

A meeting of **HUNTINGDONSHIRE DISTRICT COUNCIL** will be held in the **CIVIC SUITE, PATHFINDER HOUSE, ST. MARY'S STREET, HUNTINGDON, PE29 3TN** on **WEDNESDAY, 24 APRIL 2013** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

A G E N D A

	Time Allocation
PRAYER	2 minutes
<p>The Reverend Canon Brian Atling, Rural Dean of Huntingdon, Rector of the benefice of Hartford and Houghton & Wyton will open the meeting with prayer.</p>	
APOLOGIES	2 minutes
CHAIRMAN'S ANNOUNCEMENTS	10 minutes
1. MINUTES (Pages 1 - 20)	2 minutes
<p>To approve as a correct record the Minutes of the meeting held on 20th February 2013.</p>	
2. MEMBERS' INTERESTS	3 minutes
<p>To receive from Members declarations as to disclosable pecuniary, non-disclosable pecuniary or non pecuniary interests in relation to any Agenda item. See Notes below.</p>	
3. COUNCIL MEMBERSHIP	
(a) Local Government Act 1972: Section 84 - Brampton Ward	
To report that a by-election will be held in the Brampton Ward following the resignation of former Councillor P J Downes, OBE. The by-election will be held on 2nd May 2013 in conjunction with the County Council elections.	2 minutes
(b) Local Government and Housing Act 1989	
In accordance with the 1989 Act, Councillor S M Van De Kerkhove has notified the Head of Paid Service that he wished to resign from the Liberal Democrat Group. Given the proximity of this announcement to the Annual Meeting on 15th May 2013 a further review of the representation of political groups on the Council will be deferred until the Annual Meeting. This also will allow the outcome of the by-election in Brampton Ward to be included as part of the review.	2 minutes
4. UPDATE ON LOCAL PLAN 2011 - 2036: TIMETABLING AND PROCESS	15 minutes
<p>Councillor N J Guyatt, Deputy Executive Leader and Executive Councillor for Strategic Planning and Housing to present.</p>	

- 5. GREEN PAPER ITEM - COMMUNITY COVENANT** **10 minutes**
- Councillor R Harrison to present.
- 6. 2013/14 TREASURY MANAGEMENT STRATEGY** (Pages 21 - 22) **5 minutes**
- Further to Minute No 64, Councillor J A Gray to present a report by the Assistant Director, Finance and Resources proposing an amendment to the Treasury Management Strategy.
- 7. REPORTS OF THE CABINET, PANELS AND COMMITTEE** **30 minutes**
- (a) Cabinet (Pages 23 - 26)
- The Report of the meeting of the Cabinet to be held on 18th April 2013 to follow.
- (b) Overview and Scrutiny Panel (Economic Well-Being) (Pages 27 - 34)
- (c) Overview & Scrutiny Panel (Environmental Well-Being) (Pages 35 - 40)
- (d) Overview & Scrutiny Panel (Social Well-Being) (Pages 41 - 48)
- (e) Development Management Panel (Pages 49 - 50)
- (f) Corporate Governance Panel (Pages 51 - 140)
- 8. 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.

Dated this 16th day of April 2013



Head of Paid Service

Notes

A. Disclosable Pecuniary Interests

- (1) *Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.*
- (2) *A Member has a disclosable pecuniary interest if it*
 - (a) relates to you, or*
 - (b) is an interest of -*
 - (i) your spouse or civil partner; or*
 - (ii) a person with whom you are living as husband and wife; or*
 - (iii) a person with whom you are living as if you were civil partners*

and you are aware that the other person has the interest.
- (3) *Disclosable pecuniary interests includes -*
 - (a) any employment or profession carried out for profit or gain;*
 - (b) any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);*
 - (c) any current contracts with the Council;*
 - (d) any beneficial interest in land/property within the Council's area;*
 - (e) any licence for a month or longer to occupy land in the Council's area;*
 - (f) any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or*
 - (g) a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.*

B. Other Interests

- (4) *If a Member has a non-disclosable pecuniary interest or a non-pecuniary interest then you are required to declare that interest, but may remain to discuss and vote.*
- (5) *A Member has a non-disclosable pecuniary interest or a non-pecuniary interest where -*
 - (a) a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or*
 - (b) it relates to or is likely to affect any of the descriptions referred to above, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association*

and that interest is not a disclosable pecuniary interest.

Please contact Ms C Deller, Democratic Services Manager, Tel No 01480 388007/e-mail: Christine.Deller@huntingdonshire.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.

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.

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Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the COUNCIL held in the Civic Suite, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 20 February 2013.

PRESENT: Councillor Mrs B E Boddington – Chairman.

Councillors J D Ablewhite, S Akthar, K M Baker, Mrs M Banerjee, I C Bates, P L E Bucknell, G J Bull, R C Carter, B S Chapman, K J Churchill, W T Clough, S J Criswell, I J Curtis, J W Davies, D B Dew, P J Downes, R S Farrer, D A Giles, J A Gray, S Greenall, N J Guyatt, A Hansard, G J Harlock, D Harty, C R Hyams, Mrs P A Jordan, P Kadewere, Ms L Kadic, S M Van De Kerkhove, Mrs P J Longford, A J Mackender-Lawrence, P G Mitchell, M C Oliver, J W G Pethard, P D Reeve, T V Rogers, T D Sanderson, M F Shellens, R G Tuplin, D M Tysoe, R J West and A H Williams.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors M G Baker, E R Butler, S Cawley, Mrs L A Duffy, R Fuller, R Harrison, R B Howe and P K Ursell.

60. PRAYER

The Reverend D Bush, Priest In Charge of the Church of St. Mary the Virgin in Godmanchester opened the meeting with Prayer.

61. MINUTES

The Minutes of the meeting of the Council held on 19th December 2012 were approved as a correct record and signed by the Chairman.

Referring to Minute No. 57, Councillor D M Tysoe, Executive Councillor for Environment indicated that he would respond by email to the question he had received from Councillor K J Churchill regarding frozen green recycling bins.

62. CHAIRMAN'S ANNOUNCEMENTS

(a) Chairman's Events

The Chairman briefly described the programme of the recent Holocaust Memorial Service which she had hosted in the Civic Suite on 28th January 2013 and thanked those Members who had attended for their support.

Mention also was made of the Chairman's successful visit to Littlehey Prison where, together with the Executive Leader and Vice-Chairman, Councillor Baker she was escorted on a tour of the prison buildings. Councillor Mrs Boddington encouraged other Members to visit and asked that those interested should contact her so that appropriate arrangements could be made.

Having reminded the Council of their decision to confer the Freedom of the District of Huntingdonshire upon RAF Alconbury and RAF Molesworth at a special meeting in November, the Chairman advised that she was making plans to celebrate the honour at an event to be held on 20th April 2013 and whilst more details would be circulated to Members nearer the time, she requested the Council to make a note of the date in their diaries.

(b) **Chairman's Consort**

On behalf of the Council, the Executive Leader, Councillor J D Ablewhite extended his best wishes to the Chairman's Consort and husband, Mr J Boddington for a speedy recovery following his recent accident.

(c) **Mr T Parker (Managing Director, Resources)**

The Chairman advised Members that Mr T Parker would be leaving the Council's employment at the end of February after seven years service as Director of Commerce and Technology and more recently Managing Director (Resources).

In wishing to place on record the Council's appreciation for Mr Parker's loyal service, the Executive Leader, Councillor J D Ablewhite paid tribute to his skills, knowledge and professionalism. These sentiments were endorsed and seconded by Councillor P J Downes, Leader of the Principal Opposition Group. Whereupon, it was

RESOLVED

that the Council's appreciation for the services of Mr T Parker be formally placed on record.

63. MEMBERS' INTERESTS

None were declared.

64. MEDIUM TERM PLAN, BUDGET AND ASSOCIATED MATTERS

Further to Minute No. 52 of the meeting of the Council held on 19th December 2012 and in conjunction with a report by the Head of Financial Services (a copy of which is appended in the Minute Book) and Item Nos. 58 and 59 of the Report of the Cabinet, the Executive Councillor for Resources presented to Members the Medium Term Plan, 2013/14 Budget, the Treasury Management Strategy and other associated matters for the Council's consideration and approval.

In accordance with Section 30 (2) of the Local Government and Finance Act 1992, the Council also considered proposals for levels of Council Tax in 2013/14 for various parts of the Huntingdonshire district.

In his opening remarks, Councillor Gray reminded the Council of the financial objectives of the Cabinet - to achieve a balanced revenue budget by the financial year 2016/17, to stabilise revenue reserves at £5.4m, to establish a protocol for borrowing and investment and to regularly monitor the levels of new home bonus allocated by the Government. Councillor Gray was content to report that the Council was meeting its targets in this respect. On behalf of the Council, Councillor Gray extended his appreciation to the Heads of Financial Services and Customer Services and their teams for their contributions to this position.

By reference to the report of the Head of Financial Services, Councillor Gray updated the Council on developments since its meeting in December and the consequences of these for the District Council's services. He acknowledged the support for the proposed level of Council Tax increase and the contribution made to the budgetary process by the Overview and Scrutiny Panel (Economic Well-Being) and members of the business community.

In concluding, Councillor Gray reminded Members of the significant savings which already had taken place which included a reduction in staff, re-organisation of refuse rounds, installation of PV Panels, a proposed increase in car parking charges and joint procurement. Despite these attempts to reduce expenditure, Councillor Gray assured the Council that projects considered to be beneficial and strategic still would proceed and in this respect he referred to current development at One Leisure, St Ives, the release of upfront funding for the Huntingdon West relief road and the Huntingdon multi-storey car park, the net cost of which would be recovered over a period of years.

Even with the proposed Council Tax increase, the Council was informed that further savings of £1.5m by 2014/15 rising to £2.6m in 2017/18 still required to be achieved which would present a major challenge to the authority. Conscious of the needs and demands of the local community in the current economic climate and the responsibility placed on the Council to provide a range of statutory and obligatory services for local people, Councillor Gray moved the recommendations of the Cabinet which were duly seconded by the Executive Leader, Councillor J D Ablewhite.

In response, Councillor M F Shellens expressed his appreciation for the skilful and measured way in which the budget had been compiled and presented to the Council by Officers and the Executive Councillor. Specifically, he requested that Town and Parish Councils be given early indication of proposals for the next financial year, he welcomed the additional funding proposed to assist the homeless but could not support the development of the multi-storey car park in Huntingdon fearing that it would be under-utilised if Sainsburys was not replaced in the town centre by high interest stores.

Councillors K J Churchill, P J Downes, S Greenall, C R Hyams, P D Reeve and R J West also contributed to the debate that followed during which, amongst various issues, particular mention was made of the possibility of contributions from the Police Authority towards CCTV, the changes proposed by the Government to Council Tax principles in 2013/14 influenced during discussions between the Executive Leader and Baroness Hanham, the decisions that the District Council had taken thus far to make savings in the overall direction of travel, the need to maintain the vitality of town centres and the impact of car parking charges. A separate debate took place on the Treasury Management Strategy before the Executive Leader, Councillor J D Ablewhite requested that the appreciation of the Council for the hard work and efforts of the Executive Councillor, Councillor J A Gray and the Head of Financial Services and his team in achieving a budget for 2013/14 be placed on record.

A Motion for a recorded vote having been lost, it was

RESOLVED

- (a) that the proposed budget for 2013/14, Medium Term Plan for 2014-18 and Financial Plan as set out in Appendix A to the report by the Head of Financial Services now submitted by approved;
- (b) that the Treasury Management Strategy and Prudential Indicators as set out in Appendix B to the report by the Head of Financial Services now submitted by approved;
- (c) that a Council Tax increase of £4.67 representing a level of £133.18 for a band D property be approved for 2013/14;

- (d) that the Council note the Council Tax Base for the whole Council area and individual Towns and Parishes (Annex A) as approved by the Chief Officers' Management Team on the 13th December 2012 under delegated powers.

The tax base (T) which is the amount anticipated from a District Council Tax of £1 is £56,358

- (e) that the following amounts calculated by the Council for 2013/14 in accordance with the requirements of the Local Government Finance Act 1992 as amended by the Localism Act 2011 (the Act), the Local Government Finance Act 2012 and associated regulations :-

- | | | |
|-------|--|--------------------|
| (i) | the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act
<i>Gross revenue expenditure including benefits, Town/Parish Precepts</i> | £81,852,642 |
| (ii) | the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) (a) to (d) of the Act
<i>Revenue income including reimbursement of benefits, specific and general grants, use of reserves and any transfers from the collection fund.</i> | £69,698,369 |
| (iii) | the amount by which the aggregate at (i) above exceeds the aggregate at (ii) above in accordance with Section 31A (4) of the Act
<i>This is the "Council Tax Requirement" including Parish/Town Precepts (item i minus item ii). It is the cash sum to be funded from District, Town and Parish Council Taxes.</i> | £12,154,273 |
| (iv) | the Council Tax requirement for 2013/14 divided by the tax base (T) in accordance with Section 31B (1) of the Act
<i>District plus average Town/Parish Council Tax (item iii divided by District taxbase)</i> | £215.66 |
| (v) | the aggregate of all "Special Items" referred to in Section 34(1) of the Act.
<i>The total value of Parish/Town precepts included in i and iii above.</i> | £4,648,515 |

- (vi) the Basic Amount of Council Tax for 2013/14 being item iv less item v divided by the tax base (T) in accordance with Section 34 (2) of the Act. **£133.18**
The District Council's Band D Tax for 2013/14.
- (vii) the basic amounts of Council Tax for 2013/14 for those parts of the District to which one or more special items (Parish/Town precepts) 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.
- (viii) the amounts to be taken into account for 2013/14 in respect of categories of dwellings listed in particular 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 Act, hereby sets the figures shown in Table 2 as the amounts of Council Tax for 2013/14 for each of the categories of dwelling shown. ***This is the total Council Tax to be collected, incorporating the requirements of all of the relevant bodies, for each town or parish area.***
- (h) the Council notes that, in accordance with Section 52ZB of the Local Government Finance Act 1992, the basic amount of its Council Tax for 2013/14 is not excessive.
The basic amount at b(vi) above is not excessive as defined by the Government.

[In accordance with Council Procedure Rule 14.5, Councillors K J Churchill, I J Curtis, R S Farrer and P D Reeve requested that their decision to vote against the Motion be recorded in the Minutes.

Councillor S J Criswell requested that his decision to vote for the Motion in the absence of any alternative budget also be recorded in the Minutes.]

ANNEX A

TAXBASE 2013/14

	£
Abbotsley	241
Abbots Ripton	125
Alconbury	520
Alconbury Weston	273
Alwalton	112
Barham & Woolley	27
Bluntisham	712
Brampton	1,734
Brinton & Molesworth	128
Broughton	87
Buckden	1,103
Buckworth	50
Bury	573
Bythorn & Keyston	131
Catworth	143
Chesterton	57
Colne	346
Conington	65
Covington	43
Denton & Caldecote	25
Diddington	24
Earith	550
Easton	73
Ellington	231
Elton	282
Farcet	503
Fenstanton	1,100
Folksworth & Washingley	344
Glatton	132
Godmanchester	2,284
Grafham	233
Great & Little Gidding	110
Great Gransden	444
Great Paxton	356
Great Staughton	315
Haddon	23
Hail Weston	238
Hamerton & Steeple Gidding	49
Hemingford Abbots	333
Hemingford Grey	1,197
Hilton	443
Holme	226
Holywell-cum-Needingworth	957
Houghton & Wyton	779
Huntingdon	6,750
Kimbolton & Stonely	570
Kings Ripton	81

Leighton Bromswold	79
Little Paxton	1,343
Morborne	10
Offord Cluny & Offord D'Arcy	491
Old Hurst	94
Old Weston	84
Perry	252
Pidley-cum-Fenton	144
Ramsey	2,614
St Ives	5,507
St Neots	10,034
Sawtry	1,603
Sibson-cum-Stibbington	209
Somersham	1,315
Southoe & Midloe	150
Spaldwick	232
Stilton	751
Stow Longa	64
The Stukeleys	384
Tilbrook	111
Toseland	39
Upton & Coppingford	84
Upwood & The Raveleys	397
Warboys	1,279
Waresley-cum-Tetworth	145
Water Newton	39
Winwick	38
Wistow	211
Woodhurst	149
Woodwalton	76
Wyton-on-the-Hill	411
Yaxley	2,755
Yelling	142
DISTRICT COUNCIL TOTAL	56,358

TABLE 1	BAND A £	BAND B £	BAND C £	BAND D £	BAND E £	BAND F £	BAND G £	BAND H £
Cambridgeshire County Council	733.38	855.61	977.84	1,100.07	1,344.53	1,588.99	1,833.45	2,200.14
Cambridgeshire Police Authority	118.62	138.39	158.16	177.93	217.47	257.01	296.55	355.86
Huntingdonshire District Council	88.79	103.58	118.38	133.18	162.78	192.37	221.97	266.36
Cambridgeshire Fire Authority	42.84	49.98	57.12	64.26	78.54	92.82	107.10	128.52
PARISH COUNCILS :-								
Abbotsley	37.07	43.24	49.42	55.60	67.96	80.31	92.67	111.20
Abbots Ripton	50.67	59.11	67.56	76.00	92.89	109.78	126.67	152.00
Alconbury	46.63	54.41	62.18	69.95	85.49	101.04	116.58	139.90
Alconbury Weston	20.76	24.22	27.68	31.14	38.06	44.98	51.90	62.28
Alwalton	13.24	15.45	17.65	19.86	24.27	28.69	33.10	39.72
Barham & Woolley	17.29	20.17	23.05	25.93	31.69	37.45	43.22	51.86
Bluntisham	82.02	95.69	109.36	123.03	150.37	177.71	205.05	246.06
Brampton	69.94	81.60	93.25	104.91	128.22	151.54	174.85	209.82
Brington & Molesworth	19.53	22.79	26.04	29.30	35.81	42.32	48.83	58.60
Broughton	26.82	31.29	35.76	40.23	49.17	58.11	67.05	80.46
Buckden	44.91	52.40	59.88	67.37	82.34	97.31	112.28	134.74
Buckworth	33.84	39.48	45.12	50.76	62.04	73.32	84.60	101.52
Bury	34.91	40.72	46.54	52.36	64.00	75.63	87.27	104.72
Bythorn & Keyston	4.58	5.34	6.11	6.87	8.40	9.92	11.45	13.74
Catworth	48.49	56.57	64.65	72.73	88.89	105.05	121.22	145.46
Chesterton	11.69	13.64	15.59	17.54	21.44	25.34	29.23	35.08
Colne	42.39	49.45	56.52	63.58	77.71	91.84	105.97	127.16
Conington	22.05	25.73	29.40	33.08	40.43	47.78	55.13	66.16
Covington	20.15	23.51	26.87	30.23	36.95	43.67	50.38	60.46
Denton & Caldecote	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Diddington	27.78	32.41	37.04	41.67	50.93	60.19	69.45	83.34
Earith	49.09	57.28	65.46	73.64	90.00	106.37	122.73	147.28
Easton	36.53	42.61	48.70	54.79	66.97	79.14	91.32	109.58
Ellington	25.97	30.30	34.63	38.96	47.62	56.28	64.93	77.92
Elton	30.73	35.86	40.98	46.10	56.34	66.59	76.83	92.20
Farcet	76.87	89.69	102.50	115.31	140.93	166.56	192.18	230.62
Fenstanton	32.63	38.07	43.51	48.95	59.83	70.71	81.58	97.90
Folksworth & Washingley	47.51	55.43	63.35	71.27	87.11	102.95	118.78	142.54
Glatton	18.69	21.80	24.92	28.03	34.26	40.49	46.72	56.06
Godmanchester	41.52	48.44	55.36	62.28	76.12	89.96	103.80	124.56
Grafham	31.47	36.72	41.96	47.21	57.70	68.19	78.68	94.42
Great & Little Gidding	65.67	76.61	87.56	98.50	120.39	142.28	164.17	197.00
Great Gransden	33.79	39.42	45.05	50.68	61.94	73.20	84.47	101.36
Great Paxton	28.09	32.77	37.45	42.13	51.49	60.85	70.22	84.26
Great Staughton	27.57	32.17	36.76	41.36	50.55	59.74	68.93	82.72
Haddon	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hail Weston	44.98	52.48	59.97	67.47	82.46	97.46	112.45	134.94
Hamerton & Steeple Gidding	6.80	7.93	9.07	10.20	12.47	14.73	17.00	20.40

TABLE 1 Cont.	BAND A £	BAND B £	BAND C £	BAND D £	BAND E £	BAND F £	BAND G £	BAND H £
Hemingford Abbots	32.03	37.37	42.71	48.05	58.73	69.41	80.08	96.10
Hemingford Grey	46.21	53.91	61.61	69.31	84.71	100.11	115.52	138.62
Hilton	34.00	39.67	45.33	51.00	62.33	73.67	85.00	102.00
Holme	32.45	37.85	43.26	48.67	59.49	70.30	81.12	97.34
Holywell-cum-Needingworth	70.08	81.76	93.44	105.12	128.48	151.84	175.20	210.24
Houghton & Wyton	50.00	58.33	66.67	75.00	91.67	108.33	125.00	150.00
Huntingdon	78.18	91.21	104.24	117.27	143.33	169.39	195.45	234.54
Kimbolton & Stonely	60.82	70.96	81.09	91.23	111.50	131.78	152.05	182.46
Kings Ripton	32.92	38.41	43.89	49.38	60.35	71.33	82.30	98.76
Leighton Bromswold	38.69	45.14	51.59	58.04	70.94	83.84	96.73	116.08
Little Paxton	41.12	47.97	54.83	61.68	75.39	89.09	102.80	123.36
Morborne	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Offord Cluny & Offord D'Arcy	58.72	68.51	78.29	88.08	107.65	127.23	146.80	176.16
Old Hurst	34.04	39.71	45.39	51.06	62.41	73.75	85.10	102.12
Old Weston	24.57	28.67	32.76	36.86	45.05	53.24	61.43	73.72
Perry	29.10	33.95	38.80	43.65	53.35	63.05	72.75	87.30
Pidley-cum-Fenton	23.15	27.00	30.86	34.72	42.44	50.15	57.87	69.44
Ramsey	35.71	41.66	47.61	53.56	65.46	77.36	89.27	107.12
St.Ives	74.83	87.30	99.77	112.24	137.18	162.12	187.07	224.48
St.Neots	56.15	65.51	74.87	84.23	102.95	121.67	140.38	168.46
Sawtry	52.07	60.74	69.42	78.10	95.46	112.81	130.17	156.20
Sibson-cum-Stibbington	35.09	40.93	46.78	52.63	64.33	76.02	87.72	105.26
Somersham	74.04	86.38	98.72	111.06	135.74	160.42	185.10	222.12
Southoe & Midloe	53.33	62.22	71.11	80.00	97.78	115.56	133.33	160.00
Spaldwick	28.73	33.52	38.31	43.10	52.68	62.26	71.83	86.20
Stilton	63.61	74.21	84.81	95.41	116.61	137.81	159.02	190.82
Stow Longa	34.37	40.10	45.83	51.56	63.02	74.48	85.93	103.12
The Stukeleys	28.65	33.42	38.20	42.97	52.52	62.07	71.62	85.94
Tilbrook	18.02	21.02	24.03	27.03	33.04	39.04	45.05	54.06
Toseland	11.97	13.96	15.96	17.95	21.94	25.93	29.92	35.90
Upton & Coppingford	31.75	37.04	42.33	47.62	58.20	68.78	79.37	95.24
Upwood & the Raveleys	33.15	38.67	44.20	49.72	60.77	71.82	82.87	99.44
Warboys	40.09	46.77	53.45	60.13	73.49	86.85	100.22	120.26
Waresley-cum-Tetworth	15.17	17.70	20.23	22.76	27.82	32.88	37.93	45.52
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	31.59	36.86	42.12	47.39	57.92	68.45	78.98	94.78
Woodhurst	22.37	26.10	29.83	33.56	41.02	48.48	55.93	67.12
Woodwalton	33.77	39.40	45.03	50.66	61.92	73.18	84.43	101.32
Wyton-On-The-Hill	38.12	44.47	50.83	57.18	69.89	82.59	95.30	114.36
Yaxley	65.83	76.81	87.78	98.75	120.69	142.64	164.58	197.50
Yelling	14.09	16.43	18.78	21.13	25.83	30.52	35.22	42.26

