension contributions budget unless permitted by Annexes A or B.
- Not from capital to revenue
- Supported by their Chief Officer
- Notified to the Head of Financial Services
- Within the following limits if between budgets (there shall be no financial limits within a budget):
  - Revenue to revenue £60k
  - Revenue to capital £60k
  - Capital to capital £60k

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

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

- Revenue to revenue £120k

- Revenue to capital £120k
- Capital to capital £120k

**Cabinet** may approve budget transfers of up to:

- Revenue to revenue £300k
- Revenue to capital £300k
- Capital to capital £300k

In all cases, any previous transfers in the same financial year relating to those budgets shall be aggregated for determining whether the limit has been exceeded, however once the impact of any approval has been included in a relevant financial report to Council, the Cabinet's limit will be re-set.

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

### 3.7 **Re-phasing of Expenditure**

The re-phasing of expenditure and consequent transfer of budget between years may be made by the relevant Head of Service, following consultation with the Head of Financial Services, providing that it is consistent with service objectives and compatible with the Council's Financial and other relevant Strategies. Revenue expenditure will only, normally, be rephased to later years if it relates to a specific project with identified funding in the current year that has been delayed for reasons outside of the control of the relevant Head of Service. The amount is further limited by the net underspending on that Head of Service's relevant budget(s) in the current year.

### 3.8 **Price Changes**

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

### 3.9 **Project Appraisals**

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

## 4. **CASH AND CREDIT MANAGEMENT**

### 4.1 **Banking**

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

#### 4.2 **Income**

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

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

#### 4.3 **Treasury Management**

All Treasury Management activities will be undertaken in accordance with the Council's annual Treasury Management Strategy, which includes its policies, objectives, approach to risk management and its prudential indicators. The Strategy will comply with the Code of Practice for Treasury Management and the Prudential Code for Capital Finance,, both published by the Chartered Institute of Public Finance and Accountancy (CIPFA), and reflect any published Government advice..

The Council shall have overall responsibility for Treasury Management and will formally approve the annual Treasury Management Strategy and receive an annual and mid-year report on treasury management activities.

The Cabinet will be responsible for the implementation and regular monitoring of treasury management activity and the Treasury Management Advisory Group (previously CRAG), which consists of three Cabinet members will act as an informal liaison group with the officers responsible for treasury management.

The Overview and Scrutiny (Economic Well-being) Panel will be responsible for the scrutiny of treasury management.

The execution and administration of treasury management is delegated to the Head of Financial Services who will establish treasury management practices for the operation of the function which will ensure compliance with the Strategy and create appropriate systems of monitoring and control.

#### 4.4 **Payments**

Payments due to external suppliers of goods and services must be made either:

- through the Council's purchase ledger system with payments being made direct to the supplier's bank account wherever this is practicable.
- by corporate card or procurement card
- by direct debits or standing orders

in each case complying fully with the relevant procedures for that system, particularly the requirement to obtain official VAT receipts, as determined by the Head of Financial Services.

## **5. ACCOUNTING PROCEDURES**

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

### **5.2 Statement of Accounts**

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

### **5.3 Records**

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

### **5.4 Retention of Documents**

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

### **5.5 Contingent Assets and Liabilities**

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

### **5.6 Stock**

The Head of Financial Services shall determine, after consultation with the relevant Head of Service, when Stock accounts shall be maintained. This will normally be where the value of the items are significant or the items are considered to be vulnerable to loss or theft.

In such cases the relevant Head of Service shall ensure that a certified stock-take is carried out in the last week of March each year, and that records of receipt and issue of all stock are maintained throughout the year in a manner agreed with the Head of Financial Services.

### **5.7 Insurance**

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

### **5.8 Write-off of Irrecoverable Debts**

The Head of Customer Services, or in his/her absence the Head of Financial Services, is authorised to write-off debts with an individual value of up to £5,000, or of a greater amount after consultation with the Executive Councillor



responsible for finance, having taken appropriate steps to satisfy himself/herself that the debts are irrecoverable or cannot be recovered without incurring disproportionate costs.

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

## **6. ASSETS**

### **6.1 Definition**

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

### **6.2 Control of Assets**

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

### **6.3 Ongoing Review**

The Head of Law, Property and Governance will lead a working group of officers that will maintain an ongoing review of the management, control and recording of assets.

