

A meeting of **HUNTINGDONSHIRE DISTRICT COUNCIL** will be held in the **CIVIC SUITE, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **WEDNESDAY, 29 JULY 2015** 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
	The Venerable Hugh McCurdy, Archdeacon of Huntingdon & Wisbech will open the meeting with prayer.	
	APOLOGIES	2 minutes
	CHAIRMAN'S ANNOUNCEMENTS	10 minutes
1.	MINUTES (Pages 7 - 12)	5 Minutes
	To approve as a correct record the Minutes of the meeting held on 20th May 2015.	
2.	MEMBERS' INTERESTS	3 Minutes
	To receive from Members, declarations as to disclosable pecuniary or other interests in relation to any Agenda item. See Notes below.	
3.	PRESENTATION BY THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND	30 Minutes
	To receive a presentation from Professor Colin Mellors, Lead Commissioner and Richard Buck, Review Manager of the Local Government Boundary Commission for England on a review of the Council's electoral arrangements.	
4.	STATE OF THE DISTRICT 2015	30 Minutes
	The Executive Leader and the Executive Member for Resources to address the Council on the State of the District.	
	<i>(The Chairman will invite the Leaders(s) of the Opposition to respond to the address. A Member may speak once in the ensuing discussion.)</i>	
5.	EXECUTIVE COUNCILLOR PRESENTATIONS	25 Minutes
	(a) Councillor R C Carter, Executive Councillor for Operations and Environment to present.	
	<i>(Notes –</i>	
	<i>Presentation</i>	- 10 minutes
	<i>Questions</i>	- 5 minutes)
	(b) Questions to other Members of the Cabinet. <i>(10 minutes)</i>	

6. **SERVICE PLAN FOR FOOD LAW ENFORCEMENT 2015/16** (Pages 13 - 50) **10 Minutes**

The Chairman of the Licensing and Protection Panel, Councillor R Fuller, to present a report by the Head of Community proposing adoption by the Council of the Service Plan for Food Law Enforcement 2015/16.

7. **STATUTORY DISMISSAL PROCEDURES FOR HEADS OF PAID SERVICE, MONITORING OFFICERS AND THE RESPONSIBLE FINANCIAL OFFICER** (Pages 51 - 62) **5 Minutes**

The Executive Leader, Councillor J D Ablewhite to present out report setting out the changes to the statutory disciplinary and dismissal procedures applying to Heads of Paid Service, Monitoring Officers and Chief Financial Officers.

8. **REPORTS OF THE CABINET, PANELS AND COMMITTEES** **30 Minutes**

FOR DETERMINATION

- (a) Corporate Governance Panel (Pages 63 - 104)

FOR INFORMATION REPORTS

- (b) Cabinet (Pages 105 - 116)
- (c) Licensing and Protection Panel (Pages 117 - 118)
- (d) Licensing Committee (Pages 119 - 120)
- (e) Development Management Panel (Pages 121 - 122)
- (f) Employment Panel (Pages 123 - 126)
- (g) Overview & Scrutiny Panel (Social Well-Being) (Pages 127 - 130)
- (h) Overview & Scrutiny Panel (Environmental Well-Being) (Pages 131 - 140)
- (i) Overview & Scrutiny (Economic Well-Being) (Pages 141 - 146)
- (j) Standards Committee (Pages 147 - 148)

Report (a) contains recommendations to the Council and shall be presented by their respective Chairmen from the body of the meeting.

Reports (b) – (j) are presented for information only. The Chairman of the Council shall invite questions to the Chairman of the latter.

9. **VARIATION TO THE MEMBERSHIP OF THE COMMITTEES AND PANELS, ETC** **2 Minutes**

Group Leaders to report, if necessary.

Dated this 21st day of July 2015



Head of Paid Service

Notes

1. 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.*

Non-Statutory Disclosable Interests

- (4) *If a Member has a non-statutory disclosable interest then you are required to declare that interest, but may remain to discuss and vote providing you do not breach the overall Nolan principles.*
- (5) *A Member has a non-statutory disclosable 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 a disclosable pecuniary interest, 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, or*
 - (c) *it relates to or is likely to affect any body –*

- (i) exercising functions of a public nature; or
- (ii) directed to charitable purposes; or
- (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a Member or in a position of control or management.

and that interest is not a disclosable pecuniary interest.

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

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the COUNCIL held in Civic Suite, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 20 May 2015.

PRESENT: Councillors J D Ablewhite, T D Alban, Mrs B E Boddington, P L E Bucknell, G J Bull, E R Butler, R C Carter, S Cawley, K J Churchill, Mrs S Conboy, J W Davies, D B Dew, Mrs A Dickinson, Mrs L A Duffy, R S Farrer, M Francis, R Fuller, L George, D A Giles, J A Gray, A Hansard, R Harrison, T Hayward, R B Howe, Mrs P A Jordan, P Kadewere, Ms L Kadic, S M Van De Kerkhove, Mrs R E Mathews, D J Mead, M C Oliver, P D Reeve, T D Sanderson, R G Tuplin, D M Tysoe, K D Wainwright, R J West and J E White.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors K M Baker, I C Bates, D Brown, B S Chapman, S J Criswell, Mrs A D Curtis, I D Gardener, A J Hardy, D Harty, B Hyland, J P Morris, J M Palmer, Mrs D C Reynolds and M F Shellens

1. PRAYER

The Venerable Hugh McCurdy, Archdeacon of Huntingdon and Wisbech opened the meeting with Prayer.

2. ELECTION OF CHAIRMAN

It was proposed by Councillor J D Ablewhite, seconded by Councillor R J West and

RESOLVED

that Councillor P L E Bucknell be elected Chairman of the Council for the ensuing Municipal Year.

Councillor Bucknell made the Statutory Declaration of Acceptance of Office and thanked Members for their support and the honour which the Council had bestowed upon him. Councillor Bucknell underlined his commitment to the community and his willingness to give help and assist as best as he could from his office as Chairman.

Councillor Bucknell in the Chair.

3. VOTE OF THANKS TO THE RETIRING CHAIRMAN

The Chairman paid tribute to the way in which former Councillor Mackender-Lawrence had performed his duties as Chairman of the District Council and had unfortunately not served a second year of

office due to his unsuccessful re-election in the recent elections. Having proposed a vote of thanks to him in his absence, the Chairman undertook to present former Councillor Mackender-Lawrence with his past Chairman's badge. Having wished the new Chairman every success in his new role, the Executive Leader, Councillor J D Ablewhite paid tribute to the devoted service that former Councillor Mackender-Lawrence had given as Chairman and the way that he had represented the Council.

As Leader of the Principal Opposition, Councillor K J Churchill concurred with the sentiments of Councillor Ablewhite and paid tribute to the way in which former Councillor Mackender-Lawrence had represented the authority, referring to the ruthless election process, and that he wished him well for the future.

In offering her best wishes to him for the future, Councillor Mrs S Conboy, as Leader of the Liberal Democrat Group concluded by extending her gratitude to former Councillor Mackender-Lawrence commending him on how well he had made her and fellow new Members welcome on the Council.

4. MINUTES

The Minutes of the meeting of the Council held on 29th April 2015 were approved as a correct record and signed by the Chairman.

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman presented to Council an account of the activities both he and the past Chairman, former Councillor Mackender-Lawrence, had attended since the last meeting of the Council.

The Chairman summarised their attendance at the Huntingdon Business Fair, RAF Alconbury, Mayor Making Ceremonies at St Ives and Higham Ferrars and laying of a wreath at Madingley Cemetery as part of their Remembrance Service. In referring to forthcoming events, in particular an Armed Forces Day on 25th June 2015, the Chairman made a plea for a bugler at this event and Councillor Mrs B E Boddington indicated that she may be able to assist.

6. MEMBERS' INTERESTS

No interests were declared by the Members present.

7. APPOINTMENT OF VICE-CHAIRMAN

It was proposed by Councillor J W Davies, seconded by Councillor Mrs B E Boddington and

RESOLVED

that Councillor R J West be appointed Vice-Chairman of the District Council for the ensuing Municipal Year.

Councillor West made the Statutory Declaration of Acceptance of Office and expressed his appreciation to his proposer, Councillor Davies for his kind words and expressed his wish to support the

Chairman and represent Huntingdonshire to the best of his ability.

8. LOCAL ELECTIONS: 7TH MAY 2015

The report of the Returning Officer with regard to the District Council elections held on 7th May 2015 was received and noted (a copy of which is appended in the Minute Book).

The Returning Officer extended her particular appreciation to the contribution made by all staff employed during the day, at the count that evening and the following day where over 225K ballot papers had been counted.

Councillor Ms L A Duffy referred to positive feedback that she had received during polling day with regard to the organisation and commended the smooth running of the count process overall.

The Executive Leader, Councillor J D Ablewhite extended his appreciation to the Returning Officer, Mrs L Jablonska, Elections and Democratic Services Manager and the Elections Team for their hard work and efforts with the particularly challenging election to ensure that the process ran smoothly.

Councillor K Churchill concurred with the Executive Leader and Councillor Ms L A Duffy's sentiments and congratulated the staff involved with the difficult election process.

The Chairman concluded the discussion by welcoming the newly elected Members of the Council, congratulated the returning Members who were successful in their re-election and conveyed his appreciation of those Members who did not seek re-election or were not re-elected.

9. APPOINTMENT OF CABINET

In accordance with the Procedure Rules contained in the Council's Constitution the Executive Leader, Councillor J D Ablewhite presented details of the Cabinet Portfolios for as listed to join him as Members of the Cabinet for the ensuing Municipal Year.

Councillor J D Ablewhite	– Strategic and Delivery Partnerships
Councillor R S Carter	– Operations and Environment
Councillor S Cawley	– Organisational Change and Development
Councillor D B Dew	– Strategic Planning and Housing
Councillor J A Gray	– Resources
Councillor R Harrison	– Strategic Economic Development and Legal
Councillor R B Howe	– Commercial Activities
Councillor D M Tysoe	– Customer Services

The Leader also paid tribute to Councillors B S Chapman and T D Sanderson for their contributions that they had made whilst serving on the Cabinet.

RESOLVED

that, in addition to the Leader and Deputy Leader, Councillors R Carter, S Cawley, D B Dew, J A Gray, R Harrison and D M Tysoe be appointed as Members of the Cabinet for the ensuing year.

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

A report was submitted by the Elections and Democratic Services Manager (a copy of which is appended in the Minute Book) relating to the principles of proportionality to be applied to the appointment of Panels in accordance with Section 15 of the Local Government and Housing Act 1989 and Part II of the Local Government Act 2000.

Whereupon it was

RESOLVED

that the allocation of seats on Panels to political groups and non-aligned Members be determined as set out in the report now submitted.

11. OVERVIEW AND SCRUTINY PANELS

RESOLVED

that the following Members be appointed to the Overview and Scrutiny Panels for the ensuing Municipal Year -

Overview & Scrutiny Panel (Economic Well-Being)	Overview & Scrutiny Panel (Environmental Well-Being)	Overview & Scrutiny Panel (Social Well-Being)
T D Alban	I C Bates	D Brown
P L E Bucknell	Mr B E Boddington	S J Criswell
G J Bull	Mrs S Conboy	M Francis
E R Butler	J W Davies	R Fuller
Mrs A Curtis	A Dickinson	A J Hardy
R S Farrer	Ms L A Duffy	T Hayward
L George	I D Gardener	Mrs P A Jordan
D Harty	D A Giles	P Kadewere
B Hyland	P Kadewere	Mrs R Mathews
J M Palmer	T D Sanderson	D J Mead
M F Shellens	K D Wainwright	M Oliver
J E White	R J West	Mrs D C Reynolds

12. COMMITTEES AND PANELS

RESOLVED

- (a) that Members be appointed to serve on the Standards and Licensing Committees and Employment, Development Management, Licensing and Protection, Corporate Governance and Senior Officers' Panels for the ensuing Municipal Year as follows:-

Corporate Governance Panel (8)

Councillors T D Alban, E R Butler, B S Chapman, K J Churchill, M Francis, Mrs P A Jordan, Mrs D C Reynolds and R J West.

Development Management Panel (16)

Councillors Mrs B E Boddington, P L E Bucknell, G J Bull, E R Butler, Mrs A Curtis, D B Dew, Mrs A Dickinson, Ms L A Duffy, R S Farrer, I D Gardener, Mrs L Kadic, J P Morris, J M Palmer, P D Reeve, R G Tuplin and R J West (including one Member of the Cabinet in an ex officio capacity with appropriate portfolio responsibilities).

Employment Panel (8)

Councillors J D Ablewhite, S Cawley, Mrs A Curtis, J W Davies, Ms L Duffy, T Hayward, R J West and J E White (including one member of the Cabinet in an ex officio capacity with appropriate portfolio responsibilities).

Licensing and Protection Panel (12)

Councillors K M Baker, D Brown, Mrs S Conboy, J W Davies, R Fuller, R Harrison, R S Farrer, Mrs L Kadic, D J Mead, S M Van De Kerkhove, P D Reeve and R J West (including one Member of the Cabinet in an ex-officio capacity with appropriate portfolio responsibilities).

Licensing Committee (12)

Councillors K M Baker, D Brown, Mrs S Conboy, J W Davies, R Fuller, R Harrison, R S Farrer, Mrs L Kadic, D J Mead, S M Van De Kerkhove, P D Reeve and R J West (including one Member of the Cabinet in an ex-officio capacity with appropriate portfolio responsibilities).

Senior Officers' Panel (4+1)

Councillors Mrs A Curtis, K J Churchill, J W Davies and R B Howe together with the relevant Executive Councillor in relation to the post(s) under consideration.

Standards Committee (8)

Councillors K M Baker, Mrs B E Boddington, Ms L A Duffy, D A Giles, A Hansard, R Harrison, M F Shellens and J E White.

- (b) that the following Members be nominated from which the Corporate Team Manager be authorised, when

necessary, to convene a meeting of the Appeals Sub-Group to include up to five Members (excluding Members of the Employment Panel) to determine appeals under the Council's disciplinary and appeals procedures –

Councillors T D Alban, I C Bates, Mrs B E Boddington, K Churchill, D B Dew, R Fuller, Mrs L Kadic, M Oliver, Mrs D C Reynolds, P D Reeve and R G Tuplin.

13. MEMBERS' ALLOWANCES

The Executive Leader, Councillor J D Ablewhite presented a report by the Elections and Democratic Services Manager (a copy of which is appended in the Minute Book) summarising the outcome of the seventh review of the Members' Allowances Scheme by the Independent Remuneration Panel.

Members were reminded that the Panel had been convened specifically to respond to the statutory requirement for a review of the index for annual adjustment of allowances which under the Regulations had to be undertaken at least every four years.

Having reminded Members of their decision not to apply an increase of 2.2% to Members' allowances in the financial year 2015/16, as agreed at their meeting in February 2015, the ensuing discussion suggested that the existing scheme be retained. Whereupon it was moved by Councillor R B Howe and seconded by J A Gray and

RESOLVED

that the existing Members' Allowances Scheme be retained.

The meeting concluded at 6.45pm.

Chairman

Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Service Plan for Food Law Enforcement 2015-16

Meeting/Date: Licensing and Protection Panel – 23rd June 2015
Council – 29th July 2015

Executive Portfolio: Councillor Roger Harrison

Report by: Head of Community

Ward(s) affected: All

Executive Summary:

Huntingdonshire District Council has responsibility for most food safety and hygiene enforcement functions within the district. The Food Standards Agency (FSA) is the Competent Authority and National Regulator for food safety and hygiene issues within England and it requires every local authority (food authority) to outline how it will fulfil its duty to deliver official food controls, national priorities and standards within the district. The arrangements detailing how and at what level the official controls will be delivered must be laid down in the form of a Service Plan for Food Law Enforcement ('Food Enforcement Service Plan'), and approved by the Council.

Guidance on the content of the Food Enforcement Service Plan is contained within the FSA's 'Framework Agreement on Official Controls by Local Authorities', which was developed in consultation with local authorities, the LGA and other professional organisations.

The food safety and hygiene enforcement function within the Council is delivered by the Commercial Team of the Community Division and the purpose of the Food Enforcement Service Plan is to explain how that enforcement function will be delivered. It also details the resources required to deliver it, together with a review of the previous year's performance.

Recommendation(s):

Members are requested to:-

1. Consider the draft 'Service Plan for Food Law Enforcement 2015-16' and provide comments on the performance out turn for 2014-15 and the proposed activity for 2016-16.
2. Subject to the inclusion of comments from Licensing & Protection Panel, recommend that the Service Plan for Food Law Enforcement 2015-16 be presented to Council for approval, in accordance with the Constitution

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1. WHAT IS THE PURPOSE OF THIS REPORT?

- 1.1. The report formally presents the draft Food Enforcement Service Plan to the members of the Licensing and Protection Panel and seeks their comments on the plan, and their approval for the Food Enforcement Service Plan to be presented to Council. This enables the Council to discharge its duty as an enforcing authority for food safety and hygiene.

2. WHY IS THIS REPORT NECESSARY?

- 2.1. Huntingdonshire District Council has responsibility for most food safety and hygiene enforcement within the district. The Food Standards Agency (FSA), as the Competent Authority and National Regulator for food safety and hygiene issues within England, requires every local authority to outline how it will fulfil its duty to deliver official food controls, national priorities and standards within the district. The FSA requires local authorities to lay down details of the arrangements in the form of a Food Enforcement Service Plan, specifying how and at what level the official controls will be delivered. This requirement is formalised within the FSA's 'Framework Agreement on Official Controls by Local Authorities', which was developed in consultation with local authorities, the LGA and other professional organisations.
- 2.2. The food safety and hygiene function within the Council is delivered by the Commercial Team of the Community Division and the purpose of the Food Enforcement Service Plan is to explain how that service will be delivered. It also details the resources required to deliver the service, together with a review of the previous year's performance.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1. The Service in producing the draft Food Enforcement Service Plan has considered the requirements of the FSA Framework Agreement, the actual outturn data for the 2014/15 Food Enforcement Service Plan, and the direction of travel for Huntingdonshire District Council in its Corporate Plan and Medium Term Financial Strategy

4. COMMENTS OF LICENSING & PROTECTION PANEL

- 4.1. On 24th March 2015, Licensing & Protection Panel considered a draft Food Safety Service Plan for 2015/16. In the knowledge that the Commercial Team was operating with a vacant post, in light of this the Panel deferred any decision on the report until full consideration of the vacant post had been given.
- 4.2. The draft Food Safety Service Plan for 2015/16 has now been updated with the actual outturn data for the 2014/15 financial year, consideration has been given to the resources necessary to delivery the proactive and reactive workload for 2015/16, and the proposed Development Plan for 2015/16.
- 4.3. To be updated following the meeting of the 23rd June 2015, prior to presentation to Council on 29th July 2015

5. KEY IMPACTS/RISKS

- 5.1. The failure to produce an appropriate Food Enforcement Service Plan outlining how the Council intends to fulfil its duty to deliver official food controls, national priorities and standards within the district could invite criticism from the Food Standards Agency which, as the Central Competent Authority, oversees local

authorities undertaking official food controls. This in turn may lead to contact from the FSA's Local Authority Audit team.

6. TIMETABLE FOR IMPLEMENTATION

- 6.1. The work identified within the Food Enforcement Service Plan will be delivered during the financial year 2015-16. The food safety and hygiene service will be delivered alongside the Commercial Team's other core regulatory functions, namely health and safety, food-related infectious disease control, smoking in public places and private water supplies.

7. LINK TO THE LEADERSHIP DIRECTION

- 7.1. The Food Enforcement Service Plan supports the Council's Vision of 'improving the quality of life for the people of Huntingdonshire' through the delivery of a risk based, proportionate, consistent and transparent food safety and hygiene service ensuring safe food provision within the District.

8. CONSULTATION

- 8.1. The Food Enforcement Service Plan is being presented to Members of the Licensing & Protection Panel in a consultation draft format to allow Members to provide feedback and comments on the document.

9. LEGAL IMPLICATIONS

- 9.1. The Food Standards Agency (the Agency) has a key role as the central competent authority in overseeing official feed and food controls undertaken by local authorities. Powers enabling the Agency to monitor and audit local authorities are contained in the Food Standards Act 1999 and the Official Feed and Food Controls Regulations.
- 9.2. The Framework Agreement on Official Feed and Food Controls by Local Authorities issued by the Agency recognises that service plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally.
- 9.3. The Food Enforcement Service Plan is developed annually to ensure compliance with the Agency's Framework Agreement. This plan updates the previous plan approved by Council on 30 July 2014. Service plans must include a review of performance in order to address any variances from meeting the requirements of the service plan and identify areas for improvement.
- 9.4. This authority has a statutory duty to comply with the Framework Agreement in accordance with the Food Standards Act 1999. These duties include requirements for the planning, management and delivery of the local food law enforcement service

10. RESOURCE IMPLICATIONS

- 10.1. The overall budget for the food safety service for 2015-16 is £427,030 which represents a decrease of 4.85% on the previous financial year. It is anticipated that the budget will be sufficient to meet the demands of the service but in the event of a complex investigation or legal case, or the introduction of central sampling charges, additional funds may have to be sought.
- 10.2. The budget is within the approved budget for 2015-16

11. OTHER IMPLICATIONS

11.1. The Food Standards Agency expects local authorities to carry out official controls in an effective, risk-based, proportionate and consistent way. The production, publication and delivery of the Food Enforcement Service Plan will meet these expectations.

12. REASONS FOR THE RECOMMENDED DECISIONS

12.1. Huntingdonshire District Council is required to produce, and approve a Food Enforcement Service Plan. The Food Enforcement Service Plan 2015-16 presents a robust food enforcement plan which is achievable, but challenging, within the aspirations of the Council and approved resources.

13. BACKGROUND PAPERS

The Food Safety Service Plan 2015-16

CONTACT OFFICER

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Head of Community
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Mr Keith Lawson
Commercial Team Leader
Tel 01480 388291

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COMMUNITY DIVISION

SERVICE PLAN FOR FOOD LAW ENFORCEMENT 2015-16

**Drawn up in accordance with the
Food Standards Agency Framework Agreement**

May 2015

INTRODUCTION

This is Huntingdonshire District Council's fifteenth Food Safety Service Plan. It covers all the elements of food safety and hygiene for which the Council has statutory responsibility.

The requirement to have a Service Plan is laid down by the Food Standards Agency (FSA) in its *Framework Agreement on Official Feed and Food Law Controls by Local Authorities, 2010, Amendment number 5*. The FSA was established in April 2000 as an independent monitoring and advisory body and it is the Central Competent Authority for England. One of the aims of the FSA is to make Local Authorities' delivery of official controls effective, risk-based, proportionate and consistent.*

This Service Plan sets out how Huntingdonshire District Council will deliver its food law official controls in 2015-16. It will be reviewed and updated on an annual basis.

** Framework Agreement on Official Feed and Food Law Controls by Local Authorities, 2010, Amendment number 5*

Chris Stopford
Head of Community

EXECUTIVE SUMMARY 2015-16

AIMS AND OBJECTIVES

The overall aim of the service is to work with businesses and consumers to secure the production, distribution and service of safe and wholesome food within Huntingdonshire.