TABLE 2	TOTAL CHARGES							
	BAND	BAND	BAND	BAND	BAND	BAND	BAND	BAND
	A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£	£
Abbotsley	1,020.70	1,190.80	1,360.92	1,531.04	1,871.28	2,211.50	2,551.74	3,062.08
Abbots Ripton	1,034.30	1,206.67	1,379.06	1,551.44	1,896.21	2,240.97	2,585.74	3,102.88
Alconbury	1,030.26	1,201.97	1,373.68	1,545.39	1,888.81	2,232.23	2,575.65	3,090.78
Alconbury Weston	1,004.39	1,171.78	1,339.18	1,506.58	1,841.38	2,176.17	2,510.97	3,013.16
Alwalton	996.87	1,163.01	1,329.15	1,495.30	1,827.59	2,159.88	2,492.17	2,990.60
Barham & Woolley	1,000.92	1,167.73	1,334.55	1,501.37	1,835.01	2,168.64	2,502.29	3,002.74
Bluntisham	1,065.65	1,243.25	1,420.86	1,598.47	1,953.69	2,308.90	2,664.12	3,196.94
Brampton	1,053.57	1,229.16	1,404.75	1,580.35	1,931.54	2,282.73	2,633.92	3,160.70
Brington & Molesworth	1,003.16	1,170.35	1,337.54	1,504.74	1,839.13	2,173.51	2,507.90	3,009.48
Broughton	1,010.45	1,178.85	1,347.26	1,515.67	1,852.49	2,189.30	2,526.12	3,031.34
Buckden	1,028.54	1,199.96	1,371.38	1,542.81	1,885.66	2,228.50	2,571.35	3,085.62
Buckworth	1,017.47	1,187.04	1,356.62	1,526.20	1,865.36	2,204.51	2,543.67	3,052.40
Bury	1,018.54	1,188.28	1,358.04	1,527.80	1,867.32	2,206.82	2,546.34	3,055.60
Bythorn & Keyston	988.21	1,152.90	1,317.61	1,482.31	1,811.72	2,141.11	2,470.52	2,964.62
Catworth	1,032.12	1,204.13	1,376.15	1,548.17	1,892.21	2,236.24	2,580.29	3,096.34
Chesterton	995.32	1,161.20	1,327.09	1,492.98	1,824.76	2,156.53	2,488.30	2,985.96
Colne	1,026.02	1,197.01	1,368.02	1,539.02	1,881.03	2,223.03	2,565.04	3,078.04
Conington	1,005.68	1,173.29	1,340.90	1,508.52	1,843.75	2,178.97	2,514.20	3,017.04
Covington	1,003.78	1,171.07	1,338.37	1,505.67	1,840.27	2,174.86	2,509.45	3,011.34
Denton & Caldecote	983.63	1,147.56	1,311.50	1,475.44	1,803.32	2,131.19	2,459.07	2,950.88
Diddington	1,011.41	1,179.97	1,348.54	1,517.11	1,854.25	2,191.38	2,528.52	3,034.22
Earith	1,032.72	1,204.84	1,376.96	1,549.08	1,893.32	2,237.56	2,581.80	3,098.16
Easton	1,020.16	1,190.17	1,360.20	1,530.23	1,870.29	2,210.33	2,550.39	3,060.46
Ellington	1,009.60	1,177.86	1,346.13	1,514.40	1,850.94	2,187.47	2,524.00	3,028.80
Elton	1,014.36	1,183.42	1,352.48	1,521.54	1,859.66	2,197.78	2,535.90	3,043.08
Farcet	1,060.50	1,237.25	1,414.00	1,590.75	1,944.25	2,297.75	2,651.25	3,181.50
Fenstanton	1,016.26	1,185.63	1,355.01	1,524.39	1,863.15	2,201.90	2,540.65	3,048.78
Folksworth & Washingley	1,031.14	1,202.99	1,374.85	1,546.71	1,890.43	2,234.14	2,577.85	3,093.42
Glatton	1,002.32	1,169.36	1,336.42	1,503.47	1,837.58	2,171.68	2,505.79	3,006.94
Godmanchester	1,025.15	1,196.00	1,366.86	1,537.72	1,879.44	2,221.15	2,562.87	3,075.44
Grafham	1,015.10	1,184.28	1,353.46	1,522.65	1,861.02	2,199.38	2,537.75	3,045.30
Great & Little Gidding	1,049.30	1,224.17	1,399.06	1,573.94	1,923.71	2,273.47	2,623.24	3,147.88
Great Gransden	1,017.42	1,186.98	1,356.55	1,526.12	1,865.26	2,204.39	2,543.54	3,052.24
Great Paxton	1,011.72	1,180.33	1,348.95	1,517.57	1,854.81	2,192.04	2,529.29	3,035.14
Great Staughton	1,011.20	1,179.73	1,348.26	1,516.80	1,853.87	2,190.93	2,528.00	3,033.60
Haddon	983.63	1,147.56	1,311.50	1,475.44	1,803.32	2,131.19	2,459.07	2,950.88
Hail Weston	1,028.61	1,200.04	1,371.47	1,542.91	1,885.78	2,228.65	2,571.52	3,085.82
Hamerton & Steeple Gidding	990.43	1,155.49	1,320.57	1,485.64	1,815.79	2,145.92	2,476.07	2,971.28
Hemingford Abbots	1,015.66	1,184.93	1,354.21	1,523.49	1,862.05	2,200.60	2,539.15	3,046.98
Hemingford Grey	1,029.84	1,201.47	1,373.11	1,544.75	1,888.03	2,231.30	2,574.59	3,089.50
Hilton	1,017.63	1,187.23	1,356.83	1,526.44	1,865.65	2,204.86	2,544.07	3,052.88

TABLE 2 <i>Cont.</i>	TOTAL CHARGES							
	BAND	BAND	BAND	BAND	BAND	BAND	BAND	BAND
	A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£	£
Holme	1,016.08	1,185.41	1,354.76	1,524.11	1,862.81	2,201.49	2,540.19	3,048.22
Holywell-cum-Needingworth	1,053.71	1,229.32	1,404.94	1,580.56	1,931.80	2,283.03	2,634.27	3,161.12
Houghton & Wyton	1,033.63	1,205.89	1,378.17	1,550.44	1,894.99	2,239.52	2,584.07	3,100.88
Huntingdon	1,061.81	1,238.77	1,415.74	1,592.71	1,946.65	2,300.58	2,654.52	3,185.42
Kimbolton & Stonely	1,044.45	1,218.52	1,392.59	1,566.67	1,914.82	2,262.97	2,611.12	3,133.34
Kings Ripton	1,016.55	1,185.97	1,355.39	1,524.82	1,863.67	2,202.52	2,541.37	3,049.64
Leighton Bromswold	1,022.32	1,192.70	1,363.09	1,533.48	1,874.26	2,215.03	2,555.80	3,066.96
Little Paxton	1,024.75	1,195.53	1,366.33	1,537.12	1,878.71	2,220.28	2,561.87	3,074.24
Morborne	983.63	1,147.56	1,311.50	1,475.44	1,803.32	2,131.19	2,459.07	2,950.88
Offord Cluny & Offord D'Arcy	1,042.35	1,216.07	1,389.79	1,563.52	1,910.97	2,258.42	2,605.87	3,127.04
Old Hurst	1,017.67	1,187.27	1,356.89	1,526.50	1,865.73	2,204.94	2,544.17	3,053.00
Old Weston	1,008.20	1,176.23	1,344.26	1,512.30	1,848.37	2,184.43	2,520.50	3,024.60
Perry	1,012.73	1,181.51	1,350.30	1,519.09	1,856.67	2,194.24	2,531.82	3,038.18
Pidley-cum-Fenton	1,006.78	1,174.56	1,342.36	1,510.16	1,845.76	2,181.34	2,516.94	3,020.32
Ramsey	1,019.34	1,189.22	1,359.11	1,529.00	1,868.78	2,208.55	2,548.34	3,058.00
St.Ives	1,058.46	1,234.86	1,411.27	1,587.68	1,940.50	2,293.31	2,646.14	3,175.36
St.Neots	1,039.78	1,213.07	1,386.37	1,559.67	1,906.27	2,252.86	2,599.45	3,119.34
Sawtry	1,035.70	1,208.30	1,380.92	1,553.54	1,898.78	2,244.00	2,589.24	3,107.08
Sibson-cum-Stibbington	1,018.72	1,188.49	1,358.28	1,528.07	1,867.65	2,207.21	2,546.79	3,056.14
Somersham	1,057.67	1,233.94	1,410.22	1,586.50	1,939.06	2,291.61	2,644.17	3,173.00
Southoe & Midloe	1,036.96	1,209.78	1,382.61	1,555.44	1,901.10	2,246.75	2,592.40	3,110.88
Spaldwick	1,012.36	1,181.08	1,349.81	1,518.54	1,856.00	2,193.45	2,530.90	3,037.08
Stilton	1,047.24	1,221.77	1,396.31	1,570.85	1,919.93	2,269.00	2,618.09	3,141.70
Stow Longa	1,018.00	1,187.66	1,357.33	1,527.00	1,866.34	2,205.67	2,545.00	3,054.00
The Stukeleys	1,012.28	1,180.98	1,349.70	1,518.41	1,855.84	2,193.26	2,530.69	3,036.82
Tilbrook	1,001.65	1,168.58	1,335.53	1,502.47	1,836.36	2,170.23	2,504.12	3,004.94
Toseland	995.60	1,161.52	1,327.46	1,493.39	1,825.26	2,157.12	2,488.99	2,986.78
Upton & Coppingford	1,015.38	1,184.60	1,353.83	1,523.06	1,861.52	2,199.97	2,538.44	3,046.12
Upwood & the Raveleys	1,016.78	1,186.23	1,355.70	1,525.16	1,864.09	2,203.01	2,541.94	3,050.32
Warboys	1,023.72	1,194.33	1,364.95	1,535.57	1,876.81	2,218.04	2,559.29	3,071.14
Waresley-cum-Tetworth	998.80	1,165.26	1,331.73	1,498.20	1,831.14	2,164.07	2,497.00	2,996.40
Water Newton	983.63	1,147.56	1,311.50	1,475.44	1,803.32	2,131.19	2,459.07	2,950.88
Winwick	983.63	1,147.56	1,311.50	1,475.44	1,803.32	2,131.19	2,459.07	2,950.88
Wistow	1,015.22	1,184.42	1,353.62	1,522.83	1,861.24	2,199.64	2,538.05	3,045.66
Woodhurst	1,006.00	1,173.66	1,341.33	1,509.00	1,844.34	2,179.67	2,515.00	3,018.00
Woodwalton	1,017.40	1,186.96	1,356.53	1,526.10	1,865.24	2,204.37	2,543.50	3,052.20
Wyton-On-The-Hill	1,021.75	1,192.03	1,362.33	1,532.62	1,873.21	2,213.78	2,554.37	3,065.24
Yaxley	1,049.46	1,224.37	1,399.28	1,574.19	1,924.01	2,273.83	2,623.65	3,148.38
Yelling	997.72	1,163.99	1,330.28	1,496.57	1,829.15	2,161.71	2,494.29	2,993.14

65. GREEN PAPER ITEM - MEMBER DEVELOPMENT

Councillor R G Tuplin, Chairman of the Member Development Working Group addressed the Council on the progress and continuing importance of Member Development since the Member Development Charter was originally awarded to the District Council in July 2011. Councillor Tuplin also was able to announce that following review, the South-East Employers had, that day, concluded that the District Council had continued to meet the Charter Standard and had provided excellent examples of Best Practice in the new evidence it had presented to them.

Members were reminded of the purpose of the Charter, the role of the Member Development Working Group and new initiatives being pursued by the Working Group to develop a mentoring programme, pilot personal development plans and hold familiarisation briefings with Directorates over the course of the year.

In closing, Councillor Tuplin encouraged Members to take advantage of all training opportunities offered to them, to complete their annual skills audit in June and to request help and support should they need it from the Member Development Officer.

As Councillor Tuplin had reported that the Executive Leader had graduated from the Leadership Academy led by the Local Government Association (LGA), Councillor Ablewhite added how important it was for Members to keep abreast of legislative and other changes in Local Government and that he would encourage all Members to develop their skills either through courses organised by the LGA or internally by the Council itself.

In congratulating Councillor Tuplin on the improvements which had taken place in Member development since 2011, Councillor P D Reeve requested details of the cost of Councillor Ablewhite's attendance at the Leadership Academy, information which the Executive Leader undertook to forward to him.

66. APPOINTMENT OF INTERIM RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER

Having regard to a report by the Head of Paid Service (a copy of which is appended in the Minute Book) and as a consequence of a recent re-structuring of Senior Management which had resulted in the departure of the Officer with specific responsibility for the statutory roles of Returning Officer and Electoral Registration Officer, it was moved by the Executive Leader, Councillor J D Ablewhite, duly seconded and

RESOLVED

that the Head of Legal and Democratic Services be appointed Returning Officer and Electoral Registration Officer on an interim basis from 1st March 2013 until such time as a new Managing Director was appointed and the situation could be reviewed.

67. PAY POLICY STATEMENT

In compliance with the requirements of Section 38 of the Localism Act 2011, the Executive Leader, Councillor J D Ablewhite presented a report by the Corporate Team Manager (a copy of which is appended in the Minute Book) to which was attached the District Council's Pay Policy Statement for 2013/2014.

The Statement, which is required to be approved by the Council by 31st March

2013 was now produced annually and detailed the Council's policies relating to Officer remuneration.

Having been advised that ongoing projects relating to pay, grading, consultation arrangements and senior management re-structuring could, ultimately impact on the content of the Policy Statement, the Council noted that it may be necessary to issue a revised statement later in the year.

Having also responded to a question from Councillor D A Giles regarding the level of the District Council's contribution to employee pension entitlements, it was moved by Councillor Ablewhite, duly seconded and

RESOLVED

that the Policy Statement for 2013/2014 be approved.

68. REPRESENTATION OF POLITICAL GROUPS ON DISTRICT COUNCIL PANELS, ETC

A report by the Head of Legal and Democratic Services was submitted (a copy of which is appended in the Minute Book) reflecting the outcome of a review of the membership of the different political groups on the Council following the resignation of Councillors K J Churchill and R S Farrer from the Conservative Group on 28th January 2013.

Having regard to the principles of proportionality to be applied to the appointment of Panels and in accordance with Section 15 of the Local Government Housing Act 1989 and Part II of the Local Government Act 2000, it was

RESOLVED

that the allocation of seats on Panels and Committees to political groups and non-aligned Members be determined as set out in the report now submitted and membership of Panels varied in accordance with the Schedule appended in the Minute Book.

69. REPORTS OF THE CABINET, PANELS AND COMMITTEE

(a) Cabinet

Councillor J D Ablewhite, Executive Leader and Chairman of the Cabinet presented the Report of the meetings of the Cabinet held on 24th January and 14th February 2013.

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In connection with Item No. 58, it was noted that the recommendations had been considered previously under Minute No. 64.

.....

In connection with Item No. 59, it was noted that the recommendations had been considered previously under Minute No. 64.

.....

In connection with Item No. 60 and in response to questions and

comments from Councillors K J Churchill, D B Dew, P J Downes, R S Farrer, Mrs P J Longford and P D Reeve, Councillor Ablewhite, with the assistance of the Executive Councillor for Planning and Housing Strategy, Councillor N J Guyatt, explained that the sudden shortfall in funding towards a new footbridge at St Neots Railway Station had largely resulted because of delays to the design of the original scheme which, over time, had led to variations in the BCIS index and a reduction in the funding available from the project's Section 106 Agreement. As, in his view, it was essential that the project should proceed, the Cabinet had recommended that the shortfall be met from existing budgets. Subsequent negotiations with Cambridgeshire County Council had suggested that potentially this sum could be reduced significantly.

Further to the suggestion that the developers had appeared to be avoiding their responsibilities in this respect, Councillor Ablewhite indicated that without this contribution the Section 106 Agreement might be jeopardised.

As an urgent item of business, Councillor Ablewhite reported to Council that the Overview and Scrutiny Panel (Economic Well-Being) had been consulted and had given permission for the matter to be considered by the Cabinet. Given the benefits to local residents of the proposed scheme and the positive contribution it would make to link the St Neots expansion area with the town centre, Councillor Ablewhite moved and it was duly seconded and

RESOLVED

that a capital contribution of up to £316,069 towards the St Neots Railway Station footbridge project funded by way of a transfer of £290,000 from the capital provision for town centre developments and £26,000 from the Planning Services revenue budget be approved.

[In accordance with Council Procedure Rule 14.5, Councillors K J Churchill and R S Farrer requested that their decision to vote for the Motion be recorded in the Minutes.]

.....

Whereupon, it was further

RESOLVED

that, subject to the foregoing paragraphs, the Report of the meetings of the Cabinet held on 24th January and 14th February 2013 be received and adopted.

(b) Overview and Scrutiny (Economic Well-Being)

Councillor T V Rogers presented the Report of the meetings of the Overview and Scrutiny Panel (Economic Well-Being) held on 10th January and 7th February 2013.

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Whereupon, it was

RESOLVED

that the Reports of the meetings of the Overview and Scrutiny Panel (Economic Well-Being) held on 10th January and 7th February 2013 be received and adopted.

(c) Overview and Scrutiny Panel (Environmental Well-Being)

Councillor D Harty presented the Report of the meetings of the Overview and Scrutiny Panel (Environmental Well-Being) held on 15th January and 12th February 2013.

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Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny Panel (Environmental Well-Being) held on 15th January and 12th February 2013 be received and adopted.

(d) Overview and Scrutiny (Social Well-Being)

Councillor S J Criswell presented the Report of the meetings of the Overview and Scrutiny Panel (Social Well-Being) held on 8th January and 5th February 2013.

.....

In connection with Item No. 45 and in response to various concerns expressed by Councillor P J Downes regarding the advice service offered by Rural Cambs CAB, the Executive Councillor for Healthy and Active Communities, Councillor T D Sanderson, confirmed that Rural Cambs CAB now was located in the Town Hall, Market Square, Huntingdon and in a portakabin located at Tan Yard, St Neots. Councillor Criswell undertook to raise the questioner's concerns in terms of service delivery at a meeting of the Voluntary Sector Working Group which had undertaken to monitor the progress of organisations awarded grant funding.

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Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny Panel (Social Well-Being) held on 8th January and 5th February 2013 be received and adopted.

(e) Development Management Panel

Councillor D B Dew presented the Report of the meetings of the Development Management Panel held on 17th December 2012 and

21st January 2013.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Development Management Panel held on 17th December 2012 and 21st January 2013 be received and adopted.

(f) Employment Panel

Councillor J D Ablewhite presented the Report of the meeting of the Employment Panel held on 6th February 2013.

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In connection with Item No. 24, Councillor Ablewhite invited the Council to endorse the sentiments of the Panel with regard to the two employees who had retired from the local government service.

.....

Whereupon, it was

RESOLVED

that the Report of the meeting of the Employment Panel held on 6th February 2013 be received and adopted.

(g) Senior Officers' Panel

Councillor N J Guyatt presented the Report of the meetings of the Senior Officers' Panel held on 19th December 2012 and 31st January 2013.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Senior Officers' Panel held on 19th December 2012 and 31st January 2013 be received and adopted.

70. ORAL QUESTIONS

In accordance with the Council 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 Mrs M Banerjee to the Executive Councillor for Healthy and Active Communities, Councillor T D Sanderson

Having had his attention drawn to the views of the Overview and Scrutiny Panel

(Economic Well-Being) on the content of the proposed Business Plan for One Leisure and received a suggestion from the questioner that the Business Plan should not be adopted in its current form, the Executive Councillor explained that all aspects of the One Leisure Service were under review and that the Business Plan would be further developed before re-submission to the Economic Well-Being Panel at a future date.

Question from Councillor P Kadewere to the Executive Councillor for Customer Services, Councillor B S Chapman

Having conveyed to the Executive Councillor his concern that residents in his Ward had received correspondence from registered social landlords (RSLs) and not the District Council regarding impending changes to welfare support, the Executive Councillor confirmed that the District Council was working closely with the RSLs to ensure all residents likely to be affected had been advised how to mitigate the impact of the new housing benefit support schemes. Councillor Chapman added that the District Council would continue to offer advice to anyone affected.

Question from Councillor R J West to the Executive Councillor for Strategic Planning and Housing, Councillor N J Guyatt

Referring to the proceedings of the County Council's Safer and Stronger Communities Overview and Scrutiny Committee and the suggestion that two neighbouring authorities claimed a percentage of funding towards public art from developer contributions, Councillor Guyatt considered that it was appropriate for Cambridge City given its rich heritage to require a contribution from developers towards the arts. However, with the community infrastructure levy now in place and given the projects required to be funded to enable development to proceed, Councillor Guyatt was of the view that, whilst desirable, any contributions from developers should not be directed towards the arts at the expense of the more critical infrastructure projects required in Huntingdonshire.

Question from Councillor G J Bull to the Executive Leader, Councillor J D Ablewhite

In response to a question relating to the additional sum of £100,000 which had been agreed by the Cabinet for inclusion in the Medium Term Plan to meet the increase in statutory homelessness applications, Councillor Ablewhite suggested that this decision demonstrated the Council's ability to rise to a challenge and positively commit to help vulnerable District residents in difficulty.

Question from Councillor R S Farrer to the Executive Councillor for Strategic Planning and Housing, Councillor N J Guyatt

In response to a question regarding the timescale for the introduction of the community infrastructure levy and the proportion of funding which will be allocated to the District Council from developer contributions, Councillor Guyatt confirmed that CIL was now operational and to-date the District Council had received the sum of £12,000 in developer contributions. This fund would accelerate in 2014 as proposed new developments get underway. Councillor Guyatt explained that the District Council would receive the total amount due from any proposed development and would distribute funds accordingly to the authority expected to deliver the infrastructure necessary for the development to proceed as for instance – Cambridgeshire County Council in terms of the Huntingdon link road. In response to a supplementary question, Councillor Guyatt added that the District Council was entitled to retain a small percentage

of CIL to cover administration expenses.

Question from Councillor R Carter to the Executive Councillor for Environment, Councillor D M Tysoe

In response to a question regarding the benefits to be achieved from the re-scheduling of current waste collection rounds, Councillor Tysoe explained that whilst it would be difficult to predict the exact level of savings which could be achieved until the new rounds were in operation, it was clear that more efficient routing would result in fuel savings. In terms of communications, Councillor Tysoe reported that all residents shortly would receive letters, information and stickers about the changes and benefits to the service and whilst he accepted that transition to a new schedule might present some difficulties, arrangements were in place to ensure these could be responded to. Mention also was made of a joint procurement exercise with four other Districts to purchase specialist refuse collection vehicles and the savings this might also generate for the service.

Question from Councillor D B Dew to the Executive Councillor for Strategic Planning and Housing, Councillor N J Guyatt

In response to a question regarding the levels of delivery of affordable housing and shared equity schemes on new housing development, Councillor Guyatt confirmed that the District Council currently was in discussion with Registered Social Landlords on various options to provide low-cost housing - including shared equity projects.

Question from Councillor M F Shellens to the Executive Leader, Councillor J D Ablewhite

In response to a question regarding the level of contribution expected from the District Council towards improvements to the A14 and whether this would involve the Authority in additional borrowing, Councillor Ablewhite reported that significant negotiations were ongoing with statutory partners both locally and across East Anglia to seek to achieve upgrading of the A14. He added that the District Council had been an active participant in the A14 project since the CHUMMS report in August 2001 and even before that, in the compilation of a report that included the Council's recommendations. The previous scheme was cancelled by Government in 2010 as part of their comprehensive spending review. At that time the Government announced a new A14 study divided into three stages as follows:-

- ◆ Output 1 - to understand the nature, scale and importance of the corridor and to develop a list of prioritised challenges;
- ◆ Output 2 – to generate and sift potential interventions;
- ◆ Output 3 – to develop a multi-modal package of interventions to tackle the prioritised challenges which were affordable, deliverable and value for money.