### **6.4 Acquisition**

The purchase of assets must be in accordance with the procedures specified in the Council's Code of Procurement, having regard to the value of the asset, and follow taking advice from relevant specialist colleagues in appropriate cases e.g. IT, vehicle management, legal, procurement.

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

### **6.5 Disposal**

The sale of assets must be in accordance with the procedures specified in the Council's Code of Procurement, having regard to the current value of the asset, and follow taking advice from relevant specialist colleagues in appropriate cases e.g. IT, vehicle management, legal, procurement.

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

### **6.6 Capital Expenditure**

The purchase or improvement of any asset will normally be treated as capital expenditure. However, expenditure of less than £10,000, or £5,000 in the

case of vehicles, plant and equipment, will not normally be treated as capital expenditure unless the Head of Financial Services considers it is in the Council's interests to do so.

6.7 **Leases**

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

6.8 **Valuations**

In order to comply with accounting requirements assets will be re-valued at five yearly intervals by an appropriately qualified person according to the type of asset. Interim valuations or updating by reference to a suitable index will be necessary in the intervening years.

## **TECHNICAL BUDGETS**

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

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

**BUDGETS FOR PAY**  
**(Pay is deemed to include, NI and**  
**Pension Contributions for the purpose of this annex)**

1. The Council does not provide for a 100% of the costs of its employees. This is because experience shows that it is generally impossible to avoid gaps when people leave and are replaced. It is also common for the new employees to be on a lower point in the grade than the person who left.
2. Obviously it is unlikely that each pay budget will be equally affected in any particular year and therefore, to simplify budget monitoring, each pay budget includes 100% of employee costs but there is a negative, centrally held, contingency that represents the saving that the Council's overall budget is based on.
3. Therefore no use of savings, virement or rephasing relating to a pay budget, whether temporary or permanent, will be permitted unless this annex is complied with.

**Employees Leaving**

4. In order to maximise the likelihood of achieving this saving a Head of Service must, whenever an employee gives their notice, determine whether:
  - a. the post is kept vacant for a period before a decision is made,
  - b. the post can be deleted,
  - c. a restructuring should be proposed,
  - d. joint working with another body should be considered
  - e. the post should be filled at the end of a defined period,
  - f. it should be filled as soon as possible,
  - g. it should be filled as soon as possible and temporary employees or consultants are engaged to provide cover in the meantime.
5. In deciding on which option to take the Head of Service should take appropriate HR and financial advice. The decision must include consideration of any need for temporary or permanent regradings, acting up allowances, honoraria, employees or consultants. Allowance must also be made for an appropriate saving, to help achieve the contingency budget, as determined by the Head of Financial Services.
6. Heads of Service will also need to liaise with HR to arrange recruitment advertising and ensure that the recruitment arrangements comply with the process agreed by Employment Panel.

**Other Adjustments and Virement**

7. If any other proposal is made to transfer (in accordance with paragraph 3.6) or rephrase (in accordance with paragraph 3.7) a pay budget, a budget reduction, as determined by the Head of Financial Services, shall be made in order to allow the contingency budget to be reduced.

**Exceptions**

8. If the Head of Service can demonstrate to their Director the **critical** nature of maintaining immediate service cover in certain key work areas then the

requirements of paragraph 4 above will not apply and the saving/budget reduction may be reduced or nil. Examples where this might apply would be if vacancies would result in insufficient employees with the necessary abilities or skills to run refuse rounds or to safely open swimming pools. Agency, or equivalent employees, must be available with the necessary skills and/or abilities.

9. If the Head of Service can demonstrate that a critical backlog of work has resulted from continuing vacancies such that the service to the public is seriously compromised or net additional costs would become unavoidable the saving/budget reduction may be reduced. Examples where this might apply would be dealing with benefit applications or collecting council tax income. Agency, or equivalent employees, must be available with the necessary skills and/or abilities.