The service is linked to Huntingdonshire District Council's Corporate Plan 2014-2016 and Sustainable Community Strategy 2008-2028, the FSA's Strategy to 2015 and Cambridgeshire's Health and Wellbeing Strategy.

These are the key activities which contribute to the delivery of the overall aim.

- Planned and reactive inspections of registered and approved food establishments
- The investigation of service requests and complaints relating to food and food premises
- The investigation of cases and outbreaks of food-borne and food poisoning illnesses.

Table One: Changes in resources from 2014-15 to 2015-16

STAFF (Full Time Equivalent (FTE))	2014-15	2015-16
Environmental Health Officers (EHO)	1.7	1.95
Environmental Health Protection Officers (EHPO)	2.0	1.45
Senior Environmental Health Officer	0.8	0.8
Commercial Team Leader	0.5	0.5
	5.0	4.7*
Admin Support Staff	1.3	1.3
Total	6.3	6.0*
FINANCIAL	2014-15	2015-16
Direct Costs (Employees)	£281,520	£279,140
Overheads (FLARE, Printing, Admin Support Central Support)	£162,010	£151,640
Other Direct costs (specialist equipment, laboratory services and sampling)	£10,300	£6,250
Total	<u>£453,830</u>	<u>£437,030</u>
Income (Primary Authority Partnership, health certificates)	<u>-£5,000</u>	<u>-£10,000</u>
NET EXPENDITURE	<u>£448,830</u>	<u>£427,030**</u>

* Overall the resources within the Commercial Team have decreased and there is a net saving of 0.3 full time equivalent staff (FTE).

** The overall budget for 2015-16 represents a decrease of 4.85% on the previous financial year.

Table 2 – Programmed (proactive) Activity

Proactive Tasks	Level of activity	
	Actual 2014-15	Estimate 2015-16
Planned food hygiene inspections (risk group A-D, in addition to those below)	594	450
Alternative Enforcement Strategy (AES) (cake makers child-minders)	163	130
Revisits	129	130
Inspections of new food businesses	145	100
Inspection of temporary food businesses	11	30
Inspection of Approved Establishments	8	5
Primary Authority Partnership Activity – includes requests for advice, attendance at meetings and provision of training*	12	15
Other proactive visits (food, water and environmental samples/advisory)	199	250
Prosecutions	0	1
Formal action (service of notices)	17	20
Food safety and public health promotion	Project work linked to delivery of corporate aims; targeted food business support visits following inspections; advice given at the time of each inspection and the delivery of the targeted interventions; National Food Hygiene Rating Scheme (FHRS); Alternative Interventions to specific business groups including newsletters; development of targeted advice, newsletters, leaflets, website; promoting food safety initiatives; and leaflets providing information on preventing the spread of infectious diseases.	

*Each activity is charged to Cambridgeshire Catering and Cleaning Services (CCS) in accordance with the agreed cost recovery arrangements.

Table 3 – Unplanned (reactive) Activity

Reactive Tasks	Level of activity	
	Actual 2014-15	Estimated 2015-16
Food-related service requests/ complaints and service requests/ complaints re: food businesses	626	600
Food, water and environmental sampling (reactive)	39	20
Infectious disease control - notifications of food-borne/food poisoning illnesses	179	200
FSA food alerts for action	5	20
Advice to business, enquiries/ response to business and consumer queries	Estimated 450+ service requests including support to new and existing businesses; responding to requests from colleagues in other organisations, including other local authorities and central government; and enquiries from the public and businesses on food safety matters, including individuals, voluntary organisations and event organisers.	
Staff development and training	Internal and external training courses, peer review exercises, update events, research	
Service management	Overall supervision and management of service, policy and procedural development. Responding to central government consultations and audits.	

The overall budget for 2015-16 represents a decrease of 4.85% on the previous financial year. It is anticipated that the budget will be sufficient to meet the demands of the service but in the event of a complex investigation or legal case, or the introduction of central sampling charges, then additional resources may be needed.

The administrative support workload includes producing post-inspection letters; data entries to Flare and Anite; taking and recording enquiries and service requests; collating data on infectious diseases; and collating information for the Food Standards Agency.

A balanced workload has been proposed for 2015-16 which incorporates a full range of enforcement actions including food safety interventions, advice and guidance. Due to the nature of the service some interventions are carried out during evenings and weekends. The plan is based upon the service remaining fully staffed. If staffing levels are not maintained, then the service will be under-resourced to meet the requirements of the service plan. This is likely to have an impact on the completion of inspection targets (particularly lower-risk businesses) and the delivery of the development plan as outlined below. Major incidents such as an outbreak of food poisoning or lengthy enforcement action would also have a significant impact on the delivery of the service plan.

The impact of large scale events such as the Secret Garden Party (SGP) and other major organised events needs to be recognised. The 2014 SGP accounted for 103 hours of officer time. This included pre-event liaison with the licensee, attendance at Safety Advisory Group meetings and monitoring compliance before, during and after the event.

DEVELOPMENT PLAN 2015-16

The following developments are planned during 2015-16. This work is in addition to the proactive and reactive work identified in tables 2 and 3. It is linked to the objectives and outcomes identified in the Corporate Plan and any regional or national strategies.

- Maintain, review and update the Flare premises database so as to improve communication with businesses and identify efficiency savings
- The delivery of a programme of training courses to help food businesses comply with food hygiene requirements and to help them achieve the highest possible food hygiene rating for their business
- To review and develop the Primary Authority Partnership with Cambridgeshire Catering and Cleaning Services and to raise the profile of the partnership with relevant partners
- Consider the feasibility of extending the Primary Authority Partnership Scheme to other businesses
- Maintain the delivery of collaborative work with our key partners such as the Norfolk, Suffolk and Cambridgeshire Health Protection Team, Trading Standards and the Cambridgeshire and Peterborough Food and Occupational Health and Safety Managers Group
- Deliver a joint project with colleagues from County Trading Standards to assess the level of compliance with the requirements relating to the provision of allergen information to consumers
- To maximise the use of social and online media to market and promote the service.
- To support any relevant national strategies such as the FSA's National Food Safety Week.
- To consider the outcome of the Food Standards Agency's review of the Food Law Code of Practice (England); to assess the implications of that review; and to determine the extent to which they impact upon the Council's role as a food authority
- An assessment of the management of food allergens in the child care sector
- To consider the development of a unit within the team, the primary function of which would be to provide advice and support for businesses.

SECTION 1: FOOD CONTROL SERVICE AIMS AND OBJECTIVES

1.1 Aims and Objectives

The overall aim of the service is to ensure that food placed or intended to be placed on the market for human consumption which is produced, stored, distributed, handled or purchased within Huntingdonshire is without risk to public health or the safety of the consumer. There are several key objectives which contribute to the delivery of the overall aim.

- The delivery of a programme of inspections and other interventions in accordance with the FSA's Code of Practice
- To respond to complaints and requests for service in accordance with any internal service standards
- To respond to any FSA Food Alerts For Action (FAFA) subject to available resources

1.2 Links to Corporate Objectives and Plans

The aim, objectives and the Development Plan are intended to support the Council's Corporate Plan 2014-16. In particular they support the following strategic themes: a Strong Local Economy; Working with our Communities; and Providing a Customer Focused and Service-Led Council.

SECTION 2: BACKGROUND

2.1 Authority Profile

- 2.1.1 Covering almost 360 square miles and situated in the valley of the Great Ouse, the District of Huntingdonshire forms the most westerly part of Cambridgeshire.
- 2.1.2 Huntingdonshire has a population of around 171,000* which will rise as the local economy continues to expand. The employment rate in the district is 81.2% with 84.5% of people being economically active** and the 2011 census identified 5.2% of the population as non-white and 4.5% of the population as White non British. The main centres are the historic market towns of Huntingdon, St Neots, St Ives, Yaxley and Ramsey.

* HDC Area Population statistics (Office for National Statistics, Mid-2012)

** NOMIS official labour market statistics, Office for National Statistics May 2014

2.2 Organisational Structure

- 2.2.1 The food safety service is one of the services provided by officers within the Commercial Team which in turn is part of Community Services. The Commercial Team is one of a number of teams which reports to the Head of Community.
- 2.2.2 Through the Council's Scheme of Delegation the food safety service has delegated responsibility for food safety enforcement and the Head of Community has the authority to instigate legal proceedings after consultation with the Chairman and Vice Chairman of the Licensing and Protection Panel. The Council's current structure is shown in Figure 1.

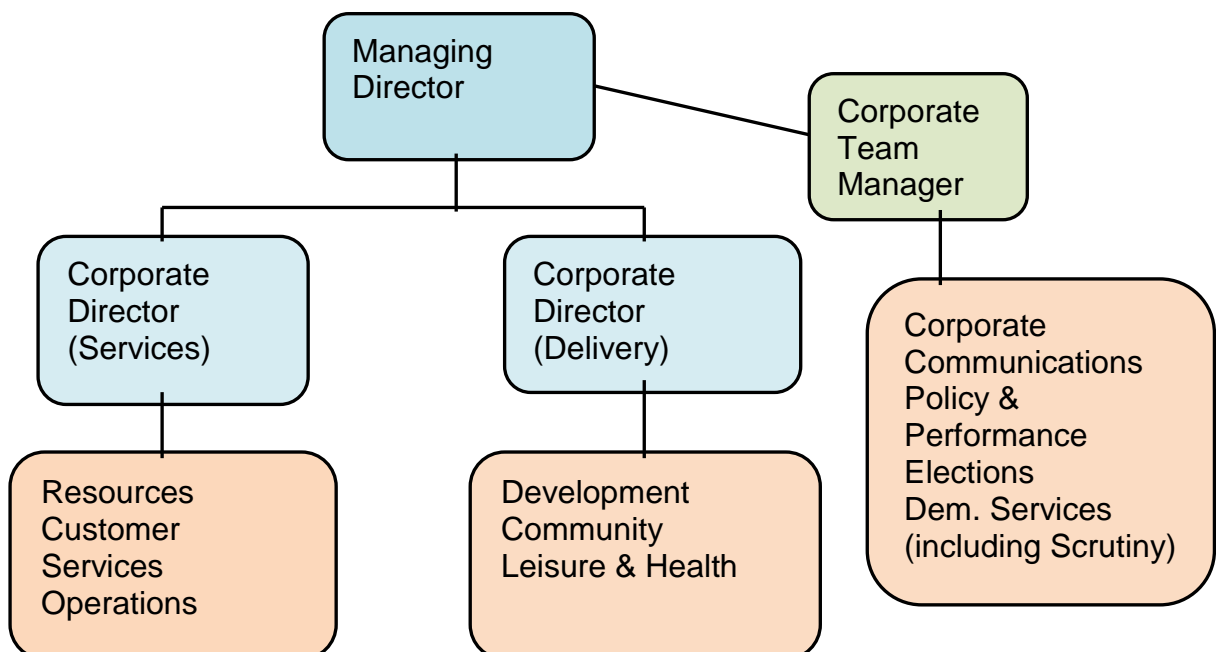


Figure 1: Huntingdonshire District Council's Organisational Structure

2.2.3 The Commercial Team Leader (CTL) is responsible for the operational management and co-ordination of the food safety service. The CTL also fulfils the statutory role of Lead Food Officer. The CTL is supported by a Senior Environmental Health Officer.

2.2.4 The officers regularly involved in the provision of the food service are shown in Table 4 below:

Commercial Team Leader (CTL)	The Council's Lead Food Officer. Strategic management of the team and development of the annual Service Plan. Day-to-day management of the service, performance monitoring, training and development, and delivery of an operational caseload. (0.5 FTE)
Senior Environmental Health Officer (SEHO)	Proactive and reactive food safety work. Day-to-day reviews of inspection files, provision of technical and legal advice, reviews of enforcement notices and recommendations for prosecution. (0.8 FTE)
Environmental Health Officer	Proactive and reactive food safety work. (0.75 FTE)
Environmental Health Officer	Proactive and reactive food safety work. (0.8 FTE)
Environmental Health Officer	Proactive and reactive food safety work. (0.40 FTE)
Environmental Health Protection Officer	Proactive and reactive food safety work. (0.8 FTE)
Environmental Health Protection Officer	Proactive and reactive food safety work. (0.65 FTE)
	Total of 4.7 FTE Officers

Table 4: Commercial Team officers routinely involved in the delivery of food law enforcement

2.2.5 Based upon previous years it is anticipated that just over half of the available resources will be allocated to planned work, of which 75% will be for programmed inspections of food premises. This equates to 2.7 FTE for planned work and 2.0 FTE for unplanned (reactive work).

2.2.7 Table 5 below gives details of the services provided by external agencies:

Name of Organisation	Type of Service	Frequency of Service
Public Health England (PHE), Thetford and Colindale.	Microbiological food and water sampling and advice on infection and disease control	As required
Public Analyst (Lincolne, Sutton and Wood), Norwich	Analysis of food samples	Ad hoc
Anglian Water, Huntingdon	Chemical and microbiological water sampling	Ad hoc
Insect Research and Development Ltd, Medical Entomology Centre Cambridge	Insect identification	Ad hoc
BIS Better Regulation Delivery Office	Primary Authority support and Regulators Code information and guidance	On going
Campden BRI, Chipping Campden	Food and foreign body/contaminant examinations and identifications	Ad hoc
Chartered Institute of Environmental Health (CIEH)	Information and advice. Materials for food hygiene courses	Ad hoc
Food Standards Agency (FSA)	Monitoring of performance, Information and advice	Ad hoc
Local Government Association (including the Knowledge Hub)	Information and advice	Ad hoc
Cambridgeshire County Council (including Trading Standards)	Information and advice	Ad hoc

Table 5: External Service Provision (Food Safety Function)

2.3 Scope of the Food Service

Officers delivering the food service form part of the Commercial Team and are responsible for these areas of work:

- Food safety advice and enforcement, proactive and reactive, including interventions, inspections, requests for service and working with businesses, including event organisers, other regulators and members of the public
- Provision of health certificates for exported foods

- Investigations and control of food poisoning and food-borne disease and other relevant infections as a result of information from businesses, members of the public and at the request of the Consultant in Communicable Disease Control (CCDC)
- Responding to food alerts and requests for action from the Food Standards Agency
- Sampling of food and water supplies
- Working with the Neighbourhoods Team to investigate complaints about refuse, drainage and odour nuisance associated with food businesses
- Consultee for premises licences and planning applications.

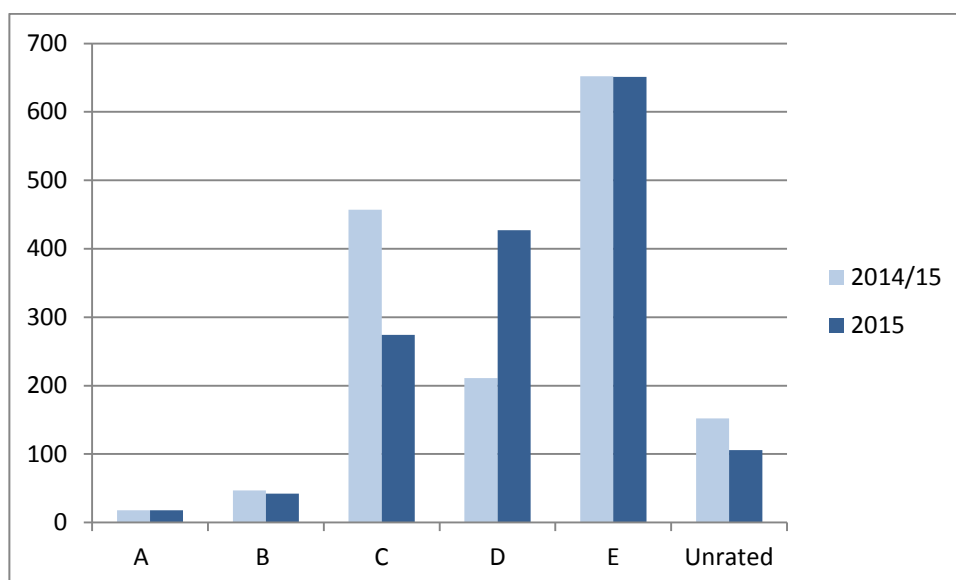
2.4 Demands on the Food Service

2.4.1 At the time of writing there were 1590 food businesses on the database. This figure includes home-based cake-making businesses, child-minders and businesses based outside of the district but which trade within it. It does not include businesses which only trade occasionally or temporarily within the district such as at Continental Markets or at events such as the Secret Garden Party. The breakdown of businesses by type according to the Food Standards Agency (FSA) classification is shown in Table 6.

Primary Producers	41
Manufacturers/Packers	38
Importers	1
Distributor/Transporters	41
Food Retailers	273
Food Caterers	1138
Outside district	58
Total	1590

Table 6: Breakdown of food businesses in Huntingdonshire by FSA classification

2.4.2 The breakdown of premises by inspection rating category is shown in Figure 2 below.



**Figure 2: Category of food premises by Risk Rating
2014-15 and 2015-16**

The most significant change is the number of premises in categories C and D. This is largely attributable to changes in the methods by which premises are categorised. These changes were introduced in the 2014 Food Law Code of Practice which was introduced in April 2014.

2.4.3 Approvals and Specialist/ Complex Processes

Food hygiene regulations require certain premises which handle food products of animal origin to be approved by virtue of their nature, scale or complexity. Within Huntingdonshire there are nine approved premises: three establishments approved for meat products; four establishments approved for egg packing; one establishment approved for re-wrapping gelatine; and one establishment approved as a cutting plant.

There are also businesses using complex equipment such as vacuum packing machines and businesses carrying out complex processes such as cook-freeze and the curing of meat products. Suitably qualified and trained officers carry out interventions in businesses associated with specialist and complex processes and equipment.

2.4.4 Delivery of the Service

The Food Service is located on the first floor of Pathfinder House, St Mary's Street, Huntingdon. Service users may contact officers in the following ways:

- In person or by telephone between 9 am and 5 pm Monday to Thursday, 9 am and 4.30 pm Friday (01480 388302)
- By fax on 01480 388361
- By e-mail: EnvHealth@huntingdonshire.gov.uk or food@huntingdonshire.gov.uk
- Advice and information about good practice and the service is available on the Council's website.

Officers are not on standby outside office hours but arrangements have been made with the FSA, Cambridgeshire Police and Public Health England so that officers can be asked to respond to major incidents and emergencies during evenings and weekends.

2.4.5 The following factors can have an impact on delivery of the Service Plan:

- There were just over 200 food poisoning notifications in 2014-15, just over 60 of which required an investigation. Officers can be called upon to respond to unforeseen emergencies within this work area (such as dealing with a major food poisoning outbreak or incident) at any time and this places significant demands on resources
- Officers could be called upon to investigate a serious workplace accident
- There are several outdoor events during the course of a year which involve food, water and health and safety considerations. These include events at Huntingdon Racecourse, Wood Green Animal Shelter and the Secret Garden Party together with an increasing number of festivals, continental markets, fêtes, fairs and events which create an additional workload for the team
- Officers responded to seven Food Alerts for Action from the FSA last year. Some can be very time-consuming, particularly if they require action to be taken to ascertain and if necessary remove suspect or unsafe food from the food chain
- There are two food businesses which regularly export food products to countries outside the EU. These products require a Health Certificate and additional checks may need to be carried out before the certificate is signed
- The implementation of changes to existing legislation, Codes of Practice, Government guidance and monitoring arrangements and compliance with the FSA and BRDO have resource implications for the service
- The service has a Primary Authority Partnership agreement with Cambridgeshire County Council's School Meals Service which may have resource implications (see section 3.4 for more detail).

2.5 Enforcement Policy

2.5.1 Huntingdonshire District Council has signed up to the Enforcement Concordat and endorses and follows the principles laid down in the Department of Business, Innovation and Skills Regulators' Code. The Council has regard to the Code for Crown Prosecutors when making enforcement decisions. The Food Safety Enforcement Policy was produced with regard to the Regulators' Code and has been endorsed by the Licensing and Protection Panel.

2.5.2 In order to promote consistent and proportionate enforcement the food safety service is an active member of Cambridgeshire and Peterborough Food and Occupational Health and Safety Managers' Group. Officers from the food safety team attend regular meetings and subgroups can be set up to develop specific enforcement protocols and peer review models.

SECTION 3: SERVICE DELIVERY

3.1 Delivery Mechanisms

3.1.1 There are four key drivers which contribute to the service which is outlined in Section 1. In broad terms they are as follows.

- **Intervention driven:** work which is largely determined by the FSA Food Law Code of Practice. In the main this consists of programmed inspections and interventions at frequencies prescribed by the Code of Practice together with revisits and enforcement action in accordance with the Enforcement Policy
- **Demand driven:** work in response to complaints and requests for advice and guidance; investigation of food poisoning notifications; responses to FSA Food Alerts (in particular those which require action); and liaison with other Council services in support of wider corporate objectives
- **Intelligence driven:** responses to credible or verifiable information which suggests a risk to public health
- **Education driven:** the provision of advice, education and support to businesses and consumers; supporting national campaigns and strategies which are in the interests of public health and/or consumer safety (e.g. Food Safety Week).

3.1.3 Each officer has been allocated a specific geographical area which contains a diverse range of food businesses. The number and type of businesses is consistent with the knowledge and experience of the officer together with any limitations imposed by the Code of Practice. In the case of larger businesses or those with unusual processes, there is a “buddy” system in place which ensures that at least two officers have some knowledge of those businesses.

3.2 Interventions at food businesses

3.2.1 These consist of the “official food controls” specified in the Code of Practice together with any other activities where the purpose is to monitor compliance with food hygiene law. At the time of writing there are 514 businesses that will require some sort of intervention during 2015-16.

3.2.2 Businesses in categories A, B, C and D will normally receive an unannounced full or partial inspection. The Code of Practice allows local authorities to use Alternative Enforcement Strategies (AES) for low risk businesses.

3.2.3 Category E businesses are suitable for AES approaches whilst at category D businesses interventions can alternate between official controls and other interventions. Of the 514 businesses due for an intervention in 2015-16, 216 are in category D and 49 are in category E.

3.2.4 This figure does not include inspections of brand new businesses or those which change hands during the year. Nor does it include inspections of temporary or occasional businesses at markets, fairs or large public events. It is estimated that these will account for an additional 150 interventions in 2015-16.

- 3.2.5 It is estimated that about 25% of programmed interventions will require some sort of follow up action to check compliance. This equates to about 130 revisits.
- 3.2.6 The intervention frequency is outlined in Annex 5 of the Code of Practice and this information is also used to determine the Food Hygiene Rating Scheme (FHRS) score. The FHRS is operated in accordance with the FSA Brand Standard which allows businesses to appeal and request a rescoring visit after the inspection upon which their rating was based. In 2014-15 there were 24 such requests and at least as many should be anticipated in 2015-16.
- 3.2.7 All officers undertaking food hygiene interventions and inspections including specialist and complex processes, investigating complaints, responding to service requests, giving advice and taking samples, are authorised in accordance with the Code of Practice.
- 3.2.8 Officers will also carry out spot checks at businesses if they have concerns or intelligence about the business or a specific operation within a business. The outcome of a spot check may affect future planned inspections of the business.