All are now completed and six highway based options are being taken forward together with a finance option relating to tolling, public transport and rail freight. The Government has indicated that private finance, local tolling and local finance must be part of the funding package.

Current indications are that the Government will fund up to 50% of the capital cost whilst the remainder needed to be secured by these and other means.

There is no clarity on the actual sum that the Government will expect local

authorities to meet. Discussions have taken place between various authorities on this and some hypothetical figures have been used to focus debate. The local authority total sum will need to spread over authorities and several Counties and Local Enterprise Partnerships.

The Medium Term Plan includes an item in the risk provision of £200,000 per year from 2016/2017 simply as recognition that the Council regards the A14 improvements scheme as a very high priority and, with this in mind, it is correct to include a planning assumption of a hypothetical number at this stage. There is a great deal of discussion necessary before any agreement can be reached between authorities, Local Enterprise Partnerships and the Government on the final package.

Question from Councillor P D Reeve to the Executive Councillor for Customer Services, Councillor B S Chapman

In response to a question regarding the circumstances of a family in Ramsey and the opportunity for the District Council to make use of vacant shop premises in the town to address housing issues, Councillor Chapman replied that he would prefer to discuss a personal issue outside the meeting, that new arrivals to the District without a local connection would have no entitlement to housing and that occupation of empty shop premises would trigger a liability for business rates within twelve months. Councillor J A Gray, Executive Councillor for Resources advised the Council that the Treasury Management Strategy and Policy now provided the opportunity for the Council to provide loan finance to local organisations such as Registered Social Landlords if this would assist them in supporting Council services such as meeting the needs of the homeless.

Question from Councillor D A Giles to the Executive Leader, Councillor J D Ablewhite

In response to a question regarding the recent resignation of two Councillors from the Conservative Group, Councillor Ablewhite made it clear that every Member had the opportunity to contribute to the conduct of Council business through a range of processes and that as Executive Leader he was willing and available to listen to the views of all Members.

71. VARIATION TO THE MEMBERSHIP OF THE SENIOR OFFICERS' PANEL AND OTHER PANELS ETC

Further to Minute No. 68 and having regard to the temporary indisposition of Councillor M G Baker, it was

RESOLVED

- (a) that Councillor W T Clough be appointed to the Senior Officers' Panel in place of Councillor M G Baker;
- (b) that Councillor R S Farrer be appointed to the Development Management Panel in place of Councillor P K Ursell;
- (c) that Councillor K J Churchill be appointed, in his capacity as Conservative (non-aligned) Member, to the Corporate Governance Panel;
- (d) that Councillor K J Churchill be appointed to the Overview and Scrutiny Panel (Social Well-Being) in place of Councillor S

Akthar; and

- (e) that Councillor R J West be appointed to the Employment and Licensing and Protection Panels and Licensing Committee in place of Councillor R S Farrer.

The meeting ended at 9.53pm.

Chairman

2013/14 Treasury Management Strategy

**Report by the Assistant Director,
Finance and Resources**

1. PURPOSE

- 1.1 In July 2012 Council approved an amendment to the 2012/13 Treasury Management Strategy in respect of the use of Liquidity Accounts where the rating was reduced from F1+ to F2; this change was made to allow the Council to continue to use “instant access” call accounts that minimise risk whilst maintaining effective cash management.
- 1.2 Unfortunately, this change was not brought forward into the 2013/14 Treasury Management Strategy that was approved by Council on the 20th February 2013.

2. RECOMMENDATION

- 2.1 **Council is requested to approve an amendment to the 2013/14 Treasury Management Strategy to permit the use of Liquidity Accounts rated as F2 or above.**

BACKGROUND PAPERS

Files in Accountancy Section

Contact Officers: Steve Couper, Assistant Director, Finance and Resources
☎ (01480) 388103/
Clive Mason, Accountancy Manager, ☎ (01480) 388157

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Cabinet

Report of the meeting held on 21st March 2013

Matters for Information

63. LOCAL GOVERNMENT FINANCE ACT 2012 – CONSEQUENTIAL AMENDMENTS

Further to Item No. 46 of their Report to the meeting of the Council held on 19th December 2012, the Cabinet has been acquainted with the present position in relation to the Government's proposals to reform Council Tax.

Executive Councillors were advised that recent changes in legislation have resulted in the need to make amendments to the Council Tax Support scheme and Council Tax Exemption arrangements. Particular mention was made of the need to introduce a Council Tax Discretionary Relief Policy, amend the Council's fraud arrangements and make a slight amendment to the Council Tax technical reforms. **Having considered the information before them and the views of the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 50 of their Report refers)** the Cabinet has agreed to:-

- ◆ adopt the Council Tax Discretionary Relief Policy with effect from 1st April 2013 and authorise the Head of Customer Services to determine claims under the Policy;
- ◆ adopt the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 to allow for the investigation, prosecution and recovery of alleged Council Tax Support fraud and authorise the Head of Customer Services to investigate fraud and implement these Regulations; and
- ◆ amend the Council Tax Local Class C discounts scheme to provide for a renewal application to require at least 6 weeks occupation before a new Class C discount can be awarded.

The Council's Scheme of Delegation will be varied to reflect the above changes.

64. HOUSING BENEFIT DISCRETIONARY HOUSING PAYMENT POLICY

Having regard to the views of the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 51 of their Report refers), the Cabinet has approved the content of a Discretionary Housing Benefit

Policy for implementation from 1st April 2013. The Policy has been updated to reflect recent welfare reform changes and an increase in the level of grant awarded to each local authority by the Department of Work and Pensions.

65. HUNTINGDONSHIRE INFRASTRUCTURE BUSINESS PLAN 2013/14

In conjunction with the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 49 of their Report refers), the Cabinet has been acquainted with progress made towards the implementation of a Community Infrastructure Levy for Huntingdonshire and a proposed Infrastructure Business Plan.

Attention was drawn to a list of infrastructure projects and multi-area projects necessary to deliver the Core Strategy. Executive Councillors discussed the classification of projects particularly in relation to education and cemetery provision. Members were advised that the Business Plan identified the infrastructure requirements required to support all growth within the District to 2026. Projects will be prioritised with funding being targeted to those projects identified as critical. With this in mind and having been advised that the process will be reviewed annually, the Cabinet:-

- ◆ approved the Huntingdonshire Infrastructure Business Plan 2013/14;
- ◆ authorised the Assistant Director, Environment, Growth and Planning, in conjunction with the Executive Councillor for Planning and Housing Strategy, to make any minor amendments to the plan prior to its publication on the Council website;
- ◆ approved the banking of CIL receipts during 2013/14 financial year with the exception of funding for the Huntingdon West Link Road scheme;
- ◆ requested the Assistant Director, Environment, Growth and Planning to liaise with the Assistant Director, Finance and Resources and Head of Legal & Democratic Services to agree a 'service level agreement' for utilising release of any CIL receipts for infrastructure project delivery; and
- ◆ approved a draft Regulation 123 List for public consultation, subject to any minor amendments necessary as authorised by the Assistant Director, Environment, Growth and Planning in conjunction with the Executive Councillor for Planning and Housing Strategy.

66. DOCUMENT CENTRE REVIEW

The Cabinet has been acquainted with the findings of a study by the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 45 of their Report to the meeting of Council held on 20th February refers) which examined the operation and financial costs of the District Council's Document Centre.

In discussing the Panel's findings, Executive Councillors were of the opinion that some of the Panel's recommendations, including the use of multi-functional devices, printing requirements, Councillors' mail and the progress of the Electronic Document Management project were managerial issues and should be dealt with as such.

Having thanked the Working Group for their efforts in producing a thorough report, the Cabinet has requested the Managing Director, in consultation with the Executive Councillor for Resources and the Panel's Document Centre Champion, to give further consideration to the Group's recommendations.

67. SETTLEMENT OF OUTSTANDING LEGAL PROCEEDINGS RELATING TO A STAFFING MATTER

(The following item was considered as a confidential item under paragraphs 5 and 7A of Part 1 of Schedule 12A of the Local Government Act 1972.)

The Cabinet has endorsed the action taken to settle outstanding legal proceedings relating to a staffing matter.

J D Ablewhite
Chairman

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Overview & Scrutiny Panel (Economic Well-Being)

**Report of the meetings held on 7th March and
4th April 2013**

Matters for Information

49. HUNTINGDONSHIRE INFRASTRUCTURE BUSINESS PLAN 2013/14

The Panel has received an update on the implementation of the Community Infrastructure Levy (CIL) in Huntingdonshire and considered the contents of the Huntingdonshire Infrastructure Business Plan for 2013/14. The Plan identifies the infrastructure required to support growth in the District and provides a basis for the preparation of the next Plan.

In considering the contents of the Plan, the Panel has discussed the list of infrastructure projects which have been identified. Members have noted that during 2013/14 the Huntingdon West Link Road is the only proposed recipient of CIL funding. However, as further money becomes available, work will be undertaken to identify additional projects for funding. In terms of the projects already in the Plan, the Panel has been assured that although the Grid at Eaton Socon has been identified as critical, it is not being put forward for CIL funding. Reference has been made to the absence of any projects to help the Environment Agency address the potential impact of climate change and the District's waterways infrastructure deficit. In response, it has been explained that the Environment Agency has been involved with the Growth and Infrastructure Group who had developed the list of projects and that the Plan is based on infrastructure needs arising from growth and is not intended to fund infrastructure deficits.

With regard to the baseline data which has been used within the Plan, Members have been informed that CIL funding needs are based on the current charging schedule. The view has been expressed that it should be made clear it is based on current values and that they will be indexed in the future. Comment has also been made that elements such as targeted growth funds and the Priority Schools Building programme are missing from the Plan and it has been suggested that it should be updated to include an exhaustive analysis of funding opportunities.

In terms of the CIL governance structure, which has previously been approved, the Panel has discussed at what point the local community will become involved. It has previously been suggested that there should be representation from parishes and the rural areas on the Growth and Infrastructure Thematic Group. Recent announcements regarding the 'meaningful proportion' that is allocated to an area in which development occurs, means that there is a need to engage and work with towns and parishes. Members have stressed that the town and parish councils should be involved at an early stage especially if they are expected to contribute to major projects.

Having recognised that there will be an annual review of the process, concern has been expressed that the Growth and Infrastructure Group, which recommends CIL expenditure, is also responsible for the monitoring arrangements. Monitoring will be undertaken within the District Council and software packages are being looked at to facilitate this process. As there is a requirement that monitoring reports on progress are produced on a regular basis, the Panel will consider the proposals for monitoring before making a recommendation on this matter.

The Council is required to publish a Regulation 123 List on its website. This is a list of infrastructure that it intends will benefit from CIL and restricts the use of planning obligations for infrastructure that will be funded in whole or in part by the CIL. It ensures there is no duplication between the two types of developer contributions. A revised Regulation 123 List has been compiled in light of the new Infrastructure Business Plan 2013/14. The Panel has endorsed the List for publication.

Having requested that its comments are conveyed to the Cabinet, the Panel has recommended the Cabinet to:

- ◆ approve the Huntingdonshire Infrastructure Business Plan 2013/14;
- ◆ approve the banking of CIL receipts during the 2013/14 financial year with the exception of funding the Huntingdon West Link Road scheme;
- ◆ request the Assistant Director, Environment, Growth and Planning to liaise with the Assistant Director, Finance and resources and the Head of Legal and Democratic Services to agree a 'service level agreement' for utilising release of any CIL receipts for infrastructure project delivery; and
- ◆ approve the draft Regulation 123 List for public consultation.

50. LOCAL GOVERNMENT FINANCE ACT 2012 CONSEQUENTIAL AMENDMENTS

In response to changes in legislation, the Panel has been advised of the need to make amendments to the Council Tax Support and Council Tax exemptions arrangements. There is, specifically, a need

to have a Council Tax Discretionary Relief Policy, amend the Council's fraud arrangements and introduce Council Tax technical reforms.

There is now a legislative requirement that the Council has a Discretionary Relief Policy for Council tax, and Members have noted that the cost of any applications granted under the scheme will need to be met entirely by the Council. In contrast, should alternative powers to write-off Council Tax debts be used, the cost would be shared between the precepting authorities. In relation to the terms of the Policy, the Panel has suggested that the Council should notify any applicants of its decision in writing within a period of 28 days. Although there is no independent statutory route of appeal it will be possible to have a decision reviewed via the Council's Complaints process.

The Panel has discussed a proposal to amend the Council Tax Local Class C discounts scheme. It has been suggested that renewal applications should only be considered after an occupation period of six weeks, but the Panel has recommended that three months might be a more appropriate timescale. Following their deliberations, the Panel has recommended the Cabinet to:

- ◆ adopt the Council Tax Discretionary Relief Policy with effect from 1 April 2013 and authorise the Head of Customer Services to determine claims under the policy;
- ◆ adopt the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 to allow for the investigation, prosecution and recovery of alleged Council Tax Support fraud when these regulations become law and authorise the Head of Customer Services to investigate fraud and implement these Regulations, and
- ◆ amend the Council Tax Local Class C discounts scheme to provide for a renewal application to require at least three months occupation before a new Class C discount is awarded.

51. HOUSING BENEFIT – DISCRETIONARY HOUSING PAYMENT POLICY

The Panel has been advised that in order to mitigate changes to Housing Benefit, the Department for Work and Pensions has increased the level of grant available to local authorities to help those who are in receipt of Housing Benefit. Officers have taken the opportunity to review the Council's Discretionary Housing Policy (DHP) to ensure it reflects best practice and that the budget will be spent on helping the most vulnerable eligible individuals. The Panel has considered the contents of the revised Policy prior to its consideration by the Cabinet.

Regarding those who 'under occupy' their homes and who are willing to move house but are unable to do so because of a shortage of

smaller properties, Members have been informed that the Council has been working with Registered Social Landlords but, with the exception of encouraging property exchanges, there was little that it can do. Clarification has also been provided on the position of foster children. They are not currently counted as part of a household for benefit purposes.

The District Council has been allocated £169,561 for discretionary housing payments in 2013/14. It is possible to pay out up to 2.5 times more than this amount, though the Council would need to meet the additional cost. This sum has increased year on year for the past three years but Members have drawn attention to the fact that the Council's proportion of the total national DHP budget has reduced. Further information on the rationale for allocating these funds has been circulated to Panel Members.

The Panel has recommended the Cabinet to adopt the Discretionary Housing Benefit Policy with effect from April 2013.

**52. LOVES FARM COMMUNITY CENTRE –
SUPPLEMENTARY CAPITAL ESTIMATE**

The Panel has received an update on the new Loves Farm Community Centre. Having been acquainted with the background to the scheme and details of the ongoing negotiations with St Neots Town Council, the Panel has discussed the options which are available to the District Council. In doing so, Members have formed the view that they would not support the transfer of the freehold of the facility to St Neots Town Council for a sum of £180,000 as the freehold's notional value considerably exceeds that figure. The Panel has requested that it is informed of any developments relating to this matter.

**53. REVIEW OF THE EFFECTIVENESS OF OVERVIEW AND
SCRUTINY**

In conjunction with the Panels for Social and Environmental Well-Being, the Panel has considered the outcome of a review of the Overview and Scrutiny Panels which has been undertaken by a Joint Working Group. The Panels are generally acting effectively in discharging their responsibilities and fulfilling their terms of reference. A number of opportunities for improvement have been identified and will be incorporated into an action plan.

In welcoming the proposals within the report, Members have discussed whether it is possible to quantify and measure the Panels' performance to enable comparisons to be made year on year. Whilst there are no existing metrics available which could be adopted, the Panel has formed the view that effectiveness could be demonstrated by their influence on the Cabinet. In this respect, Members have welcomed a proposal that the Cabinet should produce formal

responses to their recommendations. This has been considered by the Corporate Governance Panel as part of the review of the Council's Constitution. Item No. 33 of their Report refers.

In response to the difficulties associated with engaging the public in Overview and Scrutiny, the Panel has suggested that social media could be used to promote meeting dates and times and to advise the public that they are able to attend Council meetings. Councillors Mrs L A Duffy and S Greenall have volunteered to champion the use of 'Twitter' and 'Facebook' for these purposes.

The Panel has also endorsed a suggestion that the Chairmen of each of the Panels should meet with the Executive Leader to discuss opportunities for earlier involvement in the formulation of Council policy.

54. CABINET FEEDBACK – DOCUMENT CENTRE REVIEW

The Panel has received the Cabinet's response to its review of the Council's Document Centre. Members have noted that the Managing Director, in consultation with the Executive Councillor for Resources and the Panel's Document Centre Champion, will now give detailed consideration to their recommendations. It has been stressed that the Document Centre needs to be looked at as a whole and a report on progress has been requested in six months.

55. BORROWING

The Panel has considered the outcome of the deliberations of its Working Group, which has been established to identify the terms of a debate on the Council's policy on borrowing and to develop an understanding of the District Council's approach to it. The Executive Councillor for Resources has attended the meeting and taken part in the discussions.

The Panel has considered the definition of capital expenditure, which is for an asset that lasts for more than a year and amounts to £10k or above. Members are interested in how capital expenditure is funded. Capital items may be funded from revenue or borrowing. It is borrowing that is the concern here. The Working Group considers that a narrower definition of capital expenditure should be used for funding from borrowing and the remainder should be funded from revenue. There are only a very limited number of capital projects that result in long term assets for the Council that could potentially be sold. The cost of funding the remaining capital items from revenue has been identified. In the current financial situation this cannot realistically be achieved. Given this, the Panel has recommended the Cabinet to consider which items currently funded through borrowing should be funded from revenue when this is affordable.

Members have been acquainted with the principle that funding everything from borrowing means that future beneficiaries contribute towards the cost of the benefits the Council has provided.

With regard to the Working Group's recommendation that a limit is placed on the amount the Council can borrow, Members' primary concern is about the Council's future debt burden. It is suggested that a limit of 15% of net revenue spend is introduced, which can only be exceeded with the approval of the full Council. Over the next five years the increase in the borrowing figure is relatively small and this suggests equilibrium with the Minimum Revenue Provision is being achieved. In this period, it is likely that the 15% limit will not be exceeded, though it may well do so subsequently.

The Cabinet has been recommended to:

- ◆ consider whether there are any capital items that are currently funded through borrowing, which should be funded from revenue when this is affordable; and
- ◆ agree a limit on the cost of borrowing of 15% of net revenue spend. The limit could then only be exceeded with the approval of the full Council.

56. BUDGET

During the 2013/14 Budget setting process, the Panel held two informal discussions to enable Members to identify potential budgetary savings. The Chairman also invited representatives from the Liberal Democrats and the UK Independence Party to present their views on the Council's Budget and Medium Term Plan. The Panel has reviewed all the suggestions that have been made.

The Panel has discussed the principles that should be adopted towards identifying spending adjustments. It has been suggested that generally there should be a "top down" approach and that the Council should look at ways of achieving adjustments in the short and longer terms. The focus should be on areas of highest cost. Given the order of savings that are required, it is likely that the Council will have to consider ceasing some activities.

Members have identified the following priority areas for consideration by the Cabinet:

- ◆ Shared services, outsourcing or service reorganisation
- ◆ The Council's electoral arrangements
- ◆ Improved procurement
- ◆ Selling advertising on the Council's car parks, vehicles, website etc.
- ◆ Greater enforcement in the Council's car parks
- ◆ The use of consultants and agency staff

- ◆ Prioritising training
- ◆ Alternative funding of the Shopmobility portakabin
- ◆ Civil parking enforcement.

The Cabinet has been requested to assess the Panel's suggestions for contributing to the Council's saving target.

Other Matters of Interest

57. NOTICE OF EXECUTIVE DECISIONS

The Panel has been acquainted with details of the current Forward Plan of Key Decisions and has noted those items which will be presented to its future meetings.

58. WORKPLAN STUDIES

The Panel has received details of studies being undertaken by the other Overview and Scrutiny Panels and has been reminded of the opportunity Members have to participate in the studies should they wish. In doing so, and with reference to the review of the Neighbourhood Forums, which had been undertaken by the Social Well-Being Panel, the Panel has expressed the view that the demise of the Neighbourhood Forums is unacceptable and impedes economic and social debate. This message has been conveyed to the Council's Deputy Leader.

59. OVERVIEW AND SCRUTINY PANEL (ECONOMIC WELL-BEING) – PROGRESS

The Panel has reviewed its programme of studies at each of its meetings. The Chairman has reported on the activities of the Working Group which has been established to assist with the development of a new Customer Services Strategy. He has also informed Members that the Corporate Plan has been discussed by the Executive Leader's Strategy Group and that the Corporate Plan Working Group will continue to oversee its implementation. The Scrutiny and Review Manager has been asked to establish what progress has been made in the development of a wider approach to the scrutiny of the Local Enterprise Partnership.

With regard to future study areas, the Panel has noted that the Social Well-Being Panel has agreed to undertake a review of Disabled Facilities Grants and that the Environmental Well-Being Panel will be looking at grounds maintenance and grass cutting.

60. SCRUTINY

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

T V Rogers
Chairman

Overview & Scrutiny Panel (Environmental Well-Being)

**Report of the meetings held on 12th March and
9th April 2013**

Matters for Information

54. THE GREAT FEN PROJECT – SOCIO-ECONOMIC STUDY

The Panel has received a summary of a socio-economic study on the Great Fen. The study provides an update on the work being undertaken to deliver local economic benefits through the Great Fen Project. A number of opportunities have arisen including the creation of new jobs and agricultural opportunities, some of which are regarded as exemplar schemes. Further similar opportunities will arise from the Great Fen Visitor Centre and the development of other visitor facilities and services.

The study has found that the area has experienced a shift from the traditional agricultural activities to animal and wildlife management. An example of this change includes the cultivation of reeds for roof thatching.

The Council's contribution towards the development of the Visitor Centre has been made "in kind" and the Great Fen Project Partnership is responsible overall for the Centre's construction. The Visitor Centre is supported by a targeted fund raising campaign managed by the Wildlife Trust. The Trust has the responsibility for raising the necessary funding for the Project. A Community Infrastructure Levy contribution is available and will be used on a strategically important green space scheme.

The Panel has discussed the figures contained within the study's Executive Summary document relating to the number of new jobs created by the Project since its inception. Members have questioned whether the Socio-Economic study recognises the Project's full economic benefits. The Council agreed to be a Partner in the Project on the understanding that it will produce a number of economic benefits for the District. It has been suggested that the Project's wider impact on the economy, such as spending in the area by visitors on tourism including overnight stays and food should be included in the Executive Summary. Members have subsequently received information on the net figure for jobs created and the full economic benefits of the Project.

Information reports will be provided to the Panel as the Great Fen Project continues to develop. A site visit will be held in September.

**55. EMERGENCY PLANNING
(TO INCLUDE COUNCIL'S USE OF SANDBAGS)**

(The following item was considered as a confidential item under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.)

Details of the Council's Major Incident Plan and recent amendments made to the Council's sandbag policy have been reported to the Panel. The sandbag policy has been updated and now requires householders to take greater responsibility for protecting their own properties by introducing flood protection measures within their homes. Such measures have recently been introduced within Alconbury.

The Panel has questioned what the cost is to the Council when flooding occurs within the District. The work involved has not been fully costed but 60 days of overtime has been paid to employees undertaking duties during the November and December floods. The Panel has suggested that the Council should draw on lessons learned from Alconbury and encourage Town and Parish Councils to adopt a partnership approach alongside residents to prevent flooding within their communities. Financial assistance can be sought from external sources such as the Anglian (Central) Regional Flood and Coastal Committee.

The Panel agrees that greater emphasis should be placed upon residents protecting their properties and has endorsed the changes made to the Council's sandbag policy. The Council has written to households affected by the recent floods to advise them of their responsibilities. This message will also be communicated to the Town and Parish Councils.