## MAXIMISING INCOME FROM FEES AND CHARGES

### The Manager responsible for a budget is:

- responsible for annually reviewing their services to identify any aspects that are not currently, but could be charged for. Charges for such aspects shall be introduced unless Cabinet **or** both the Executive Councillor for Finance and of the relevant service consider it would not be appropriate.
- responsible for reviewing and varying fees and charges at least annually for services under their control, after consultation with the relevant Executive Councillor(s) and the Chairman of any relevant Panel. In doing so, they:
  - shall ensure that relevant legislation that specifies the charges to be made or constrains them in any way is complied with.
  - shall, after having regard to the charges of any alternative service providers with whom the Council is competing, seek to maximise income, net of applicable costs, unless it will have a clearly detrimental impact on the achievement of the Council or Community objectives.
  - may introduce differential pricing to particular client groups where these are expected to stimulate demand and generate additional net income which would otherwise not be obtained.
  - may set prices lower than could be reasonably achieved if this is demonstrably the most cost effective way of achieving Council or Community objectives and the necessary funding is available. Use of this option requires approval of Cabinet **or** both the Executive Councillor for Finance and of the relevant service.
  - may set fees and charges that allow an element of discretion if it can be demonstrated that this will lead to an overall benefit to the Council. It is important that any use of discretion is recorded so that it can be clearly shown that decisions have been made fairly and consistently.
  - shall keep appropriate records to demonstrate that the required actions have been undertaken and how the decisions were reached.

**Huntingdonshire District Council**

**CODE OF  
PROCUREMENT**

**DRAFT 2010**

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## 1. INTRODUCTION

- 1.1 The Code of Procurement defines the regulatory and legal framework for procurement. It has been adopted in accordance with the requirements of Section 135 (2) of the Local Government Act 1972.
- 1.2 This Code applies to the procurement, commissioning, hire, rental or lease of –
- ◆ land and buildings, roads or other infrastructure;
  - ◆ vehicles or plant;
  - ◆ equipment, furniture and fittings;
  - ◆ construction and engineering works;
  - ◆ information and communication technology - hardware and software;
  - ◆ goods, materials and services;
  - ◆ repairs and maintenance; and
  - ◆ consultants, agents and professional services.
- 1.3 This Code does not apply to purchases made from internal management units.
- 1.4 The Code applies also to the sale of assets and goods by the Council where the appropriate Head of Service estimates that the assets, goods or services to be sold exceed £1,000. Where the value is estimated to be less than £1,000 then the 'Sale of Equipment' procedures contained within the Inventory procedures shall be followed.
- 1.5 The Council includes the Cabinet, panels, committees or other body or person(s) acting in accordance with delegated authority on behalf of the Council.
- 1.6 All procurements or sales made by or on behalf of the Council shall comply with this Code, subject to any overriding requirements of the Council's Rules of Procedure and Code of Financial Management and British or European Union law or regulation.
- 1.7 Throughout the Code, reference to contractor(s) or sub-contractor(s) shall mean any person, company or supplier who has –
- ◆ requested to be on an approved or ad-hoc approved list of tenderers;
  - ◆ been approached to provide a quotation or tender;
  - ◆ provided a quotation or tender; or
  - ◆ been awarded a contract in accordance with the provisions of this Code.
- 1.8 The Head of Financial Services shall annually review all the financial values contained in the Code to take account of the impact of inflation. The Head of Financial Services shall inform all Heads of Service of any amendments to the values prior to the 1st April from which they shall be operative.

## 2. REPORTING PROCEDURES AND EU COMPLIANCE

- 2.1 EU Procurement Directives require the Council, to report procurements likely to exceed EU thresholds, both at the start of the year and on an ad-hoc basis as new or changed requirements arise. The EU thresholds are:

Threshold	Supplies	Services	Works
£ (Euros)	£ 156,442 (€193,000)	£ 156,442 (€193,000)	£ 3,927,260 (€ 4,845,000)

(Thresholds as at 1 Jan 10)

## 2.2 Financial Year Start Reporting

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

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

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

Threshold	Supplies	Services	Works
£ (Euros)	£ 607,935 (€750,000)	£ 607,935 (€750,0000)	£ 3,927,260 (€ 4,845,000)

(Thresholds as at 1 Jan 10)

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

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

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

## 2.3 Through Year Reporting

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

## 2.4 End of Year Reporting

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

- ◆ Common Procurement Vocabulary (CPV) code. The CPV is a standardised single classification system for public procurement to identify the subject of a contract and is detailed on the OJEU notice;
- ◆ Service Provider (contractor) Nationality;
- ◆ Award Procedure (from the OJEU notice); and

- ◆ Justifications if Negotiated procedure;
- ◆ Value.

### **3. CONTRACTS REGISTER**

3.1 Heads of Service shall keep a record, using the Contracts register, of -

- ◆ all tenders and quotes (greater than £10K);
- ◆ the reasons (if appropriate) for not advertising on the Council's Latest Opportunities Internet site;
- ◆ all those contractors that were requested to quote or tender;
- ◆ the reasons why those particular contractors were selected to quote or tender;
- ◆ if applicable, the reasons why less than three contractors were selected to quote or tender;
- ◆ contract renewal date (if appropriate); and
- ◆ file or other reference to the contract and location of the hard copy.