3.3 Food Complaints

- 3.3.1 This work generally falls into one of the following broad categories:
- Complaints about food businesses such as hygiene, pests, food poisoning, and food handlers
 - Complaints about the condition or contamination of food (extraneous matter, mould, dirty containers)
 - Complaints about food labelling and food information ('use by' dates and allergen information).
- 3.3.2 Based upon previous years it is estimated that there will be about 200 such complaints in 2015-16. Table 3 shows the total number of food-related service requests, complaints and queries: this has risen steadily over the last five years and is up by just over a third since 2009-10.

3.4 Primary Authority Scheme

- 3.4.1 The food safety service supports the Primary Authority Scheme. The Commercial Team Leader is the Council's nominated officer for its partnership with Cambridgeshire County Council's School Meals Service.
- 3.4.2 The partnership was established in August 2013. It was agreed that the Council would provide a maximum of 100 hours of support per year and that the cost would be recovered in accordance with BRDO Guidance.
- 3.4.3 In 2014 the service provided 83.25 hours of support. Some of this was associated with the initial setting up of the partnership rather than the development of inspection plans and assured advice. It is expected that more time will be devoted to these activities in 2015-16 without exceeding the agreed 100 hours.

3.5 Advice to Businesses

3.5.1 Officers provide information and advice to businesses to help them to comply with the law and to encourage the use of best practice. This is part of our enforcement policy and is achieved through a range of activities including:

- Advice to new businesses
- Advice during the course of inspections and other visits
- Targeted business support visits to poor performing businesses
- Site visits on request and where appropriate (e.g. prior to the opening of a brand new business)
- Reference to published and online resources such as the FSA 'Safer Food Better Business' (SFBB) pack
- Responding to enquiries from food business operators and food handlers
- Proactively contacting businesses to comment on plans at the planning stage
- Proactively contacting businesses to comment on applications for premises and temporary licences
- Targeted mail shots about legislative and policy changes and in response to FSA food alerts for action
- Twice yearly publication and distribution of a food and safety newsletter to all businesses
- Maintenance and development of the website with links to the Food Standards Agency's website.

3.5.2 These activities are integrated into the service's general interventions and food safety promotion functions. In 2014 there were 273 requests for advice and training from businesses and consumers and it is anticipated that there will be at least as many in 2015-16.

3.5.3 The service supports the Cambridgeshire Local Business Partnership Group.

3.6 Food Sampling

3.6.1 Food sampling activities will be delivered in accordance with the sampling policy. In particular, samples will be taken from the following types of business:

- those engaged in the handling or preparation of high-risk foods
- those producing and placing on the market food which has been identified in national or regional sampling programmes
- those supplying or placing on the market food or water subject to FSA requests for action, consumer complaints, intelligence or officers' concerns and
- those with private water supplies (if applicable).

3.6.2 Public Health England (PHE) provides free sample analysis for an allocated number of samples. In 2004 an MTP bid was approved to cover the cost of sampling in the event that PHE reversed its policy. To date it has not been necessary to release this funding: HDC is a member of the Cambridgeshire and Peterborough Food and Occupational Health and Safety Managers' Group and

all the members share information to ensure that any unused allocations can be taken up by other authorities. The service did not incur any charges for sampling in 2014-15 but this can't be guaranteed in the future. The service will aim to take approximately 80 samples this year.

3.6.3 All sampling will be carried out in accordance with relevant legislation, the Code of Practice issued under the Food Safety Act 1990 and the departmental Standard Operating Procedure (SOP).

3.6.4 Samples will be analysed or examined by the laboratories authorised by the Council, details of which are set out in Table 5.

3.7 Control and Investigation of Food-related Infectious Diseases

3.7.1 Officers will investigate food-related infectious disease notifications in accordance with protocols agreed with the Consultant in Communicable Disease Control (CCDC), Anglian Water and Cambridge Water Company. The general aim of any investigation is to identify the source and cause of the infection and prevent further spread.

3.7.2 It is estimated that approximately 200 notifications will be received in 2015-16. This figure reached a peak of 310 in 2010-11, dropped to 146 in 2012-13, since when there has been a small increase year-on-year. In 2014-15 there were just over 200 notifications of which 140 were Campylobacter infections which did not warrant an investigation. In the event of a large outbreak there would be significant resource implications.

3.7.3 The Council has appointed the Consultant in Communicable Disease Control (CCDC) from Public Health England as the 'Proper Officer' under the Public Health (Control of Disease) Act 1984.

3.7.4 The departmental Standard Operating Procedure (SOP) and the joint PHE/LA outbreak control plan were both reviewed in 2014.

3.8 Food Safety Incidents

3.8.1 FSA food alerts will be dealt with in accordance with:

- the departmental SOP
- the Food Law Code of Practice issued under the Food Safety Act 1990 and
- any instructions issued by the FSA.

3.8.2 Most food alerts are Product Withdrawal Information Notices or Product Recall Information Notices which generally require little or no action. There are a significant number of allergy alerts but these too require little or no action or are dealt with by Trading Standards Officers (TSOs). Occasionally TSOs may ask for our support. Food Alerts for Action (FAFA) and ad hoc requests for action may have an impact upon programmed work but the numbers are relatively small. In 2014 there were only seven FAFA requests.

3.8.3 Given the nature of food alerts, it is impossible to predict the likely demands and requisite resources with any accuracy. It is estimated that there will be

20-25 in 2015-16. If a food alert is associated with a business which is based within Huntingdonshire then officers will be expected to devote more time to that alert than to one which originates elsewhere.

3.9 Liaison with Other Organisations

3.9.1 The Council recognises the importance of ensuring its enforcement approaches are consistent with those of neighbouring local authorities. Officers have access to the LGA Knowledge Hub and there is dialogue and liaison in a number of settings:

- Cambridgeshire and Peterborough Food and Occupational Health and Safety Managers' Group (CPFOHSMG)
- Cambridge Water Company Liaison meetings
- Anglian Water Liaison meetings
- Cambridgeshire Local Business Partnership Group
- Flare User Group
- Food Standards Agency regional events
- Public Health England/Environmental Health liaison days
- Trading Standards/Environmental Health liaison days
- Chartered Institute of Environmental Health update events

3.9.2 The CPFOHSMG promotes consistency between officers and authorities, and where possible produces common policies and procedures. Where appropriate subgroups can be convened to deal with a specific issue. The membership includes senior food law enforcement officers from Cambridgeshire and Peterborough as well as representatives from Public Health England and the Food Standards Agency.

3.9.3 There is routine liaison and contact with officers from Planning and Building Control, Business Rates, the Fraud Team, Licensing and Legal as well as liaison and consultation with the Town Centre Managers where appropriate.

3.10 Food Safety and Public Health Promotion

3.10.1 Subject to resources, the proposals for 2015-16 include the following:

- FSA Food Safety Week – hygiene promotion targeted at consumers
- Food safety advice and information aimed at local consumers to support any FSA national campaigns
- Promotion of online food hygiene training and provision of CD ROMs
- The delivery of Level 2 and Level 3 food hygiene training courses
- Promotion of FSA Safer Food Better Business packs and associated training
- Promotion of the National Food Hygiene Rating Scheme (FHRS)
- Production of food safety newsletters sent to all businesses on our database
- Ad hoc lectures to schools and community groups upon request
- Hygiene and food safety linked press releases, when appropriate, including summer and Christmas
- Maintenance and development of food safety guidance packs and advisory leaflets for businesses and consumers

- Maintenance and development of relevant information on the Council's website
- Providing support to existing businesses and to new businesses on food safety legislation, compliance and best practice
- Briefing sessions for new and existing food business operators on the implications of new and changing food safety legislation and in response to national events
- Attendance at relevant trade and business seminars to promote the work of the service and promotional materials
- Work with Cambridgeshire Business Partnerships to promote food safety and health improvement
- Provision of Alternative Interventions

SECTION 4: RESOURCES

4.1 Financial Allocation

4.1.1 The budget for 2015-16 is shown in Table 7 below:

Direct Costs	£
Employees	
Salary (NI, Pension, training)	261,710
Supplies, transport	17,430
	279,140
Other	
Books & Publications	350
Printing	200
Materials	3,000
Equipment	1,500
Laundry	600
Water sampling	600
	6,250
Overheads	
Admin Support	57,500
Legal	0
Application charge - FLARE	7,370
Financial Services	270
Printing	1,800
Head of Community	9,270
Central Support	75,430
	151,640
Total	437,030
Income	
Costs recovered (Health Certificates; Primary Authority Partnership)	-10,000
Total Expenditure	427,030

Table 7: Food Safety Service Budget 2015-16

- 4.1.2 The overall budget for 2015-16 is 4.85% lower than 2014-15. It is anticipated that the budget will be sufficient to meet the demands of the service but in the event of a complex investigation or legal case, or the introduction of central sampling charges, then additional funds may have to be sought.
- 4.1.3 There is an anticipated income of £10,000 from the Primary Authority Partnership and from charging food businesses for the cost of certificates for food which is exported outside the EU. However, the funding from charging companies for issuing health certificates may change if the Government reviews this process.
- 4.1.4 All officers requesting remote access to the Council network have access to a laptop computer (PC) containing database, word processing, internet and intranet access, e-mail and spreadsheet packages. All the laptops have been upgraded with remote access to the Council network so that they are available for use by staff for out-of-office working and wireless enabled for touchdown working in HDC controlled premises. A number of officers have Blackberries as part of the service's commitment to mobile working.
- 4.1.5 In the event of a serious or major incident or a large outbreak of food poisoning or food-borne illness requiring additional resources, then officers from within the Commercial Team will assist in the first instance and if necessary additional officers can be drafted in from the Neighbourhoods Intervention Team to assist. Reciprocal arrangements are in place between authorities in Cambridgeshire to allow staff to assist neighbouring authorities should the need arise.
- 4.1.6 The sum allocated to legal costs is based upon anticipated demand assessed over previous years, but should it prove insufficient then a request would be made to the Council for extra funds. There has been no occasion to date when this has been necessary, nor are financial restrictions placed upon legal action, each case being considered on its merits. In the event of enforcement action being required, such as the need to investigate an alleged food fraud or a likely risk to public health, such as alleged illegal meat slaughtering, which will result in unexpected resource implications, Local Authorities can apply for financial support from the FSA but this fund is at the discretion of the FSA and may be withdrawn at any time

4.2 Staffing Allocation for the Food Service

- 4.2.1 Food law enforcement and educational activities are provided by officers from the Commercial Team (6.23 FTE) with support from the department's Administration Team. The CTL manages the Commercial Team with support from the Senior Environmental Health Officer (SEHO). Currently the Commercial Team consists of seven officers. The resources allocated to food law enforcement amount to 4.7 FTE. The administration support amounts to 1.3 FTE.
- 4.2.2 Of the seven posts, five are currently EHO posts and two are Environmental Health Protection Officer posts.

4.3 Staff Development Plan

- 4.3.1 Officers are provided with whatever training is necessary to fulfil the requirements of the Code of Practice and any other centrally issued guidance. Where possible this is provided in-house.
- 4.3.2 Accredited CIEH food hygiene courses can only be delivered by suitably qualified and competent trainers who have satisfied the CIEH requirements. In order to ensure that there is a sufficient number of accredited trainers to deliver a programme of level 2 and level 3 food hygiene courses, resources have been made available for three members of staff to complete the CIEH level 3 Education and Training Skills programme.

SECTION 5: QUALITY ASSESSMENT

5.1 Quality Assessment

5.1.1 The service is monitored internally in accordance with Standard Operating Procedure (SOP) CT04. External and third party monitoring is also used. In general terms those arrangements consist of the following:

- Reviews of premises inspection records in accordance with SOP CT04
- Commercial Team Leader (CTL) carries out observation visits with other officers
- Periodic reviews of policies and procedures
- Six weekly team meetings – programmed work is monitored against target; reactive work is monitored with reference to management and closure of service requests
- Annual PDR meetings and six monthly review meetings
- Peer review and consistency exercises led by the CPFOHSMG
- Peer review and consistency exercises led by the FSA.

5.1.2 SOPs have been developed to cover the whole service. There are five combined SOPs, the scope of which also covers the health and safety service and 17 SOPs which refer specifically to the food safety service. They were all reviewed in 2014.

SECTION 6: REVIEW

6.1 Review against the Service Plan

- 6.1.1 Historically the Service Plan has been initially presented to the Licensing and Protection Panel and presented to full Council for approval. This process is unnecessarily cumbersome and it is hoped that it can be streamlined in time for 2016-17.
- 6.1.2 This Service Plan is supported by an action plan and performance measures. Progress will be reported to the Head of Community on request and to the Council's Management Team at least quarterly.
- 6.1.3 Progress will be reported in terms of the following indicators:
- Any agreed performance targets
 - Any agreed targeted outcomes
 - The previous years' Service Plan.

6.2 Variation from the 2014-15 Service Plan

- 6.2.1 The Food Standards Agency Framework Agreement requires every Local Authority to review the previous year's performance against its service plan. The review must identify where the Authority was at variance from the service plan and, where appropriate, the reasons for that variance.
- 6.2.2 This review details the performance of the food service during 2014-15 and outlines any significant issues that impacted on the delivery of the service.
- 6.2.3 The Senior Environmental Health Officer left the Authority on 31 December 2014. She had her own operational caseload as well as providing the bulk of the day to day monitoring of programmed work. In particular she reviewed officers' inspection records, enforcement notices and recommendations for prosecution.

6.3 Programmed Work

- 6.3.1 The 2014-15 Service Plan estimated that almost 700 planned inspections of food businesses would be carried out, of which 392 would be full or partial inspections of premises in categories A, B, C or D. The projected figures suggest this target will be met although some category D inspections might not be carried out.
- 6.3.2 The priority has been to complete all the inspections of the highest risk businesses (categories A and B). At the time of writing there is no reason why those inspections will not be completed.
- 6.3.3 The 2014-15 Service Plan acknowledged the high number of low risk businesses (category E) that hadn't been inspected for several years and made a commitment to address this issue. It is well known that food businesses diversify to meet changing customer demands and it was important to determine whether any of the category E premises warranted closer attention. This was

identified in the development plan for 2014-15 and is covered in section 6.6.4.

6.3.4 Eight inspections were carried out at approved establishments which produce and/or handle products of animal origin (including meat-cutting plants, meat products, and egg packers).

6.4.1 Reactive Work

6.4.1 The levels of reactive work have not placed any unexpected or excessive demands on the service. There have been no prosecutions and far fewer enforcement notices have been served. However two businesses volunteered to close because of poor hygiene conditions rather than face formal prohibition procedures and prosecution.

6.4.2 The commitment to the Food Hygiene Rating Scheme (FHRS) does place unforeseeable demands on the service. Food businesses can request a rescore visit or appeal against a rating and the Brand Standard specifies the ways in which those requests must be handled. There have been almost 40 such requests in 2014-15 each of which generated at least two additional visits.

6.4.2 The service received almost 650 complaints, enquiries and requests for service or advice. Almost one third of these related to suspect or contaminated food, unhygienic premises or poor hygiene practices. Another third were enquiries from existing or potential businesses. The remainder were made up of requests for export certificates, Primary Authority Partnership enquiries, FHRS requests and enquiries about the provision of food hygiene training.

6.5 The 2014-15 Development Plan

6.5.1 Section 6.3 of the 2014-15 Service Plan contained a development plan for the year. The following tables outline those commitments together with a review of performance.

Table 8 - Service Improvements

Commitment	Performance
Maintain, review and update the food premises database and include business email addresses so as to improve communication with businesses and identify efficiency savings.	<i>The food premises database is managed in accordance with Standard Operating Procedure F02. It is updated on an incremental basis using information collected during routine interventions, reviewed periodically (via team meetings) and subjected to an annual check prior to the submission of the Local Authority Enforcement Management System (LAEMS) return to the Food Standards Agency. An ever increasing amount of routine correspondence is sent via email subject to the constraints of any legal processes.</i>
Maintain and review the Council's food service website content and customer information access through social media, including Facebook, Twitter and 'Shape Your Place'.	<i>A variety of social and web-based media were used to promote the Food Hygiene Rating Scheme. Typically these promotions were timed to coincide with Christmas, Mothers' Day, Valentine's Day and Bank Holidays but also to support national strategies such as Food Safety Week and to promote BBQ safety.</i>
Resume delivery of targeted sampling, specifically in relation to national and local initiatives, and as a result of local intelligence or	<i>A total of 37 samples have been submitted since 1 April 2014. Although this represented a "resumption of targeted sampling" there were far fewer samples submitted than we intended. This was due in part to teething problems associated with the</i>

concerns.	<i>implementation and use of the UK Food Surveillance System Information Network (UKFSSiNet), in addition to which the team hasn't had the benefit of a designated member of staff to coordinate the sampling programme.</i>
Review the current strategy for dealing with 'low risk' category E food businesses and deliver targeted educational and official control interventions to low risk food businesses.	<p><i>The Service Plan For Food Law Enforcement 2014-15 (Table 6 p.21) reported that there were almost 700 "low risk" (category E) premises on the database, many of which hadn't been visited for several years. Many such businesses are included within the scope of the Food Hygiene Rating Scheme and will remain "Not Yet Rated" unless an inspection is carried out.</i></p> <p><i>There is a perception that the failure to rate low risk businesses places them at an economic disadvantage when compared to higher risk businesses which could be inspected as often as twice per year: however the Council must ensure that its resources are deployed in accordance with public health risk.</i></p> <p><i>In order to balance these conflicting demands, a project was delivered to target the category E premises which handled the widest range of food and/or those which were most likely to have diversified since the last inspection. A self-declaration questionnaire was used to capture up to date information about the businesses, the analysis of which identified those which warranted a full inspection.</i></p>
Continue to review existing and identify any new private water supplies within the district and carry out appropriate risk assessments as required by legislation.	<i>The implications of the Private Water Supplies Regulations 2009 are kept under constant review, with particular reference to the guidance from the Drinking Water Inspectorate (DWI) and the impact on high profile and popular temporary events such as the Ramsey 1940s Weekend and the Secret Garden Party. The team has maintained contact with event organisers and provided appropriate advice. An advisory leaflet entitled "Drinking Water at Temporary Events" has been produced which can be provided to anyone planning such an event.</i>

Table 9 – Business Support

Commitment	Performance
Deliver targeted business support, educational and enforcement interventions for high-risk businesses which consistently demonstrate poor compliance (ratings between 0 and 2).	<i>Businesses which have a poor track record of compliance can elect to have a Business Support Visit during which an officer will focus on the most significant or recurrent problems. Thirteen businesses have been visited since 1 April 2014.</i>
Deliver educational and advisory business support to new businesses to support compliance and promote food safety standards.	<i>Number of new business information letters sent out – 49 New Business Support Visits - 4 Responding to requests for advice - 207 up to 28/2/15 of which 46% were from start-up or new businesses</i>
Facilitate delivery of, or deliver, relevant training to businesses.	<i>Two CIEH Level 2 courses have been delivered One CIEH Level 3 course has been delivered A short "toolbox" training session was provided specifically for HDC Street Rangers in order to support compliance at markets</i>
Consider the development of a unit within the team to provide business support and promote economic development.	<i>Not considered but remains on the agenda</i>

Table 10 – Partnership Working

Commitment	Performance
Maintain the Primary Authority Partnership (PAP) with Cambridgeshire County Council's School Meals Service and consider the feasibility of extending the Primary Authority Partnership Scheme to additional businesses.	<i>The PAP is well into its second full year. There are now two documents on the secure PAP website and discussions have commenced about the development of Assured Advice on the subject of the control of allergens. There have been tentative enquiries from other businesses but none have led to any further discussions.</i>
Continue collaborative working with strategic partners, including Trading Standards and Public Health England, in areas of mutual interest such as Food Information Regulations, allergens, illegal meat, imported foods and the Public Health Agenda.	<i>The Senior EHO played a significant role in the organisation and delivery of the joint Public Health England/Local Authority Liaison Day on 9 July 2014. The introduction of the Food Information Regulations provided the impetus for some long overdue collaborative working with Trading Standards colleagues with whom we share responsibility for the enforcement of the regulations in food businesses.</i>

Table 11 – Supporting the National Agenda

Commitment	Performance
Provide and display promotional materials to support the 2014 FSA National Food Safety Week.	<i>The theme for Food Safety Week 2014 was “Don’t Wash Your Chicken”. The key messages were promoted between 16 and 22 June using a variety of social media and by working with HCR104fm. The Commercial Team Leader took part in a live radio interview on 16 June 2014.</i>
Carry out a project to assess the management of allergen risks in food businesses within the wider childcare sector.	<i>This project was put on hold pending the introduction of the Food Information Regulations 2014. The regulations were introduced on 13 December 2013 and this piece of work has been carried over to 2015-16.</i>

6.10 Action Plan for 2015-16

6.10.1 The service is committed to the delivery of “official food controls” in accordance with the Code of Practice in order to fulfil the Council’s role as a food authority. The service will also respond to complaints, enquiries and requests for service in accordance with internal procedures and with due regard to public health risk.

6.10.2 The service will also endeavour to meet the following commitments in order to make a contribution to the Council’s corporate aims and objectives.

- Maintain, review and update the Flare premises database so as to improve communication with businesses and identify efficiency savings
- The delivery of a programme of training courses to help food businesses comply with food hygiene requirements and to help them achieve the highest possible food hygiene rating for their business
- To review and develop the Primary Authority Partnership with Cambridgeshire Catering and Cleaning Services and to raise the profile of the partnership with relevant partners

- Consider the feasibility of extending the Primary Authority Partnership Scheme to other businesses
- Maintain the delivery of collaborative work with our key partners such as the Norfolk, Suffolk and Cambridgeshire Health Protection Team, Trading Standards and the Cambridgeshire and Peterborough Food and Occupational Health and Safety Managers Group
- An assessment of the management of food allergens in the child care sector
- To maximise the use of social and online media to market and promote the service.
- To support any relevant national strategies such as the FSA's National Food Safety Week.
- To consider the outcome of the Food Standards Agency's review of the Food Law Code of Practice (England); to assess the implications of that review; and to determine the extent to which they impact upon the Council's role as a food authority
- To consider the development of a unit within the team, the primary function of which would be to provide advice and support for businesses.

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HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter:	Statutory Dismissal Procedures for Heads of Paid Service, Monitoring Officers and the Responsible Financial Officer
Meeting/Date:	Employment Panel: 17th June 2015 Corporate Governance Panel: 15th July 2015 Council: 29th July 2015
Executive Portfolio:	Councillor J D Ablewhite
Report by:	Lynsey Fulcher LGSS HR Business Partner

EXECUTIVE SUMMARY

1. INTRODUCTION

- 1.1 This report sets out the changes to the statutory disciplinary and dismissal procedures applying to English local authorities' Heads of Paid Service, Monitoring Officers and Chief Financial Officers, under which a new process will replace the current statutory Designated Independent Person (DIP) process, outlined in the current Local Authorities (Standing Orders) (England) regulations 2001.
- 1.2 The new regulations require authorities to put in place the necessary standing orders in respect of the new process "no later than the first ordinary meeting of the authority falling after 11th May 2015". This report will therefore be presented to the Huntingdonshire District Council Employment Panel in June, followed by the Corporate Governance Panel on 15th July and finally Council on the 29th July 2015.