Other matters discussed include the practices employed by other authorities to supply sandbags, the positive perception of the Council that supplying sandbags creates and whether or not the Council should introduce charges. The latter would be difficult as the Council delivers sandbags to drop-off points within communities across the District and not directly to affected households. The Panel has further discussed the training exercises undertaken by the Council on the execution of the Major Incident Plan and the training courses attended by staff at Easingwold College. Details of the Council's training programme have been circulated to Panel Members for information.

56. ENERGY FROM GREEN WASTE – STATEMENT

The Panel has accepted that, owing to long term contractual arrangements with the County Council and Amey Cespa, it would not serve any purpose to undertake a study into the production of energy from the green waste it collects. The Council is tied into a 25 year

agreement that enables green and food waste to be collected together and will be subject to heavy financial penalties if it wishes to terminate the contract.

57. SPEED REDUCTION

Further to Item No 40 of the Report of the meeting held on 15th January 2013, the Panel has had the opportunity to consider additional evidence in support of the proposed roll out to other areas of the District of a speed reduction initiative currently operating in Hilton using stickers placed on wheeled bins in the village. The Executive Councillor for Environment, Councillor D M Tysoe, the Head of Operations and a representative of Speedwatch have addressed the Panel to assist Members' understanding of the issues. It has previously been agreed that speed reduction stickers could be displayed on wheeled bins in Hilton on a trial basis, to establish whether they are effective in reducing the speed of vehicles and thus in promoting road safety. However, the Panel has recognised that the success or otherwise of the pilot has been difficult to measure as data on speeding and road safety had not been collected before the trial commenced.

Although disappointed at the lack of evidence produced by the trial, Councillor Tysoe has recognised that there are other sources which suggest that such schemes are effective. Therefore, Councillor Tysoe has indicated that he is minded to support a proposed change in the policy to allow stickers displaying speed reduction messages to be affixed to the Council's wheeled bins subject to assurances being received regarding the management of potential schemes and the avoidance of consequential liabilities for the District Council. He has also expressed the view that a decision whether to pursue a scheme should lie ultimately with the appropriate town or parish council who also should decide the locations where use of the stickers would be most effective.

Subject to the Head of Operations being satisfied with the design of the proposed stickers and approval of other guidelines, the Panel has recommended that a change is made to the current policy to permit the placing of Speedwatch stickers on wheeled bins for speed reduction purposes on the proviso that any schemes introduced be funded and approved locally by the respective town or parish council.

58. RECAP - WHOLE SYSTEM APPROACH

The Panel has been updated on the progress of the RECAP Waste Partnership which involves four District, Cambridge and Peterborough City and Cambridgeshire County Councils. Various options have been developed since 2011 such that partners working together can achieve savings and more efficient operating practices. Three specific areas are currently being pursued by partners and these include the 'whole waste system approach' which comprises a series of work streams relating, for instance, to waste services, joint procurement and cross border route optimisation. In endorsing the principles of a 'whole system approach', Members have noted that a

business case for the project will be presented to the Panel and the Cabinet for approval in the Autumn.

Following concern expressed at adverse reports which have appeared in a national newspaper, the Head of Operations has assured the Panel that material collected is recycled and not placed in landfill. Information to this effect features on the District Council's website.

Other Matters of Interest

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

The Panel has reviewed its programme of studies at each of its meetings. An update on the latest position with regard to the Landbeach Waste Management Plant has been presented by the Chairman. The latest recycling figures also have been circulated to Members.

Councillor Mrs M Banerjee has updated the Panel on preliminary discussions which have taken place at the County Council on the future of rural transport in Cambridgeshire. The Panel has requested progress reports on drainage issues in Yaxley and the work of the Growth and Infrastructure Thematic Group of the Huntingdonshire Strategic Partnership to future meetings.

Given general interest in the progress and plans for Hinchingsbrooke Hospital, the Panel has expressed the view that Members of all Overview and Scrutiny Panels should be invited when the matter next is discussed by the Social Well Being Panel.

The Panel has agreed to undertake a review the Council's grounds maintenance budget. The Head of Operations will submit a report to the Panel at its June 2013 meeting to initiate a debate on grounds maintenance service standards. Operational efficiencies within the service have already been identified and further savings will require a reduction in the current service standards. The Panel has asked the Council to be mindful of the repercussions of changes, such as the impact it might have upon encouraging children to play in the streets and increased levels of fly tipping in overgrown grass verges. It has been noted that any outcome of this review could not take effect until 2014.

60. WORK PLAN STUDIES

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

61. NOTICE OF EXECUTIVE DECISIONS

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

62. SCRUTINY

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

D Harty
Chairman

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Overview and Scrutiny Panel (Social Well-Being)

**Report of the meetings held on 5th March and
2nd April 2013**

Matters for Information

54. HINCHINGBROOKE HOSPITAL: PROGRESS AND PLANS

The Panel has received a presentation from representatives of Circle Healthcare and Hinchingsbrooke Hospital on the Hospital's progress and plans since Circle took over responsibility for operating Hinchingsbrooke Health Care NHS Trust through a ten-year franchise agreement. Members' attention has been drawn to a number of areas that have worked well since Circle took over the management of the Hospital on 1st February 2012 together with the areas which have worked less well but are in the process of being reviewed and improved.

The Panel has been acquainted with the main terms of the franchise agreement. The agreement places an obligation on Circle to ensure the Hospital has a balanced budget and a positive cash flow and to meet any losses up to a cumulative value of £5m. It also states that Circle will seek to repay the Hospital's historic debt of £40m over the ten-year franchise period but this is not a requirement. The agreement includes a clause which enables either party to terminate the contract. The Hospital's Trust Board is responsible for approving Circle's Business Plan and budget, overseeing the terms of the management contract and monitoring the financial and operational performance of the Hospital.

At the end of the first year of operation, Circle has committed to making a Franchise Support Payment of £3.7m from its own funds to balance the Hospital's budget. Circle has always expected the first year of the agreement to be the most difficult in which to break even and the Hospital's historic debt figure has increased from that referred to during the bidding process. Whilst questions have been raised about the Franchise Support Payment in the local press, it is argued that this action demonstrates Circle's commitment to the Hospital as they are investing in its future. Circle has assured the Panel that they will be able to meet the many challenges that lie ahead at the Hospital as well as its financial targets.

The Panel has concerns over the reported low levels of employee morale at the Hospital. The Hospital's representatives have explained that this has to be considered in the context of a number of

changes which have taken place at the Hospital over the year. The Trust Board expects improvements to be made, for example, through active engagement with staff. This will include Open Surgeries with the Chief Executive, one to one discussions with frontline staff and communicating messages via the employee newsletter.

The Panel has discussed a number of matters including the ratio of patients to staff particularly when individual patients require a higher level of care, the successes of the Community Transition Unit, the adoption of a 24/7 approach to care and services across the Hospital, Ambulance service turnaround times and the continued need to find operational efficiency savings. Members have been assured that Circle will not reduce the number of services provided at the Hospital and there is a strong desire to deliver more for less whilst encouraging a greater number of patients to utilise the services available at Hinchingsbrooke.

Members have examined the Hospital's position with regard to the Liverpool Care Pathway, the various methodologies employed to seek patient and staff feedback, the additional services introduced at the Hospital over the course of the previous year, the integrated care approach adopted by the Hospital and its response to recent statements by the Government's Public Accounts Committee about District General Hospitals. The impact of financial issues facing Peterborough and Stamford NHS Trust on Hinchingsbrooke Hospital is currently unclear. Other matters discussed include the Hospital's interface with the local Clinical Commissioning Groups and the latest position with regard to delayed discharges.

The Deputy Chief Executive of Hinchingsbrooke Hospital has undertaken to provide the Panel with details of how funds generated from car parking charges are spent, the level of IT access available to Consultants at weekends and general handling of complaints at the Hospital. These have been conveyed to Members outside of the meeting.

Representatives of Circle and Hinchingsbrooke Hospital will return in a year's time to deliver a further update on the Hospital's progress and plans for the future.

55. HUNTINGDONSHIRE MATTERS

The Panel has received a presentation from the Corporate Team Manager on Huntingdonshire Matters. It is an initiative established by the Huntingdonshire Strategic Partnership (HSP) Board which aims to bring local communities and organisations together to identify and tackle the key challenges that face the District. Members have been provided with an outline of the steps taken since June 2012 to engage with communities and organisations, the various thematic issues that have arisen during engagement events and the three themes which have now been adopted as priority areas for Huntingdonshire, namely Older People, Skills and Education and Younger People. Each of these priority areas feed into one of the thematic groups established under the HSP; that is, the Health and

Well-Being, Growth and Infrastructure and Children and Young Peoples thematic groups respectively. These groups are responsible overall for implementing projects in the priority areas.

The Panel has been acquainted with the work of the HSP Board over the last year. This includes the agreement of a new Memorandum of Understanding, widening of the membership of the HSP Board, alignment of existing work groups and active community capacity building. The HSP Board will shortly be reassessing local needs and ways of working to inform its future work programme.

The Panel is of the opinion that all Members should be involved in the Huntingdonshire Matters process in accordance with the principles of localism as part of their community leadership roles. It has, therefore, been suggested that reference to it should be made within the Town and Parish Council Charter. It has further been suggested that the service directory established under the Older People priority should include services for the disabled.

In the next phase of its work Huntingdonshire Matters will focus on Member participation. An event on this subject will be held on 21st May 2013. Details are to be circulated to all Members.

56. REVIEW OF THE EFFECTIVENESS OF OVERVIEW AND SCRUTINY

The outcome of a review of the effectiveness of the Overview and Scrutiny Panels undertaken by a joint Working Group comprising Members from each of the Panels has been reported to the Panel. The review reveals that the Panels are generally acting effectively in discharging their responsibilities and fulfilling their terms of reference. A number of opportunities for improvement have been identified and will be incorporated within an action plan that will be subject to review by the Working Group.

With reference to the conclusions reached by the Working Group that all acronyms should be explained in full, the Panel has suggested that a glossary of all terms should be produced. Members are also supportive of a suggestion that a glossary is included within Committee/Panel reports.

Members have welcomed the practice employed by the Economic Well-Being Panel of appointing Member Champions. They have also endorsed a suggestion that the Chairmen of each of the Overview and Scrutiny Panels should meet with the Executive Leader to discuss opportunities for earlier scrutiny of and involvement in the formulation of policy. Other matters discussed include the frequency of Panel meetings, the need for the Cabinet to respond formally to recommendations made by the Overview and Scrutiny Panels and a suggestion that an Action Log of minor issues that require follow up action is introduced.

The Panel has discussed ways of encouraging greater public participation in its work and agrees with the Working Group that the

use of social media, as well as the Shape Your Place website, should be explored. Following discussion on the use of press releases, Officers have been requested to issue a press release on their deliberations on Hinchingsbrooke Hospital as a means of raising the profile of the Panel's work.

57. HEALTHWATCH CAMBRIDGESHIRE

The Panel has received a presentation from the Chairman of Healthwatch Cambridgeshire on the establishment of a local Healthwatch to replace the former Local Involvement Network (LINK). It is a statutory requirement under the Social Care Act 2012 that a local Healthwatch is in place. Its purpose is to be an independent consumer champion for users of health and social care services. The Act identifies other key roles in the new arrangements, including the provision of signposting and advocacy services to the residents of Cambridgeshire. Healthwatch Cambridgeshire will not be responsible for the latter until next year. The importance of establishing good working relationships with interested stakeholders has been highlighted by the Chairman of Healthwatch Cambridgeshire and the challenges currently being faced at Hinchingsbrooke Hospital have been acknowledged.

A consultant has been employed by Cambridgeshire County Council to assist with the establishment of Healthwatch Cambridgeshire and has undertaken a number of activities such as the delivery of stakeholder engagement events which have successfully brought together key partners from the voluntary and community sector.

Healthwatch Cambridgeshire began operating on 1st April 2013. It is in the final stages of becoming a company limited by guarantee. There is a small Board of three Non-Executive Directors in addition to the Chairman. The first meeting of the Board will consider a vision and priorities for the future. A Chief Executive and four Co-ordinators have been appointed, two of whom are former LINK employees.

The Panel has discussed a number of matters including the role of the Clinical Commissioning Groups in scrutinising Hinchingsbrooke Hospital, the methods of engagement to be employed by Healthwatch Cambridgeshire, the functions of Healthwatch England, proposals to develop role descriptions for volunteers, Healthwatch Cambridgeshire's accountability and reporting mechanisms with Cambridgeshire County Council and the importance of working in partnership and liaising with community and voluntary sector organisations. Healthwatch Cambridgeshire has a two year contract with the County Council with an indicative budget of £221,000 for the 2013/14 financial year. It will have a seat on the Health and Wellbeing Board and can alert Healthwatch England, the Care Quality Commission and Monitor about any concerns it has relating to specific care providers or general health and social care matters. Its representatives also have the ability to enter and view services to determine if they are operating effectively. It will be a challenge for Healthwatch Cambridgeshire to encourage increased levels of reporting on patient experiences to enable it to fulfil its roles.

58. HOUSING BENEFIT CHANGES AND THE POTENTIAL IMPACT UPON HUNTINGDONSHIRE

The Panel has continued to monitor the effects of Government changes to the Housing Benefits system arising from the Welfare Reform Act. It remains a concern that housing benefit claimants renting in the private sector might not be fully aware of the impact of the changes as only a small proportion of residents have contacted the Council about this to date. There is also concern that claimants may be building up rent arrears on their homes.

The Panel has noted that Luminus has recruited two part-time employees to assist its tenants to move into appropriately sized accommodation. This will help to resolve the problems associated with households' over and under occupancy of their accommodation. However, Registered Social Landlords appear to be working in isolation from one another on this and it has been suggested that a more collaborative approach to the impact of the welfare reforms should be adopted across the District.

The Panel has been acquainted with how benefits are calculated for claimants wishing to sub-let a room or take in a lodger. Clarification has been received of the level of resources that are available to help residents to deal with the consequences of the welfare reforms. Arising from this discussion, the Panel has requested information on the demands on the Call Centre in this respect. This information will be circulated to Panel Members together with details of the Council's Rent Deposit scheme and the homelessness budget.

Other matters that the Panel has discussed include the correspondence produced by Registered Social Landlords to advise tenants of the reform changes, the utilisation of discretionary housing payments, the introduction of universal credits, the homelessness prevention projects being undertaken by the Council, the levels of engagement with voluntary sector organisations providing advisory services within the District, likely trends in fraud levels and associated enforcement activity and the exemptions which exist for residents with mental health problems.

At the Panel's request, a monthly update on the welfare reforms will be included within the Member's Brief newsletter. The Panel has conveyed its gratitude to the Head of Customer Services and her Team for their efforts during the implementation of the welfare reforms.

59. SOCIAL VALUE WORKING GROUP

The Panel has received an update from the Social Value Working Group on progress of its investigations to date. Research evidence of the social, financial and health benefits of One Leisure has been compiled. An attempt will now be made to attach financial values to these benefits. Once this has been completed, a detailed account of the methodology used to undertake this work will be prepared.

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

The Panel has received an update from Councillor R J West on matters currently being considered by the Cambridgeshire Adults, Well-Being and Health Overview and Scrutiny Committee, which include the County Council's Budget proposals for Adult Social Care as set out in its Business Plan 2013/14, a review of delayed discharge and discharge planning, access to inpatient mental health care, progress against the Adult Social Care Integrated Plan 2012/13 and Cambridgeshire and Peterborough Clinical Commissioning Group's progress and plans. Having regard to the Committee's discussions on mental health, the Panel has requested an update on the impact of the redesign of mental health services across Cambridgeshire and Peterborough.

Other Matters of Interest

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

The Panel has reviewed its programme of studies at each of its meetings. A meeting of the Voluntary Sector Working Group has been held to consider a question by Councillor P J Downes at the February meeting of the Council on the Interim Advice Service. The Notes of the meeting have been circulated to Panel Members and to Councillor Downes for information. The Chief Executive of Rural Cambs CAB has attended a recent meeting of the Town Council and the organisation is now operating from the Town Hall, Huntingdon.

The Chairman has delivered an update on the outcome of his discussions with the Deputy Executive Leader in respect of the North West Huntingdonshire pilot Local Joint Committee. The Panel is disappointed that the pilot has not been effectively established in the last year and some other Members of the Council share this view. The absence of a mechanism to deal with issues on a scale greater than Ward level is a particular concern. As a way forward, the Panel has formally requested the Cabinet to reconsider its recommendation that a series of pilot Local Joint Committees are introduced across the District.

62. WORK PLAN STUDIES

The Panel has received details of studies being undertaken by the other Overview and Scrutiny Panels. Members have been reminded of the opportunity they have to participate in the studies should they wish.

63. NOTICE OF EXECUTIVE DECISIONS

The Panel has been acquainted with the current Notice of Executive Decisions at each of its meetings. The Panel will have sight of the items entitled Home Improvement Agency (HIA) Shared Service – Annual Operating Service and Town and Parish Council Charter prior to their submission to the Cabinet.

Owing to concerns raised by other Members on the level of expenditure on Disabled Facilities Grants, the Panel has agreed to review this matter. Information will be provided for this purpose in June in conjunction with the HIA Shared Service – Annual Operating report. In addition, the Panel has tasked the Voluntary Sector Working Group with seeking permission from the Executive Councillors for Healthy and Active Communities and for Resources to have an input into their decisions relating to the Community Chest Allocations for 2013/14.

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 25th February,
18th March and 15th April 2013**

Matters for Information

19. SUMMARY OF ENFORCEMENT ACTIVITY FOR 2012

An update on the extent and variety of enforcement activity undertaken by the Enforcement Team in the Planning Division during 2012 has been presented to the Panel. Progress achieved in respect of objectives identified for the service in 2012 and proposed priorities for 2013 also have been reported.

Importance continues to be placed on making an initial visit shortly after a complaint has been made and 95% of these visits were undertaken within 10 working days during 2012, an increase of 3% over 2011. This practice ensures that cases are able to be dealt with in a manner proportionate to their harm and in a consistent and expedient way.

In terms of the priorities for 2013, the Panel has endorsed the following two key objectives for the Enforcement Service. These remain un-changed from 2012:-

- ◆ to focus on quality and outcomes where unacceptable breaches are identified; and
- ◆ to maximise the efficiency of the Enforcement Service.

The Panel also has been made aware of advice contained within the National Planning Policy Framework in relation to enforcement. This states that effective enforcement is important as a means of maintaining public confidence in the planning system. As the Framework advises planning authorities to consider the publication of a local enforcement plan appropriate to their area, this will also form one of the objectives for 2013.

The Panel continues to emphasise that all Councillors, both Parish and District have a part to play in monitoring potential planning breaches and enforcement issues within their wards and for bringing any matters to the attention of the Enforcement Team when it is necessary to do so.

20. REVIEW OF “LOCAL LIST” APPLICATION VALIDATION REQUIREMENTS

Having regard to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 3) Order 2012, the Panel has endorsed a process for undertaking a review of the information necessary to validate a planning application. The Order also requires local criteria to be re-published every two years. In accordance with Government guidance, the review process will comprise consultation with the local community including applicants, agents, statutory consultees and Town and Parish Councils.

The existing requirements will be used as a basis for the consultation but already the Panel has recognised that it will require to be updated to delete reference to Planning Policy Guidance Notes, Planning Policy Statements and Regional Strategies and alternatively reflect current development plan policies and specifically the National Planning Policy Framework.

Specifically, it is proposed that the new check list also will need to reflect policies relating to town centres, transport, open space, flood risk and heritage issues. It also would be the intention to rationalise the number of separate check lists so they become easier to manage. The outcome of the consultation will be reported to the Panel at its July meeting.

21. DEVELOPMENT APPLICATIONS

Over three meetings, the Panel has determined twenty two development applications of which fifteen were approved and five refused. One application was deferred for further information and another delegated to the Head of Planning & Housing Strategy to determine on the receipt of new proposals to overcome design concerns. Most of these applications related mainly to minor development involving individual or small groups of dwellings. Amongst these was one where the Panel granted consent for an extension to a Scout Hall in Bedford Street, St. Neots which will enable the local Scout Group to create additional space for learning facilities and encourage its use by other community groups.

D B Dew
Chairman

Corporate Governance Panel

Report of the meeting held on 26th March 2013

Matter for Decision

33. REVIEW OF COUNCIL CONSTITUTION

By reference to a report by the Head of Legal and Democratic Services (a copy of which is reproduced as Appendix A hereto), the Panel has undertaken a biennial review of the Constitution. The changes recommended by the Panel have arisen as a result of practical experience and operation of the Constitution, new legislation and comments by Members and Officers.

Consideration also was given to an addendum to the report (reproduced as Appendix F hereto) regarding issues relating to the Constitution of Panels and Committees and the terms of reference for the Corporate Governance Panel.

The Panel considered a proposal to appoint substitute Members to Panels, Committees and Advisory Groups but unanimously agreed not to pursue such an arrangement. (Appendix B refers).

With regard to a proposal to vary the number of Members required to demand a recorded vote, the Panel felt it was not necessary to alter the current rule which allows for the vote to be taken and entered into the Minutes if at least one third of Members present demand it before the vote is taken, bearing in mind the right of an individual Councillor to request that their own vote be recorded.

Having previously supported, in principle, a series of proposals to streamline the process for the consideration of employment matters currently dealt with by the Employee Liaison Advisory Group and Employment Panel (details of these arrangements are reflected in Appendix G hereto), Members considered 6 key delegations to the Head of Paid Service relating to employment matters. Having noted that, administration of the local government pension scheme including the award of discretionary payments to employees, will be the responsibility of the Head of Paid Service, the Panel expressed their support for the delegations.

With regard to the Code of Procurement, the Panel has discussed a proposed amendment to the Code to allow late tenders to be considered provided that no other tender had been opened. Reference was made to the need to respond to exceptional circumstances. However, the Panel felt unanimously that it was not

necessary to alter the current Code given the various methods available to tenderers to ensure that their tenders are received on time. Subsequent to the meeting, the recommended Code has been updated and a copy is reproduced as Appendix C hereto.

In considering the addendum to the report, the Panel discussed a proposal to vary the terms of reference and title of the Corporate Governance Panel. Members rejected unanimously, a change in name and were of the opinion that the Panel's terms of reference should remain as they are or be expanded by merging with the Standards Committee. At the same time, Members discussed a proposal to rationalise membership of Panels so that either 12 or 8 Members were appointed to Panels. In response, the Panel felt that there would be some benefit in increasing the number of Members appointed to the Corporate Governance Panel, Overview and Scrutiny Panels and Standards Committee but saw no benefit in reducing the membership of the Development Management Panel. The Panel were conscious that they had not been able to consider fully the impact of these proposals and therefore requested the Head of Legal and Democratic Services, after consultation with the Chairman of the Panel, to report further on this matter to Council at its meeting on 24th April 2013.

In noting that the Head of Legal and Democratic Services would be undertaking a further review of the Overview and Scrutiny Panels' Procedure Rules and specifically the need for the continued involvement of external co-opted persons, Members referred to the valuable contribution made by the existing co-optees.

The Panel's attention was drawn to the conferment of the title of Honorary Alderman which currently required a minimum of 15 years service as an elected Councillor. Having regard to the current four year term of office for a Councillor, the Panel expressed support for a minimum service requirement of 12 years before the eligibility of a former Councillor for Alderman status could be considered.