### **4. METHODS OF ORDERING**

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

- ◆ An order raised on the e-marketplace.
- ◆ A Procurement Card Order.
- ◆ A Manual Purchase Order.

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

### **5. 'BEST VALUE' AND SOURCING POLICY**

5.1 The Council seeks 'Best Value' in all procurement activity. 'Best Value' being:

- ◆ The opportunity to obtain leverage (better prices and service) for volume.
- ◆ Regulatory compliance.
- ◆ Transparent and efficient procurement processes.
- ◆ Appropriate social, environmental and equality outcomes.
- ◆ Minimum procurement overhead.

5.2 Sourcing policy is determined by the needs of 'Best Value' and in order of preference is:

- (a) Adopted catalogues or framework contracts. An adopted catalogue or framework is the preferred contract for the Council's business within a defined category (a type or group of goods or services). The Procurement Manager shall make available adopted catalogues or framework contracts on the e-marketplace or publish details of the contract or framework in Procurement Protocols & Guidelines. Heads of Service shall ensure that orders for such categories are placed through the e-marketplace using appropriate 'adopted' catalogue or framework contract. The Procurement Manager shall keep under review the continued suitability of any such catalogues, contracts or framework agreements.

- (b) Collaborative procurements with other public bodies or authorities.
  - (c) Council let corporate contracts.
- 5.2 Some categories are managed corporately by specialist areas. The Procurement Manager shall provide a list of specialist categories and Heads of Services shall ensure all requirements for such categories are referred to the relevant specialist.
- 5.3 Any procurement estimated to exceed £30,000, which is not covered by the exceptions in paragraph 5.8 below, must be referred to the Procurement Manager before the procurement process is commenced. The discussion will cover:
- ◆ Scope and objectives of the procurement;
  - ◆ Budget and costing;
  - ◆ Tender methods;
  - ◆ Product and market information;
  - ◆ Timescales; and
  - ◆ Deliverables.
- 5.4 Staff involved in procurements are encouraged to think ahead and seek the advice of the Procurement Manager at an early stage.
- 5.5 Where there is no adopted contract or framework, Heads of Service shall, wherever practicable, seek to maximise contract values with other Heads of Service to secure lower costs. The Council nevertheless wishes to balance the effort of going to the market with the effort and efficiency of the procurement process. Heads of Service after determining the proposed contract's total value shall then follow one of the procurement procedures detailed below. These procedures shall be used in all procurements or sales bar those exceptions at paragraph 5.8.

<b>Estimated Total Value of Procurement</b>	<b>Requirement</b>
Up to £5,000	Estimates or offers shall be obtained and recorded to ensure the Head of Service has obtained Best Value. Staff are encouraged to obtain competitive quotations (e-marketplace, email, web or paper) where this is practical.
£5,001 to £30,000	At least 3 quotations or offers shall be invited, unless the Head of Service has complied in full with paragraph 6.1e of this Code.
£30,001 to European Union Procurement Threshold	Competitive tenders shall be obtained using one of the tendering options in this Code, and a formal written contract prepared in accordance with paragraph 11.2.
Above the EU Threshold specified below	The appropriate EU procurement directive shall be complied with.

5.6 Total value is the cost of all elements of the procurement (eg: installation, testing, training, maintenance, etc). The Head of Service shall ensure that a procurement is not split or otherwise disaggregated. Regard should be had to the value of follow on work that may result from an initial phase of work.

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

- The selection process they are using is fair and equitable, and that no favouritism is shown to any one contractor (eg the requirement is not an extract of a contractor's product specification).
- Checks are made to ensure that contractors are interested in this type of business.
- Repeat or 'automatic' invitations to the 'same' contractor or group of contractors are avoided, particularly where previously invited to bid and had failed to do so.
- Competition is stimulated by seeking out new suppliers from within and outside of the district.
- Tender requirements are not excessively restrictive and specifications are not excessive.
- 'No-bids' are checked for the reasons for a contractor's failure to bid.