2. BACKGROUND

- 2.1 The key feature of the new process is that the requirement for a Designated Independent Person is removed, and instead protected officers will not, in most cases, be able to be dismissed unless the dismissal has been approved by full Council by way of a vote. The previous rules are revoked entirely. The new rules do the following:
 - ❖ They remove the role of the Designated Independent Person.
 - ❖ They apply only to the dismissal of the Head of Paid Service, responsible Financial Officer and Monitoring Officer and not to disciplinary action short of dismissal.
 - ❖ They remove the restriction on suspension of these officers during investigation of misconduct.
 - ❖ They extend the provision that only full Council can dismiss the Head of Paid Service to include the dismissal of the Head of Paid Service and Monitoring Officer.
 - ❖ They state that, before Council considers whether to dismiss these officers, it must convene a panel made up of councillors and at least two "independent persons". These are the same independent persons

appointed under the Localism Act to advise on standards issues. If the Council cannot recruit two independent persons to the panel it has appointed, it may invite independent persons appointed by another council.

- ❖ The Council can appoint more than two independent persons to a panel and there are no rules on the number of councillors on the panel.

2.2 In accordance with the new regulations, and to incorporate the requirements of the new Local Authorities (Standing Orders) (England) (Amendment) regulations 2015, changes to the relevant section of the Constitution have been amended and shown in Appendix 1.

2.3 The Disciplinary Procedures have also been amended and these are attached at Appendix 2.

3. OPTIONS CONSIDERED/IMPLICATIONS

3.1 The changes to the Council's Employment Procedure Rules are mandatory. The Council has a power to require attendance by more than two "independent persons" at meetings.

3.2 The rules still provide greater protection for the three "statutory officers" than for other employees. The justification for this (as set out in the Explanatory Memorandum) is that these officers have statutory duties that they must discharge personally but within a political environment. The intention is to ensure that these officers can discharge their duties without any fear of being influenced by elected members and being dismissed without good reason.

4. RECOMMENDATION

4.1 It is **RECOMMENDED**

that the Council adopt the revised Disciplinary Procedures and the necessary amendments to the Council's Employment Procedure Rules, as set out in Appendix 1 and 2 to the report.

**Contact Officer: Lynsey Fulcher, HR Business Partner (LGSS)
01223 699777**

PART FOUR – RULES OF PROCEDURE
OFFICER EMPLOYMENT PROCEDURE RULES

A. RECRUITMENT AND APPOINTMENT – no changes proposed.

B. DISCIPLINARY ACTION

1. Head of Paid Service, Monitoring Officer and Chief Finance Officer

Disciplinary action in respect of the Head of Paid Service, Monitoring Officer and Chief Finance Officer may be taken only by the full Council or a panel of the Council appointed for that purpose in accordance with the Council's disciplinary policy and procedure and their terms and conditions of employment. No disciplinary action, other than suspension, may be taken except after consideration of a recommendation in a report made by a designated independent ~~panel person~~ under Regulation 7 of the Local Authorities (Standing Orders) (England) (***Amendment***) Regulations ***2015*** (investigation of alleged misconduct).

An officer may be suspended by the Council or panel for the purpose of investigating alleged misconduct but the suspension must be on full pay and of no more than two months duration.

2. Other Chief Officers and Heads of Service

Disciplinary action against other Chief Officers and Heads of Service (with the exception of those to which paragraph B1 applies) shall be dealt with under the Council's disciplinary policy and procedures and their terms and conditions of service. In the case of suspension, such action may be taken by the Senior Officers Panel.

3. Other Employees

Disciplinary action in respect of other employees may be taken in accordance with the Council's disciplinary procedure and rules adopted by the Employment Panel but such action may not involve councillors, other than as a member of an Appeals Sub-Group as provided for in the disciplinary procedure rules.

C. DISMISSAL

1. Head of Paid Service *Monitoring Officer and Chief Finance Officer*****

The full Council must approve the dismissal of the Head of Paid Service, ***Monitoring Officer and Chief Finance Officer*** following the recommendation of such a dismissal by ***the independent panel*** of the Council appointed for that purpose. That panel must include at least one member of the Cabinet.

2. Other Chief Officers and Heads of Service

A panel of the Council appointed for that purpose may approve the dismissal of a Chief Officer or Head of Service (***not included in section C1 above***) or their equivalent. That panel must include at least one member of the Cabinet.

3. Other Employees

The dismissal of other employees below heads of service level is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Councillors.

4. Cabinet Notification

A notice of the dismissal of a Chief Officer, *Monitoring Officer, Chief Finance Officer* or head of service shall not be made by the Council or panel (as appropriate) until –

- (i) the Council or panel has supplied the Head of Paid Service with details of the proposed dismissal;
- (ii) the Head of Paid Service has supplied members of the Cabinet with details of the proposed dismissal and allowed a period for objection to the dismissal by the Executive Leader on behalf of the Cabinet; and
- (iii) the Executive Leader has informed the Head of Paid Service that there is no objection to the dismissal, such objection has not been received within the requisite period or the Council or panel (as appropriate) is satisfied that any objection is not material or well-founded.

D. APPEALS

An appeal by any employee against any disciplinary action or dismissal by the Council, a panel or the Head of Paid Service or his/her nominee may be heard by an Appeals Panel comprising the Managing Director, the Corporate Director or Head of Service excluding the Corporate Director or Head of Service in whose Service the employee was employed at the time of his/her dismissal and a representative of the Staff Council but not from the Division from which the employee is employed convened by the Elections and Democratic Services Manager under the Council's disciplinary procedure rules.

E. SUPPLEMENTARY

In the event of the above Rules applying to a case involving an appointment or dismissal in relation to the Head of Paid Service, the references relating to the action to be taken in these Rules by the Head of Paid Service shall be undertaken by the Corporate Director (Services) & Monitoring Officer, *paying regard to the recommendations made by the independent panel.*

F. THE INDEPENDENT PANEL

The panel as described in the above Rules should be comprised of at least two independent persons and must include at least one member of the Cabinet. The panel membership must be agreed 20 working days prior to a meeting and will be arranged by the Corporate Director (Services) or in the case of any action against that officer, by the Deputy Monitoring Officer.

Terms of reference for the Panel

- i) To investigate proposed disciplinary action against a Chief Officer, Monitoring Officer or Chief Finance Officer.*
- ii) To offer advice, views or recommendations to Council on the proposed course of action, including any proposal for dismissal.*

Disciplinary Policy and Procedure

1.0 Introduction

- 1.1 The Council strives to create and maintain a working environment which is conducive to the achievement of organisational, team and individual objectives and which promotes effective and harmonious working conditions. Huntingdonshire District Council (HDC) believes that all employees should be treated equitably and with respect.
- 1.2 The aim of this policy is to provide a solution for those occasions when standards of conduct or performance are unacceptable and to encourage an improvement in behaviour and prevent future shortcomings in conduct or performance.

2.0 References

Please read this Disciplinary Policy in conjunction with the following:

- ⇒ Attendance Policy.
- ⇒ Capability Policy.
- ⇒ Dignity at Work Policy.
- ⇒ Drugs & Alcohol Policy
- ⇒ Equality of Opportunity Policy.
- ⇒ Grievance Policy and Procedure.
- ⇒ HDC's Key Values and Behaviours
- ⇒ Whistleblowing Policy and Procedure.

- ⇒ Employment Act 2002.
- ⇒ Employment Relations Act 1999.
- ⇒ Data Protection Act 1998.

3.0 Definition

- 3.1 In accordance with the ACAS Code of Practice on disciplinary procedures the Council defines disciplinary as "a situation which may include misconduct and / or poor performance".
- 3.2 This policy does not apply in the following situations:
- ⇒ termination of a fixed term contract of employment, where the term of that contract expires without being renewed,
 - ⇒ termination of a fixed term contract where the reason for termination is that the need for the employee's service has or is about to expire,
 - ⇒ where dismissal arises through organisational and efficiency requirements e.g. redundancy,
 - ⇒ where an employee has resigned from their position, or other termination by mutual agreement.
- 3.3 Where an employee is deemed incompetent, incapable or their performance at work is considered no longer effective or efficient due to a lack of skill or aptitude, or due to health or any other physical or mental quality, these issues should be dealt with under the Capability Policy.

~~Chief Officers are employed under the terms of the JNC for Chief Officers' conditions of service which contain provisions relating to discipline, capability and redundancy. This policy replaces the model procedure for disciplinary arrangements contained in the JNC terms and conditions, subject to the provisions contained in Appendix 7 of this policy.~~

3.4 ***The Officer Employment Procedure Rules within the Huntingdonshire District Council Constitution outlines the disciplinary procedure applicable to the Head of Paid Service, Monitoring Officer and Chief Finance Officer the holders of these posts are therefore excluded from this policy. Appendix 7 outlines the procedure to be followed for this group of employees.***

~~3.5 The head of paid service (Chief Executive) is employed under the terms of the Joint Negotiating Committee for Chief Executives' conditions of service which contain a model procedure that has been adopted by the Council and the holder of that post is therefore excluded from this policy.~~

4.0 Special Cases

4.1 If an employee raises a grievance during the disciplinary process, the disciplinary procedure may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

4.2 Where disciplinary action is being taken against a Trade Union representative the normal disciplinary procedure will apply. However, depending on the circumstances it is advisable to discuss the matter with an official employed by the union, after obtaining the employee's agreement.

4.3 The Council requires the highest standards of integrity from its employees at all times, and for this reason, it will regard any criminal offence committed by an employee whilst at work or otherwise, as an extremely serious matter. If an employee is charged with, or convicted of a criminal offence this is not normally in itself reason for disciplinary action. Consideration will be given to what effect the charge or conviction may have on an employee's suitability to do their job and their relationship with the Council, work colleagues and customers.

5.0 Aims

5.1 This policy aims to:

- ⇒ promote orderly employment relations as well as equity in the treatment of employees,
- ⇒ ensure fairness and consistency in dealing with disciplinary matters,
- ⇒ ensure disciplinary matters are dealt with promptly,
- ⇒ ensure employees are aware of the standards of conduct at work expected of them,
- ⇒ ensure that the necessary investigation is carried out to establish the factual information,
- ⇒ help and encourage employees to improve, dealing with any apparent shortcomings in conduct or performance,

- ⇒ ensure standards are adhered to whilst providing equitable methods in dealing with alleged failures.

6.0 Guiding Principles

- 6.1 This policy is designed to enable facts to be established quickly and ensure consistency in dealing with disciplinary matters.
- 6.2 No disciplinary action will be taken until the matter has been investigated.
- 6.3 At each stage of the procedure an employee will be advised of the nature of the disciplinary and be given the opportunity to state their case.
- 6.4 Disciplinary matters will be heard in a calm and objective manner with the outcome being both fair and equitable.
- 6.5 An employee will not ordinarily be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will normally be dismissal without notice and without pay in lieu of notice.
- 6.6 Throughout a disciplinary matter everyone will be treated equitably, with dignity and respect regardless of their gender, race, religion or beliefs, sexuality, age or disability.

7.0 Advice and Support

- 7.1 Advice, support and guidance from Human Resources is always available at all stages of the procedure (informal and formal).
- 7.2 To help ensure the procedure is applied equitably, a representative of Human Resources will be present at all formal disciplinary hearings.
- 7.3 The Council employs a confidential First Contact Listening service, a small team of employee volunteers who have received training in basic listening skills. Whilst they are not trained counsellors, they are able to listen to employees who may feel they need to talk through either a work related or personal problem.
- 7.4 The Council provides counselling and support as appropriate for individual employee's needs to ensure the welfare and performance of an employee is dealt with in a supportive and positive manner.
- 7.5 It may be appropriate for the matter to be dealt with by way of mediation, depending of the nature of the disciplinary. This involves the appointment of a third-party mediator arranged by Human Resources, who will discuss the disciplinary matter with all those involved and seek to facilitate an outcome. Mediation will only be used if all parties involved in the disciplinary agree.
- 7.6 Should any aspect of the disciplinary process cause difficulty because of a disability, language barriers or other difficulties, the Council has trade union representatives, Staff Council representatives, work colleagues and Human Resources who are available to provide necessary help or assistance.

8.0 Disciplinary Rules for all employees

- 8.1 Rules are set out in Appendix 1 which apply to all employees in terms of standards of conduct and performance expected of them during employment. Any breaches of these rules will render an employee liable to disciplinary action.

9.0 Disciplinary Procedure

- 9.1 The Council has a two phase disciplinary procedure, comprising of both informal and formal processes.
In the cases of minor misconduct or unsatisfactory performance the aim will be to find a solution using the first phase of the procedure – the informal process (See Appendix 2, section 2.0).
- 9.2 On occasions where disciplinary matters cannot be resolved informally or where matters are of a more serious nature therefore require moving directly to formal action, the disciplinary matter will be dealt with at the second phase (formal) of the disciplinary procedure (See Appendix 2, section 3.0).

The formal disciplinary phase comprises of three stages and includes a provision for individuals to appeal if they are not content with the outcome of the formal disciplinary hearing.

- 9.3 Please see attached Appendices for further guidance:

Appendix 1	-	Disciplinary Rules
Appendix 2	-	Disciplinary Procedure
Appendix 3	-	Employee Guidelines and Flowchart
Appendix 4	-	Manager Guidelines and Flowchart
Appendix 5	-	Appeals Panel – Terms of Reference
Appendix 6	-	Appeals Sub Group – Terms of Reference
Appendix 7	-	Special provisions for Chief Officers

10.0 The right to be accompanied at Disciplinary investigations and hearing

- 10.1 The Employment Relations Act 1999 gives a statutory right to be accompanied by a companion at a disciplinary hearing (See Appendix 2, section 11.0).
- 10.2 HDC allows an employee being investigated and any witnesses that are interviewed, where a statement is required to be signed, the right to have a representative present at the meeting. The chosen companion may be a Staff Council, Union representative or work colleague.

11.0 Keeping written records

- 11.1 Human Resources keeps a written record of all disciplinary cases dealt with.

These records include:

1. the nature of the disciplinary;
2. all findings made from investigatory meetings;
3. all interviews and documentation in relation to the disciplinary;
4. what was decided and the action taken;
5. the reason for the actions;

6. whether an appeal was lodged;
7. the outcome of the appeal; and
8. any subsequent developments.

It is a Managers responsibility to complete a file note for disciplinary matters dealt with at the informal stage, this is to include the first five points above and be forwarded to Human Resources for the employee's personal file.

- 11.2 All records are treated as confidential and kept in accordance with the Data Protection Act 1998 on an employee's personal file held by Human Resources.
- 11.3 Copies of meeting records will be supplied on request from the employee including copies of any formal minutes that have been taken. In certain circumstances (for example to protect a witness) the Council may withhold some information.
- 11.4 The Council monitors disciplinary statistics for reporting purposes on gender, race, age and disability. All reporting is anonymous.

1.0 Application

- 1.1 This disciplinary policy and procedure applies to chief officers, subject to the provisions of this appendix. This appendix also applies to heads of service who have been appointed as chief finance officer or monitoring officer.
- 1.2 In the case of chief officers, this policy replaces the model disciplinary procedure contained in the JNC for Chief Officers for Local Authorities terms and conditions. All other aspects of part 4 of those terms and conditions relating to discipline, capability and redundancy remain unaltered.

2.0 Chief Finance Officer and Monitoring Officer

- 2.1 No disciplinary action in respect of the chief finance officer or monitoring officer, except suspension, may be taken by the Council ~~or a panel of the Council~~ **except after consideration of a recommendation in a report made by a designated independent panel under Regulation 7 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (investigation of alleged misconduct)**, ~~than in accordance with a recommendation in a report made by a designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001 (investigation of alleged misconduct).~~
- 2.2 **The panel as described in the above Rules should be comprised of at least two or three independent persons and must include at least one member of the Cabinet. The panel membership must be agreed 20 working days prior to ~~and a~~ meeting and will be arranged by the Corporate Director (Services) or in the case of any action against that officer, by the Deputy Monitoring Officer.**

The designated independent **panel** –

- (i) may ~~direct~~ **recommend**–
- (a) that the Council terminates any suspension of the relevant officer;
 - (b) that any such suspension must continue after the expiry of the period of two months;
 - (c) that the terms on which any such suspension has taken place must be varied in accordance with the direction; or
 - (d) that no steps (whether by the Council or a panel of the Council) towards disciplinary action or further disciplinary action against the relevant officer, other than steps taken in the presence or with the agreement of the designated independent **panel**, are to be taken before a report is made by the designated independent person;
- (ii) may inspect any documents relating to the conduct of the relevant officer which are in the possession of the Council, or which the Council has power to authorise **them** to inspect;
- (iii) may require any member of staff of the Council to answer questions concerning the conduct of the relevant officer;
- (iv) must make a report to the Council –

- (a) stating *their* opinion as to whether (and, if so, the extent to which) the evidence he has obtained supports any allegation of misconduct against the relevant officer; and
 - (b) recommending any disciplinary action which appears to be appropriate for the Council to take against the relevant officer; and
- (v) must, no later than the time at which he makes his report, send a copy to the relevant officer.

3.0 Suspension

3.1 A chief officer or a head of service appointed as chief finance officer or monitoring officer may be suspended for the purpose of investigating the alleged misconduct occasioning the action. Any such suspension must be on full pay and terminate no later than 2 months later than the day on which the suspension takes effect.

4.0 Chief Officers

4.1 A chief officer will receive not less than 10 working days written notice of the meeting of the Senior Officers Panel. Before the meeting the chief officer has the right, if so requested, within a reasonable time (i) to receive further details of the complaint made and/or (ii) to a postponement of the meeting for a jointly agreed period not exceeding 14 days. The chief officer may circulate a written statement to the Senior Officers Panel before the meeting.

4.2 As a result of a hearing, the Senior Officers Panel can –

- (i) exonerate the chief officer;
- (ii) state its opinion as to whether (and if so the extent to which) the evidence it has obtained supports any allegation of misconduct against the chief officer;
- (iii) determine the disciplinary action (if any) or range of actions which appear appropriate to take against the chief officer. The appropriate course of action will be drawn from the following list:-
 - (a) recorded verbal warning;
 - (b) written warning;
 - (c) final written warning;
 - (d) suspension on half pay or no pay for a specified period;
 - (e) relegation (i.e. a reduction in salary) for a specified period;
 - (f) an invitation to resign or accept retirement;
 - (g) dismissal with notice.

4.3 The final decision will be given to the chief officer in writing at the earliest opportunity.

4.4 In the event of a decision to dismiss a chief officer, such action will be subject to the provisions of Part II of Schedule I of the Local Authorities (Standing Orders) (England) Regulations 2001.

4.5 If a warning is given, it should tell the chief officer –

- (i) the level of improvement required;
- (ii) the date by which it is to be achieved;
- (iii) what will happen if it is not;
- (iv) how to appeal.

4.6 Alternatively, the Panel may explore other alternatives, e.g.

- (i) early retirement;
- (ii) secondment;
- (iii) redeployment to a more junior post where there are issues relating to capability.

4.7 In the case of a chief officer submitting an appeal against a decision of the Senior Officers Panel, the appeal will be dealt with by the Appeals Sub Group in accordance with the terms of reference of that Sub-Group set out in Appendix 6 of the disciplinary policy and procedure.

4.8 The decision of the Appeals Sub Group shall be final.

Corporate Governance Panel

Reports of the meetings held on 3rd June and 15th July 2015

Matters for Decision

1. IMPLEMENTATION OF AUDIT ACTIONS

By way of a report from the Internal Audit and Risk Manager (a copy of which is reproduced as Appendix A hereto), the Panel has been provided with performance information regarding the implementation of agreed internal audit actions for the year ending 30 April 2015.

Thirteen actions have not been introduced of which two are more than six months late and two are more than one year late. At the request of the Panel the Head of Resources, Corporate Team Manager and Head of Leisure and Health attended the meeting to provide explanations as to why the internal audit actions relating to their individual service areas remain outstanding.

The Panel has expressed a view that it is the responsibility of the Corporate Management Team to ensure that internal audit actions are implemented and, if not, to identify the reasons why. If audit actions are deemed significant enough to have target deadlines then the actions should be delivered on time.

The Corporate Team Manager has explained to the Panel that staff training and development delivered by LGSS is not currently meeting the needs of the staff or of the Authority. Once the 2014/15 appraisal process has been completed, training needs will be identified and referred to LGSS in order that they can update their training programme and offer to better reflect the Council's requirements. The Panel have been informed that the action will be complete in July.

In response to questions from the Panel it has been explained that most LGSS clients are not District Councils and training provision is only one element of the service delivered by LGSS. The Council has an allocation of 500 training places that are currently under-used. If LGSS are able to deliver the Council's training requirements it is expected that it will reduce off-contract spend.

Regarding the National and Local Indicators audit action the Panel has been informed that 50% of these are complete and the action will be entirely complete in July.

LGSS have been tasked with reviewing the Council's Pay Policy and Flexible Working Policy to resolve the differing rates of overtime and additional hours payments. The Panel has been informed that the action will be complete during 2015/16.

The Head of Resources has explained that once a review of the Council's property and equipment has been finalised the action will be complete as the assets can then be apportioned to the appropriate Head of Service, although the majority will be assigned to one service area.

The Commercial Rents and Estates Management action has been separated into two elements. The Panel has been informed that the Uniform software system has been assessed and deemed suitable for recording data on commercial rents and estates. However, additional resource may be required in order to transfer the data from the current system into Uniform.

Regarding the prioritisation of maintenance and repair work to ensure that commercial properties are maintained, the Panel has been informed that work at Phoenix Court, Huntingdon, will be complete by the end of this financial year and the work required at Clifton Road, Huntingdon and Levellers Lane, St Neots will be included in the assessment for the 2016/17 Capital Works Programme.

Regarding the One Leisure Impressions outstanding audit actions, the Head of Leisure and Health has explained that there has not been a dedicated Impressions Manager and that interviews are imminent to recruit to the post. Once recruited a review of the Impressions structure and operational matters will be conducted.

The Panel has been assured by the Corporate Director (Services) that the Senior Management Team has modified the monitoring of internal audit actions to ensure that the responsible officers are held accountable and that the Panel will begin to realise a different approach over the next few months.

In noting the report, the Panel has expressed concern with the outstanding audit actions and these issues should be highlighted to the Cabinet. Following discussions the Panel

RECOMMEND

that the Council note the concerns of the Corporate Governance Panel regarding the number of internal audit actions that are significantly overdue and that the Council recommend to the Cabinet that appropriate action is taken to address these concerns.

2. DISPOSAL AND ACQUISITION POLICY: CHANGE TO THE CONSTITUTION

Further to the meeting of the Cabinet (Item No. 4 of their report refers) the Panel has recommended to Council that the Constitution be amended to reflect the new Disposal and Acquisitions Policy as approved by the Cabinet (a copy of the report is reproduced as Appendix B hereto).

As the former thresholds and procedures within the Constitution were considered too restrictive, and to enable a more commercial approach to the management of the Council's property portfolio, a new Disposal and Acquisitions Policy and governance arrangements has been agreed by the Cabinet through which the Council is able to manage its estate of land and buildings within a commercial environment.

Having initially been considered by the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 6 of their report refers), the Cabinet has agreed to the incorporation of the following amendments to the Policy recommended by the Overview and Scrutiny Panel:

- where disposal and acquisition decisions are made, that these be retrospectively reported to the Panel; and
- the new financial thresholds are reviewed 12 months following approval.