Having also supported proposed changes to the financial limit for key decisions, executive decision making, access to information arrangements, Overview and Scrutiny Procedure Rules and to the Code of Financial Management, the Panel

RECOMMEND

- (a) that with regard to Article 13 – Decision Making, a figure of £200,000 be adopted as the level above which the matter concerned would be considered to be significant for 'key decision' purposes;**
- (b) that with regard to Table 2, responsibility for Council Functions, delegated authority by given to the Head of Paid Service (or his/her nominee) to deal with the following employment matters:-**

- (i) making of all staff appointments below the Head of Service;
 - (ii) determination of salary and terms and conditions of all posts in accordance with adopted human resources policies;
 - (iii) negotiation and implementation of local pay awards in compliance with any limitations contained in the Code of Financial Management following consultation with the Chairman of the Employment Panel and the Executive Leader;
 - (iv) negotiation and implementation of changes to terms of conditions of employment and human resources policies;
 - (v) responsibility for consultation and information sharing arrangements with staff;
 - (vi) administration of the provisions of the Housing Act 1989 relating to politically restricted posts; and
 - (vii) responsibility for exercising employer discretions in relation to the Local Government Pension Scheme for staff below Chief Officer.
- (c) that the new arrangements to streamline the process for the consideration of employment matters, as outlined in Appendix G, be endorsed and the constitution varied to reflect these changes;
- (d) that the changes to the Access to Information Procedure Rules, as highlighted in Appendix E, be adopted;
- (e) that the following provision be made in the Constitution under 'Executive Decisions':–
- “that after an Officer has taken a decision closely associated with the discharge of an Executive function, and where that decision is not exempt from publication, a record of the decision shall be published on the Council’s website”;*
- (f) that with regard to the Overview and Scrutiny Procedure Rules, the last sentence of paragraph 10 of the Rules be replaced by –
- “the Agenda for Cabinet meetings shall include an Item entitled “Issues arising from Overview and Scrutiny”. The reports of Overview and*

Scrutiny Panels referred to the Cabinet shall be included at this point in the Agenda (unless they have been considered in the context of the Cabinet's deliberations on a substantive item elsewhere on the Agenda) within two months of the Overview and Scrutiny Panel completing its report/recommendations. Following consideration by Cabinet, the relevant Executive Councillor shall provide a written response to each of the Overview and Scrutiny Panel's recommendations, including reasons where recommendations are not accepted.

The Overview and Scrutiny Panel Chairman or his/her representative shall have a right to attend and address the Cabinet meeting on the report or recommendations of the Panel and shall be entitled to speak for up to five minutes."

- (g) that with regard to authority to appear in court proceedings, delegated authority be granted to the Head of Legal and Democratic Services to authorise suitably trained and qualified staff to :-**
 - (i) prosecute, defend and appear on behalf of the Council before the Magistrates' Court in accordance with Section 223 of the Local Government Act 1972; and**
 - (ii) exercise rights of audience in the County Court in accordance with Section 60 of the County Courts Act 1984 in relation to local authority housing matters and the Lay Representatives (Rights of Audience) Order 1999 in relation to civil matters heard in chambers or dealt with as a small claim;**
- (h) that the Codes of Financial Management and Procurement, attached as Appendices C and D, be adopted; and**
- (i) that the criteria upon which future Alderman should be selected be set at 12 years public service.**

Matters for Information

34. GRANT CERTIFICATION 2011/12

The Panel has received and noted a report from the external auditor detailing the certification of specific grants received by the Council in 2011/12. Members expressed strong concerns over the rules issued

by the Department of Works and Pensions (DWP) for the auditing of benefits claims and the resultant additional cost to the authority of the auditors undertaking further sampling when any error is found in the first sample. In concluding that the auditing rules for sampling are much too severe, the Panel has requested the Assistant Director Finance and Resources to write to the Department of Communities and Local Government, the DWP and the Audit Commission, highlighting the Panel's concerns and requesting that the criteria for taking a further sample be adjusted such that these were required only if the errors in the previous round of sampling are significant.

35. EXTERNAL AUDIT PLAN 2012/2013

The draft external audit plan for 2012/2013 has been presented to the Panel by the Council's external auditors. Members' attention was drawn to the key audit risk areas identified and the approach that will be undertaken to complete these audits was noted.

The Panel's views on fraud were sought by the external auditors. In response, Members referred to the work of the Fraud Working Group and the activities of the Fraud Team.

36. ANNUAL EQUALITY PROGRESS REPORT 2012

Progress made to date in respect of the achievement of the Council's Single Equality Scheme and associated Action Plan was noted by the Panel. Attention was drawn to equality impact assessments which will continue to be used to assist with the Council's responsibilities under the Equality Act 2010.

37. PROGRESS REPORT ON ISSUES IDENTIFIED IN THE ANNUAL GOVERNANCE STATEMENT

The Panel has noted progress made to date in respect of the achievement of the Action Plan supporting the Annual Governance Statement and the Council's Improvement Plan and during the course of their review sought assurances that the implementation date for the pay review was on target.

38. ACCOUNTING POLICIES FOR THE STATEMENT OF ACCOUNTS 2012/13

The Panel has approved six changes to the accounting policies, only one of which was considered to be significant. Members have noted that the 2012/2013 accounts now will be produced on this basis.

39. PUBLIC SECTOR INTERNAL AUDIT STANDARDS

The Panel has approved the adoption of Public Sector Audit Standards together with proposals for the discharge of the Panel's responsibilities. The Standards, which come into force from 1st April 2013, will be recognised as proper non-statutory practice and have been developed specifically for public sector organisations in the UK. The Panel was assured that the majority of actions prescribed in the

Standards are similar to the current requirements of the CIPFA Code of Practice and will have little impact on day to day operational systems. However, two significant changes were drawn to the attention of the Panel. These related to the definition of conflicts of interest for internal auditors and the need to appoint a Chief Audit Executive (CAE) as the person for managing internal audit. It was explained that the management of internal audit, risk management and insurance services will remain the responsibility of the Internal Audit Manager. Although the Internal Audit Manager does not hold the professional qualifications required by the Standards, the Panel has noted that he does possess the knowledge, skills and competence to manage and deliver the service.

**40. INTERNAL AUDIT SERVICE –
AUDIT CHARTER AND AUDIT PLAN**

The Panel has approved the Internal Audit Service – Audit Charter and Audit Plan. The former provides a framework for the conduct of internal audit, replaces the Internal Audit Strategy and terms of reference and establishes the position of Internal Audit within the Council. The Audit Plan sets out the key features of the Internal Audit Planning Process for the period commencing April 2013 and how the function for the period will be resourced.

**41. EXTERNAL AUDITOR ISA260 REPORT:
IMPLEMENTATION OF 2011/12 RECOMMENDATIONS**

The Panel has noted the significant progress made to implement the recommendations of the Council's External Auditor, PricewaterhouseCoopers, following the audit of the 2011/12 Statement of Accounts. Members were advised that all but one of the recommendations had been implemented and that this outstanding item would be completed by the end of April 2013.

42. RISK REGISTER

The Panel has noted changes made to the Risk Register between the period 3rd September 2012 – 5th March 2013 inclusive.

43. WORK PROGRAMME AND TRAINING

The Panel has noted details of their anticipated work programme in 2013/14.

E R Butler
Chairman

**REVIEW OF COUNCIL CONSTITUTION
(Report by the Head of Legal and Democratic Services)**

1. INTRODUCTION

- 1.1 Under the Local Government Act 2000, local authorities were required to adopt written constitutions to regulate their systems of governance and proceedings. Since then the Council has continued to review its Constitution regularly and at biennial intervals since 2005. The purpose of the review exercise is to identify changes required to the Constitution to reflect new legislation and working practices which have emerged during the preceding two years, to overcome any inconsistencies which may have arisen and to make positive adjustments to reflect changes in circumstances.
- 1.2 The terms of reference of the Corporate Governance Panel includes responsibility for “oversight of the Council’s Constitutional arrangements and advising the Council on any changes that may be desirable”. This report, therefore, introduces the review commissioned during the current year.
- 1.3 Adopting the same approach as previously, Members have been requested to consider the content of the Constitution and to highlight any issues or areas which could be improved, clarified or revised based on practical experience over the past two years. In particular, Heads of Service have been requested to examine Part 3 – Responsibility for Functions: Scheme of Delegations and given proposed changes to the senior management structure, re-assign delegations appropriately.
- 1.4 To identify the changes proposed, Members will need to refer to the Constitution available electronically on both the Council’s website and intranet. A copy also is available to peruse in the Members’ Room.

2. GENERAL CHANGES

- 2.1 The Council may amend its Constitution at any time, subject to regard being paid to formal guidance issued by the Secretary of State. Any change will require reference to the Secretary of State only if the Council proposes to change significantly the present form of Executive and Scrutiny arrangements.
- 2.2 The Constitution is divided into 16 Articles which set out the basic rules governing the Council’s business. More detailed procedures and Codes of Practice are provided in separate rules and protocols. There appears to be little need for major change. However, the Constitution continues to evolve and requires regular adjustment to take account of updates in legislation and practice and for these reasons the text will require amendment, in any event, to reflect –
- ◆ new legislation;
 - ◆ alterations to –

- the text generally to update job titles etc;
- Table 2 – Appointments to Outside Organisations to reflect the addition/variation of appointments; and
- Table 4 – Scheme of Delegations to incorporate subsequent amendments to the scheme.

2.3 In terms of the Scheme of Delegation (Part 3, Table 4, Pages 81 – 182), this requires comprehensive change principally because of recent changes to the senior management structure which will result in the appointment of a new Managing Director and has led to the recent appointment of two Assistant Directors for Environment, Growth and Planning and for Finance and Resources. Heads of Service have been requested to examine the Scheme of Delegation in relation to their respective areas and where a former Managing Director or Head of Service is referred to, consider where the delegation should be re-assigned. Given other pressures on the organisation, this purely administrative exercise, being detailed and time consuming may not be completed in time for the Panel meeting.

2.4 Members can be assured, however, that a local authority may not delegate any decision-making functions without express or implied statutory authority and whilst an authority has wide powers under Section 101 of the Local Government Act 1972 to arrange for the discharge of any of its functions by Committee, Sub-Committee or by an Officer, that power has to be lawfully delegated based on proper interpretation of a resolution. Certain other principles also will be adopted – in that those delegations formally assigned to the Managing Director (Resources) largely will fall to the Assistant Director for Finance and Resources and those to the Returning Officer to the Head of Legal and Democratic Services.

2.5 At the time of the last major review In November 2011, the Council authorised the Head of Legal and Democratic Services, after consultation with the Chairman of the Corporate Governance Panel, to make any necessary amendments to the Scheme of Delegation relating solely to the structure of the organisation and post titles and not to substantive change, and to make any further adjustments when these are considered to be necessary in the future.

3. COUNCIL PROCEDURE RULES (STANDING ORDERS) (Pages 185 – 224)

3.1 Scheme of Substitution

A proposal to appoint substitute Members to Panels, Committees and Advisory Groups has been re-submitted by former Councillor P J Downes. This also has been raised by the Chairman of the Panel, Councillor E R Butler. A copy of a potential scheme is reproduced at Appendix A. Five of six Cambridgeshire Authorities* currently operate a scheme for appointment of substitute Members.

The views of the Panel are invited.

3.2 **Recorded Votes**
(Section 14.4 - Page 200)

Currently the Rules allow a recorded vote to be taken and entered into the Minutes if at least one third of Members present demand it before the vote is taken. In terms of the Council meeting and should all Members be present, a Motion for a recorded vote would require to be supported by 17 Members but only by 3 in the case of the Employment Panel for instance.

3.3 A Member has requested that the Panel considers varying this Rule so that 3 Members regardless of the size of the meeting could instigate a recorded vote. This Member believes that the current Rule 'contravenes true democracy'.

3.4 For comparative purposes and in terms of the other Cambridgeshire Authorities, the County Council require 14 Members to demand a recorded vote at full Council and other meetings but not including Cabinet. Six Members are required to request a recorded vote in Fenland and South Cambridgeshire Districts but with regard to the latter, the Constitution requires 6 Members or one quarter of those present whichever is the fewer to demand a recorded vote. In Cambridge and Peterborough City Councils, three and one quarter of the Members attending meetings respectively are required to indicate that a vote should be recorded or otherwise. East Cambridgeshire District requires a straight majority by show of hands should a recorded vote be requested.

3.5 It should also be noted that under the current Constitution any individual Councillor has the right to request that their individual vote be recorded in the minutes. Furthermore, a fully recorded vote should only be required in exceptional cases. There may be an argument to adjust the figure e.g. to a quarter or a fifth, but as can be seen from the preceding paragraph, almost all the Cambridgeshire authorities have a reasonably high threshold and it does not seem appropriate for a very small number potentially to be able to invoke its frequent use, particularly bearing in mind their right to have their individual vote recorded.

The views of the Panel are invited.

4. **ARTICLE 13 – DECISION MAKING**
(Page 41)

Key Decisions

4.1 In Huntingdonshire, it is the practice for a key decision to be taken by the Cabinet or an individual Member of the Cabinet (in the case of grants to external organisations) which is likely –

- ◆ to result in a local authority incurring expenditure which is, or the making of savings which are, significant having regard to the budget for the service or function to which the decision relates; or
- ◆ to be significant in terms of its effects on communities living or working in the area comprising two or more wards.

4.2 In determining the meaning of the word “significant”, the Secretary of State issued guidance as to the categories of decisions which should be considered as key and these are set out on page 42 of the current Constitution. The categories include, for example, one which may result in the adoption of any additional policy, plan or strategy by the Council etc. and one not in accordance with the budget approved by the Council. Since the introduction of the Leader/Cabinet model of decision making, the District Council has treated any decision to incur expenditure or savings or re-align expenditure in excess of £50,000 to be significant for these purposes.

4.3 Given the passage of time since the original legislation was conceived, there has been a suggestion that the District Council might consider increasing the figure of £50,000 given that this relatively low figure, in terms of the overall budget, can be inhibiting on occasions when the Authority may be required to act quickly.

4.4 Practice across the Cambridgeshire Authorities is varied although, arguably, the very different nature of the City and County Councils and the scale of their total revenue expenditure would have influenced the level at which their figures have been set. For example –

Cambridge City	- £300,000
Peterborough City	- £500,000
Cambridgeshire County	- £500,000
Fenland District	- £100,000
South Cambridgeshire District	- no precise value
East Cambridgeshire District	- do not operate a Leader/Cabinet model of decision making

4.5 **In light of the above and the passage of time since the financial limit was adopted, it is recommended that the Council adopt a figure of £200,000 as the level above which the matter concerned would be considered to be significant for ‘key decision’ purposes.**

**5. TABLE 2, RESPONSIBILITY FOR COUNCIL FUNCTIONS
(Pages 70 – 71 and 76)**

5.1 Elsewhere on the Panel’s Agenda is a report containing proposals to streamline the process for consideration of employment matters currently dealt with by the Employee Liaison Advisory Group and Employment Panel. This report has been re-submitted to the Panel having been deferred at the last meeting to allow the terms of reference of the proposed new Employment Panel to be clarified and the precise parameters of the authority to be delegated to the Head of Paid Service to be better defined.

5.2 Once the terms of reference for the new Employment Panel and Senior Officers Panel and the authority to be delegated to the Head of Paid Service are approved by the Panel, the consequential amendments will require to be made to the Constitution.

5.3 **The Panel is requested to note this position.**

6. **ACCESS TO INFORMATION PROCEDURE RULES**
(Pages 225 - 233)

6.1 Major changes are required to the Constitution following the coming into force of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. In essence, the Regulations establish the presumption that meetings of a local authority executive (and its Committees and Sub-Committees etc.) must be held in public. In practice, there are few occasions when it is necessary for the District Council's Cabinet to consider matters in private, so the Regulations will have minimal impact in this respect. The District Council also has for many years published its Agenda and Reports on its website, so the explicit requirement for certain notices to be published for these reasons, again has not proved too onerous. Whilst the Constitution needs to reflect the new legal provisions, these arrangements have already been operating since the Regulations came into effect on 10th September 2012. The Access to Information Procedure Rules have been amended to reflect the principal changes required under the Regulations. For ease of understanding, these Rules are appended at Appendix D and proposed changes to the text are highlighted.

6.2 A summary of the main changes required to executive decision making and access to information arrangements is set out as follows –

- ◆ the Regulations prescribe the procedures which must be followed before the Cabinet can hold part of its meeting in private. The public or other Councillors can object or make representations contending that meetings should be open to the public. A reply has to be given in response to any representations received and it is suggested that this be prepared by the Head of Legal and Democratic Services after consultation with the Executive Leader;
- ◆ the requirement to publish monthly a forward plan of key decisions to be taken by the Cabinet over a four month period has been repealed. Instead a document must be published 28 clear days before the key decisions are taken setting out the decision to be made and a range of other information similar in content to the former Forward Plan. Reference has to be made to any confidential or exempt information likely to be submitted to the Cabinet and thus requiring the exclusion of the public from the meeting.
- ◆ Although not a requirement, the District Council has continued to publish a Notice of Executive Decisions (the former Forward Plan), ensuring compliance with the 28 clear days notice required to be given for both key decisions and exempt information. It was considered that Members, Officers and the public were familiar with the former arrangements and the format provided a tool for both Members, Officers and the Overview and Scrutiny Panels to monitor and programme up and coming business and ensure compliance with this part of the Regulations without the need for complex changes. The document continues to be made available on the District Council's website and is distributed as before to the press and libraries.

- ◆ there remains provision for general exception and special urgency arrangements when compliance with the notice periods has not been possible. These notices also must now be published on the website;
- ◆ there is no change to the definition of a key decision under the Regulations (see paragraph 4.1 of this report);
- ◆ Whilst much of the Regulations remain the same in respect of publishing Executive Decisions, there has been a suggestion that **all** decisions connected to the function of the Executive i.e. including those delegated to Officers by the Cabinet (under the Scheme of Delegation) also should be published. Ensuring compliance with this requirement to publish Officer decisions, which are often purely administrative, would present a significant challenge.

No action has yet been taken by the District Council in respect of this part of the Regulations. Whilst the scope and definition of “Executive Decisions” continues to be questioned and further guidance is awaited, Cambridgeshire County Council has included the following provision within their Constitution to address this issue, (which accords with Counsel’s Advice obtained by the Association of Council Secretaries and solicitors) - *“After an Officer has taken a decision closely associated with the discharge of an Executive function, and where that decision is not exempt from publication, a record of the decision will be published on the Council’s website”*. It is recommended that **the District Council should likewise include this provision in the Constitution pending further consideration and clarification of this part of the Regulations.**

- ◆ where a report considered at a public meeting contains the list of background papers, a copy of each of the documents in that list must now be published on the Council’s website, unless it contains exempt or confidential information.

The Panel is invited to –

- (a) note the implications of the new Regulations and recommend to the Council the adoption of the consequential changes to the Access to Information Procedure Rules as described in Appendix D hereto;**
- (b) endorse the practice whereby a notice of decisions (replacing the former Forward Plan) continues to be published to ensure compliance with the 28 clear day notice required for both key decisions and the intention to consider specific business in private; and**
- (c) authorise the Head of Legal & Democratic Services to prepare, in consultation with the Executive Leader, a response to any representations received to a notice of the intention to consider specific business at a meeting of the Cabinet in private session;**

- (d) **Recommend the addition of wording to cover executive decisions taken by Officers as set out in paragraph 6.2 above.**

**7. OVERVIEW AND SCRUTINY PROCEDURE RULES
(Pages 247 - 253)**

- 7.1 Paragraph 10 of the Overview and Scrutiny Procedure Rules describes the way in which the Panel's reports are considered by the Cabinet. In practice, once an Overview and Scrutiny Panel's report on any matter which is the responsibility of the Cabinet has been completed it is included on the agenda for the next available meeting of the Cabinet. Similarly, where an Overview and Scrutiny Panel has formed a view or recommendations on an Item that is scheduled to be considered by the Cabinet, a report is prepared for the Cabinet to consider concurrently with the substantive item.
- 7.2 Whilst this process generally works well, concern has been expressed at a meeting of Joint Chairmen (Overview and Scrutiny Panels) that the response of the Cabinet to a report or recommendations of a Panel is sometimes less than satisfactory and that it would assist the exchange of views/report back process if the Overview and Scrutiny Procedure Rules were amended to formalise this stage.
- 7.3 Following the model adopted by the County Council, the last sentence of paragraph 10 of the Rules –

'the Council or the Cabinet shall respond to a report and recommendations of an Overview and Scrutiny Panel within two months of receiving the report or a written notice from the Panel requiring them to consider the report (if later).'

could be deleted and replaced by –

'the Agenda for Cabinet meetings shall include an Item entitled "issues arising from Overview and Scrutiny Panels". The reports of Overview and Scrutiny Panels referred to the Cabinet shall be included at this point in the Agenda (unless they have been considered in the context of the Cabinet's deliberations on a substantive item elsewhere on the Agenda) within two months of the Overview and Scrutiny Panel completing its report/recommendations. Following consideration by Cabinet, the relevant Executive Councillor shall provide a written response to each of the Overview and Scrutiny Panel's recommendations, including reasons where recommendations are not accepted.

The Overview and Scrutiny Panel Chairman or his/her representative shall have a right to attend and address the Cabinet meeting on the report or recommendations of the Panel and shall be entitled to speak for up to five minutes.'

The Panel are invited to consider the proposed amendment to the Overview and Scrutiny Procedure Rules.

8. AUTHORITY TO APPEAR IN COURT PROCEEDINGS

- 8.1 Whereas rights of audience are normally limited to solicitors and barristers, under Schedule 3(1)(3) of the Legal Services Act 2007, the Council has a right to grant an exempt person a right of audience before a magistrates' or county court when such right is granted by another enactment.
- 8.2 To avoid the necessity of such authorisations having to come to Council, the Panel is requested to recommend that:-

Delegated authority be granted to the Head of Legal and Democratic Services to authorise suitably trained and qualified staff to:-

- (i) Prosecute, defend and appear on behalf of the Council before the Magistrates' Court in accordance with Section 223 of the Local Government Act 1972; and**
- (ii) exercise rights of audience in the County Court in accordance with Section 60 of the County Courts Act 1984 in relation to local authority housing matters and the Lay Representatives (Rights of Audience) Order 1999 in relation to civil matters heard in chambers or dealt with as a small claim.**

9. CODES OF FINANCIAL MANAGEMENT AND PROCUREMENT – (Pages 255 – 286)

- 9.1 During the biennial review exercise, the opportunity is always taken to propose changes to the Codes of Financial Management and Procurement.
- 9.2 The Code of Procurement and the Code of Finance Management 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 are reviewed regularly.
- 9.3 The draft code of Procurement is attached as Appendix B with the changes highlighted in grey. Aside from minor changes (such as change of post titles), the amendments are outlined below:

Community Right to Challenge (Localism Act) (Section 14)

The Community Right to Challenge permits a Community Body, Town and Parish Councils, the third sector and employees to submit expressions of interest to undertake authority activities and services. The proposed amendment tells staff that any enquiry or expression of interest submitted under the Community Right to Challenge must be referred to the Information and Research Officer. Also that the Procurement Manager shall maintain and publish a programme of the timings for the acceptance of expressions of interest in order to align the potential workload with any identified resource requirements or other constraints.

Late Tenders (Section 9.8)

Current wording states that all late tenders must be rejected. The amendment proposes that the Head of Legal and Democratic Services may, where there are exceptional circumstances, allow the consideration of late tenders provided no other tender has been opened. This will align the Code with current Tender Instructions.

Single Tender Exemption (Section 6.1)

A significant number of single tender requests are received by the Head of Legal and Democratic Services that relate to the maintenance of propriety systems (typically IT software) where Intellectual Property Rights prevent other companies providing the required service. As there is no independent market for the service the single tender request is effectively “rubber stamped”. The proposal is to give Head of Service authority to directly award such maintenance renewals provided:

- there is evidence that it is a propriety system;
- the initial contract award was compliant;
- the renewal is for a period not greater than 4 years (this is the time interval the EU uses to calculate contract value for ongoing contracts);
- the ongoing value does not exceed the EU threshold; and
- the direct award is recorded in the single tender register.

Electronic Pre-Qualification Questionnaire (Section 6.3)

To ease the process for small businesses a simplified Excel version of the Pre-Qualification Questionnaire has been introduced. Returning the form by email would further speed the process. A dedicated e-mail box "procsupport@huntingdonshire.gov.uk" has been created. Heads of Service wishing to have Pre-Qualification Questionnaire returned in electronic format (Excel) must tell bidding suppliers to use the designated email address and tell the Procurement Manager of the closing date. The Procurement Manager will forward of the Pre-Qualification Questionnaire to the Head of Service after the closing date.