#### 5.8 **Exceptions**

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

- (a) for purchases made from a Purchasing Agent (ESPO, OGC Buying Solutions)
  - ◆ where there is a single supplier 'call-off contract' or catalogue created with fixed prices, or
  - ◆ where the contract is created to our requirements, or
  - ◆ where there is a multi-supplier framework and further competition has been undertaken through competitive quotes.
- (b) for purchases through local authority, government body or agency, police, health or other similar public authority, where the procurement rules of that organisation have been approved by the Procurement Manager and the contract is created in co-operation, agreed joint requirements or partnership.
- (c) for purchases made at public auction;
- (d) where the relevant Director or Head of Service –
  - ◆ considers that the work is of an emergency nature or is necessary to enable the service to continue; or
  - ◆ with the Head of Financial Services' agreement, considers that it is in the Council's best interest in negotiating a further contract for works, supplies or services of a similar nature with a contractor who is currently undertaking such work. The relevant Director or Head of Service shall report details of all work awarded to the

Director of Central Services who shall make a record in a register kept for that purpose; and to the next meeting of the Cabinet.

## 6. TENDER AND FORMAL QUOTATION PROCEDURES

### 6.1 Tendering and Formal Quotation Options

Heads of Service shall select one of the following procedures. If any alternative procedure is proposed then approval of the Cabinet is required before the proposed procedure is followed. In selecting contractors to invite to tender Heads of Service shall comply with paragraph 5.7.

Option	Requirement
(a) <b>Framework</b>	All contractors on the framework (or lot if split into lots) shall be invited to tender/quote. No public notice is required and general Terms & Conditions are set in the original framework contract but additional Terms & Conditions specific to the requirement may be permitted. Vetting (paragraph 6.3) is not normally required as the contractor was vetted as part of the original framework competition.
(b) <b>List of Approved Tenderers</b>	Tenders shall be invited from at least three contractors selected from an approved list established in accordance with paragraph 7 of this Code. Vetting (paragraph 6.3) is not normally required as the contractor was vetted to join the list.
(c) <b>Open Tenders and Quotations</b>	<p>Public notice shall be given in one or more newspapers and/or in an appropriate trade journal. The notice shall state the nature and purpose of the contract, where further information and documentation can be obtained, and state the closing date for the process. Where the Head of Service is satisfied that Expressions of Interest received from a Contracts Register Notice represent contractors with genuine interest and capacity, then no further public notice is required.</p> <p>An Invitation to Tender (ITT) or Request to Quote (RFQ) is sent to all contractors expressing an interest. All ITTs and RFQs shall include an appropriate questionnaire to permit</p> <p>vetting of contractors in accordance with paragraph 6.3 of this Code.</p>
(d) <b>Restricted Tenders &amp; Quotations</b>	The requirement to advertise is the same as paragraph 6.1 (c) above. ITTs or RFQs are <i>restricted</i> to a shortlist of contractors selected after vetting in accordance with paragraph 6.3 of this Code

<p><b>(e) Single Tenders / Quotations</b></p>	<p>A Head of Service after consulting the Director of Central Services may obtain a single tender (or quotation – see paragraph 6.1 above) when:</p> <ul style="list-style-type: none"> <li>• Prices are wholly controlled by trade organisations or government order and no reasonably satisfactory alternative is available.</li> <li>• Work to be executed or goods, services or materials to be supplied consist of repairs to or the supply of parts of existing proprietary machinery, equipment, hardware or plant and the repairs or the supply of parts cannot be carried out practicably by alternative contractors.</li> <li>• Specialist consultants, agents or professional advisers are required and <ul style="list-style-type: none"> <li>• there is no satisfactory alternative; or</li> <li>• evidence indicates that there is likely to be no genuine competition; or</li> <li>• it is in the Council's best interest to engage a particular consultant, agent or adviser.</li> <li>• Products are sold at a fixed price, and market conditions make genuine competition impossible.</li> </ul> </li> <li>• The proposed contract shall form part of a serial programme. The contract terms shall be negotiated with a contractor, using as a basis for negotiation the rates and prices contained in an initial contract that was awarded following a competitive tendering process that complied with this Code. No more than two serial contracts shall be negotiated from an initial contract</li> <li>• No satisfactory alternative is available. If the Single Tender option is used, the Head of Service shall: <ul style="list-style-type: none"> <li>• notify the Director of Central Services who shall make a record in a register kept for that purpose;</li> <li>• retain records that demonstrate that the best price or value for money has been obtained from the negotiations with the contractor.</li> </ul> </li> </ul>
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**6.2 Invitations To Tenders and Requests for Quotations**

Heads of Service shall ensure that all ITTs and RFQs include;

- (a) approved contract terms in accordance with paragraph 11.2 of this Code;
- (b) a statement regarding Freedom of Information Act 2000 (FOIA) compliance:

“All information supplied to the Authority will be subject to the provisions of the Freedom of Information Act 2000 and as such may be disclosed by the Authority when required to do so under the Act. When such disclosure is

necessary the Authority shall use reasonable endeavours to consult with the provider of the information prior to disclosure”.