As the Council is required to generate £8million of savings by 2019/2020 a way of generating additional income is via selling assets or purchasing capital assets within the commercial environment.

As the Panel has responsibility for considering changes to the Constitution, which includes the Code of Financial Management and Code of Procurement, the Panel has recommended to Council that the Constitution be amended to reflect the requirements of the Disposal and Acquisitions Policy.

In addition to amendments to the thresholds for the disposal and acquisition of land and property, the Cabinet has approved the formation of a Treasury and Capital Management Group which must be reflected in the Constitution.

As a further safeguard for good governance the Panel has recommended to the Council that the Treasury and Capital Management Group be constituted to include a third member of the Cabinet in the event of the Leader or Deputy Leader holding the Resources Portfolio, to ensure that three Cabinet Members always have a seat on the Treasury and Capital Management Group.

In response to questions regarding transparency of the Council's estate, the Panel has been informed that whilst the purchase or sale of property or land is under negotiation the information will be considered as commercially sensitive and therefore be confidential. However, once contracts are complete information could be released.

The Panel has enquired whether the Council has a sufficient level of expertise to realise the value of its assets and for negotiation purposes. It has been explained to the Panel that a Commercial Investment Strategy is being developed that will identify such matters as well as establish proposed investment levels, risk appetite and other factors that are essential in such a strategy.

During the Panels discussions it has been emphasised that the report has been presented to the Panel as it has responsibility for considering proposals to review the Council's Constitutional arrangements and to make appropriate recommendations to the Council. The Policy itself is the responsibility of the Cabinet. Purchasing and selling land and property is not a new concept to the Council and external agents are used to obtain a view on the current market values.

In response to a question it has been confirmed to the Panel that the Authority could purchase residential property. However, commercial assets currently have a better value.

Having considered the Officer's report and the amendment, the Panel

RECOMMEND

- a. **that the Constitution be amended to reflect the Disposal and Acquisitions Policy attached in Annex A of the report now submitted; and**
- b. **that the Treasury and Capital Management Group be constituted to include the Leader, Deputy Leader and the Executive Councillor for Resources (or in the event of the Leader or Deputy Leader holding the Resources Portfolio a third member of the Cabinet) together with relevant members of the Corporate Management Team and the Responsible Financial Officer.**

Matters for Information

3. CORPORATE GOVERNANCE PANEL PROGRESS REPORT

Details of actions taken in response to recent discussions and decisions have been noted by the Panel. As not all Members of the former Panel were able to convene regarding a review of the effectiveness of the Panel, which is required before the Annual Governance Statement is prepared, and as the majority of the Members are new to the Panel, it has been agreed that the Internal Audit and Risk Manager will conduct a review and provide a report to a future meeting of the Panel.

The Panel at its meeting in July has received a verbal update regarding the Implementation of Audit Actions following the recommendation to the Council that the concerns of the Corporate Governance Panel

regarding the number of internal audit actions that are significantly overdue be referred to the Cabinet so that appropriate action is taken to address these concerns.

At the Panel's meeting in June there were thirteen audit actions outstanding. The Panel has been informed that to date three of those audit actions have been implemented; five have been partially implemented and five have not been implemented. However, by the end of the year twelve of the audit actions will be implemented with the exception of the audit action relating to the main accounting system as a cash receipting system is required and this will not be in place before March 2016.

The Panel will receive a report regarding an update and progress of audit actions at its next meeting.

4. AUDIT ACTIONS DATABASE

The Panel has been presented with the reasons for the loss of some data stored within the Audit Actions Database. Following work to migrate SharePoint based software systems; loss of data became apparent which was non-recoverable. The reasons for the loss of data have been explained and the Panel has been assured that improvements have been made to processes to avoid a future repeat occurrence.

Some elements of the missing data relate to findings arising from the follow-up on the implementation of internal audit actions. Whilst the information could be identified from copies of email correspondence it is not an efficient use of officer time to manually search and review this information and subsequently this information will not be included in the Internal Audit Annual Report to the Panel.

The Panel has agreed that the loss of data is highly regrettable, but have accepted that improvements have been implemented.

5. REVIEW OF FRAUD INVESTIGATION ACTIVITY

The Panel has received and noted an overview of the activity of the Corporate Fraud Team during 2014/15.

During the 2014/15 year the Fraud Team received 1028 allegations of fraud, investigated 345 cases and identified fraud valued at £464k, recovered 7 social housing properties and conducted 29 prosecutions.

The performance is comparable to that of the previous year despite one member of the Fraud Team being absent due to long-term sickness, the resignation of the Fraud Manager, the transfer of benefit fraud work to the Department for Work and Pensions (DWP) and the Council being involved in two county-wide fraud initiatives. The Cambridgeshire Tenancy Fraud Forum (CTFF), established in 2013, is funded by the Department for Communities and Local Government (DCLG) and has continued to operate throughout 2014/15. The Council is also the lead authority in a successful bid for funding from

DCLG to implement the Cambridgeshire Anti-Fraud Network (CAFN) as a successor to the CTFE.

It is anticipated that the CAFN will work to address Council Tax Discount fraud and Tenancy fraud. Once the remit of the CAFN has been established an exercise to determine other types of fraud that the CAFN can address will be conducted including looking at the Corporate Risk Register and issues identified during internal audits, as well as working with services across the Council.

In response to questions by the Panel it has been explained that on 1st May 2015 three Investigating Officers transferred to the DWP resulting in the Fraud Team comprising of a Team Leader, Investigator and an Intelligence Officer. All allegations of fraud are assessed by the Fraud Team and those that are malicious, or do not relate to Council business or are of a value that does not warrant a full investigation or a potential prosecution are not investigated. The Fraud Team conduct on-going data matching exercises across a range of Council databases as part of their Work Programme.

The Corporate Governance Panel has expressed appreciation to the Benefits Manager and the Fraud Team on its success, particularly under the difficult circumstances.

6. ANTI-FRAUD AND CORRUPTION STRATEGY REPORT

The Council's Anti-Fraud and Corruption Strategy has been revised to incorporate the recently published Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on managing the risk of fraud and corruption; the accompanying guidance notes published in December 2014; and the changes within the Corporate Fraud Team to focus on issues other than welfare fraud.

The Corporate Fraud Team is currently reviewing their workload post the introduction of the Single Fraud Investigation Service (SFIS) and the reduction in welfare related investigations. It is expected that the draft work programme will be finalised during the Autumn. At the previous meeting the Panel decided to disband the Fraud Working Group and that a new Fraud Working Group should feature as an item on the Corporate Governance Panel Progress Report. It has been recommended and agreed by the Panel that a Fraud Working Group should not be re-established until the Corporate Fraud Team's Work Programme had been agreed.

It has been noted that the Fraud Working Group has raised the profile of fraud within the District which the Council should not lose. The Fraud Team were informed that the Corporate Governance Panel were approachable should officers believe it necessary to meet.

7. RISK REGISTER UPDATE

The Panel has been updated with changes that have been made to the Risk Register between 2nd September 2014 and 19th May 2015.

Update reports on the Risk Register are presented to the Panel twice a year and Appendix 2 of the report detailed a summary of the amendments that have been made to the Register.

Future reports will differ in format as detailed information on risk management matters will be presented to the Cabinet, to allow them to fulfil their responsibilities as contained within the Risk Management Strategy.

The Panel asked whether Councillor Harrison would remain as Risk Management Champion following his appointment to the Cabinet. The Panel were informed that the Cabinet would review the appointment when they considered the Risk Management Strategy.

The Risk Register Update report and each of the very high residual risks are to be reported to the Cabinet for consideration, as per the Risk Management Strategy.

8. WHISTLEBLOWING POLICY, GUIDANCE AND CONCERNS RECEIVED

The Panel has approved the revised Whistleblowing Policy and Guidance and noted the whistleblowing concerns received during the 2014/15 financial year.

The Whistleblowing Policy and Guidance is reviewed annually and during the 2014 review the Panel recommended that the Council became a signatory to the Public Concern at Work (PCaW) 'The First 100 Campaign', which had been established to allow organisations to make a public commitment to support the PCaW Whistleblower Code of Practice.

Subsequently a number of changes were made to both the Policy and Guidance to reflect the PCaW Whistleblower Code of Practice and a recent Employment Appeal Tribunal decision where the first 'in the public interest' definition had been applied.

The Policy now applies to all Council employees and contractors working for the Council on its premises as well as suppliers and those providing services under a contract with the Council in their own premises.

9. STATUTORY DISMISSAL PROCEDURES FOR HEADS OF PAID SERVICE, MONITORING OFFICERS AND THE RESPONSIBLE FINANCIAL OFFICER

Further to the meeting of the Employment Panel (Item No. 6 of their report refers) the Panel has recommended to the Council that the Constitution be amended to reflect the new regulations, and to incorporate the requirements of the new Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. (The report is reproduced as Item No. 7 on the Council Agenda.)

The Regulations amend the statutory disciplinary and dismissal procedures of English Local Authorities' Heads of Paid Service, Monitoring Officers and Chief Financial Officers, and replace the current statutory Designated Independent Person (DIP) process, outlined in the current Local Authorities (Standing Orders) (England) Regulations 2001.

The new Regulations require Authorities to have in place the new process '*no later than the first ordinary meeting of the authority falling after 11th May 2015*'.

The Regulations state that before an Authority considers whether to dismiss an officer, it must convene a Panel made up of Councillors and at least two Independent Persons. In response to questions it has been explained to the Panel that the Independent Persons are appointed via a recruitment process and if the Council cannot recruit two Independent Persons it may invite Independent Persons appointed by another Council and that irrespective of whether the dismissal is as a result of a majority or a unanimous decision the Employee has a right of appeal against any disciplinary action or dismissal by the Council.

It has been noted that the Employment Panel considered the report and were satisfied to recommend the report to the Panel for further progression.

10. PREPARING THE 2014/2015 ANNUAL GOVERNANCE STATEMENT

The Panel has been informed and has agreed the process to be followed in preparing the 2014/15 Annual Governance Statement (AGS).

It has been explained to the Panel that the Corporate Management Team (CMT) wish to streamline the review process by increasing the involvement of the Senior Management Team (SMT) in the evidence and documentation review process.

Following the SMT review and challenge, a report will be prepared for the Panel that summarises the outcome of the review and details those areas of the Code that SMT consider have not been met or require improvement.

If issues are identified during the SMT review, the Panel will determine which of these are significant enough to include in the AGS. Following which the Internal Audit and Risk Manager will prepare a draft AGS, and after obtaining CMT, SMT and the External Auditors comments, invite the Panel to make comments on its contents at an informal meeting of the Panel. This will allow a final version of the AGS to be prepared prior to its submission to the Panel in September 2015.

Reference has been made to paragraph 3.6 of the Officer's report that provides a guide for SMT when deciding whether or not particular issues or events should be considered for inclusion in the AGS. The Panel has questioned whether there is a risk that something could be

omitted from the AGS and has been informed that the risk is minimal as the Panel has an opportunity to challenge the contents of the AGS.

In response to a question it has been explained to the Panel that CMT wishes to involve SMT in the AGS process to encourage peer challenge and to raise awareness of Officer's responsibilities.

11. INTERNAL AUDIT SERVICE: ANNUAL AUDIT REPORT

As required by the Public Sector Internal Audit Standards (PSIAS) the Panel has been provided with an Annual report and opinion.

The report details the work undertaken by Internal Audit during the period 1st April 2014 to 31st March 2015 to support the opinion statement that the Council's internal control environment and systems of internal control as at 31st March 2015 provide adequate assurance over key business processes and financial systems.

The Panel has been informed that 21 audits have not been delivered due to the loss of 147 auditor days during the year. The reasons for this were listed in the Officer's report which includes an Auditor post being vacant from mid October 2014 and being unable to recruit a suitable person or source cover arrangements with another authority or the Internal Audit Contractor.

It has been highlighted to the Panel that one Audit that raised particular concern relates to the E-Recruitment software system which is managed by LGSS. The Auditors have 'read only' access to the software and therefore can only undertake a limited amount of testing and have to rely on gathering evidence from discussions with Recruiting Managers and successful Applicants. As no assurance has been received from LGSS that the system is working as intended, and without sufficient testing evidence, it is not possible to issue an opinion on the effectiveness of the E-Recruitment system.

The Panel discussed at length issues surrounding the E-Recruitment software system. The Panel has been informed that the Employment Panel were equally unhappy with the performance of the system and have been for some time. The Corporate Team Manager is currently liaising with LGSS in order to address the various issues. However, the Council is tied into a two year contract. It has been explained that whilst interviewing a number of successful candidates on their experiences of using the E-Recruitment software, Internal Audit were informed by a number of individuals that they contemplated abandoning the application due to the software. The Panel has expressed strong concerns regarding the inadequacies of the LGSS E-Recruitment system.

The Annual Report also refers to the previously advised problems encountered whilst migrating the SharePoint based systems and the loss of data stored within the Audit Actions Database. The system is not currently operational to enable Officers from all services to input data directly into the system and it is unlikely to be resolved in the near

future. Therefore Internal Audit has been advised to source commercial software externally.

Having to purchase commercial software externally to record Audit Actions will have cost implications and the Panel have enquired of the likely costs. The Panel has been informed that following cursory investigations the cost is likely to be approximately £6500.

The Panel has been informed that an Auditor has been recruited to the vacant post and is already commencing three of the audits listed within the report as not having been undertaken. It is expected that the 2015/16 Audit Plan will be delivered if there are no further resourcing issues.

12. INTERNAL AUDIT SERVICE: ANNUAL EFFECTIVENESS AND CHARTER REVIEW

The Panel has considered a report detailing the outcome of the review of the effectiveness of the Internal Audit Service and the Internal Audit Charter.

The Public Sector Internal Audit Standards (PSIAS) require that the Internal Audit Service has in place a Quality Assurance and Improvement Programme (QAIP) and an Audit Charter.

The QAIP consists of two types of assessment – internal assessment and external assessment and these were explained more fully within the Officer's report.

One of the internal assessments is the periodic assessment against the PSIAS, designed to assess conformance with the Internal Audit Charter and the efficiency and effectiveness of the service. The Panel has been presented with a report detailing the outcome of the Internal Audit and Risk Manager's assessment of this and with the results of the action plan arising from the external 'independent validation' of Internal Audit, that was reported to the Panel in May 2014.

The Internal Audit Charter is reviewed periodically by the Internal Audit and Risk Manager and there are a number of amendments required to reflect legislative changes and the introduction of operational shared services for ICT, Building Control and Legal Services. Significant amendments were proposed within the following sections of the Charter and are explained more fully within paragraph 3.8 of the Officer's report, including -

- relationship with Members and Senior Management;
- roles and responsibilities; and
- quality and assurance programme.

The Panel has been updated on the Improvement Plan as agreed following the 2014 external assessment of the Internal Audit Service and the Improvement Plan following the 2015 review, which incorporates a deadline date for when the actions should be complete.

There were no issues that require inclusion in the Annual Governance Statement following the 2015 review.

Regarding Shared Services the Panel has been informed that the Internal Audit Charter incorporates detail where the Council provides 'shared services' to, or receives 'shared services' from other organisations and the Internal Audit and Risk Manager shall liaise with the other organisations Internal Audit Service and agree the scope of the assurance that is to be provided or received to take account of that requirement when preparing the Annual Audit Plan.

13. WORK PROGRAMME AND TRAINING

Members of the Panel have received and approved details of their anticipated work programme over the ensuing year and a training programme based upon the Panel's Terms of Reference.

The Panel has been furnished with an advice note regarding the forthcoming review of the Council's Constitution and the Panel has been informed that a Working Group will be formed comprising a broad spectrum of Councillors.

The Panel has received an induction session prior to the Panel meeting in July providing a general oversight of governance structures and an introduction to their programme of work.

A joint training session with Members of the Corporate Governance Panel and the Overview and Scrutiny Panel (Economic Well-Being) is being arranged on the final accounts process to enable Members a better understanding prior to the consideration of the Annual Financial Report in September.

Prior to the Panel being presented with the Annual Audit Letter from the External Auditors it has been usual practice for the Chairman and Vice-Chairman to meet with the External Auditor immediately prior to the meeting. As a long serving Member of the Panel it has been agreed that Councillor Butler will also be present at this meeting.

A short information session on Procurement will be delivered to the Panel prior to the December meeting.

M Francis
Chairman

D Reynolds
Vice-Chairman

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**Public
Key Decision – No**

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Implementation of Audit Actions

Meeting/Date: Corporate Governance Panel – 3 June 2015

Executive Portfolio: Resources: Councillor J A Gray

Report by: Internal Audit and Risk Manager

Ward(s) affected: All Wards

Executive Summary:

Performance information for the implementation of agreed internal audit actions for the year ending 30 April 2015 is shown below (and in detail at Appendix 1).

Status of Action				
	Introduced on time	Introduced Late	Not introduced	TOTAL
Red Action	20	9	3	32
Amber Action	57	29	10	96
Total	77	38	13	128
% age	60%	30%	10%	

13 actions have not been introduced, and of these 2 are more than 6 months late and 2 are more than 1 year late.

The performance information has been prepared from the audit actions e-database. This sits on the Council's intranet and is managed by Internal Audit. It is designed to be accessed and updated by Managers who have been allocated actions (through the agreed final internal audit report).

The performance information is produced monthly. Managers are reminded at the mid-point of each month to review any outstanding actions, to update the progress / implementation status or to contact the Internal Audit team if they consider that they are unable to achieve the agreed date.

Recommendation(s):

It is recommended that the Panel note the report.

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1. WHAT IS THIS REPORT ABOUT/PURPOSE?

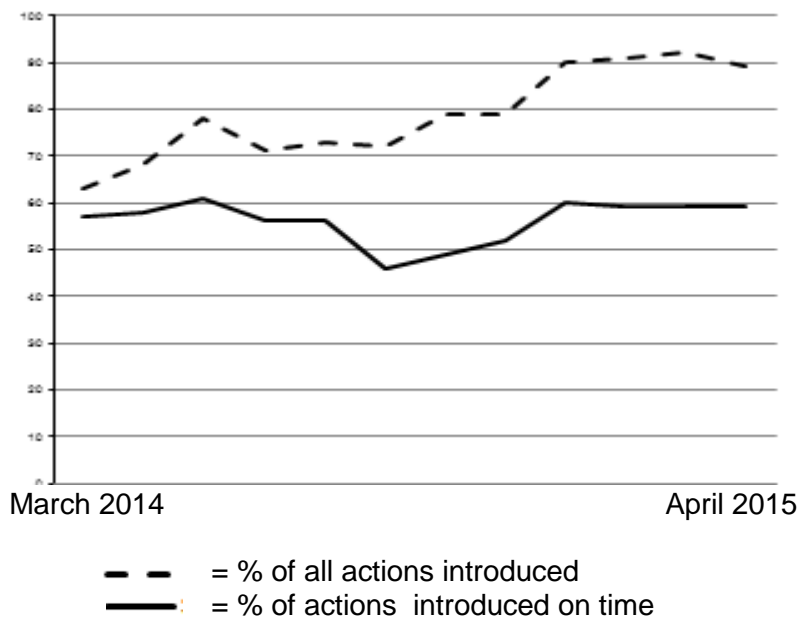
- 1.1 The report provides the Panel with details of the implementation rates achieved by Managers in respect of agreed internal audit actions.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The continued poor performance with the introduction of agreed internal audit actions remains a matter of concern for the Panel. Whilst the Managing Director has reported to the Panel that delivery of the actions is to be a priority for the Corporate Management Team (CMT), the Panel felt that it needed to take positive action to support CMT in improving performance and requested that a report on performance be presented to each Panel meeting until such time that performance was considered 'satisfactory'.

3. ANALYSIS

- 3.1 The CMT have set a target of 100% of agreed internal audit actions should be introduced on time.
- 3.2 The performance for the year ending April 2015 shows that target has not been achieved, with 60% of agreed audit actions introduced on time. A further 30% of the agreed audit actions have been introduced, but late. There remains 10% outstanding. A breakdown by Head of Service is attached at Appendix 1 whilst Appendix 2 details the outstanding actions.
- 3.3 Despite previous improvements, performance for the current period has reduced overall.



4. KEY IMPACTS/RISKS? HOW WILL THEY BE ADDRESSED?

- 4.1 Monitoring the introduction of agreed audit actions is an important management responsibility. The Panel need to have confidence that action is

being taken by the agreed deadline to improve the governance and internal control framework and/or further mitigate unacceptable levels of risk.

- 4.2 The successful implementation of agreed internal audit actions is an indicator of the control tone across the Council and enables it to demonstrate that it maintains high standards of governance and internal control. CMT will be reviewing the implementation of actions monthly as part of the performance monitoring information.

5. LINK TO THE CORPORATE PLAN

- 5.1 The Internal Audit Service provides independent, objective assurance to the Council by evaluating the effectiveness of risk management, control, and governance processes. It identifies areas for improvement across these three areas such that Managers are able to deliver the Corporate Plan objectives as efficiently, effectively and economically as possible.

6. LEGAL IMPLICATIONS

- 6.1 There are no legal implications arising from this report.

7. RESOURCE IMPLICATIONS

- 7.1 There are no financial implications arising from this report.

8. REASONS FOR THE RECOMMENDED DECISIONS

- 8.1 The report is for information only. It contributes to the Panels understanding of the Council's governance and internal control framework.

13. LIST OF APPENDICES INCLUDED

Appendix 1 – Implementation of Agreed Internal Audit Actions
as at 30 April 2015.

Appendix 2 – Outstanding Audit Actions as at 30 April 2015.

BACKGROUND PAPERS

Agreed audit actions database

CONTACT OFFICER

David Harwood – Internal Audit and Risk Manager
Tel No. 01480 388115

Implementation of Agreed Internal Audit Actions as at 30 April 2015.

Head of Service	Actions Introduced on Time	Actions Introduced on Time	Actions Introduced on Time and Late	Actions Introduced on Time and Late	Not Introduced		Total Actions Due in 12 Month Period
	Number	Percentage	Number	Percentage	Red	Amber	
Managing Director	0	0%	3	100%	0	0	3
Corporate Team Manager	13	52%	22	88%	1	2	25
Corporate Director, Services							
Head of Resources	10	37%	20	74%	1	6	27
Head of Customer Services	32	89%	36	100%	0	0	36
Head of Operations	5	38%	13	100%	0	0	13
Corporate Director, Delivery							
Head of Development	1	33%	3	100%	0	0	3
Head of Community	3	100%	3	100%	0	0	3
Head of Leisure & Health	13	72%	15	83%	1	2	18
Total	77	60%	115	90%	3	10	128
Target		100%					

Red Actions: These are actions that must be implemented as the current exposure to risk is unacceptably high, indicating a major control weakness. Actions will be given a red priority when the residual risk identified may adversely affect the annual governance statement, result in the loss of funds or assets, or lead to service delivery failures which could adversely affect the Council's reputation.

Amber Actions: These are actions that managers should consider introducing as the current risk exposure is high. Control weaknesses have been identified that have the potential to compromise internal control, operational effectiveness or service delivery. Actions will be given amber priority when the residual risk has identified non-compliance with established good practice, the lack or failure of performance management or reporting systems, or failures in subsystems.