Under £5k Threshold (Section 5.6)

The rule permits acceptance of a single offer for purchase under £5k. Whilst trivial values do not justify any additional process larger purchases may achieve savings from seeking more than 1 offer. The minor change to the wording in the table at paragraph 5.3 is to encourage Heads of Service to seek more than one offer where there is the reasonable prospect of savings.

- 9.4 The draft code of Financial Management is attached as Appendix C with all but very minor changes highlighted in grey. Most changes are to reflect the fact that the Assistant Director (Finance and Resources) is now the Council's Responsible Financial Officer (often referred to

as the Chief Financial Officer or S151 Officer) and the Accountancy Manager will act as his deputy.

- 9.5 There are other changes to tighten up requirements in particular areas but the only changes of significance are outlined below:

Section 3.4

The first paragraph incorporates into the Code a specific delegation that has existed for many years allowing officer approval of additional expenditure in a peacetime emergency.

The second paragraph is a new addition and proposes that:

“The Managing Director, or in his absence, the Assistant Director (Finance and Resources), may incur expenditure of up to £350,000 for any purpose which is urgent and demonstrably in the Council’s best interests to do so following consultation with the Executive Leader or Deputy Executive Leader. Any exercise of this power must be reported to the Cabinet at the first opportunity.”

In the third paragraph, Cabinet’s limit for supplementary estimates is raised from £300,000 to £350,000.

Section 3.6

The budget transfer (virement) levels have been increased as follows:

Budget Managers	£ 60,000 to £ 75,000
COMT	£120,000 to £150,000
Cabinet	£300,000 to £350,000.

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

10. CONFERMENT OF THE TITLE OF ALDERMAN

- 10.1 Whilst not strictly a matter for the Constitution itself, as the Panel holds responsibility for the Council’s Constitutional arrangements, the Council Programme Group has requested the Panel to re-consider the criteria upon which future Aldermen should be selected Section 249 of the Local Government Act 1972 enables a Principal Council to confer the title of Honorary Aldermen or Alderwomen on former Members who have, in the opinion of the Council, rendered eminent services to the Council.
- 10.2 The Panel is reminded that in September 2010, the Council introduced the titles of Honorary Alderman and Honorary Alderwoman. These were to be conferred upon Members who cumulatively had served a minimum of 15 years as an elected Councillor on the District Council. A quick survey of other authorities revealed that it was a standard requirement to have a minimum time qualification, varying from 10 to 25 years, with 15 years being fairly typical.

- 10.3 As conferring the title of Honorary Alderman is the highest honour that a Council can bestow, the Panel may continue to hold the view that these titles only should be awarded to persons who have rendered eminent public service over a stipulated number of years. However, if the Panel agrees that the criterion for nomination should be wider, the Group has asked for some assistance in establishing rules for selection and has requested the Panel to consider the matter further. Whilst any conclusions potentially could be subjective, the aim should be to establish a way to assess and recognise an individual's outstanding contribution to the activities of the Council and the wellbeing of the District rather than loyalty to a political party.
- 10.4 To encourage nominations to come forward, it is suggested that candidates be considered annually by the Council Programme Group at its May meeting, but that it would not be obligatory to make a nomination in each Municipal Year. Indeed some authorities impose a limit to the total number of Aldermen appointed at any one time.

The views of the Panel on any additional criterion are invited.

(Members of the Council Programme Group may wish to attend and address the Panel on this Item.)

11. RECOMMENDATION

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

BACKGROUND DOCUMENTS

Huntingdonshire District Council Constitution

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* Cambridgeshire Authorities –
Cambridgeshire County, Peterborough City, Cambridge City, East Cambridgeshire, South Cambridgeshire and Fenland Districts.

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PROPOSED PROCEDURE FOR APPOINTMENT OF SUBSTITUTE MEMBERS TO COMMITTEES, PANELS AND ADVISORY GROUPS

1. ALLOCATION OF SUBSTITUTES

The Council at its Annual Meeting shall appoint up to 2 named substitute Members for each Panel or Committee and from each political group, to attend Committees, Panels and Advisory Groups of the Council in the absence of ordinary Members.

A Member of the Council who is not aligned to a political group (“independent Member”) shall be entitled to appoint one other named “independent Member” to take his/her place in the event of his/her absence at meetings of any Committee, Panel or Advisory Group to which s/he is appointed.

The Executive Leader, Deputy Executive Leader and any Member of the Cabinet shall not be appointed as a substitute Member to an Overview and Scrutiny Panel. The Executive Leader shall not be appointed as a substitute Member to the Standards Committee.

As the Constitution of the Development Management, Employment and Licensing and Protection Panels and Licensing Committee provides for the appointment of one Member of the Cabinet with appropriate Portfolio responsibility on each Panel, only Executive Councillors may be appointed as the substitute Member to attend in the absence of the appropriate Portfolio holder.

2. POWERS AND DUTIES

Substitute Members, when substituting for an ordinary Member of the Committee, Panel or Advisory Group shall have the powers and duties of any ordinary Member of the Committee, Panel or Advisory Group but shall not be able to exercise any special powers or duties exercisable by the person for whom they are substituting.

A substitute Member shall be entitled to be elected Chairman or appointed Vice-Chairman of the meeting of the Committee, Panel or Advisory Group at which s/he is in attendance but s/he shall be so elected or appointed for the duration of that meeting only.

The named Members appointed as substitute Members to the Overview and Scrutiny Panels shall not be entitled to participate in the Call-In procedure.

3. PROCESS FOR ATTENDANCE

Substitute Members may attend meetings in that capacity only -

- (i) to take the place of an ordinary Member of the Committee, Panel or Advisory Group for which s/he is the designated substitute;

- (ii) after the appointed Member has notified the Head of Legal and Democratic Services or the relevant Democratic Services Officer of the intended substitution before the start of the meeting; and
- (iii) in the event of the ordinary Member not being present at the start of the meeting.

Attendance at a meeting of the Committee, Panel or Advisory Group for the purposes of substitution shall be determined at the start of the meeting and substitution or further substitution shall not be permitted during the course of the meeting.

4. GENERAL

- (i) A Member tendering an apology for absence at a meeting shall have that absence recorded irrespective of a substitute Member attending in his/her place to enable an accurate record of attendance to be published at the ensuing Annual Council meeting.
- (ii) Substitute Members shall be eligible for travelling and carer's allowances as if they were appointed Members of the Committee, Panel or Advisory Group.
- (iii) Substitute Members attending meetings of the Development Management Panel shall not be eligible to receive the Special Responsibility Allowance payable to ordinary Members of the Panel but shall be entitled to claim reimbursement for the travelling costs incurred when undertaking site visits in connection with the meetings.
- (iv) Those appointed as named substitute Members shall be required to have undertaken appropriate training necessary to enable full participation in the business of the Committee, Panel or Advisory Group to which they are appointed, e.g. the Development Management or Licensing and Protection Panels/Licensing Committee.
- (v) Named substitute Members shall receive electronic copies of agenda issued for all meetings of the relevant Committee, Panel or Advisory Group to which they are appointed to assist in continuity and knowledge of issues under consideration.

Huntingdonshire District Council

**CODE OF
PROCUREMENT**

2013

(Approved: Council 24 April 2013)

CODE OF PROCUREMENT

1. INTRODUCTION

1.1 The Code of Procurement defines the regulatory and legal framework for procurement. It has been adopted in accordance with the requirements of Section 135 (2) of the Local Government Act 1972.

1.2 This Code applies to the procurement, 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;
- ◆ 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 Manager estimates that the assets, goods or services to be sold exceed £1000. Where the value is estimated to be less than £1000 then the 'Sale of Equipment' procedures contained within the Inventory procedures shall be followed.

1.5 The Council includes the Cabinet, panels, committees or other body or person(s) acting in accordance with delegated authority on behalf 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 Throughout the Code, reference to Manager shall mean Service Manger, General Manager, Head of Service or Assistant Director as appropriate.

1.9 The Assistant Director (Finance & Resources) shall annually review all the financial values contained in the Code to take account of the impact of inflation. The Assistant Director (Finance & Resources) shall inform all Managers 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	s	Works
£	£ 173,934	£ 173,934	£ 4,348,350
(Euros)	(€200,000)	(€200,000)	(€ 5,000,000)

(Thresholds as at 1 Jan 12)

2.2 Financial Year Start Reporting

At the start of each financial year (1 April) Managers 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	s	Works
£	£ 653,253	£ 653,253	£ 4,348,350
(Euros)	(€750,000)	(€750,0000)	(€ 5,000,000)

(Thresholds as at 1 Jan 12)

Contract values are the Council's aggregated spend and not individual Directorates or Services. Therefore, the Procurement Manager shall advise the Manager 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 , the value is based on the estimated average monthly expenditure multiplied by 48 (4 years).

2.3 Through Year Reporting

Managers 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, Managers 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;
- ◆ Provider (contractor) Nationality;
- ◆ Award Procedure (from the OJEU notice); and
- ◆ Justifications if Negotiated procedure;
- ◆ Value.

3. CONTRACTS REGISTER

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

- ◆ all tenders and quotes greater than £ 5,000;
- ◆ 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.
- ◆ **A Purchase Order raised on the Financial Management System.**

4.2 Where there is an exception requirement and the relevant Assistant Director or Manager 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 Assistant Director or Manager 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) for volume.
- ◆ Regulatory compliance.
- ◆ Transparent and efficient procurement processes.
- ◆ Appropriate social, environmental and equality outcomes.
- ◆ Minimum procurement over.

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 service). 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. Managers 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.

5.3 Some categories are managed corporately by specialist areas. The Procurement Manager shall provide a list of specialist categories and Managers shall ensure all requirements for such categories are referred to the relevant specialist.

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

(a) for purchases made from a Purchasing Agent (ESPO, Government Procurement)

◆ 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

(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 Assistant Director or Manager -

◆ considers that the work is of an emergency nature or is necessary to enable the service to continue; or

◆ with the Assistant Director (Finance & Resources)' 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 Assistant Director or Manager shall report details of all work awarded to the Head of Legal & Democratic Services who shall make a record in a register kept for that purpose; and to the next meeting of the Cabinet.

5.5 Any procurement estimated to exceed £50,000, which is not covered by the exceptions in paragraph 5.4 above, must be referred to the Procurement Manager before the procurement process is commenced. If a Manager does not wish to accept the Procurement Manager's advice on any significant aspect the matter will be determined by the relevant Assistant Director. The discussion will cover:

◆ Scope and objectives of the procurement;

◆ Budget and costing;

- ◆ Tender methods;
- ◆ Product and market information;
- ◆ Timescales; and
- ◆ Deliverables.

5.6 Where there is no adopted contract or framework, Managers shall, wherever practicable, seek to maximise contract values with other Managers 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. Managers 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 5.4.

Estimated Total Value of Procurement	Requirement
Up to £5,000	At least 1 written estimate or offer (e-marketplace, email, web or paper) shall be sought and recorded. Further estimates or offers should be sought where a Manager considers that there is reasonable possibility that this could result in a saving to the Council.
£5,001 to £50,000	At least 3 written quotations or offers shall be invited, unless the Managers has complied in full with paragraph 6.1e of this Code. The Manager will consider whether the nature of the procurement is such that a full competitive tendering would be likely to be beneficial to the Council by reducing cost (by more than the cost of tendering) or risk.
£50,001 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.

5.7 Total value is the cost of all elements of the procurement (eg: installation, testing, training, maintenance, etc). The Manager shall ensure that a procurement is not split or otherwise disaggregated and may choose to competitively tender requirements less than £50,000.

5.8 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 Managers 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.
- ◆ 'new' contractors are sought and invited to tender or quote.
- ◆ the geographic area of the search for potential contractors is widened.
- ◆ 'no-bids' are checked for the reasons for a contractor's failure to bid.

6. TENDER AND FORMAL QUOTATION PROCEDURES

6.1 Tendering and Formal Quotation Options

Managers 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 Managers shall comply with paragraph 5.8.

Option	Requirement
(a) Framework	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) List of Approved Tenderers	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) Open Tenders	Public notice shall be given in one or more newspapers and/or in an appropriate trade journal. The notice shall

<p>and Quotations</p>	<p>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 Manager 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>
<p>(d) Restricted Tenders & Quotations</p>	<p>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>
<p>(e) Single Tenders / Quotations</p>	<p>A Manager after consulting the Head of Legal & Democratic Services may obtain a single tender or quotation when:</p> <ul style="list-style-type: none"> • Prices are wholly controlled by trade organisations or government order and no reasonably satisfactory alternative is available. • Work to be executed or goods, services or materials to be supplied consist of repairs to or the supply of parts of existing proprietary machinery, equipment, hardware or plant and the repairs or the supply of parts cannot be carried out practicably by alternative contractors. • Specialist consultants, agents or professional advisers are required and <ul style="list-style-type: none"> • there is no satisfactory alternative; or • evidence indicates that there is likely to be no genuine competition; or • it is in the Council's best interest to engage a particular consultant, agent or adviser. • Products are sold at a fixed price, and market conditions make genuine competition impossible. • 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

	<p>awarded following a competitive tendering process that complied with this Code. No more than two serial contracts shall be negotiated from an initial contract</p> <ul style="list-style-type: none"> • No satisfactory alternative is available. If the single quote/tender option is used, the Manager shall: • seek approval of the Head of Legal & Democratic Services who shall make a record in a register kept for that purpose; • retain records that demonstrate that the best price or value for money has been obtained from the negotiations with the contractor. <p>A Manager can approve a single tender for ongoing maintenance of propriety systems provided:</p> <ul style="list-style-type: none"> • there is evidence that it is a propriety system; • the initial contract award was compliant; • the renewal is for a period not greater than 4 years (this is the time interval the EU uses to calculate contract value for ongoing contracts); • the ongoing value does not exceed the EU threshold; and • the direct award is recorded in the single tender register.
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6.2 Invitations To Tenders and Requests for Quotations

Managers 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 Manager 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 viable 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.

(c) Managers wishing to have a Pre-Qualification Questionnaire returned in electronic format (Excel) must tell bidding suppliers to use the designated email address "procsupport@huntingdonshire.gov.uk" and tell the Procurement Manager of the closing date. The Procurement Manager shall forward the Pre-Qualification Questionnaires to the Manager after the closing date.

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 Manager believes that by following one of the procurement procedures detailed in paragraph 5.6 above, that the procurement process will not provide him with the most appropriate method of delivery, the most competitive prices, allow for continuous improvements in delivery, or stifle procurement innovation, then he may suggest alternative procurement strategies.

The Manager shall produce in accordance with guidance issued by the Head of Legal & Democratic Services and prior to proceeding with the procurement, a written procurement strategy that shall be approved by the Assistant Director (Finance & Resources) 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 Head of Legal & Democratic Services, after consultation with the Assistant Director (Finance & Resources) and the other relevant Managers shall be adopted. The Procurement Manager shall ensure that the external organisation and approved list of contractors is detailed in Procurement Protocols & Guidelines.

(b) Ad-hoc list of approved tenderers. If a Manager believes that the approved list of tenders does not allow him to obtain sufficient competition for 'Best Value', the Manager shall write to the Head of Legal & Democratic Services and copied to the Assistant Director (Finance & Resources) 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 Manager 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 Head of Legal & Democratic Services in conjunction with the Assistant Director (Finance & Resources) and relevant Managers 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 Manager 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 Contracts 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 Manager shall obtain from the IMD Service Manager.

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 Legal and Democratic Services if it contains a “Tender” or the appropriate Manager if it contains a “Quotation”; and
- ◆ the IMD Service Manager shall ensure that the e-mail address is secure and can only be accessed by the Head of Legal & Democratic 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 Head of Legal & Democratic Services and by the appropriate Head of Service/Service Manager. The Assistant Director (Finance & Resources) shall be notified of the time and place appointed for the opening; and
- ◆ quotations shall be opened by the appropriate Manager and/or his nominee(s). The Internal Audit & Risk Manager shall be notified of the time and place appointed for the opening.

9.5 All tenders or quotations upon opening shall be recorded in writing on either a tender opening record or quotation record in the Contracts Register, as is appropriate. The format of the opening record shall have been previously agreed with the Head of Legal & Democratic Services and Assistant Director (Finance & Resources). 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 Legal and Democratic Services in respect of tenders, and the relevant Manager 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 Legal and Democratic Services or his nominated officer in respect of tenders, or by the appropriate Manager or his nominated officer in respect of a quotation.

9.8 Late tenders shall be rejected once any other tender/quotation has been opened. 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 Manager 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 £50,000

- ◆ but is within 15% of the original estimate, the appropriate Manager 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 Manager has consulted and obtained the approval of the Head of Legal and Democratic 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/Service Manager, or
- ◆ in cases of urgency, the Head of Legal and Democratic 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 Manager 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 Manager 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/Service Manager, 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 Manager 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/Service Manager, Head of Legal and Democratic Services and Assistant Director (Financial & Resources) 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 Heads of Service/Service Managers, Head of Legal and Democratic Services and Assistant Director (Financial & Resources);
- ◆ be conducted in accordance with guidance issued by the Head of Legal and Democratic 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 if appropriate Head of Legal and Democratic Services 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 Manager 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). Managers 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 £50,000, paragraph 11.2 shall apply.
- ◆ Any framework or contract formally adopted by the Council.
- ◆ Purchasing Agency (eg ESPO, Government Procurement) 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 is required for the 'standard' product.

11.2 Every contract that exceeds £50,000 in value shall be in writing in a form approved by the Head of Legal and Democratic Services who shall also determine the format of any contract for a lesser value. Managers shall ensure that advice of the Head of Legal and Democratic Services 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 Manager after consulting with the Assistant Director (Finance & Resources) and the Head of Legal and Democratic Services 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 Managers 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 £50,000 shall be forwarded by the Head of Legal and Democratic Services. Where the total value of the contract is less than £50,000 the relevant Manager shall make arrangements for the retention of all the original documentation.

11.5 Managers 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 Managers shall include the specific T&Cs listed in the Procurement Protocols & Guidance in all contracts. Where a Manager considers a term or condition inappropriate they shall seek advice of the Head of Legal and Democratic Services 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 Managers shall ensure that:-

(a) all letters of intent are in a form approved by Head of Legal and Democratic Services; and

(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. POST-TENDER DEBRIEFS

13. For all contracts greater than £5k Managers shall maintain records of selection and evaluation scoring and where requested by participating suppliers, provide a suitable post-tender debrief. For contracts greater than £50k, the advice of the Procurement Manager shall be sought on the format and scope of the debrief.

14. LOCAL GOVERNMENT ACT – COMMUNITY RIGHT TO CHALLENGE

The Local Government act permits relevant bodies (charities, community bodies, town & parish councils and staff) to submit Expressions of Interest to provide Council services. The Procurement Manager shall maintain and publish a timetable for the submission of Expressions of Interest. All Expressions of Interest received from relevant bodies should be forwarded to the Information and Research Officer.

15. RETENTION OF DOCUMENTS

15.1 Managers 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 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.

15.2 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
- ◆ All selection and evaluation scoring and 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.

16 FREEDOM OF INFORMATION ACT 2000 (FOIA)

16.1 Managers 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.

17. CONSULTANTS

17.1 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/Service Manager, 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/Service Manager.

18. PROCUREMENT TRAINING

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

18.2 Managers shall ensure that all Officers routinely undertaking purchasing or procurement duties have undertaken appropriate training.

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

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Huntingdonshire District Council

CODE OF FINANCIAL MANAGEMENT

DRAFT 2013

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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 for making a recommendation to that body or person(s), shall consider a written report, approved by the Assistant Director (Finance and Resources), 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 set the level of the council tax.

Will approve the Council's Treasury Management Strategy and Prudential Indicators.

Will approve changes to this Code.

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 internal audit charter and the annual internal audit plan and comment on the external audit plan.

Will approve the Council's final accounts before publication.

Will consider reports from the external auditor.

Will recommend changes to this Code to the Council.

1.4 The Cabinet

Will propose to the Council:

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

after considering the views of 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 **Cabinet, Panels and Working Groups**

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 Officers, the Cabinet or the Council making these available in accordance with this Code.

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 **Assistant Director (Finance and Resources)** 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 to the Council's Monitoring Officer before any decision on the matter is made by the Council. The Monitoring Officer will advise the member or employee of any actions they should or must take.

*For the purpose of this section an **interest** also includes any interest of a member of your family or a close associate or acquaintance. This shall be interpreted as anyone whom a reasonable member of the public might think you would be prepared to favour or disadvantage.*

1.8 **The Head of Legal and Democratic Services, 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.

1.10 **The Assistant Director (Finance and Resources), as Responsible Financial Officer** or, in his/her absence, the Accountancy Manager.

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.

1.11 **The Accountancy Manager, as Deputy Responsible Financial Officer**

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

1.12 **Budget Managers (Corporate Office Manager, Service Managers, Heads of Service, Assistant Directors and Managing Director)**

The Council's management structure is based on Service Managers, Heads of Service, Assistant Directors, the Managing Director and the Corporate Office Manager taking responsibility for a service and its related budget. For the purpose of this Code they are referred to as Budget Managers. Whilst they retain ultimate responsibility they will often delegate appropriate tasks to their employees.

The Budget Manager responsible for a budget :

- will be responsible for effective financial and resource management and the prevention of fraud and corruption within the service
- will be responsible for informing the Internal Audit & Risk Manager of all suspected or notified cases of fraud, corruption or impropriety
- 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 HR policies and any COMT requirements. Annex B deals with the implications of the turnover contingency and includes the requirement that, when an employee leaves, they will 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 objectives through their services.
- will be responsible for maximising the income from fees and charges relating to their service in accordance with Annex C.

1.13 **Internal Audit**

Will be responsible for providing an independent and objective opinion on internal control, risk management and governance systems. It will act in accordance with the **internal audit charter** and undertake reviews that focus on areas of greatest risk to the Council's control environment as contained within a programme agreed annually by the **Corporate Governance Panel** after consultation with the **Assistant Director (Finance and Resources)** and Budget Managers.

For these purposes internal audit shall have **free**, full and unrestricted access to **services and functions and** all Council assets, systems, documents, information, employees and Members. **All employees are required to assist internal audit to carry out its role.**

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 **Accountancy Manager** in conjunction with Budget Managers.

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 Budget Manager 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**

Budget Managers will be responsible for regular and effective monitoring and forecasting of the financial position relating to their services and promptly reporting any significant issues to the Chief Officers' Management Team.

The Chief Officers' Management Team will review each Budget Manager's financial performance on a quarterly basis.

The financial performance of the Council will be reviewed by the Cabinet quarterly on the basis of monitoring statements prepared by the **Accountancy Manager** in conjunction with Budget Managers.

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

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. This includes budget transfers in accordance with section 3.6 below, **or**
- is funded from savings. These must be defined, permanent and not already earmarked for the achievement of the Council's savings targets. This includes any savings identified in accordance with section 3.5 below.

If the Budget Manager has any concerns about their proposal meeting these requirements they must consult the **Accountancy Manager**.

3.3 **Grants, Cost Sharing and S106/CIL agreements**

Where a Budget Manager 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/CIL agreements, the location or some other aspect is at the Council's discretion.
- informing the **Accountancy Manager** 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/CIL sum.

A Budget Manager may utilise sums of money received under S106/CIL, or equivalent, agreements where there is no discretion. The **Accountancy Manager** should be informed of the details. **The Budget Manager** must also supply the **Accountancy Manager** with:

- A copy of all information that supports the grants received (grant letter etc) so a decision can be made in respect of the correct accounting treatment.
- Documentation confirming how they plan to meet any grant conditions.

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

The **Managing Director**, or in his absence, the **Assistant Director (Finance and Resources)**, may incur expenditure for the immediate alleviation of hardship or suffering in the case of peacetime emergency in the District. Any exercise of this power must be reported to the **Cabinet (under £350,000)** or the **Council (over £350,000)** at the first opportunity.

The **Managing Director**, or in his absence, the **Assistant Director (Finance and Resources)**, may incur expenditure of up to £350,000 for any purpose which is urgent and demonstrably in the Council's best interests to do so following consultation with the **Executive Leader** or **Deputy Executive Leader**. Any exercise of this power must be reported to the **Cabinet** at the first opportunity.