### 6.3 Selection Criteria

- (a) The Head of Service shall undertake sufficient vetting to ensure that all contractors –
- ◆ comply with minimum standards of Insurance;
  - ◆ have the necessary Health & Safety policy and performance and (where applicable) membership of the Contractor's Health and Safety Scheme or equivalent health and safety standard;
  - ◆ are financial viability based on a risk based assessment;
  - ◆ have an appropriate environmental policy;
  - ◆ comply with equalities legislation and policy; and
  - ◆ possess the experience and capacity required.
- (b) The procurement manager shall provide an appropriate questionnaire for the purpose of vetting contractors.

### 6.4 Evaluation Criteria

Except to the extent that the Cabinet in a particular case or specified categories of contract otherwise decides, all formal quotations or tenders that are being sought shall:

- (a) be based on a definite written specification, which shall include environmental performance (where relevant to the requirement) including:
- ◆ low energy and water consumption.
  - ◆ elimination of substances hazardous to health and the environment.
- (b) include award criteria, which if it is not to be the lowest price, shall be agreed by the appropriate Director;
- (c) include specific weightings applied to individual award criteria.
- (d) if appropriate, include a requirement for a performance bond and liquidated damages.

### 6.5 Non-Traditional Procurement

If a Head of Service believes that by following one of the procurement procedures detailed in paragraph 5.5 above, that the procurement process will not provide him with the most appropriate method of service delivery, the most competitive prices, allow for continuous improvements in service delivery, or stifle procurement innovation, then he may suggest alternative procurement strategies.

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

## 7. LISTS OF APPROVED TENDERERS

- 7.1 The Council uses 2 types of list of approved contractors:



- (a) Third party vetted lists of contractors that are compiled and maintained by an external organisation. Only external organisations approved by the Director of Central Services, after consultation with the Head of Financial Service and the other relevant Heads of Service shall be adopted. The Procurement Manager shall ensure that the external organisation and approved list of contractors is detailed in Procurement Protocols & Guidelines.
- (b) If a Head of Service believes that the approved list of tenders does not allow him to obtain sufficient competition for 'Best Value', the Head of Service shall write to the Director of Central Services and copied to the Head of Financial Services seeking approval to source additional contractors or create an ad-hoc list of approved tenderers.

7.2 Subject to approval as required in paragraph 7.1(b) the Head of Service shall:

- ◆ issue a public notice inviting applications for inclusion on a specific approved list for the supply of goods, services or materials.
- ◆ vet (as detailed at paragraph 6.3) all contractors replying to the public notice or who have requested within the previous 12 months to be considered for work of a similar nature;
- ◆ only include contractors satisfactorily completing the checks;
- ◆ ensure the ad-hoc list shall only be used for seeking tenders for the supply of goods, services or materials specifically detailed within the original public notice;

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

## **8. SUB-CONTRACTS AND NOMINATED SUPPLIERS**

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

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

## **9. RECEIPT AND OPENING OF TENDERS AND QUOTATIONS**

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

- ◆ contained in a plain envelope which shall be securely sealed and shall bear the word "Tender" or "Quotation", the Unique Reference Number (URN) from the Contract Register followed by the subject to which it relates; or
- ◆ the tender or quotation has been received via the e-marketplace 'sealed quote' facility; or
- ◆ it has been sent electronically to a specific e-mail address, which the appropriate Head of Service shall obtain from the Head of Information Management.