Corporate Team Manager

Audit	Findings	Agreed Action	Due Date (month end)	Current Position
Staff Training & Development 2014/15	<p>Red</p> <p>Testing revealed that training spend for 2013/14 outside of the LGSS contract was approximately £230k. It was also noted that the 500 training place allocations are consistently under used. LGSS consider that these places are not available for service specific / technical training (for example Operations related training), but are for generic training only, e.g. equality & diversity.</p> <p>The OWD element of the LGSS contract includes a number of areas where the LGSS proposal does not appear to be delivered in full (e.g. service (technical) training and development needs are analysed and learning interventions and solutions commissioned as appropriate), and others which are being interpreted differently by ourselves and LGSS.</p> <p><i>Training provision may not meet the needs of staff and the authority</i></p> <p><i>Savings may not be realised where spend continues in addition to the LGSS provision</i></p> <p><i>Service provision may be adversely affected where contract terms are not enforced.</i></p> <p><i>The current expenditure on training is not delivering value for money.</i></p>	Agreement will be sought with LGSS on the scope of the training that is to be delivered under the contract. If necessary, protocols and guidelines for the operation of the contract will be documented and agreed for clarity.	March 2015	<p>Partially introduced.</p> <p>The LGSS currently offer a wide and varied training programme. However not all of the Council's training needs are covered by it.</p> <p>Once the 2014/15 appraisal process has been completed, training needs that sit outside of the LGSS programme will be identified and referred to LGSS. LGSS intend to update their training programme to reflect the Council's requirements so allowing for an increase in use of the 500 training places. It is expected that this will also lead to a reduction in off-contract spend.</p>

Audit	Findings	Agreed Action	Due Date (month end)	Current Position
National and Local Indicators 2009/10	<p>Amber From our testing of five indicators, two (NI195 and 'The number of dwellings improved by the actions of the Council') did not have a data measure template in place for recording of the indicator methodologies and responsible officers, including the officer accountable for data quality checks.</p> <p><i>There is a risk that inconsistent recording and/or methodologies could result in incorrect data being reported. In addition, unless designated officers are assigned responsibility, there is a risk of a lack of accountability in place.</i></p>	<p>To enable consistent accurate reporting of data each of the indicators included within the divisional quarterly performance reports should be documented on the standard data measure template.</p> <p>This document should record the officer responsible for compiling and checking the information, the methodology used, the reporting timescales and associated measures and targets.</p>	March 2014	<p>Partially introduced.</p> <p>Templates have been issued and 50% have been completed.</p>
Payments in Lieu 2011/12	<p>Amber Overtime and additional hours are paid at different rates (1, 1.5 or 2 times hourly rate) with little guidance as to the application of each rate. This issue was identified in the June 2007 internal audit review of Overtime. The Head of HR agreed that standard procedures for overtime would be introduced by November 2007 to ensure that employees receive the same overtime rates. This action was not introduced.</p>	<p>LGSS will review our current procedures for the payment of overtime with a view to standardising practice.</p>	March 2015	<p>Outstanding.</p> <p>This will be included in our Pay Policy and Flexible Working Policy scheduled for review during 2015/16.</p>

Head of Service: Resources

Audit	Findings	Agreed Action	Due Date (month end)	Current Position
Loans and Investments 2014/15	<p>Red</p> <p>The Head of Resources maintains a Treasury Management Practices (TMP) manual that details how the CIPFA 2011 Code of Practice for Treasury Management in the Public Services will be followed. The manual contains a number of minor errors which need to be corrected. It also needs to be revised to reflect current working practices and post changes, including the DMO authorised list.</p> <p><i>The current manual does not reflect the current working arrangements.</i></p> <p><i>Staff may be unaware of the correct procedures to follow</i></p>	The TMP manual will be reviewed and updated to reflect current decision making responsibilities and working practices.	April 2015	Outstanding.
VAT 2013/14	<p>Amber</p> <p>Discussion confirmed that the CIPFA VAT code of practice has not been adopted</p> <p><i>Non-compliance with best practice guidelines</i></p>	Adopt the CIPFA VAT code of practice and review the processes involved to ensure compliance with the code.	March 2014	Partially introduced. Processes have been reviewed and training is being looked into to achieve compliance.
Repairs and Maintenance of HDC property and equipment 2013/14	<p>Amber</p> <p>18% of property on the fixed asset register has not been assigned to a manager. It should also be noted that the fixed asset register does not contain all the Council's operational property</p> <p><i>Property assets may not be maintained</i></p>	Once the appropriate Head of Service have been recruited, they should works towards delivering a corporate fixed asset register that covers all council owned property. A manager will be named as being responsible for the management and maintenance of each property on the register.	March 2015	Outstanding.

Audit	Findings	Agreed Action	Due Date (month end)	Current Position
Commercial Rents and Estates Management 2013/14	<p>Amber From review and discussion it has been confirmed that the Current Estates spreadsheet (the main record for recording tenant and property information) is out of date and does not contain all the necessary lease information. (e.g. changes in tenants, underlying property data, rent review completions, due dates etc).</p> <p><i>Inaccurate and incorrect data reduces efficiency and increases the risk of errors being made</i></p>	The commercial estates module in the Uniform system will be investigated & assessed for 'fit for purpose'.	February 2015	Partially introduced. System still being considered in view of a number of upgrades.
		If the Uniform system is deemed 'fit for purpose', the system will be implemented as a replacement for the estates spreadsheet.	January 2015	Partially introduced.
Commercial Rents and Estates Management 2013/14	<p>Amber There is no plan of work for the repairs or maintenance of commercial properties; repairs are carried out on a reactive basis only. The repairs and maintenance budget is based on previous years spend.</p> <p><i>The condition of the property portfolio may decline leading to reduced occupation and increased repair costs</i></p>	Prioritise maintenance and repair work to ensure that commercial properties are maintained to the required standards to achieve the optimum rent and maintain tenant satisfaction.	March 2015	Outstanding.
Main Accounting System – Continuous Auditing 2013/14	<p>Amber The Income and Income Suspense bank reconciliation summary has not been completed. At present there is a difference of approximately £20k. The main bank account reconciliation summary for March 2014 has not been produced. All transactions in this bank account have to be entered manually using a journal. Due to the issues with the income reconciliation, the overall bank summary spreadsheet has not been completed. The Paymaster and the Loans and Investment reconciliations have not yet been signed off by Accountancy.</p>	All bank accounts for the period ending 30 June, will be fully reconciled and approved by the 31 July 2014	July 2014	Partially introduced.

Head of Service: Leisure and Health

Audit	Findings	Agreed Action	Due Date (month end)	Current Position
One Leisure Impressions 2013/14	<p>Red</p> <p>Impressions facilities are operating without formal business, strategies and targets / performance measures. There has been little management presence or direction at a site level. Staffing arrangements are inconsistent across the sites.</p> <p><i>Reduced use and reputation of facilities as a result of poor corporate management</i></p>	<p>Formal plans, strategies and targets will be established for the Impressions facility, which will be subject to regular review and monitoring. Staffing structures will be formalised to ensure that appropriate skills and resources are available both at a site and cross – facility level. Meeting schedules will be agreed to ensure that issues are discussed and communicated.</p>	September 2014	<p>Partially introduced.</p> <p>Recruitment process is underway and once complete work will begin on reviewing the impressions structure and operations.</p>
One Leisure Impressions 2013/14	<p>Amber</p> <p>Procedure notes in place do not cover all aspects of the service / work undertaken by staff. Guidance is split between the QMS and Impressions Data drives, which may hinder staff in locating and accessing information.</p> <p>At OLS a manual file is retained in the Gym Office containing key policies / procedures, which are reviewed and signed off by staff as appropriate.</p> <p><i>Staff may be unaware of the correct procedures to follow</i></p>	<p>Procedure notes will be reviewed for relevance and appropriateness. Guidance will cover all key processes / work undertaken within Impressions, including stock control. Guides will be located in a SharePoint site so that staff can easily locate information.</p>	March 2015	<p>Partially introduced.</p> <p>Recruitment process is underway and once complete work will begin on reviewing the impressions structure and operations.</p>
One Leisure Impressions 2013/14	<p>Amber</p> <p>16 PARQ forms were selected for review – in 1 case the form could not be located, and in 1 case the form only recorded the client name, no other details had been included.</p> <p>In a small number of cases the Wellness system had not been updated with information from the</p>	<p>PARQ forms will be completed and signed by all members. Staff will be reminded of the need to update the Wellness system with all information</p>	March 2015	<p>Partially introduced.</p> <p>Recruitment process is underway and once complete work will begin on reviewing the</p>

Audit	Findings	Agreed Action	Due Date (month end)	Current Position
	<p>PARQ. Where PARQs have been archived, the system provides the most accessible health record.</p> <p>It was found during testing that different versions of the Wellness system are in use, and subsequently differing degrees of information is captured.</p> <p><i>Incomplete / inaccurate records may be maintained.</i></p>	<p>recorded on the PARQ and identified in the induction programme.</p> <p>All sites will use the same version of Wellness for completeness of record keeping.</p>		<p>impressions structure and operations.</p>

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Public**HUNTINGDONSHIRE DISTRICT COUNCIL**

Title/Subject Matter:	Disposal and Acquisition Policy: Change to the Constitution
Meeting/Date:	Corporate Governance Panel – 15 th July 2015
Executive Portfolio:	Executive Councillor for Resources: Jonathan Gray
Report by:	Head of Resources: Clive Mason
Ward(s) affected:	All

Executive Summary:

For the Panel to approve the change to the Council's Constitution to reflect the requirements of the Disposal and Acquisitions Policy that was approved by Cabinet on the 18th June 2015.

It is considered that the current thresholds and procedures within the Constitution are too restrictive to enable a more commercial approach to management of the Council's property portfolio, and therefore a new Policy and governance model is required. The new Policy sets out the legal context, principles and governance arrangements by which the Council will dispose and acquire land and property, including new monetary thresholds. The benefits that are expected to result following the introduction of the Policy are:

- to ensure that the changing needs of service requirements are managed effectively
- the rationalisation of assets are managed effectively
- the Council is transparent in its property dealings
- there is clarity of aim and consistency of approach between Officers, Members and other interested parties

The Policy itself will not have any direct financial or legal implications. However, the operation of the Policy will require adherence to prescribed Council strategies (e.g. Treasury Management) and any statutory provisions relating to a Council's use of assets. However, the operation of the Policy is expected to provide for medium-term support to the Council's revenue budget.

Recommendation(s):

That the Panel recommends to Council that the Constitution is amended to reflect the Disposal and Acquisition Policy attached in Annex A.

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1. PURPOSE

- 1.1 For the Panel to approve the change to the Council's Constitution to reflect the requirements of the Disposal and Acquisitions Policy that was approved by Cabinet on the 18th June 2015.

2. BACKGROUND

- 2.1 The Corporate Governance Panel has responsibility for the approving changes to the Constitution, which includes the Code of Financial Management and Code of Procurement.

- 2.2 The new Disposals and Acquisitions Policy that was approved by Cabinet on the 18th June 2015 includes a range of new requirements to enable the Council to be more agile in its approach to the disposal and acquisition of capital assets. For information a copy of the report that was presented to Cabinet is attached as Annex A. The report provides all relevant detail for the Panel to consider; however the main changes to the Constitution include new:

- thresholds for the disposal and acquisition of land and property.
- governance arrangements in respect of the aforementioned thresholds; including delegations to officers (following consultation with the relevant Executive Councillor) and the formation of, and reporting to the Treasury and Capital Management Group.

3. COMMENTS OF OVERVIEW & SCRUTINY PANEL

- 3.1 The Overview and Scrutiny Panel (Economic Well-Being) were consulted and relevant representations were made at Cabinet.

4. KEY IMPACTS/RISKS?

- 4.1 The Policy will introduce increased monetary thresholds compared to those currently included in the Constitution; however there will be appropriate safeguards to ensure that there is appropriate reporting of decisions.

5. LINK TO THE CORPORATE PLAN

- 5.1 The Policy will support the achievement of the Corporate Plan requirement of "Ensuring we are a customer focused and service led council" by "becoming more business-like and efficient in the way we deliver services".

6. CONSULTATION

- 6.1 None

7. LEGAL IMPLICATIONS

- 7.1 This policy will impact upon the current Constitution. A review of the Constitution is imminent and therefore consideration to this policy must be given and amendments to the Constitution made as necessary.

- 7.2 References to Acquisitions and Disposals within the Code of Procurement will need to either be reviewed or removed.

8. RESOURCE IMPLICATIONS

- 8.1 To put in place a “fit for purpose” approach to the disposal and acquisition of land and buildings that will support the Council’s Investment Strategy. This will then in turn assist the Council in generating additional revenue income through the development of a commercial asset portfolio.

9 REASONS FOR THE RECOMMENDED DECISIONS

- 9.1 To put in place a “fit for purpose” approach to the disposal and acquisition of land and buildings that will support the Council’s Investment Strategy. This will then in turn assist the Council in generating additional revenue income through the development of a commercial asset portfolio.

10. LIST OF APPENDICES INCLUDED

Annex A – Copy of the Disposal and Acquisition Policy: Land and Property report that was presented to Cabinet on the 18th June 2015.

CONTACT OFFICER

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**Public
Key Decision - Yes**

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Disposal and Acquisition Policy: Land and Property

Meeting/Date: Overview & Scrutiny (Economic Well-Being) Panel – 4th
June 2015
Cabinet – 18th June 2015

Executive Portfolio: Executive Councillor for Resources: Jonathan Gray

Report by: Head of Resources: Clive Mason

Ward(s) affected: All

Executive Summary:

The main purpose of the Disposal and Acquisition Policy (see Appendix 1) is to provide a framework through which the Council will be able to effectively manage its estate of land and buildings within a commercial environment.

It is considered that the current thresholds and procedures within the Constitution are too restrictive to enable a more commercial approach to management of the Council's property portfolio, and therefore a new Policy and governance model is required. The new Policy sets out the legal context, principles and governance arrangements by which the Council will dispose and acquire land and property, including new monetary thresholds. The benefits that are expected to result following the introduction of the Policy are:

- to ensure that the changing needs of service requirements are managed effectively
- the rationalisation of assets are managed effectively
- the Council is transparent in its property dealings
- there is clarity of aim and consistency of approach between Officers, Members and other interested parties

Underpinning the Policy will be the Council's Investment Strategy and Capital Programme process and a detailed Code of Practice which sets out the processes that officers will follow to gain approval for disposal or acquisition. One of the main tenets of the Policy and supporting code and governance arrangements is the embedding of commercialisation within the disposal and acquisition decision making process. So commercial decisions can be made in the most efficient way possible, it is essential that the Council can "move quickly" so it can have in place the right balance of resource so it can maximise the commercial opportunities that present themselves.

The Commercial Investment Strategy is currently being developed and an early draft is expected to be presented to members in July 2015. The Strategy will set out the proposed investment levels, risk appetite and other factors that are essential in such a strategy.

The main criteria regarding the disposal and acquisition of assets is shown below:

- What constitutes an acquisition and the statutory powers of a Council to acquire an asset.
- The process of acquiring an asset.
- Budget responsibility.
- Estates service having responsibility for all asset acquisitions.
- Appropriate performance management assessments.

Thresholds for both Disposals and Acquisitions:

To ensure that the decision making process is as agile as possible; it is considered that the current thresholds within the Constitution are too restrictive. Consequently it is recommended that the following thresholds will allow the Council to make decisions in a more efficient and effective way.

£0 - £500,000	Managing Director (as Head of Paid Service) & Head of Resources (as Section 151 Officer), following consultation with Executive Councillor for Resources
£500,000 to £2,000,000	Treasury and Capital Management Group
£2,000,000 +	Cabinet

Governance:

It is proposed that a Treasury and Capital Management Group (TCMG) will be a formally constituted sub-committee of Cabinet, including the Leader, Deputy Leader and the Executive Councillor for Resources as well as relevant members of Corporate Management Team and the Responsible Financial Officer. The primary role of TCMG will be to agree:

- Treasury Management investment decisions (including the acquisition and disposal of all types of assets)
- The Capital Programme and the undertaking of all capital development, including the approval of Business Cases.
- Comment on Treasury Management performance.
- Call officer's to account in respect performance relating to capital projects.

Resources

The Policy itself will not have any direct financial or legal implications. However, the operation of the Policy will require adherence to prescribed Council strategies (e.g. Treasury Management) and any statutory provisions relating to a Council's use of assets. However, the operation of the Policy is expected to provide for medium-term support to the Council's revenue budget.

Recommendation(s):

The Cabinet:

1. approves the:
 - i. Disposal and Acquisitions Policy; including the new monetary thresholds.
 - ii. creation of the Treasury and Capital Management Group.

2. recommends to the Corporate Governance Panel that it approves all required changes to the Constitution (including the Code of Financial Management) to reflect the requirements of the Disposal and Acquisitions Policy.

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1. WHAT IS THIS REPORT ABOUT?

- 1.1 Seeking approval for a new Disposal and Acquisition Policy: Land and Buildings (Appendix 1), and associated governance arrangements that will allow the Council to undertake, in a more efficient, effective and agile way, the disposal and acquisition of land and buildings in support of the Councils Treasury Management and Investment Strategies.

2. BACKGROUND

- 2.1 Members will recall, as reported to Council in February 2015, that over the medium term the Council faces considerable “revenue” financial challenges. Currently the Medium Term Financial Strategy is showing a revenue gap of £2.4m by 2019/20. However, as shown on the “Plan on a Page” (Appendix 2) if, as the Council is aiming to do, it removes its reliance on New Homes Bonus, the funding gap will increase to £8.2m.
- 2.2 The “Plan on a Page” also shows that the Council has in train a number of core business activities that will assist in bridging the funding gap. As well as alternative service delivery models and budget change programmes, the “Plan on a Page” recognises that income generation is one of those core business activities.
- 2.3 One of the main components of “income generation” will be the “Commercial Investment Strategy” (CIS); a draft of this is expected to be reported to members in July 2015. The aim of the CIS will be for the Council to invest in a wider portfolio of commercial type properties than it currently has to provide a long-term revenue stream. To enable this activity to be undertaken it is essential that the Council has in place a decision-making process that is appropriately agile that will support the disposal and acquisition of assets. Consequently, the Policy will include new procedures, monetary thresholds and governance arrangements.

3. SUMMARY PROPOSALS WITHIN THE POLICY

Disposals Policy

- 3.1 The aim of the disposals Policy is to ensure that the Councils current asset portfolio is disposed of in the most cost effective way possible; thereby ensuring that the best return is achieved. The main requirements of the disposal policy include:
- Land and property will only be declared surplus if it no longer meets corporate and/or investment priorities.
 - Land and property will only be disposed of when it is concluded that no other use can be made of the asset, within statutory provisions.
 - Land and property will be sold for the best consideration or where disposal by other means best meets corporate objectives.

Acquisition Policy

- 3.2 The aim of the acquisition Policy is to ensure that the Council only adds to its current asset portfolio for specific purposes; namely Service delivery, investment and future development in line with objectives and the Corporate Plan. The main requirements of the acquisition policy include:

- All acquisitions of land and property will be in respect of freehold, leasehold or licence.
- Land and property will only be acquired where it benefits service delivery and/or maximises investment opportunities and/or future strategic development.

Thresholds

3.3 As noted within the Constitution, the current thresholds for the disposal and acquisition of assets are:

- Up to £50,000, the Managing Director may grant/assign leases; approve variation in leases or their surrender and approve sub-lettings, restrictive covenants, grant licences, easements and way leaves etc.
- Approval of Corporate Management Team for all disposals and acquisitions between £50,000 and £200,000
- Approval by Cabinet for all disposals and acquisitions in excess of £200,000, for recommendation to Council as a “key decision”.

3.4 It is considered that the above thresholds will not give the Council the required agility needed for it to effectively operate within the commercial asset environment; this is primarily due to the length of time required for reports to pass through to Cabinet. Disposal and Acquisition decisions, although “not made overnight” will need to be made relatively quickly to enable the Council to maximise receipts or take advantage of assets that are for sale. Therefore, it is proposed that the thresholds noted in Table 1 are adopted.

Table 1	New Thresholds of the Disposal and Acquisition of Land and Buildings
£0 - £500,000	Managing Director (as Head of Paid Service) & Head of Resources (as Section 151 Officer), following consultation with Executive Councillor for Resources
£500,000 to £2,000,000	Treasury and Capital Management Group (TCMG)
£2,000,000 +	Cabinet

The financial thresholds to be reviewed in 12 months following approval (see para 4.1).

Governance

3.5 The thresholds proposed in paragraph 3.4 are a considerable change to those currently included within the Constitution. However, there will be tight governance around these new thresholds, this is illustrated below:

- Up to £500,000, these will be officer lead decisions. However, the officers concerned will be those at the strategic level within the Council. In addition, all decisions will only be made following consultation with the relevant Executive Councillor.
- Between £500,000 and £2,000,000, decisions will be made by the Treasury and Capital Management Group (TCMG). TCMG is not currently constituted as one of the Council's member decision-making

committees, but it is intended that it will be when the review of the Constitution is completed. Key aspects of TCMG are that:

- It will be a sub-committee of Cabinet.
 - It will have powers to make decisions in respect of both Treasury and Capital Asset Management.
 - Core members of the group will be the Executive Leader, Deputy Leader and the Executive Councillor for Resources, with co-opts as required by the Core members.
 - Officer support will be the Managing Director and the Head of Resources.
- In excess of £2,000,000 decisions will be made by Cabinet.

Disposal and acquisition decisions will be retrospectively reported to the Overview & Scrutiny (Economic Well-Being) Panel (see para 4.1).

4. COMMENTS OF OVERVIEW & SCRUTINY PANEL

4.1 The Overview & Scrutiny (Economic Well-Being) Panel held on the 4th June 2014 recommended that:

- Where disposal and acquisition decisions are made, that these are retrospectively reported to the Panel.
- The new financial thresholds are reviewed 12 months following approval.

In both respects the Policy attached at Appendix 1 has been updated accordingly.

5. KEY IMPACTS/RISKS?

5.1 The key impact of the introduction of the Policy will be to allow the Council to be more agile in its decision making around the disposal and acquisition of land and buildings. In this way it will be able to react more quickly to opportunities that arise. All investment decisions will be subject to appropriate business cases and where necessary due diligence.

The risk of not having a more agile decision making process is that the Council may lose investment opportunities. This could mean that the Councils ability to meet the current gap in the revenue budget will be curtailed; and therefore any gap could have to be met from cuts in services.

6. LINK TO THE CORPORATE PLAN

6.1 The Policy will support the achievement of the Corporate Plan requirement of “Ensuring we are a customer focused and service led council” by “becoming more business-like and efficient in the way we deliver services”.

7. CONSULTATION

7.1 None

8. LEGAL IMPLICATIONS

8.1 This policy will impact upon the current Constitution. A review of the Constitution is imminent and therefore consideration to this policy must be given and amendments to the Constitution made as necessary.

- 8.2 References to Acquisitions and Disposals within the Code of Procurement will need to either be reviewed or removed.

9. RESOURCE IMPLICATIONS

- 9.1 The Policy itself will not have any direct resource implications. However, the operation of the Policy:
- will require adherence to prescribed Council strategies (e.g. Treasury Management) and any statutory provisions relating to a Council's use of assets.
 - is expected to assist the Council in bridging the revenue funding gap as detailed within the Council's Medium Term Financial Strategy.