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 **£350,000** in aggregate in any financial year. Once such approvals have been reported to Council 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 Assistant Director (Finance and Resources) may approve such a scheme following consultation with the relevant Executive Councillor for the service and the Executive Councillor for Resources. The relevant budget(s) and MTP will be appropriately adjusted.

3.6 Budget Transfers

Each Budget Manager will have responsibility for some or all of the following types of budget which are defined by the grey highlighted lines in the "Controllable Budget" Annex to the approved budget and MTP.

- Service Revenue Budgets
These budgets include the direct controllable costs of providing the particular service to the public and are shown in the controllable budget annex when the budget is approved. They do not include any revenue impact of capital funding or recharges from any Management Units or Overhead Budgets.
- Capital Scheme Budgets
These provide the funding to complete a defined capital project and may include provision for some recharges from Management Units and Overhead Budgets to cover project management and design fees where these are carried out internally.
- Management Unit Budgets
Management Unit budgets collect together the employment and ancillary costs of those employees who carry out or support the Council's services. In some cases, where the employees are only involved in providing a single service they may be included under the relevant Service Revenue budget.
- Overhead Budgets
Overhead budgets collect together the direct costs of certain overheads which support the delivery of services. e.g. depot and office costs.
- Technical Budgets
These include items such as borrowing and investment interest, unallocated contingencies and the Minimum Revenue Provision. They 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 Budget Manager 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 from a pay, NI or pension contributions budget unless permitted by Annexes A or B.
- Not from capital to revenue
- Notified to the Accountancy Manager
- Within the following limits if between budgets (there shall be no financial limits within a budget):
 - Revenue to revenue £75k
 - Revenue to capital £75k
 - Capital to capital £75k

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 £150k
- Revenue to capital £150k
- Capital to capital £150k

Cabinet may approve budget transfers of up to:

- Revenue to revenue £350k
- Revenue to capital £350k
- Capital to capital £350k

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 relevant 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 **Assistant Director (Finance and Resources)** following a request from a Budget Manager, 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 Budget Manager. The amount is further limited by the net underspending on that Budget Manager's relevant budget(s) in the current year.

3.8 **Price Base Changes**

Allocation to individual Budgets of any provision for inflation or other purposes will be determined by the **Accountancy Manager**.

3.9 **Project Appraisals**

All proposals for changes to the MTP will require an explanatory appraisal, unless the **Accountancy Manager** 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 **Assistant Director (Finance and Resources)** is responsible for all Council banking arrangements and shall maintain an account(s) with an appropriate bank(s) as defined in the **Treasury Management Strategy**. 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.

No cash payment in excess of £1,000 will be accepted.

The **Accountancy Manager** 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 **Accountancy Manager**.

All Budget Holders are required to ensure that:

- **Invoices are raised promptly**

- The income team are informed promptly of any required invoice adjustments
- Invoice queries are answered promptly
- The income team are informed of any information that may affect the recovery of any invoiced sums
- They periodically consider, in liaison with the income team, whether there would be a more effective or efficient way of collecting sums due (e.g. cash in advance).

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, which currently consists of four 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 **Accountancy Manager** 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

All payments 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
- by some other system specifically approved by the **Accountancy Manager**.

in each case complying fully with the relevant procedures for that system (e.g. appropriate authorisation), particularly the requirement to obtain official VAT receipts, as determined by the **Accountancy Manager**.

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 Budget Manager is responsible for maintaining records of financial transactions and commitments and employee time, in forms agreed with the **Accountancy Manager**, 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. **Each Budget Manager is responsible for ensuring that the Financial Management System is used only by authorised individuals and for proper council purposes.**

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 **Accountancy Manager**.

5.5 **Contingent Assets and Liabilities**

Any Officer who is aware of a material and outstanding contingent asset or liability shall notify the **Accountancy Manager**, 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 **Accountancy Manager** shall determine, after consultation with the relevant Budget Manager, 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 Budget Manager 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 **Accountancy Manager**.

5.7 **Insurance**

The **Internal Audit Manager** 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 **Accountancy Manager**, 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 resources, 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.

5.9 **Accounts Closure, Accounting Accruals and Estimates**

The Statement of Accounts will be produced in line with both statutory regulations and relevant Codes of Practice.

The Accountancy Manager will ensure that there is appropriate liaison with service teams prior to closure, including the hosting of relevant training and the issue of closure guidance and timetables. The accruals de-minimis limits will be adhered to by all services, and where estimated accruals are to be issued they are to be supported by accurate calculation. Other accounting estimates will be calculated by accountancy staff in line with professional advice.

Provisions, either for Bad Debts or other purposes will be calculated in line with the guidelines approved by the Accountancy Manager. Earmarked reserves can only be established with the agreement of the Responsible Financial Officer

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 Budget Manager 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.

Heads of Service must keep up to date records so a physical verification of all capital assets, and their condition, is possible.

6.3 **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. IMD, vehicle management, legal, procurement.

The relevant Budget Manager shall inform the Accountancy Manager within 10 working days of the acquisition of an asset which meets the definition for capital expenditure:

- Plant and vehicles over £10k
- other individual items over £10k
- aggregations of similar articles amounting to £10k e.g. wheelie bins

6.4 **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. IMD, vehicle management, legal, procurement.

The relevant Budget Manager shall inform the Accountancy Manager within 10 working days of any disposal of an asset included in the Asset Register.

6.5 **Capital Expenditure**

The purchase or improvement of any asset will normally be treated as capital expenditure. However, expenditure of less than £10,000 will not normally be treated as capital expenditure unless the Accountancy Manager considers it is in the Council's interests to do so.

6.6 **Leases**

Finance and operating leases are to be used only if they are in the Council's financial interest and with the prior formal approval of the Accountancy Manager.

6.7 **Valuations**

In order to comply with accounting requirements assets will need to be revalued at regular intervals. A three year "phased" revaluation programme will be followed, other than for those assets that are categorised as "investment" properties (e.g. industrial units), which must be revalued every year. All capital asset revaluations for the Statement of Accounts will be obtained by the Accountancy Manager.

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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 that contingency or is an adjustment to reflect the technical application of the contingency (e.g. allocation of inflation from an inflation contingency)
- Capital charges
- Minimum Revenue Provision
- Pension Liabilities (as opposed to pension contributions)
- Interest paid
- Interest received
- Recharges

ANNEX B

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 Budget Manager 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 Budget Manager 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 Accountancy Manager.
6. Budget Managers will also need to liaise with HR to arrange recruitment advertising and ensure that the recruitment arrangements comply with the process agreed by the 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 Accountancy Manager, shall be made in order to allow the contingency budget to be reduced.

Exceptions

8. If the Budget Manager can demonstrate 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. This is conditional upon agency, or equivalent employees, being available with the necessary skills and/or abilities.

9. If the Budget Manager 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. This is conditional upon agency, or equivalent employees, being available with the necessary skills and/or abilities.

MAXIMISING INCOME FROM FEES AND CHARGES**The Budget Manager responsible for a budget shall:**

- annually review 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 Resources and of the relevant service consider it would not be appropriate.
- review fees and charges and introduce any resulting changes at least annually, after consultation with the relevant Executive Councillor(s) unless there is a formal requirement for the charges to be determined by Cabinet or a 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 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 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.

ACCESS TO INFORMATION PROCEDURE RULES

1. SCOPE

These Rules apply to all meetings of the Council, the Cabinet, panels and committees, sub-committees and sub-groups. The Licensing Committee has resolved to adopt the Rules for the purpose of its meetings but separate proceedings will apply to the hearings of its sub-committees.

2. ADDITIONAL RIGHTS TO INFORMATION

These Rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

3. RIGHTS TO ATTEND MEETINGS

Members of the public may attend all meetings subject only to the exceptions in these Rules.

4. NOTICES OF MEETING

The Council will give at least five clear days' notice of any meeting by posting details of the meeting at the Council's offices at Pathfinder House, Huntingdon

5. ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

The Council will make copies of the agenda and reports open to the public available for inspection at the designated office at least five clear days before the meeting. If an item is added to the agenda later, the revised agenda will be open to inspection for the time the item was added to the agenda. Where reports are prepared after the agenda has been sent out, the Head of Legal and Democratic Services shall make each such report available to the public as soon as the report is completed and sent to Councillors.

6. SUPPLY OF COPIES

The Council will supply copies of:-

- (a) any agenda and reports which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the Head of Legal and Democratic Services thinks fit, copies of any other documents supplied to Councillors in connection with an item

to any person on payment of a reasonable charge for postage and any other costs.

7. ACCESS TO MINUTES ETC AFTER THE MEETING

The Council will make available copies of the following for six years after a meeting:-

- (a) the minutes of the meeting or records of decisions taken, together with reasons, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) the agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public.

8. BACKGROUND PAPERS

8.1 List of background papers

Every report shall list those documents (background papers) relating to the subject matter of the report, except exempt or confidential information (as defined in Rule 10), which:-

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) which have been relied on to a material extent in preparing the report.

8.2 Public inspection of background papers

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

9. SUMMARY OF PUBLIC'S RIGHTS

A written summary of the public's rights to attend meetings and to inspect and copy documents shall be kept at and available to the public at the Council's offices at Pathfinder House, Huntingdon.

10. EXCLUSION OF THE PUBLIC FROM MEETINGS

10.1 Confidential information – requirement to exclude public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

10.2 Exempt information – discretion to exclude public

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.3 Meaning of exempt information

Exempt information means information falling within the following 7 categories, subject to the relevant condition(s):-

Category	Condition
1. Information relating to any individual.	
2. Information that is likely to reveal the identity of an individual.	
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	<p>Information is not exempt information if it is required to be registered under –</p> <ul style="list-style-type: none"> (a) The Companies Act 1985 (b) The Friendly Societies Act 1974 (c) The Friendly Societies Act 1992 (d) The Industrial and Provident Societies Act 1965 – 1978 (e) The Building Societies Act 1986; or (f) The Charities Act 1993.
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.	
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	
6. Information which reveals that the authority proposes –	
<ul style="list-style-type: none"> (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment. 	

<p>7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.</p> <p>7A Information which is subject to any obligation of confidentiality.</p> <p>7B Information which relates in any way to matters concerning national security.</p> <p>7C The deliberations of the Standards Committee or of a sub committee of a Standards Committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred to under the provisions of Section 60 (2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act.</p>	
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Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992.

Information which –

- (a) falls within any of paragraphs 1 - 7 above; and
- (b) is not prevented from being exempt by virtue of the conditions attached to paragraph 3 and to Regulation 3 of the Town & Country Planning General Regulations 1992, is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

In these circumstances, the Head of Legal and Democratic Services and Monitoring Officer (or in his absence the Legal Services Manager) shall determine the public interest case.

11. EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS

If the Head of Paid Service or his/her nominee thinks fit, the Council may exclude access by the public to reports which in his/her opinion relate to items during which, in accordance with Rule 10, the meeting is likely not to be open to the public. Such reports will be endorsed "Not for publication" together with the category of information likely to be disclosed.

12. APPLICATION OF RULES TO THE CABINET

Rules 13 – 24 apply to the Executive Leader, Cabinet, its committees and executive councillors. If the Executive Leader, Cabinet, its committees and executive councillors propose to meet to take a key decision then it must also comply with Rules 1 – 11 unless Rule 16 (general exception) or Rule 17 (special urgency) apply. A key decision is defined in paragraph 13.03 (b) of Article 13 of this Constitution.

If the Cabinet or its committees meet to discuss a key decision to be taken collectively, with an officer present or the Executive Leader or an executive

councillor propose to take a key decision, within 28 days of the date according to the Notice of Executive Decisions by which it is to be decided, then it must also comply with Rules 1 – 11 unless Rule 16 (general exception) or Rule 17 (special urgency) apply.

13. PROCEDURE BEFORE TAKING KEY DECISIONS

Subject to Rule 15 (general exception) and Rule 16 (special urgency), a key decision may not be taken unless:-

- (a) a notice (in the form of a Notice of 'Executive Decisions') has been published in connection with the matter in question;
- (b) at least 28 clear days have elapsed since the publication of the Notice; and
- (c) where the decision is to be taken at a meeting of the Cabinet or its committees, notice of the meeting has been given in accordance with Rule 4 (notice of meetings).

14. NOTICE OF EXECUTIVE DECISION

14.1 Period of Notice

The Executive Leader will give 28 clear days notice of the intention to make a key decision and notice of any intention to hold part of the Cabinet meeting in private. Such notice to include a statement as to why any specific matter is being dealt with in private. The Notice will be available for inspection at the District Council's offices and published on the District Council's website.

14.2 Content of the Notice

The Notice will contain matters which the Executive Leader has reason to believe will be the subject of a key decision to be taken by himself/herself, the Cabinet, a committee of the Cabinet, individual members of the Cabinet, officers, or under joint arrangements in the course of the discharge of an executive function during the period covered by the Notice. It will describe the following particulars in so far as the information is available or might reasonably be obtained:-

- (a) the matter in respect of which a decision is to be made;
- (b) where the decision taker is an individual, his/her name and title, if any, and where the decision taker is a body, its name and details of membership;
- (c) the date on which, or the period within which, the decision will be taken;
- (d) a list of the documents submitted to the decision taker for consideration in relation to the matter;
- (e) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available; and
- (f) the steps any person might take who wishes to make representations to the Cabinet or decision taker about the matter in respect of which the

decision is to be made, and the date by which those steps must be taken.

Exempt information need not be included in the Notice and confidential information cannot be included.

15. PROCEDURES PRIOR TO HOLDING A MEETING OF THE CABINET IN PRIVATE (OR PART OF A MEETING IN PRIVATE) FOR THE PURPOSE OF CONSIDERING EXEMPT INFORMATION

- 15.1 Where the Cabinet, a sub committee of the Cabinet or a Cabinet Member proposes to take an executive decision and also hold the meeting or part of the meeting at which that decision will be taken in private because it is likely, in view of the nature of the business to be transacted, that exempt information would be disclosed, in accordance with the relevant legislation the Council will:
- (a) produce a notice of its intention to hold the meeting or part of the meeting in private at least 28 days before the meeting in question; and
 - (b) make a copy of that notice available at the District Council's Offices as well as publishing that notice on the Council's website.
- 15.2 The notice referred to above will be incorporated in the Council's Notice of Decisions. The notice will include a statement of the reasons why the meeting is to be held in private.
- 15.3 The Council will produce an additional notice of its intention to hold a meeting or part of a meeting in private at least five clear days before the meeting in question. The Council will make a copy of that notice available at the District Council's Offices as well as publishing that notice on the Council's website.
- 15.4 The notice referred to will be incorporated in the agenda for the meeting in question. The notice will include:
- (a) a statement of the reasons for the meeting or part of the meeting to be held in private;
 - (b) details of any representations received by the Council about why the meeting should be open to the public; and
 - (c) a statement of the Council's response to any such representations.
- 15.5 Where the date by which a meeting must be held makes compliance with paragraph 15.1 impracticable, a meeting or part of a meeting may only be held in private where agreement has been obtained from the Chairman of the relevant Overview & Scrutiny Panel or, if there is no such person or that person is unable to act, the Chairman of the Council or if they are also unable to act, the Vice-Chairman of the Council, on the grounds that the meeting is urgent and cannot be reasonably be deferred.
- 15.6 As soon as reasonably practicable after agreement to hold a meeting in private has been obtained under 15.5, the Council will make available at the District Council's Offices, a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred and will publish that notice on the Council's website.

16. GENERAL EXCEPTION

If a matter which is likely to be a key decision has not been included in the Notice, then subject to Rule 17 (special urgency), the decision may still be taken if:-

- (a) At least five clear days public notice of the decision to be taken is given at the Council's Offices and on the website; and
- (b) the Head of Paid Service has given notice in writing to the Chairman of a relevant Overview and Scrutiny Panel, or if there is no such person, each member of that Panel in writing, by notice, of the matter to which the decision is to be made.

17. SPECIAL URGENCY

If by virtue of the date by which a decision must be taken Rule 16 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the Chairman of the body making the decision, obtains the agreement of the Chairman of a relevant Overview and Scrutiny Panel that the taking of the decision cannot be reasonably deferred. If there is no Chairman of a relevant Overview and Scrutiny Panel, or if the Chairman of each relevant Overview and Scrutiny Panel is unable to act, then the agreement of the Chairman of the Council, or in his/her absence the consent of the Head of Paid Service or his/her nominee will suffice. Decisions taken as a matter of urgency must be reported to the next available meeting of the relevant Overview and Scrutiny Panel, together with the reasons for urgency. Once agreement has been obtained that the making of the decision is urgent and cannot be reasonably deferred, Notice to this effect must be made available at the District Council's Offices and published on the website.

18. REPORT TO COUNCIL

18.1 When an Overview and Scrutiny Panel can require a report

If an Overview and Scrutiny Panel thinks that a key decision has been taken which was not:-

- (a) included in the Notice of Executive Decisions;
- (b) the subject of the general exception procedure; or
- (c) the subject of an agreement with a relevant Overview and Scrutiny Panel Chairman or the Chairman of the Council or the Head of Paid Service or his/her nominee under Rule 17;
- (d) the Panel may require the Executive Leader to submit a report to the Council within such reasonable time as the Panel specifies. The power to require a report rests with the Panel, but is also delegated to the Head of Legal and Democratic Services, who shall require such a report on behalf of the Panel when so requested by the Chairman or any three members. Alternatively, the requirement may be raised by resolution passed at a meeting of the relevant Overview and Scrutiny Panel.

18.2 Executive Leader Report to Council

The Executive Leader will prepare a report for submission to the next available meeting of the Council. However, if the next meeting of the Council is within seven working days of receipt of the written notice, or the resolution of the Panel, then the report may be submitted to the meeting after that. The report to the Council will set out particulars of the decision, the individual or body making the decision, and if the Executive Leader is of the opinion that it was not a key decision the reasons for that opinion.

18.3 Quarterly reports on special urgency decisions

In any event the Executive Leader will submit quarterly reports to the Council on executive decisions taken in the circumstances set out in Rule 16 (special urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.

19. RECORD OF DECISIONS

After any meeting of the Cabinet or its committees or a decision is taken by the Executive Leader or an executive councillor, the Head of Legal and Democratic Services will produce a record of every decision taken as soon as practicable. The record will include a statement of the reasons for each decision, any alternative options considered and rejected at that meeting details of any conflict of interest declared by any Member and, if applicable, a note of any dispensation in respect of a conflict of interest which has been granted by the Head of Legal & Democratic Services and Monitoring Officer.

20. CABINET MEETINGS IN PUBLIC

All meetings of the Cabinet will be held in public, except where the business to be transacted would disclose confidential or exempt information under Rule 10.

21. DECISIONS BY INDIVIDUAL MEMBERS OF THE CABINET AND OFFICERS

21.1 Reports intended to be taken into account

An individual member of the Cabinet shall not make a decision and an officer shall not make a key decision until he/she has taken into account a written report and he/she will not make the decision until at least five clear days after receipt of that report.

21.2 Provision of copies of reports to Overview and Scrutiny Panels

On giving of such a report to an individual decision maker, the person who prepared the report will give a copy of it to the Chairman of every relevant Overview and Scrutiny Panel as soon as reasonably practicable, and make it publicly available at the same time.

21.3 Record of individual decision

As soon as reasonably practicable after an executive decision has been taken by an individual member of the Cabinet or a key decision has been taken by an officer, he/she will prepare, or instruct the Head of Legal and Democratic

Services to prepare, a record of the decision, a statement of the reasons for it and any alternative options considered and rejected. The provisions of Rules 7 and 8 (inspection of documents after meetings) will also apply to the making of decisions by individual members of the Cabinet. This does not require the disclosure of exempt or confidential information.

22. OVERVIEW AND SCRUTINY PANELS ACCESS TO DOCUMENTS

22.1 Rights to Copies

Subject to Rule 22.2 below, an Overview and Scrutiny Panel (including its sub-panels) will be entitled to copies of any document which is in the possession or control of the Cabinet and which contains material relating to:-

- (a) any business transacted at a meeting of the Cabinet; or
- (b) any decision taken by an individual member of the Cabinet.

22.2 Limit on Rights

An Overview and Scrutiny Panel will not be entitled to:-

- (a) any document that is in draft form; or
- (b) any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to scrutinise.

23. ADDITIONAL RIGHTS OF ACCESS FOR MEMBERS

23.1 Material relating to previous business

Any document which is in the possession or under the control of the Cabinet and contains material relating to any business to be transacted at a meeting of the Cabinet or relates to any key decision shall be open to inspection by any Member of the Council unless it appears to the Head of Legal and Democratic Services and Monitoring Officer that it discloses exempt information.

Notwithstanding paragraph 23.1, the document will remain open to inspection if the information it contains falls within paragraphs 3 or 6 of Schedule 12A to the Local Government Act 1972 (with the exception of information relating to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract).

23.2 Material relating to key decisions

All members of the Council will be entitled to inspect any document (except those available only in draft form) in the possession or under the control of the Cabinet or its committees which relates to any key decision unless paragraph 23.1 applies.

23.3 Nature of rights

These rights of a member are additional to any other right he/she may have.

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**REVIEW OF COUNCIL CONSTITUTION – ADDENDUM
(Report by the Head of Legal and Democratic Services)**

10A CONSTITUTION OF PANELS, COMMITTEES ETC.

10A.1 In response to the invitation issued to all Members to propose any changes to the Constitution (paragraph 1.3 refers), Councillor N J Guyatt has requested that the Panel give consideration to both the Constitution of Panels and Committees generally and specifically to the terms of reference of the Corporate Governance Panel and Standards Committee. At the same time, Councillor Guyatt has suggested that the Panel might wish to initiate a review of the Overview and Scrutiny Panel Rules which provide for the appointment of two co-opted persons to each of the three existing Overview and Scrutiny Panels.

10A.2 In terms of composition, Councillor Guyatt has proposed that the membership of Panels be rationalised such that they either should comprise 12 or 8 Members bringing the total number of seats to 84. In his view, this would result in a better balance of skill and expertise across all Panels.

Currently, the Constitution provides for Overview and Scrutiny Panels to comprise no more than 16 Members. The membership of the Scrutiny Panels can, therefore, be adjusted without constitutional change. However, were this rationale to be applied to other Panels it would result in changes to the number of Members appointed to the Corporate Governance and Development Management Panels and the Standards Committee. These changes would need to be reflected in the Constitution. The Employment Panel and Licensing & Protection Panel/Licensing Committee already comprise 8 and 12 Members respectively and it would be the intention that the membership of the Overview & Scrutiny Panels would similarly be increased to 12.

10A.2 As is the practice elsewhere and in view of the increase in the responsibilities and workload of the Panel, Councillor Guyatt also has suggested that consideration be given to varying the terms of reference and title of the Corporate Governance Panel, perhaps to an Audit and Accounts Committee, so that its functions relate solely to risk management, audit, accounts and resources, for example with the governance, constitutional and possibly complaints responsibilities transferred to the Standards Committee or a re-named governance and standards panel for instance?

10A.2 As these suggestions have arisen after the despatch of the Panel Agenda and given that the timescale before the meeting has not permitted any opportunity either to consider carefully their impact on the practical operation of the District Council's democratic arrangements, or to work up the proposals by reference to the experience of other authorities, it is

RECOMMENDED

- (a) that the Head of Legal and Democratic Services be authorised , after consultation with the Chairman of the Panel, to report to Council, at its meeting to be held on 24th April 2013, on proposals to vary the constitution of Panels/Committees and the terms of reference of the existing Corporate Governance Panel and Standards Committee; and
- (b) that, in the longer term, the Head of Legal and Democratic Services be requested to undertake a review of the Overview and Scrutiny Procedure Rules and specifically the need for the continued involvement of external co-opted persons.