- 9.2 Further to paragraph 9.1 above –
- ◆ the envelope shall not bear any distinguishing matter or mark intended to indicate the identity of the sender. Contractors shall be notified accordingly. Such envelope shall be addressed impersonally to the Head of Democratic and Central Services if it contains a “Tender” or the appropriate Head of Service if it contains a “Quotation”; and
  - ◆ the Head of Information Technology shall ensure that the e-mail address is secure and can only be accessed by the Director of Central Services or officers specifically appointed by him.
- 9.3 All envelopes or e-mails received shall be kept securely and shall not be opened or accessed until the time appointed for their opening.
- 9.4 All tenders or quotations invited in accordance with this Code shall be opened at one time only and by at least two officers –
- ◆ tenders shall be opened by officers nominated by the Director of Central Services and by the appropriate Head of Service. The Head of Financial Services shall be notified of the time and place appointed for the opening; and
  - ◆ quotations shall be opened by the appropriate Head of Service and/or his nominee(s).
- 9.5 All tenders or quotations upon opening shall be recorded in writing on either a tender or quotation opening record, as is appropriate. The format of the opening record shall have been previously agreed with the Director of Central Services and Head of Financial Services. The Form of Tender or Quotation and any accompanying documentation shall be marked with the date of opening, and signed by all officers present at the opening. The tender or quotation opening record shall be signed by at least two officers present at the opening.
- 9.6 The original opening record shall be retained by the Head of Democratic and Central Services in respect of tenders, and the relevant Head of Service in respect of quotations.
- 9.7 Any tenders or quotations received after the specified time shall be returned promptly to the contractor by the Head of Democratic and Central Services or his nominated officer in respect of tenders, or by the appropriate Head of Service or his nominated officer in respect of a quotation. The tender or quotation may be opened to ascertain the name of the contractor but no details of the tender or quotation shall be disclosed.
- 10. ACCEPTANCE OF TENDERS AND QUOTATIONS**
- 10.1 The appropriate Head of Service shall evaluate all the tenders or quotations received in accordance with the award criteria set out in the bid documentation and shall accept, subject to the provisos set out in this paragraph, either –
- ◆ the lowest priced tender or quotation; or
  - ◆ the most economically advantageous tender or quotation, as evaluated against the award criteria.
- 10.2 Tenders or quotations exceeding the approved estimate may only be accepted once approval to further expenditure is obtained.

- 10.3 If the lowest priced, or most economically advantageous exceeds £30,000 –
- ◆ but is within 15% of the original estimate, the appropriate Head of Service may accept the quotation without seeking further competition; and
  - ◆ is in excess of 15% of the original estimate then a competitive tender exercise in accordance with paragraph 6.3 above shall be carried out, unless the appropriate Head of Service has consulted and obtained the approval of the Director of Central Services and relevant executive councillor that the quotation can be accepted.

10.4 A tender or quotation shall not be accepted -

(a) where payment is to be made by the Council and –

- ◆ it is not the lowest priced tender or quotation, or
- ◆ the most economically advantageous tender or quotation in accordance with the award criteria set out in the tender or quotation documentation; or

(b) if payment is to be received by the Council and the tender or quotation is not the highest price or value;

(c) unless –

- ◆ the Cabinet have considered a written report from the appropriate Head of Service, or
- ◆ in cases of urgency, the Director of Central Services has consulted and obtained the approval of the relevant executive councillor. Tenders or quotations accepted in this way shall be reported by the appropriate Head of Service to the next meeting of the Cabinet.

10.5 Where post-tender negotiations have been undertaken in accordance with paragraph 10.6 below, the appropriate Head of Service shall only accept the lowest priced tender received. A tender other than the lowest shall not be accepted until the Cabinet have considered a written report from the appropriate Head of Service, and recommended acceptance of a tender other than the lowest.

10.6. Arithmetical Errors and Post-Tender Negotiations

Contractors can alter their tenders or quotations after the date specified for their receipt but before the acceptance of the tender or quotation, where examination of the tender or quotation documents reveals arithmetical errors or discrepancies which affect the tender or quotation figure. The contractor shall be given details of all such errors or discrepancies and afforded an opportunity of confirming, amending or withdrawing his offer.

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

All post-tender negotiations shall –

- ◆ only be undertaken where permitted by law and where the appropriate Head of Service, Head of Legal and Estates and Head of Financial Services consider additional financial or other benefits may be obtained

which over the period of the contract shall exceed the cost of the post-tender negotiation process;

- ◆ be conducted by a team of officers approved in writing by the appropriate Head of Service, Director of Central Services and Head of Financial Services;
- ◆ be conducted in accordance with guidance issued by the Director of Central Services; and
- ◆ not disclose commercially sensitive information supplied by other bidders for the contract.