10 REASONS FOR THE RECOMMENDED DECISIONS

- 10.1 To put in place a "fit for purpose" approach to the disposal and acquisition of land and buildings that will support the Council's Investment Strategy. This will then in turn assist the Council in generating additional revenue income through the development of a commercial asset portfolio.

11. LIST OF APPENDICES INCLUDED

Appendix 1 – Disposal and Acquisition Policy.
Appendix 2 – Plan on a Page.

BACKGROUND PAPERS

Held with Resources

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Huntingdonshire District Council

DISPOSAL AND ACQUISITION

Policy 2015

Date Approved: xx/xx/2015

Review Date: xx/xx/2017

Version 9

Definition

The Council defines the “disposal and acquisition” of land and property as the means by which it can either disinvest and dispose of land and property that it considers are surplus to its service or investments needs or invest in land and property that will allow the Council it benefit from service efficiency or investment opportunities.

Risk management

All activity relating to land and property will be undertaken within an environment that minimises risk to both services and the capital, or revenue, investment that is made. This includes impacts on reputation. There will be appropriate reporting to ensure that all parties are aware of the risk that is being faced by any disposals or acquisitions.

Value for Money

Value for Money is at the heart of how the Council delivers its services; regardless of whether these are front-line or back-office. In respect of the management of land and property, the Council will develop an Asset Management Plan that will ensure that the Council is only holding to an optimum balance of assets to meet both its service and investment requirements.

Disposals Policy

- Land and property will only be determined as surplus if it no longer meets corporate and/or investment priorities.
- Land and property will only be disposed when it is concluded that no other use can be made of the asset, within statutory provisions. There are two distinct processes relating to:
 - Medium to large areas of land, their disposal is dependent on public benefit and corporate aims and objectives.
 - Small areas of open space, their disposal is dealt with through the “Sales of Small Areas of Land Policy and Procedures”.
- Prior to sale, partners of the Council will be contacted to determine if there is an alternative use for the land and property.
- Subject to legislative requirements, the Council will sell any surplus land and property for the best consideration, where this is not possible or where corporate objectives are not being met, appropriate activity will be undertaken to ensure that the Councils maximises any capital receipts.
- Surplus land will be disposed of as expeditiously as possible and follow appropriate methods of disposal.

Public Engagement Considerations

- The Council's communication team will be consulted to ensure that any disposal of land and buildings is undertaken in a proportionate way.
- Consideration will be given to the statutory requirements of the Local Government Act 1972 and the Town and County Planning Act 1990

Performance Management

Capital Receipts targets will be assessed annually and progress will be reported to the Corporate Management Team and Cabinet as part of the routine budget monitoring cycle.

Acquisitions Policy

- All acquisitions of land and property are in respect of freehold, leasehold or licence.
- Land and property will only be acquired where it benefits service delivery and/or maximises investment opportunities and/or future strategic development, subject to meeting strict criteria; such as, need for asset to meet service delivery levels, option appraisal, on-going revenue costs are appropriately budgeted for, tenure is determined and VAT considerations (especially Opt to Tax).

Powers to Acquire Land and Buildings

The acquisition of land and buildings is enshrined within the requirements of the Local Government Act 1972 and to invest within the requirements of the Local Government Act 2003.

Performance Management

There will be ongoing monitoring of acquisitions between the responsible officers and the parties selling or otherwise concerned with the acquisition. There will be appropriate reporting to Corporate Management Team where performance is in question.

Overarching Policy

All valuations of land will be undertaken by suitably qualified professionals.

VAT implications will always be considered.

Resources

The resource implications, including Legal, Finance and Procurement will be considered for every disposal or acquisition of land and buildings and the both members and officers will be required to comply with the pertinent requirements of both the Code of Procurement and the Code of Financial Management. The financial thresholds for both disposals and acquisitions are as follows:

£0 - £500,000	Managing Director (as Head of Paid Service) & Head of Resources (as Section 151 Officer), following consultation with Executive Councillor for Resources
£500,000 to £2,000,000	Treasury and Capital Management Group
£2,000,000 +	Cabinet

The financial thresholds to be reviewed in 12 months following approval.

Governance

The Council will have regard to all statutory and local regulations, including reporting to Corporate Management Team and in line with the Constitution, including the Treasury and Capital Management Group.

All disposal and acquisition decisions will be retrospectively reported to the Overview & Scrutiny (Economic Well-Being) Panel.

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Plan on a Page

Appendix 2

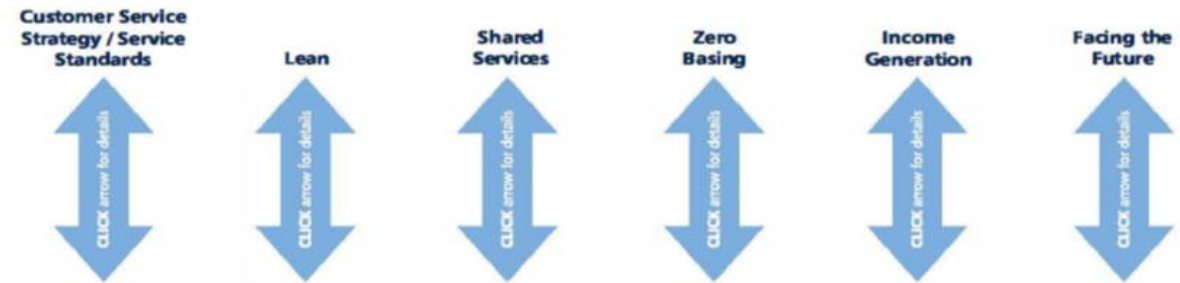
VISION

To improve the quality of life for the people of Huntingdonshire and work towards sustainable economic growth whilst providing value for money services

STRATEGIC PRIORITIES

- A strong local economy
- Enabling sustainable growth
- Working with our communities
- Ensuring we are customer focused and service led council

CURRENT SERVICES



FINANCIAL

Financial ambitions

To reduce the Council's reliance on Central Government Funding and in so doing create a sustainable financial platform

	2015/16	2016/17	2017/18	2018/19	2019/20
Approved MTFs	£18.881m	£19.870m	£20.671m	£21.259m	£21.721m
% cut from MTFs	0% (-£0m)	19.2% (-£3.8m)	28.6% (-£5.9m)	35.1% (-£7.5m)	37.6% (-£8.2m)
Modified budget	£18.881m	£16.059m	£14.750m	£13.805m	£13.553m

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Cabinet

Report of the meetings held on 20th May, 18th June and 16th July 2015.

Matters for Information

1. APPOINTMENT OF EXECUTIVE COUNCILLORS

Executive responsibilities for the Municipal Year 2015/2016 have been allocated by the Executive Leader of the Council as follows:

- Strategic and Delivery Partnerships - Councillor J D Ablewhite
- Strategic Planning and Housing - Councillor D B Dew
- Commercial Activities (to include Leisure Centres, CCTV, Document Centre, Car Parking) - Councillor R B Howe
- Operations and Environment - Councillor R C Carter
- Resources (to include Corporate Estates and Capital Projects) - Councillor J A Gray
- Customer Services (to include IT) - Councillor D M Tysoe
- Strategic Economic Development and Legal (to include Licensing and Protection, Communities and Voluntary Groups) - Councillor R Harrison
- Organisational Change and Development - Councillor S Cawley

The Executive Leader of the Council has been appointed to serve as an ex-officio Member of the Employment Panel.

Executive Councillors have been appointed to serve as ex-officio Members of the following Panels:

Executive Councillor for	Ex-Officio for
▪ Strategic Planning and Housing	Development Management Panel
▪ Strategic Economic Development and Legal	Licensing and Protection Panel/ Licensing Committee

2. APPOINTMENTS TO VARIOUS JOINT GROUPS/ADVISORY GROUPS AND A WORKING COMMITTEE

The Cabinet has made the following appointments for the Municipal Year 2015/2016:

Hinchingsbrooke Country Park Joint Group	- Councillors T H Hayward, B Hyland, T D Sanderson and R J West.
Development Plan Policy Advisory Group	- Councillors Mrs B E Boddington, P L E Bucknell, E R Butler, D B Dew, J M Palmer and P D Reeve. There is one Independent vacancy on this Advisory Group.
Member Development Working Group	- Councillors S Cawley, S J Conboy, K J Churchill, D B Dew, P Kadewere and R G Tuplin.
Safety Advisory Group	- Councillors Mrs B Boddington, J W Davies, A Hansard, R Harrison and Mrs P A Jordan
One Leisure Huntingdon Sports Centre Joint Committee	- Councillors S Cawley, R Howe and T D Sanderson.

3. A14 CAMBRIDGE TO HUNTINGDON IMPROVEMENT SCHEME

In conjunction with the Overview and Scrutiny Panel (Environmental Well-Being) (Item No. 2 of their report refers) the Cabinet has been provided with a further update report on progress with the development of the A14 on matters surrounding the Examination in Public and documentation that the Council will submit to the Examination.

The Council has consistently supported the need for the improvement of the A14 since the Cambridge to Huntingdon Multi-Modal Study recommendations in 2001, as an upgraded A14 is vital to the continued economic prosperity of Huntingdonshire.

The Cabinet has been advised that the formal Examination in Public has commenced for a six month duration and the Joint Local Impact Report of the Council, together with other Tier 1 stakeholders, has been submitted to the Planning Inspectorate by the deadline of 15th June 2015. Prior to the meeting of the Cabinet the Joint Local Impact Report submitted to the Planning Inspectorate was circulated to the Cabinet. There were no substantive changes between the version incorporated in the Cabinet Agenda and the version submitted to the Planning Inspectorate, other than formatting and typographical amendments.

Officers have continued to negotiate on outstanding matters and whilst progress has been made on many, others remain outstanding and were yet to be resolved. It has been highlighted to the Cabinet that noise continues to be an outstanding issue, as suitable noise mitigation measures are required for those properties adversely affected by noise. A further outstanding issue relates to the future long-term maintenance plan of the Borrow Pits.

The Scheme now proposed continues to include the overall improvements that have consistently been sought, including the removal of the A14 Viaduct within Huntingdon. The Council therefore must continue to engage in the Examination process and in order to do this the Cabinet has approved the Joint Local Impact Report, the draft Statement of Common Ground and the Written Representation by the Council to the Planning Inspectorate.

In the interests of expediency, the Cabinet has also resolved to delegate authority to the Managing Director and the Executive Councillor for Planning and Housing Strategy minor amendments required to the documents.

At the invitation of the Chairman, Councillor Hayward OBE has addressed the Cabinet and offered alternative suggestions to the A14 Cambridge to Huntingdon Improvement Scheme from Buckden Parish Council. The alternative suggestions include a solution to negate the need for Borrow Pits to enable the re-alignment of the A1, a footpath to Grafham Water, extension of the cycle lane and footpath from Mere Lane to Brampton Wood and retention of the viaduct.

In response it has been explained to the Cabinet that within the Cambridgeshire County Council Mineral and Waste Plan, material from the Borrow Pits has been allocated to the A14 project, although not all of the material required for construction will be able to be obtained from the Borrow Pits. Alternative routes have been considered and the current option is regarded as the best option. The condition of the viaduct has been part of the evidence submitted to the Planning Inspectorate. Traffic figures have not been supplied by Cambridgeshire County Council for alternative schemes but will be made available if the Planning Inspectorate requests the information. The Cabinet has been referred to the forecast of the traffic flow on various locations of the A1 and A14 in 2035 both with and without the A14 improvements as contained in Table 1 within Section 8 of the Joint Local Impact Report.

The Cabinet has been informed that the A14 is a significant contributory factor to the air quality issue in Huntingdon. The removal of the A14 viaduct will improve air quality and reduce the vehicle movements through Godmanchester. Currently Godmanchester receives 18,000 vehicles per day and with the viaduct removed this will decrease to 9,000 vehicles per day. Cambridgeshire County Council has formally resolved that it will not proceed with the A14 improvements without the removal of the viaduct.

In response to a question it has been explained to the Cabinet that no expansion has been designed into the proposed scheme other than at Bar Hill.

Reference has been made to the Joint Local Impact Report regarding developments at Alconbury Weald and Wyton Airfield. The A14 Cambridge to Huntingdon improvement scheme will provide some relief to traffic problems in Huntingdon, Godmanchester, Brampton and St Ives but new transport links will still be required to cater for the level of new development. Therefore the Cambridgeshire Long-Term Transport Strategy will need to ensure infrastructure is in place to accommodate new development.

The Cabinet agrees that the current A14 improvement scheme is better than previously proposed. In considering the comments of the Overview and Scrutiny Panel (Environmental Well-Being) the Cabinet has been informed that it will be updated when information is available regarding the transportation route that construction traffic will use.

4. CORPORATE PLAN - PERFORMANCE REPORT

In conjunction with the Overview and Scrutiny Panels (Social Well-Being), (Economic Well-Being), (Environmental Well-Being) (Item No's. 1, 3 and 1 of their reports respectively refer) the Cabinet has considered and commented on progress against the Key Activities and Corporate Indicators listed in the Council's Corporate Plan for 2014/15 for the period 1st January to 31st March 2015.

Progress against the Corporate Plan objectives is reported quarterly and performance data has been provided in the form of a narrative of achievement accompanied with a Red/Amber/Green status against each Key Action in the Corporate Plan.

During consideration of progress made against the Key Activities and Corporate Indicators the Cabinet has made comments on its aspirations for future performance monitoring.

The Cabinet has welcomed the report and acknowledged that significant improvements are evident and that a link to the Corporate Plan and Performance Indicators is important. The Cabinet has suggested that further work is required to provide an instant snapshot of the current progress against the Key Activities and Corporate Indicators.

It has been noted by the Cabinet that a review of Overview and Scrutiny is being conducted to realign scrutiny with the Corporate Plan. It has also been noted that there has been a decrease in sickness absence during the last quarter with a significant reduction in long-term sickness absence in particular. The Cabinet has stated that it will be preferable if performance could be measured against other local authorities.

In concluding the Cabinet has suggested that other service organisations be used for comparison when establishing the performance indicators as well as considering the target audience.

5. CUSTOMER SERVICE STRATEGY 2015-2018

In conjunction with the Overview and Scrutiny Panel (Social Well-Being) (Item No. 3 of their report refers) the Cabinet has provided feedback on the summary 'Plan on a Page' document of the Customer Service Strategy prior to a full version of the Customer Service Strategy being presented to Members later in 2015.

The Customer Service Strategy is a key corporate document that establishes how customer service is delivered across the Council and the Cabinet has been referred to the timetable for implementation of the Strategy as contained within the Officer's report.

Consultation has already taken place with Officers, Members and the public and the Cabinet has been informed that a further consultation exercise is scheduled.

The Cabinet has expressed the importance for the revised Strategy to be of significance to all Officers and that during the recruitment process Officers should consider the attitude as well as the skills of any applicants to ensure that new Officers are customer focused.

There is a consensus amongst the Cabinet that the strategic direction being adopted within the revised Customer Service Strategy is accurate. However, there should be a corporate template to ensure all 'Plan on a Page' documents are consistent.

6. DISPOSAL AND ACQUISITIONS POLICY: LAND AND PROPERTY

In conjunction with the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 6 of their report refers) the Cabinet has approved the new Disposal and Acquisitions Policy.

As the former thresholds and procedures within the Constitution were considered too restrictive, and to enable a more commercial approach to the management of the Council's property portfolio, a new Disposal and Acquisitions Policy and governance arrangements have been agreed by the Cabinet through which the Council is able to manage its estate of land and buildings within a commercial environment.

The Cabinet has also approved the formation of a Treasury and Capital Management Group whose functions will be:

- Treasury Management investment decisions (including the acquisition and disposal of all types of assets);
- the Capital Programme and undertaking of all capital development, including the approval of Business Cases;
- comment on Treasury Management performance; and

- to call officer's to account in respect of performance relating to capital projects.

In considering the comments of the Overview and Scrutiny Panel (Economic Well-Being), the Cabinet has agreed that the suggested amendments by the Panel should be incorporated into the new Policy.

The Cabinet has recommended to the Corporate Governance Panel that it approves all required changes to the Constitution (including the Code of Financial Management) to reflect the requirements of the Disposal and Acquisitions Policy.

7. PROVISIONAL OUTTURN 2014/15 (REVENUE AND CAPITAL)

In conjunction with the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 4 of their report refers) the Cabinet has noted and approved the following information in relation to the analysis of the outturn against the original budget for the financial year ending 31st March 2015.

- i. Note, in respect of the 2014/15 provisional outturn the:
 - revenue net expenditure of £18.171m;
 - reasons for the £2.699m variance on the original service budgets (as listed in Table 1 of the Officer's report);
 - capital expenditure of £2.999m; and
 - reasons for the £0.489m variance on the capital programme (as listed in Table 5 of the Officer's report).
- ii. Approve, in respect of the revenue provisional outturn noted in (i) above the transfer to Earmarked reserves of:
 - £0.100m - Alconbury and Molesworth Support and Challenge reserve;
 - £0.261m - Carry forwards to the 2015/16 service revenue budget;
 - £0.443m – Transformation Challenge Award Funding for Shared Service reserve;
 - £0.500m - Chequers Court Development reserve; and
 - £2.728m - Commercial Investment Strategy reserve.
- iii. Approve, in respect of the capital and provisional outturn noted in (i) above, the carry forward of committed expenditure on capital projects of £0.271m.
- iv. Approve a delegation for the Head of Resources to adjust the revenue contributions noted in (ii) above, in consultation with the Executive Councillor for Resources and the Managing Director, if the actual outturn varies to that noted in (i) above by more than 2.5%.

The Cabinet had been pleased to note the positive report and has expressed appreciation to the Executive Councillor for Resources and to all Officers involved in generating the level of savings achieved.

It has been noted by the Cabinet that the Commercial Investment Strategy reserve is being established in order to provide a source of funding for the development of the Council's Commercial Investment Strategy and to remove the New Homes Bonus from the Council's core funding stream.

As some of the savings generated have been via vacant posts the Cabinet has noted that savings should not be to the detriment of the respective service area.

8. TREASURY MANAGEMENT ANNUAL REPORT 2014/2015

In conjunction with the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 5 of their report refers) the Cabinet has reviewed and noted the treasury management performance for the 2014/2015 financial year.

The Council's Treasury Management processes are underpinned by the Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management. The Code requires the Council to produce an annual Treasury Management Strategy and recommends that Members are informed of treasury management activity at least twice a year. The report presented to the Cabinet is the second of the biannual reports.

It has been noted by the Cabinet that the Officer's report summarised the treasury management transactions undertaken during the 2014/2015 financial year.

9. HUNTINGDONSHIRE MARKETING STRATEGY

In conjunction with the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 7 of their report refers) the Cabinet has endorsed the implementation of the Marketing Strategy and Branding profile for the promotion of Huntingdonshire.

The Cabinet approved the Huntingdonshire Economic Growth Plan 2013 - 2023 in July 2013 and one of the key short-term actions is the development of a Marketing Strategy for the promotion of the District as a location of choice to live, work and invest.

The Overview and Scrutiny Panel (Economic Well-Being) has endorsed the Marketing Strategy with the following additional recommendations which were accepted by the Cabinet -

- progress on the implementation of the Marketing Strategy to be reported to the Overview and Scrutiny Panel (Economic Well-Being Panel) at six monthly intervals; and

- an annual report on the impact of the Marketing Strategy work programme to be presented to the Overview and Scrutiny Panel (Economic Well-Being).

The Cabinet has accepted that external expertise has been procured to assist with the development of the Strategy, branding, a website and marketing materials but has questioned the choice of depictions contained within the Strategy.

Referring to the SWOT analysis, the Cabinet has expressed concern at the inclusion of 'Low Aspirations' and has felt the issue is skill shortages rather than low aspirations. The Cabinet has therefore agreed to remove 'Low Aspirations' as contained within the 'Weaknesses' section of the SWOT analysis and amend 'Deprivation' to 'Concentrated pockets of deprivation in some key areas with some skill shortages'.

Now the Strategy has been approved by the Cabinet, preparation of the external facing marketing materials and branding profile will begin, with the assistance of the Executive Councillor for Strategic Economic Development and Legal. However, development of the website with input from current and potential businesses in the District is crucial.

It has been emphasised to the Cabinet that the Strategy is an internal document for use by Officers in promoting the District and is not for circulation externally. In light of the level of production costs it has been suggested that the document could be amended and produced as an external document.

For the Strategy to be successful an effective events calendar detailing target dates for the introduction of promotional material is essential. The Strategy is light on case studies and the Cabinet has requested that current businesses be represented in the document as well as other businesses that have benefitted from being located in the District.

10. REVIEW OF THE RISK MANAGEMENT STRATEGY

The Cabinet has considered and approved the Risk Management Strategy following its annual review.

The Cabinet has been advised that the Strategy was previously approved by the Corporate Governance Panel but following a review of the Panel's effectiveness it was no longer considered the appropriate forum to consider the document.

The Risk Management Strategy previously included two risk appetite statements – one that referred to the appetite surrounding health and safety risks and a second 'catch-all' statement for all other areas. However, in order to better reflect the Corporate Plan the two former risk appetite statements are to be deleted and replaced with seven individual statements, each of which reflects the different types of risk

which the Council could face and which could impact on its ability to meet both its statutory requirements and strategic outcomes.

The seven risk areas relate to Transformation; People and Culture; Financial; Operational/Service; Reputation; Compliance and Regulation; and Health and Safety. The Cabinet were referred to the risk appetite levels for each of these areas and has been informed that work will commence on mapping the 142 risks against the seven risk areas.

11. SHARED SERVICES OVERVIEW

In conjunction with the Overview and Scrutiny Panels (Economic Well-Being) and (Environmental Well-Being) (Item No's. 8 and 8 of their reports respectively refer) the Cabinet has approved the recommendations regarding the first phase of the partnership arrangement between Huntingdonshire District Council (HDC), South Cambridgeshire District Council (SCDC) and Cambridge City Council (CCC) being shared service proposals for ICT, Legal Services, and Building Control.

The Councils intend to share services as there are significant risks in doing nothing. Each Council must find significant savings as well as protecting and preserving services and retaining skilled staff in a competitive market place. Shared services offer a way of mitigating these risks.

The Cabinet were referred to the main risks associated with sharing services across the three Councils as highlighted in the Officer's report.

A Lead Authority model is to be used for the shared service arrangements since this best reflects the current vision for shared services and the starting position of each partner Council

A Joint Committee with no delegated powers or functions is to be established to oversee the operation of shared services, supported by an Officer Board. The remit of the Joint Committee is to provide advice, oversight, challenge and endorsement of the shared services business plans and budget. The Joint Committee will receive regular updates on the operation of the shared services and will take reports and recommendations for decision to their respective Executives (and Full Council, if appropriate), at agreed points and with the engagement of each Council's Scrutiny Committees. Membership will consist of the Leaders of each Council with a nominated Deputy attending in their absence. The Cabinet has appointed Councillor Howe to deputise for the Leader on the Joint Committee.

The Cabinet has endorsed the Sovereignty Guarantee to give confidence to individual Councils' Executives that they will retain sovereignty of their organisations, as well as Executive decision-making powers.