BACKGROUND DOCUMENTS

Huntingdonshire District Council's Constitution

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**UPDATE ON REVIEW OF EMPLOYEE CONSULTATION
AND INFORMATION PROPOSALS
(Report by LGSS)**

1. INTRODUCTION

The purpose of this report is to update the Corporate Governance Panel on progress with the proposals that were previously considered on 12th December 2012 (a copy of the original report is attached as the annex hereto)

2. BACKGROUND

The Council currently has two inter-related 'established' forums for consulting and informing staff on employment and service matters, and for making employment related decisions. There exists substantial duplication with the same agenda discussed at both forums.

Proposals to streamline the process were submitted in November and reflect best practice in governance arrangements for the setting of senior management salaries. They also clarify the responsibilities of Managers and how they should be held accountable, avoid unnecessary duplication of business between Forums and enhance the role of the Staff Council.

The recommendations were to establish an Employment Scrutiny Panel and redefine the existing staff side forum as a Staff Council and these were endorsed by Employment Panel in November.

These recommendations were considered by Corporate Governance Panel in December and the following concerns expressed:

3. PROGRESS

- Further clarity is required around the specifics of what is proposed to be delegated to the Head of Paid Service, and
- Use of the term "Scrutiny" is considered to be misleading and should be removed.

The report of the CGP meeting was presented to Council on 19th December 2012 and included the following summary:

Whilst supporting these proposals in principle, the Panel has expressed some concern at the extent of the authority to be delegated to the Head of Paid Service for employment issues and concluded that, to avoid confusion with the current overview and scrutiny arrangements, there was no sound reason for changing the name of the existing Employment Panel.

Given their unease with the proposed delegation, the Panel decided to defer the proposals until the next meeting to enable the terms of reference of the new Panel to be clarified and the precise parameters of the authority to be delegated to the Head of Paid Service to be better defined.

Notwithstanding the resolution of these concerns at their next meeting, the Panel raised no objection to the remainder of the proposals which related to the Employee Liaison Advisory Group and Senior Officer's Panel but given the suggested implementation date of 15th May 2013, was of the view that there was sufficient time for the arrangements to be refined and considered again, as a whole, at the next meeting in March.

4. These concerns were considered at Employment Panel on 6th February 2013 (a copy of the report to the Employment Panel is appended hereto) and no objections were received to the following:


Proposed delegation to Head of Paid Service (or his/her nominee) for employment matters:

- To make all staff appointments below the level of Head of Service.
- To determine the salary and terms and conditions of all posts in accordance with adopted HR policies.
- To negotiate and implement local pay awards in compliance with any limitations contained in the Code of Financial Management following consultation with the Chair of Employment Panel and the Executive Leader.
- To negotiate and implement changes to terms and conditions of employment and HR policy.
- To be responsible for the consultation and information sharing arrangements with staff.
- To administer the provisions of the Local Government and Housing Act 1989 relating to politically restricted posts.

It was further agreed to withdraw the proposal to change the title of the group to Employment Scrutiny Panel.

5. RECOMMENDATION

Members are asked to note the contents of the report, endorse the proposals for amendment to the constitution and recommendation to full Council.

Contact Officer: Janet Maulder, HR Business Partner (LGSS)
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Employee Consultation and Information Arrangements at HDC

1 Purpose

The purpose of this discussion paper is to review the existing Information and Consultation arrangements at HDC; and provide proposals for future practice, including the next steps that will need to be considered in order to effect any changes agreed.

2 Desired outcome

ELAG are asked to agree to the proposed changes that are outlined in this paper for consultation with the Employment Panel members.

3 Background

Good communications and consultation are central to the management process when dealing with changes in working practices and procedures and building and maintaining effective relationships in the workplace.

Furthermore, a clear communication and consultation framework is a particularly effective way of setting out the approach of the organisation and defining the responsibilities of those involved.

Information, consultation and negotiation arrangements vary considerably across Council's in the UK, particularly in relation to the membership and function of these forums.

At Huntingdonshire District Council the emphasis is very much on 'consultation' (taking account of as well as listening to the views of employees prior to making management decisions) rather than negotiation, which tends to be associated with resolving disputes and reaching collective agreements with recognised trade unions. However this consultative approach has not been reflected in the terms of reference of the panels. The result is a two level Information and Consultation process which does not reflect the consultative approach being applied. At one level there is an employee consultative group (ELAG), comprising of a small number of elected members and a number of staff representatives. This then feeds into a higher, second level, decision making body/ committee comprising elected members only.

Other Council's such as Northampton Borough, operate a consultative forum that does not include elected members, whereby, the Head of Paid Service has overall corporate management and operational responsibility for all officers and workforce matters. Elected members do however play an important role in holding the strategic overview of key employment decisions, amongst other things, in the form of a general overview committee.

The Localism Act 2011 has added a new dimension as Councils are required to publish a pay statement that includes full details of chief officer remuneration and related delegations and procedures. Huntingdonshire DC has already complied with this requirement and has established the Senior Officers Panel to review senior appointments.

Once again, Councils have responded to this Act in a number of ways. Rutland County Council's constitution, for example, requires full Council approval for all appointments and remunerations for Senior Officers (at Rutland this includes Assistant Director Level and above).

Other Councils (Liverpool City, Sheffield City, Thanet District) have delegated responsibility for senior officer appointments (including determining salary and remuneration) to a sub committee of the Council; requiring full Council approval for the Head of Paid Service role and salary packages in excess of £100k.

4 Existing Arrangements at HDC

At present, Consultation and Information arrangements at HDC fall into the first model identified in Section 3. Notably, the Council has two inter-related 'established' forums for consulting and informing staff on employment and service matters; and for making employment related decisions. These comprise:

4.1 The Employee Liaison Advisory Group (ELAG)

This group is currently made up of twelve elected staff side members (representing each Council Service) and three elected members of the District Council. Representatives from the Senior Management team, HR or other Officers within the service areas are also invited to attend as appropriate.

The key remit of this group is to forge closer, more effective working relations between *management* and *employees* (via staff representatives), consulting on a wide range of employment matters that extend well beyond the legal requirements set out in the Information and Consultation of Employees Regulations.

ELAG staff side meet monthly to discuss issues arising without management and individual representatives or the whole group meet as and when needed with senior managers.

Proposals and recommendations are viewed by a formal meeting of ELAG prior to being considered by Employment Panel for ratification.

4.2 The Employment Panel

This comprises eight elected members of the Council, including at least one member of the Cabinet.

The Employment Panel is responsible for discharging the functions of the Council in relation to the employment of its workforce. As stated above, a key role of this group is to ratify the recommendations put forward by ELAG. In practice, this means that the same agenda is discussed at both groups. The Employment Panel acts as the 'decision' making body, taking into consideration, the views put forward by the employee representatives at the ELAG meeting.

4.3 Senior Officer Panel

In addition to the above, Huntingdonshire has an established Senior Officer Panel, comprising 4 elected members (and the relevant executive Councillor) that is currently responsible for:

- the appointment of Chief Officers (other than the Head of Paid Service or their equivalent);
- the dismissal of Heads of Service and above;
- suspension of Heads of Service and above; and
- undertaking hearings /take disciplinary action in the case of Heads of Service or above.

5 Key observations on current arrangements and recommendations for future practice

The key observations relating to current arrangements are detailed below:

- **Membership & Remit of the 2 established groups**

There appears to be unnecessary duplication with the same agenda discussed at both forums. The Employment Panel is by its current definition the forum that ratifies recommendations and proposals relating to employment and workforce matters as previously considered by ELAG which in turn have already been discussed between ELAG staff side and management. It also reviews management performance through the quarterly employment report and other briefings.

A large number of these decisions could be consulted on and ratified locally at the ELAG group if the remit and membership of both forums was re-defined; and the constitution was revised to enable the delegation of employment decisions to the Head of Paid Service. Specifically these delegations would be:

- To make all staff appointments below the level of Head of Service.
- To determine the salary and terms and conditions of all posts in accordance with adopted HR policies.
- To negotiate and implement local pay awards in compliance with any limitations contained in the Code of Financial Management following consultation with the Chair of Employment Panel and the Executive Leader
- To negotiate and implement changes to terms and conditions of employment and HR policy.
- To be responsible for the consultation and information sharing arrangements with staff.
- To administer the provisions of the Local Government and Housing Act 1989 relating to politically restricted posts.

Tied in with this latter point therefore is the question regarding the current constitution / membership of each group.

At present, there are 3 elected members from the District Council who participate in the ELAG meetings. In practice, this means that these members potentially spend a large amount of time discussing and consulting with employee representatives on service issues, rather than maintaining an overview of employment practice and decisions across the Council.

Similarly, with unnecessary duplication at the Employment Panel, members are involved in discussing and making employment decisions that could be ratified at the ELAG, if the terms of reference for each forum were re-defined.

6 Proposals for future practice

It is proposed that the membership and remit of ELAG is re-defined.

6.1 Staff Council

Employee staff side representatives will continue to meet on a monthly basis without management to discuss issues arising. This group will be called the Staff Council.

6.2 Joint Liaison Group

In addition to maintaining the status quo, whereby staff side representatives are able to meet informally with management and the Head of Paid Service, it is proposed that members of the Staff Council (above) will meet **formally** with management, including the Head of Paid Service on a quarterly basis. This will facilitate meaningful discussion and information sharing of employment matters across the Council; as well as providing the opportunity to table reports to the Employment Panel for consideration as appropriate. This 'joint' group will be called the Joint Liaison Group. Employment decisions will be delegated to the Head of Paid Service rather than the Employment Panel.

It is also proposed that the administration of the quarterly meetings for the Joint Liaison Group is overseen by Human Resources rather than Democratic Services.

The benefits of this proposal are:

- It gives formal recognition and value to the staff forum.
- It enables workforce employment matters to be consulted on and decided at service level, helping to maintain closer links and engagement between staff and management;
- There will be less duplication – removing the situation of discussing the same agenda at each forum.
- It reduces the administrative support required from Democratic Services.

Suggested terms of the Joint Liaison Group can be found in Appendix 2.

6.3 The Employment Panel

It is proposed that the membership of this group remains the same and the Panel continues to receive regular 'employment' reports from the Joint Liaison Group. The Chairman and the Vice Chairman of the Employment Panel would continue to meet with Management and with Staff Council informally as required to ensure that they are provided with a strategic overview of the people management issues within the Council.

Suggested terms of reference for this forum can be found in Appendix 3.

It is recommended that HDC elected members are consulted fully regarding any proposed changes to terms of reference, the number of HDC elected representatives to be included and the procedure for electing representatives and for holding meetings.

6.4 Senior Officer Panel, particularly in relation to T&C's and appointments

The Localism Act 2011 requires all authorities to prepare a Pay Policy statement for the financial year 2012/13 and each year thereafter. Part of this statement requires full details on all aspects of chief officer remuneration, which includes decisions regarding starting salaries for appointments of senior officers.

It is recommended that the terms of reference of the Senior Officer Panel are widened and strengthened to include agreeing the starting pay for posts at Heads of Service and above, including the Head of Paid Service. The Head of Paid Service appointment and appointments of a starting salary of £100k will require full Council approval. All appointments made by the Senior Officer panel will be made in accordance with the Officer Employment Procedure Rules in the Constitution.

Proposed changes to the terms of reference for the Senior Officer Panel are detailed in Appendix 4.

6.5 Failure to reach agreement/disputes

Where there is a failure to agree or a dispute arises relating to employment matters at the Joint Liaison Group, it is proposed that a meeting should take place between the

Chairman and the Vice Chairman of the Employment Panel and members of the Joint Liaison Group. It is proposed that the Chairman and the Vice Chairman of the Employment Panel will have delegated powers to try and resolve disputes, prior to escalation to the more formal ACAS route.

7 What will these suggested changes look like for HDC?

The diagram in Appendix 1 shows what these changes will look like for Huntingdonshire District Council.

Current Arrangements:

Employment Panel
Membership: 8 Elected HDC members, including at least 1 member of the Cabinet.
Purpose: To discharge the functions of the Council in relation to the employment of the Council's workforce



ELAG
Membership: 3 Elected Members of the District Council and 11 elected staff side members
Purpose: Maintain effective communication between employees and management and consult on and make recommendations to the Employment Panel on a wide range of workforce and employment matters
Decisions escalated to Employment Panel for Ratification

Senior Officers Panel
Membership: 4 Members of the Council (and the relevant Executive Councillor where applicable)
Purpose: Responsible for appointment (excludes Head of Paid Service), dismissal, suspension, undertaking of disciplinary hearings of Chief Officers and Heads of Service or their equivalent

Proposed:

Employment Panel
Membership: 8 Elected HDC members, including at least 1 member of the Cabinet.
Purpose: To provide strategic overview of the people management and workforce decisions and issues within the Council
 Vice Chairman and Chairman of ESP to have delegated powers to try to resolve disputes at Joint Liaison Group, prior to escalation to ACAS.
Frequency of Meetings: As required -tbc



Joint Liaison Group
Membership: Staff Council representatives, reflecting current distribution of council employees but not to exceed 15; Managers /Officers as required, including Head of Paid Service.
Purpose: Maintain effective communication between employees and management and consult on workforce /Employment matters
 Employment decisions delegated to Head of Paid Service.
 Quarterly formal meetings; with the ability to table reports to Employment Panel as appropriate.
Frequency of Meetings: Quarterly Meetings



Staff Council
Membership: Employee representatives for the Council's Services, reflecting current distribution of council employees but not to exceed 15; Managers /Officers as required
Purpose: Maintain good employee relations and ensure the views of staff are considered in relation to proposed changes to employment matters
Frequency of Meetings: Monthly meetings feeding into JLG

Senior Officer Panel
Membership: 4 Members of the Council (and the relevant Executive Councillor where applicable)
Purpose: Make appointments (including starting salary arrangements) dismissals, suspensions; and undertake disciplinary hearings of Heads of Service or their equivalent and above, in accordance with the Officer Employment Procedure Rules.
 NB- In the case of the Head of Paid service or for salary packages that exceed £100k, the full Council must approve any proposed appointments before an offer of appointment is made and must approve any proposed dismissals before notice of dismissal is given
Frequency of Meetings: As required

DRAFT DOCUMENT - to be agreed and finalised following consultation



Terms of Reference and Constitution of the Joint Liaison Group

1 Introduction

- 1.1 The council strives to create and maintain a working environment which is conducive to the achievement of the organisational, team and individual objectives and which promotes effective and harmonious working conditions.

2 Objectives

- 2.1 It is important for efficiency and for good employee relations that:
- (a) The Staff Council and Senior Management are kept informed of matters of mutual concern;
 - (b) the views of the Staff Council are sought on existing practices and on proposed changes which would affect them at the earliest opportunity;
 - (c) Trust and communication exists between the Staff Council and Management;
 - (d) Annual schedule of meetings with the appropriate groups drawn up at the start of each financial year; a minimum of 4 formal meetings per year;
 - (e) Support the Joint Liaison Group members with appropriate training in order to carry out their role.
- 2.2 The general objectives of the Joint Liaison Group are:
- (a) Maintain and develop an efficient and effective service by bringing Management and the Staff Council together at the earliest opportunity;
 - (b) To afford a regular basis of consultation on matters relevant to this objective and also on matters relating to employee relations,

productivity and working and other arrangements and terms and conditions of employment;

- (c) To discuss in relation to local conditions the implementation of matters which have been prescribed or recommended at national, provincial or other agreed local levels;
- (d) To give the Staff Council a wider interest and greater responsibility in these matters; and
- (e) To maintain effective means of communication between the Staff Council and Management

3 Functions

3.0 In pursuance of these general objectives the following issues may include, but not exhaustive, be discussed by the Joint Liaison Group and recommendation made:

- (a) management objectives;
- (b) organisation or re-organisations;
- (c) issue and revision of working formats in the interest of efficient working, improvements in methods of work, management aids to productivity;
- (d) work conditions –
 - (i) arrangements of hours, rotas, time recording, breaks
 - (ii) design and layout of buildings from the point of view of working conditions, including office heating, lighting and furnishings
 - (iii) provision, specification and use of equipment;
- (e) human resource arrangements –
 - (i) conditions of service, including sick pay, payments, holiday provision, pensions, flexible working framework
 - (ii) training and development
 - (iii) physical and psychological well-being;
- (f) procedures for settlement of grievances, discipline, incapability, redundancy;
- (g) general questions of policy in relation to discipline and productivity;
- (h) maintenance of essential services in emergencies; and
- (i) local salary and grading arrangements.

3.1 The Joint Liaison Group will not consider issues that should correctly be referred elsewhere, for example individual appeals and grievances.

4 Constitution

4.0 The Joint Liaison Group shall comprise of:

- Employee representatives for the Council's services, the number of representatives shall reflect the current distribution of Council employees but shall not exceed fifteen; and
- Senior Management as appropriate, including the Head of Paid Service.

- 4.1 Each member of the Staff Council shall hold office for two years and half of the members shall be re-elected alternate years therefore retaining the experience within the Staff Council.
- 4.3 The representation should be sufficient to ensure on each side adequate representation for different services, groups or functions. The Staff Council will nominate group members to represent the service, group or function as applicable.
- 4.4 Each representative for each service shall be elected by nomination by themselves or others, if more than one nomination wishes to stand for election a direct ballot of all employees in that service shall be administered by the Corporate Team in conjunction with the current the Staff Council representatives.
- 4.5 The Joint Liaison Group will be chaired by the representative from the Senior Management Team.
- 4.6 Either side shall have the right to co-opt, in a consultative capacity, consultants or advisers to, or representatives of particular directorates, services or functions affected by a question under discussion which are not directly represented on the Joint Liaison Group, but only for the period during which the relevant question is under consideration.
- 4.7 Either side may arrange for the attendance in an advisory capacity of an employee or Trade Union Official at any Joint Liaison Group meeting where it would be helpful to the business under discussion. Such attendance shall be notified to the Human Resources section.
- 4.8 The Joint liaison Group shall have power to appoint or arrange for the appointment of, task and finish, Sub-Groups as necessary.

5 **Procedure**

- 5.1 A minimum of four formal Joint Liaison Meetings shall be scheduled per year. These will normally be 4 weeks before meetings of the Council's Employment Panel to allow members of the Advisory Group the opportunity to contribute towards the formulation of any employment related reports / policies. There shall also be provision for special meetings. Special meetings shall be called as quickly as possible in any event not later than one week after a request on behalf of either side to the Human Resources Section.
- 5.2 Staff Council members will continue to meet informally with management and the Head of Paid Service as appropriate.
- 5.3 The agenda for the meeting shall be dispatched by the Human Resources Section not later than five working days before a meeting. Business other than that on the agenda may be introduced at the request of either

Management or Staff Council Representatives, subject to the agreement of the other side and the consent of the Chairman.

- 5.4 Two Elected Members representing the Management Side and two elected Employees' representatives representing the Staff Council shall together constitute a quorum.
- 5.5 The Staff Council representatives shall, for time spent at meetings of the Joint Liaison Group, be paid at their ordinary rate, exclusive of bonus, accumulate hours under the flexible working framework or, where previously agreed with their Head of Service, take time off in lieu for time spent at meetings of the Advisory Group.
- 5.6 Suitable facilities shall be granted to the Staff Council to undertake and fulfil their duties. Reasonable and appropriate time off to fulfil Joint Liaison Group and Staff Council duties will be granted and approved by the relevant Head of Service.
- 5.7 The agenda will be formulated and comprise of reports submitted directly by Management and the Staff Council.
- 5.8 Where there is a failure to agree / a dispute between Staff Council and Management, this should be referred in the first instance to the Chairman and the Vice Chairman of the Employment Panel. If the dispute remains unresolved this will follow the ACAS Arbitration route.

Staff Council Agreement:

The following will be endorsed by the Staff Council and are only applicable to the Staff Council.

- Training – the Staff Council will aim to attend training on employment law and grievance procedures within a 6 month period of joining the group
- The Staff Council will encourage representatives from each service area to join the group, making sure the maximum numbers do not exceed fifteen
- The Staff Council will agree a dedicated communications officer and chair person on an annual basis
- The Staff Council will aim to communicate using the following methods regularly:
 - ◆ Staff Council intranet site
 - ◆ Regular Staff Council meetings
 - ◆ Promoting the work within the group
 - ◆ Feedback to staff
 - ◆ Feed up to managers and members
 - ◆ Periodic updates in Team News

- The Staff Council will be available to engage in the following additional duties:
 - ◆ Consultation with managers and staff
 - ◆ Attendance at grievance and disciplinary hearings at the request of staff
 - ◆ Signposting staff to the appropriate resources within HDC and external agencies where applicable to offer support
- The Staff Council will make every effort to attend every meeting. If a member has an illness or a pre-booked holiday, then they should notify the chairperson who will take forward any topics raised and feedback to their service area.
- The Staff Council will make every effort to respond to requests for comments within the required timescale (noted on the email/forum/document). If there is no response within that period, only those comments from other Staff Council reps will be used in any response to management.
- Should any Staff Council member miss three meetings without notifying the chairperson of these absences, then their role as Staff Council representative will be advertised to find a replacement for their service area.
- Employees in the constituency of the representative may also make representations to the Staff Council chairperson should they feel that they are not being consulted/receiving feedback from meetings. A decision will then be made by the Staff Council about advertising for a new representative.
- The Staff Council will aim to reach a consensus. When this is not possible the forum will agree which views are taken forward.

DRAFT DOCUMENT – to be agreed and finalised following consultation

Appendix 3



Terms of Reference and Constitution of the Employment Panel

1.0 Purpose

1.1 The purpose of the Council's Employment Panel is:

- to provide the strategic overview of the people management and workforce decisions and issues within the Council

1.2 The Panel will be responsible for:

- conducting research in the analysis of employment practice within the Council and best practice;
- liaising with and where necessary requesting information and reports from the Council's Joint Liaison Group to support their analysis;
- reporting to/making recommendations to Council and /or Cabinet in relation to the employment and workforce practices within the Council;
- feedback any findings and recommendations to Management and the Joint Liaison Group.

The Chairman and the Vice Chairman of Employment Panel should continue to meet with Management and with members of the Joint Liaison Group informally to ensure that they are provided with a strategic overview of the people management issues within the Council.

2.0 Membership

2.1 The panel shall comprise:

- 8 members of the Council including at least 1 member of Cabinet.

3.0 Election of members:

3.1 Members of the panel will be appointed by Full Council following a recommendation from the Executive Leader.

4.0 Monitoring and Review

4.1 These Terms of Reference will be reviewed on an annual basis by the members of the Employment Panel – variations will be implemented with the agreement of full Council.

5.0 Signatories

6.1 Signed on behalf of Huntingdonshire District Council

EXAMPLE DOCUMENT - to be agreed and finalised following consultation

Appendix 4



Terms of Reference and Constitution of the Senior Officer Panel

Please note - throughout this document the term Senior Officer refers to The Head of Paid Service, Director, Heads of Service and other direct reports to Directors

1.1 Purpose

1.1 The purpose of the Senior Officer Panel Council's Employment Panel is to manage the appointment and dismissal of, and taking disciplinary action against Senior Officers of the Council in accordance with the Council's Officer Employment Procedure Rules.

1.2 Specifically the Panel will be responsible for:

- Appointing Senior Officers, which includes deciding starting salary and remuneration packages;
- Dismissing Senior Officers;
- Suspension of Senior Officers;
- Undertaking hearings and taking disciplinary action in the case of Senior Officers; and
- The setting of Senior Officer salaries and determination of pay rises and bonuses and other benefits.

All the above will be done in accordance with the Officer Employment Procedure Rules.

1.3 In the case of the Head of the Council's Paid Service or for salary packages that exceed £100k, the full Council must approve any proposed appointment before an offer of appointment is made and must approve any proposed dismissal before notice of dismissal is given.

2.0 Membership

2.1 The Senior Officer Panel shall comprise:

- 4 members of the Council (and the relevant Executive Councillor in relation to the post to be filled)

3.0 Election of members:

3.1 Members of the panel will be appointed by Full Council following a recommendation from the Executive Leader.

4.0 Monitoring and Review

4.1 These Terms of Reference will be reviewed on an annual basis by the members of the Senior Officer Panel – variations will be implemented with the full agreement of full Council.

5.0 Signatories

5.1 Signed on behalf of Huntingdonshire District Council

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