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

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

## **11. TERMS OF BUSINESS AND THE FORM OF CONTRACTS**

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

- ◆ Any contract where the estimated total value is likely to exceed £30,000, paragraph 11.2 shall apply.
- ◆ Any framework or contract formally adopted by the Council.
- ◆ Purchasing Agency (eg ESPO, OGC BuyingSolutions) arranged contracts and orders.
- ◆ Orders of a total value of less than £ 5,000 where the goods or service are purchased on a 'retail' basis on terms available to the general public.
- ◆ Orders for software where the licence is for 'standard' product but not where customisation, development or on-site service is required for the 'standard' product.

11.2 Every contract that exceeds £30,000 in value shall be in writing in a form approved by the Head of Legal and Estates who shall also determine the format of any contract for a lesser value. Heads of Section shall ensure that advice of the Head of Legal and Estates is sought at a stage as early as practicable (normally before the issue of an Invitation to Tender).

11.3 In the case of any contract for the execution of works or for the supply of goods, services or materials, the Head of Service after consulting with the Head of Financial Services and the Head of Legal and Estates shall consider whether the Council should require security for its due performance and shall either certify that no such security is necessary or shall specify in the specification of tender the nature and amount of the security to be given. In the latter event, the Council shall require and take a bond or other sufficient security for the due performance of the contract.

- 11.4 Heads of Service shall produce the final version of all contracts in 2 copies and present both to the Authorised Officer for signature. Once signed by the contractor, the signed contract, all original documents, including specifications, drawings, tender documents and correspondence relating to a contract exceeding a total value of £30,000 shall be forwarded by the Head of Legal and Estates. Where the total value of the contract is less than £30,000 the relevant Head of Services shall make arrangements for the retention of all the original documentation.
- 11.5 Heads of Service shall maintain a record (in the form detailed in the Procurement Protocols & Guidance) for their area of each contract or agreement (both written and verbal agreements).
- 11.6 Heads of Service shall include the specific T&Cs listed in the Procurement Protocols & Guidance in all contracts. Where a Head of Service considers a term or condition inappropriate they shall seek advice of the Head of Legal and Estates on the modification or deletion of the term or condition.

## **12. LETTERS OF INTENT**

- 12.1 Letters of intent provide a contractor with the authority to proceed prior to the award of a contract. However, letters of intent have two main disadvantages:-
- (a) if the contract is not awarded the contractor is entitled to payment regardless as to whether the work was actually needed;
  - (b) the Council's negotiating position is weakened as the contractor may believe actual award of contract is a formality and therefore, the contractor may refuse to accept conditions that are seen as disadvantageous.
- 12.2 Heads of Service shall ensure that:-
- (a) all letters of intent are in a form approved by Head of Legal and Estates;
  - (b) all letters of intent are signed by an Authorised Officer with sufficient authority for either the value of the intended contract or the estimated value of any 'extension' period defined in the letter of intent.

## **13. RETENTION OF DOCUMENTS**

- 13.1 Heads of Service shall ensure that every contract or quotation is assigned the Unique Reference Number (URN) from the Contract Register, which is to be used in all correspondence. Any Division or Service reference may be included in addition to the URN shall comprise abbreviation for the Division and year. Formal amendments to a contract or order should also be given unique numbers showing the order in which the amendments were made.
- 13.2 Documentation retention periods are dictated by the Statute of Limitations and (where applicable) EU requirements. The following rules apply:-
- (a) retention for 12 years from the date of completion of the contract for contracts made under deed;
  - (b) retention for 6 years from the date of completion of the contract: -
    - ◆ Contract Documents
    - ◆ Hire/Rental Agreements

- ◆ Successful Tenders
- ◆ Summary of Tender Opening
- ◆ Disposal Board papers
- ◆ Evaluation reports
- ◆ Goods Received Notes
- ◆ HM Customs and Excise Import documentation
- ◆ Invitations to Tender/Quotation Requests
- ◆ Maintenance/Software licence agreements
- ◆ Specifications
- ◆ Successful Quotations
- ◆ Suppliers' Advice Notes;

(c) retention for 3 years after the last entry -

- ◆ Stock and Purchase Record Cards or Registers;

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

- ◆ Unsuccessful Quotations.
- ◆ Unsuccessful Tenders.

#### **14. FREEDOM OF INFORMATION ACT 2000 (FOIA)**

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

#### **15. CONSULTANTS**

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

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

#### **16. PROCUREMENT TRAINING**

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

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

16.3 Head of People, Performance and Partnerships shall record the details of staff that have completed suitable procurement training.