The Cabinet has expressed appreciation to the Managing Directors and Management Team of the three respective Councils and to the Leaders of Cambridge City Council and South Cambridgeshire District Council for their assistance throughout the process.

In considering the additional recommendations by the Overview and Scrutiny Panel (Environmental Well-Being) the Cabinet has suggested that the three respective Executive Councillors responsible for ICT should convene regularly to discuss the matter and that the Council's Overview and Scrutiny Panels should receive update reports from the respective Councils' Scrutiny Panels to scrutinise topics related to shared services.

In concluding it has been noted that the final partnership agreement will be delegated to the Managing Director, in consultation with the Executive Leader of the Council and that the formal consultation commences with Staff Council and affected staff on 24 July 2015, closing on 1 September 2015 regarding ICT, Legal and Building Control shared services.

12. LEGAL SHARED SERVICES BUSINESS CASE

In conjunction with the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 9 of their report refers) the Cabinet has approved the business case and has delegated authority to the Managing Director, in conjunction with the Executive Councillor for Strategic Economic Development and Legal, to make decisions and to take steps which are necessary, conducive or incidental to the establishment of the Legal shared service in accordance with the detailed business case.

There are strategic and financial benefits to all three partners in creating a Legal shared service and the report includes a detailed financial model showing how savings will be achieved against the baseline budget.

In discussing the financial detail it has been noted that external legal costs were not incorporated into the level of spend figures and recharges are yet to be incorporated into the financial information.

The Cabinet has noted that the Authority has learnt from the CCTV shared service experience and in order to maintain good relations between the Partners financial projection figures over a 5 year period are necessary so that all Partners fully understand the financial commitments.

The three Councils have been awarded funding from Government via the Transformation Challenge Award to support the work towards a range of shared service arrangements.

During the Cabinet's discussions it has been emphasised that the Council has already experienced a significant amount of staff changes and incurred expense via redundancies and it has been noted that the Council will not incur further expense as a result of any redundancies in the Partner Authorities.

13. ICT SHARED SERVICES BUSINESS CASE

In conjunction with the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 10 of their report refers) the Cabinet has approved the business case and delegated the authority to the Managing Director, in conjunction with the Executive Councillor for Customer Services, to make decisions and to take steps which are necessary, conducive or incidental to the establishment of the shared service in accordance with the detailed business case.

There are strategic and financial benefits to all three partners in creating a ICT shared service and the report includes a detailed financial model showing how savings will be achieved against the baseline budget. It is expected that savings beyond those contained within the report will be achieved.

Each Authority will be the Lead Authority for a shared service and HDC is acting as the Lead Authority for the ICT shared service.

The Cabinet has noted that one of the key assumptions and pre-requisites of the business case for the ICT shared service is based upon the need to increase resilience, improve the quality of service to clients, become more efficient and increase capacity within the service to drive innovation and technology enabled change across all three Councils.

During discussions the Cabinet has been interested to note that 50% of the savings generated via the shared ICT service will not be as a result of staffing but other sources such as shared cost of licences.

14. BUILDING CONTROL SHARED SERVICES BUSINESS CASE

In conjunction with the Overview and Scrutiny Panel (Environmental Well-Being) (Item No. 9 of their report refers) the Cabinet has approved the business case and delegated authority to the Managing Director, in conjunction with the Executive Councillor for Strategic Planning and Housing, to make decisions and to take steps which are necessary, conducive or incidental to the establishment of the shared service in accordance with the detailed business case.

There are strategic and financial benefits to all three partners creating a Building Control shared service and the report includes a detailed financial model showing how savings will be achieved against the baseline budget.

The Cabinet has been informed that due to changes in EU Procurement Rules it is possible that an advert may be required in the Official Journal of the European Union. Further legal advice is currently being sought and if this is the case the Cabinet will be informed.

15. BUDGET MONITORING 2015/2016 (REVENUE AND CAPITAL)

In conjunction with the Overview and Scrutiny Panel (Economic Well-Being) (Item No. 11 of their report refers) the Cabinet has been acquainted with the revenue and capital forecast outturn for 2015/16 based on information available at the end of May 2015.

The Cabinet were not surprised to note, given the current difficulties in the housing market, that at the end of May 2015 there were 374 new homes which is 186 down on the target of 560 for the same period.

As at the end of May, the year-end forecast outturn is £0.681m less than planned and to date little has been spent from the capital programme.

16. REPRESENTATION ON ORGANISATIONS 2015/16

The Cabinet has made appointments/nominations in relation to representation on a variety of organisations/partnerships and has authorised the Corporate Team Manager, after consultation with the Deputy Executive Leader of the Council, to make any changes that may be required throughout the year.

17. REVIEW OF BENEFITS RISK BASED VERIFICATION POLICY

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

In conjunction with the Overview and Scrutiny Panel (Social Well-Being) (Item No. 6 of their report refers) the Cabinet has approved the revised Risk Based Verification Policy.

The Cabinet has previously approved a Benefits Risk Based Verification Policy which is applied to new claims for Housing Benefit and Council Tax Support. The Policy has been revised and will now extend to changes of circumstance in addition to new claims.

Since the introduction of the Risk Based Verification Policy it has proved successful in focusing resources at claims for benefit most likely to contain fraud and/or error.

The Cabinet has been pleased to note that the fraud and error detected by the Council is exceeding the baseline established by the Department for Work and Pensions.

J D Ablewhite
Chairman

Licensing and Protection Panel

Report of the meeting held on 23 June 2015.

Matters for Information

1. SERVICE PLAN FOR FOOD LAW ENFORCEMENT 2015/16.

Further to Item No.12, of their previous report to Council, the Panel has given further consideration to the draft Service Plan for Food Law Enforcement for 2015/16. The Plan has been developed to comply with the requirements of the Food Standards Agency and outlines how the Council will deliver its food safety enforcement function, the resources required to deliver it and the outcome of the previous year's performance.

Consideration of the Plan had been deferred from the Panel's last meeting in view of Members concerns regarding the uncertainty of resources within the Commercial Team. However on this occasion with the inclusion of the outturn data for 2014/15, performance indications for the first quarter of the year and the knowledge that it has been reviewed against current resources, the Panel has been satisfied that the Plan is sufficiently robust and will enable programmed and un-programmed activity to be delivered in 2015/16.

Given that the Panel had previously suggested that there could be a role for them to monitor performance against the Service Plan, Members have welcomed the intention of the Head of Community to report on levels of activity on a regular basis. This monitoring role will become more important as resources within the Authority become further reduced.

Approval of the Plan is reserved to Council and appears elsewhere on the Council Agenda. However, the Panel has noted the future intention of the Head of Community to seek to change the approval process for future years such that this is delegated to the Licensing and Protection Panel.

2. SERVICE PLAN FOR HEALTH AND SAFETY REGULATION 2015/16

The Health and Safety Executive requires every local authority to outline how it will fulfil its duty to make adequate arrangements for the enforcement of the relevant statutory provisions within its area. For this purpose, the Panel has approved the contents of the Service Plan for Health and Safety Regulation for 2015/16. The Plan has

been developed to comply with the requirements of the National Local Authority Enforcement Code and sets out how the health and safety function within the Council will be delivered, the resources available to deliver the service and the outcome of a review of the previous year's performance.

3. REPRESENTATION ON EXTERNAL ORGANISATIONS

The Panel has appointed a number of representatives to outside organisations for the ensuing Municipal Year.

4. LICENSING AND PROTECTION APPLICATIONS SUB-GROUP

The Panel has noted details of the five meetings of the Applications Sub-Group that took place between 22nd April and 11th June 2015.

R Fuller
Chairman

Licensing Committee

Report of the meeting held on 23rd June 2015.

Matters for Information

1. LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY

The Licensing Act 2003 requires that for each five year period, the Council must determine its policy on how it will exercise its statutory duties related to its licensing function and publish a statement to that effect. The District Council's current policy expires in January 2016 and the Council is now required to determine the policy for the period to 6th January 2021. As part of this process, the Council must undertake a period of consultation and take into consideration any comments which are received.

For the purposes of public consultation, the Committee has considered the contents of a draft Statement of Licensing Policy. The Policy has been redrafted to incorporate changes in legislation, government guidance and the Local Government Association Best Practice Framework for the review of licensing policy statements. Legislation requires the Authority to consult with a number of specified bodies and consultation will be undertaken over a ten week period from 26th June to 4th September 2015. A final draft will then be submitted to the Committee in October 2015 for endorsement, prior to its consideration and adoption by Council.

As there is likely to be a need for further amendments to the draft as a result of feedback from the consultation process or from additional legislative change, the Head of Community has been authorised to make any amendments as necessary.

In considering the draft Statement, Panel Members have commented upon the timetable for its adoption and have expressed concern that the Council would be unable to fulfil its licensing duties under the Licensing Act 2003 if it did not have a new policy in place by 7th January 2016. Whilst this did represent a risk to the Authority, the Panel have been advised that it is to be hoped that if Members had any significant concerns these can be raised during the consultation period.

2. GAMBLING ACT 2005 – STATEMENT OF PRINCIPLES

The Gambling Act 2005 requires the Council to licence premises where gambling takes place and to licence certain other activities relating to gambling.

The Council is required to publish a Statement of Principles which outlines how it will exercise its functions under the Act. The current Statement expires on 31st January 2015 and the Council must have adopted a further Statement in advance of this date. As part of this process, the Council must undertake a period of consultation and take into consideration any comments which are received.

For the purposes of the consultation, the Panel has reviewed and approved a draft Statement of Principles, which has been drafted to take into account the relevant provisions of the draft fifth edition of the Gambling Commissions Guidance to Local Authorities. The consultation will run from 26th June to 4th September 2015 and a final draft will then be submitted to the Committee for endorsement, prior to its consideration and adoption by Cabinet and Council.

The Committee has authorised the Head of Community to make any amendments to the draft Statement as are considered necessary as a result of the public consultation exercise or arising from any new guidance issued by the Gambling Commission to Licensing Authorities.

R Fuller
Chairman

Development Management Panel

Report of the meetings held on 27th May, 15th June and 20th July 2015.

Matters for Information

1. DEVELOPMENT APPLICATIONS

The Panel has considered 20 applications in the course of the three meetings, though two of these applications relate to the same site at the Hawk, Little Whyte, Ramsey. Of the 20, 17 have been approved and three refused.

Some of the more significant applications to have been approved include:

- residential development of up to 90 dwellings including access, open space, green infrastructure, landscaping and associated infrastructure including sustainable urban drainage features on land at the junction of Field Road and Blenheim Road, Ramsey;
- redevelopment at RAF Brampton, Buckden Road, Brampton to include 402 dwellings, a community building, retail use, business (B1) floor space and associated highway improvements;
- the development of 60 houses following demolition of the former USAF clinic building at RAF Upwood, Upwood Road, Bury, and
- the creation of a new marina on land North East of 31, Great North Road, Stibbington, which involves the excavation of a new marina basin and the creation of 123 river berths. It will include the construction of a new amenity block, the change of use of a wet dock building, the change of use of existing agricultural buildings to provide workshop facilities and chandlery and the provision of winter storage for boats and of a new access.

2. DEVELOPMENT MANAGEMENT - GODMANCHESTER

The Panel has approved a scheme of improvement works to the A1198 in substitute for the scheme previously approved in relation to the development of land at Bearscroft Farm, Godmanchester in 2013. The revised scheme comprises:

- the running lanes are narrowed to 3m in both directions by means of central islands and road markings but the total width of the A1198 measured from kerb-to-kerb is unchanged;
- retention of the island to the north of the proposals;
- deployment of non-pedestrian islands and central white hatching to separate and visually reinforce the change in the area to slow the traffic on the approach to the signal junction;
- retention of suitable facilities for Heavy Commercial Vehicle traffic into and out of Cardinal Park avoiding the potential for over running of opposing lanes, footways and the corner radii of the junction, and
- relocation of traffic signal poles, push button units and display units at the front of the footway rather than at the back to give the safest operation.

The Panel also has approved a Design Code (revision N) as a material consideration in the determination of future reserved matters applications for the development at Bearscroft Farm, Godmanchester.

3. DEFERRED DEVELOPMENT – SECTION 106 AGREEMENT – LITTLE PAXTON

The Development Management Panel has approved a change to the previously granted permission for development at Riversfield Mill, Mill Lane, Little Paxton. This application is CIL liable and will require a variation to the S106 Agreement.

Taking into account the views of the Section 106 Agreement Advisory Group, the Panel has authorised the Head of Development, after consultation with the Ward Member, to enter into a Deed of Variation relating to the original S106 Agreement. In addition, the Panel has stipulated that the new application will be subject to the prior completion of another S106 Agreement and also subject to conditions.

Mrs B E Boddington
Chairman

Employment Panel

Report of the meeting held on 17th June 2015.

Matters for Information

1. WORKFORCE REPORT (QUARTER 4)

The Panel has received a quarterly report on Human Resource matters impacting on the performance of the organisation during the period of 1st January to 31st March 2015. The report included the latest position and trends relating to:-

- ◆ employee numbers;
- ◆ salary costs; and
- ◆ sickness absence reporting.

In reviewing the workforce information, Members have been informed that the number of Full Time Equivalent (FTE) posts within the organisation has decreased and this has led to a decrease in the monthly salary cost of £63.5k. As a result of a request from the Panel the report now shows the reasons why employees have left the Council.

The Panel has noted that even though the number sickness days per FTE figure has increased, the number of sickness days has reduced by 473 days. Members were acquainted with the reason for this, largely as a result of a fall in the number of employees, the number of sickness days has been divided between fewer employees therefore resulting in an increase in the average.

The Panel has placed on record its recognition of, and gratitude for, the excellent contribution made by Peter Hobbs, Senior Ranger, during his employment in the local government service and conveyed its best wishes to him for a long and happy retirement.

2. LGSS QUARTERLY PERFORMANCE AND MONITORING REPORT

The Panel has considered the performance of LGSS Human Resources, Payroll and Organisational Workforce Development services across the key service measures agreed under the current contract during the period 1st January to 31st March 2015. LGSS performance is measured in four areas namely:

- ◆ General Service Standards;
- ◆ HR Strategic and Advisory;
- ◆ Recruitment and Payroll; and
- ◆ Organisational workforce development.

Members have been informed that LGSS will be working more closely with Mr Dobbyne, the Corporate Team Manager so that actions can be identified and addressed with expediency. There will also be a brief audit of the e-recruitment system to assess its performance. Following a concern by a Member it was confirmed that the format of the report is evolving so that data gathered is more meaningful.

3. EMPLOYEE OPINION SURVEY PROGRESS REPORT

Further to Item No. 23 of their Report to the meeting held on 25th February 2015, the Panel has been updated on progress in response to the results of the Employee Opinion Survey. The Panel has been advised that Service Plans have been introduced, the appraisal process has been overhauled and 360 degree feedback forms have been introduced. In addition the 'Meet SMT sessions' which are sessions where staff can attend to receive news from the Senior Management Team, will continue. A further survey will be carried out again this Summer.

Furthermore Members have been advised that a Code of Conduct has been launched and the development of an Employee Handbook is currently in production. Arising from a Members' concern on the confidentiality of the results, the Panel has been assured that the electronic confidentiality of the survey can be guaranteed. No breach of its contents has ever taken place, the information stays in a secure area of the IT network and there are only three people within the authority with access to the information.

4. SAFEGUARDING POLICY

The Panel has reviewed and endorsed the updated Safeguarding Policy. The Policy is necessary as the Council has a statutory obligation under Section 11 of the Children Act 2004 to safeguard and promote the welfare of children and vulnerable adults. The Panel has been informed that the process of data collection to determine both the level of Disclosure and Barring Service (DBS) checks required and training needs of each Council post is due to commence shortly.

Members have been advised that the Policy is shorter than previous policies as the electronic version of the document contains links to the latest most up to date forms that can be downloaded from Cambridgeshire Local Safeguarding Children Board (LSCB) website. The Lead Safeguarding Officer is currently looking into introducing an e-learning module for all staff to complete.

5. LEAVE POLICIES

The Panel has reviewed and endorsed the contents of new employment policies and policy updates in the light of best practice and changes in statutory regulations.

The Adoption Leave Policy is a new policy for use to demonstrate how the District Council complies with the statutory provisions around adoption leave and is designed to support parents through employment matters relating to adoption, surrogacy and child fostering.

Members have been advised that the Shared Parental Leave Policy is a new policy which has been introduced as a result to a change to legislation to allow for employees to share parental leave and pay.

The Panel has been acquainted with progress on the Flexible Working Policy and has been informed that the Policy has been revised to take account of changes in legislation and a request from Corporate Management Team for a review. It has amalgamated 11 different policy documents and includes a review of the flexi time arrangements. Two amendments to the Policy have been presented to the Panel which included a rewording to the section on time carried forward to '14.8 hours is the maximum debit/credit that can be carried forward from one 4 week accounting period to the next' and a rewording to the time off in lieu (TOIL) policy which can only be agreed by a member of Senior Management Team.

The Panel has been advised that the Leave Arrangements Policy has been updated to reflect changes in the unpaid leave section and career breaks to allow greater flexibility to support employees in a range of circumstances.

6. SENIOR OFFICER DISCIPLINARY PROCEDURES

In light of new regulations to amend the statutory dismissal procedures for the Head of Paid Service, Monitoring Officer and the responsible Financial Officer, the Panel has endorsed proposed changes to the Council's Disciplinary procedures. This item appears elsewhere on the Council Agenda.

J W Davies
Chairman

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Overview and Scrutiny Panel (Social Well-Being)

**Report of the meetings held on 2nd June and 7th July
2015.**

Matters for Information

**1. CORPORATE PLAN PERFORMANCE MONITORING REPORT
(Q4)**

In conjunction with the Panels for Economic and Environmental Well-Being, the Panel has received an update on progress achieved against the Key Activities and Corporate Indicators identified in the Council's Corporate Plan 2014/2015 for the period 1st January to 31st March 2015.

The Panel has been informed that the Key Actions and Key Performance Indicators (KPIs) are set in the Corporate Plan and remain relatively unchanged throughout the year, allowing Members to clearly see progress that is made on a consistent basis. The only exception would occur if the Corporate Plan is altered; in that case, some KPIs and Key Actions may be changed. The Panel has also been advised that the report for Quarter 4 may also be viewed as an end of year report.

The Corporate Team Manager has explained the colour-coding system used for the Summary included in Appendix A. This is used throughout the Appendices to show progress made in a simple and clear manner. The tables included in Appendix B depict the Status, Definition, Date, Portfolio Holder and the Heads of Service for each Key Action and provide a progress update. Narrative within the report provides more detailed information on progress and the KPIs are also marked with the Red, Amber and Green colour-coding system.

In response to a query regarding the colour-coding system, whether the criteria against which performance is monitored are consistent and what such criteria are measured against, the Corporate Team Manager has explained that the Key Actions act as a narrative and are more subjective than the KPIs, which are clear and fixed goals.

The Panel has queried whether targets relating to the support the District Council provides to parish councils when preparing Local Plans are realistic. The Head of Community has informed the Panel that the support provided by the District Council for Local Plans is engaged on request from the parishes themselves and that the targets are achievable.

The Panel has been informed that the measure relating to whether food establishments within the district are "broadly compliant" with food hygiene law is the percentage of all food establishments in

Huntingdonshire. The Head of Community has undertaken to make the report clearer in relation to this measure.

2. CUSTOMER SERVICE MONITORING REPORT

The Panel has received information on the performance and activities of the Customer Services Team over the period October 2014 to March 2015. The report now includes details of the Council's website and its re-development. The Panel has been informed that the report is a legacy report, questioning whether current policies and practices are fit for purpose as in the future senior officers will be asked to do more with less resources.

Further background information on the report has been presented to the Panel and has also highlighted issues such as recruitment and problems faced when more experienced staff leave the Council.

The Chairman of the Panel has suggested that it would be useful for such information to be presented to the Panel annually and the Panel has requested an update on the development on the new Council website and the proposed Autumn relaunch early in 2016.

3. CUSTOMER SERVICE STRATEGY 2015 - 2018

A revised Customer Service Strategy has been considered by the Panel. The report is a key corporate document, currently under review, which establishes how customer service will be delivered across the Council.

A summary 'on a page' document of the Customer Service Strategy has been presented to the Panel prior to a final version of the Strategy being presented to Members later in 2015.

Members have been informed that the Customer Service Strategy addresses the whole Council rather than the Customer Service Department alone and it is intended that the information included is clear and useful. The new Strategy is being constructed by revisiting the Corporate Plan, the Code of Conduct and development within the Council, including savings that need to be achieved.

4. PROGRAMMES AND PROJECTS INCLUDING FACING THE FUTURE

In conjunction with the Panels for Economic and Environmental Well-Being, the Panel has received an update on changes to the way that projects are managed within the Council.

All existing projects have now been categorised by strategic priority and allocated to the appropriate Overview and Scrutiny Panel.

The Programme and Projects Team has developed a Pre-Initiation Process Map, which concentrates on the early stages of projects, detailing the steps taken in order to initiate new projects.

A pre-project proposition form must now be completed, reviewed and approved before any financial or other resource requirements can be committed to take new ideas forward.

5. CHILDREN AND ADOLESCENT MENTAL HEALTH SERVICES UPDATE

The Panel has received an update on the Children and Adolescent Mental Health Service (CAMHS). Mr L Miller, Senior Programme Manager for Cambridgeshire and Peterborough Clinical Commissioning Group, presented an outline of the challenges faced by the service and has described progress to date and longer term plans for improvement.

The Panel has been informed that the key points to the report were as follows -

- Waiting times in specialist CAMHS are too long, with some cases waiting for over 52 weeks;
- Waiting lists have been temporarily closed for Autistic Spectrum Disorders (ASD) and Attention Deficit Hyperactivity Disorder (ADHD) referrals where there are no associated Mental Health needs; and
- CAMHS Emergency assessments in Emergency Department settings have increased threefold in recent years.

Additional resources equivalent to an 11% increase in funding have been invested into the service for 2015/16, aimed at clearing the waiting list backlog and sustaining this. However, urgent redesign work is required across the whole pathway for Emotional Health and Wellbeing and proposed improvement actions include redesigning the pathway as soon as possible. This will involve services currently commissioned by the CCG and Local Authority commissioned services. The CCG has agreed to employ a Project Lead (currently being advertised) to enable this redesign work to take place quickly and effectively.

The Panel has requested progress reports from CAMHS be presented to future meetings of the Panel.

6. BENEFITS RISK BASED VERIFICATION POLICY

(The following item was considered as a confidential item under Paragraph 7 of Part 1 of Schedule 12A to the Local Government Act 1972)

The Panel has reviewed the Benefits Risk Based Verification Policy. Members have been informed that the risk-based approach is currently used for new claims of Housing Benefit and Council Tax Support and the proposed extension of the scheme would see this applied to changes of circumstances as well.

The Benefits Manager has advised the Panel of the key points of the report including -

- details of new claims being processed using the Risk Based Verification (RBV) Policy since 2013;
- the RBV has been a great success with a majority of claims made low risk and the performance of the Benefit Team has increased dramatically;
- that correct information protects claims and ensures that new claims are accurate; and
- a need to focus RBV on changes to circumstances which will also increase accuracy for claims.

The Panel has commented on the clarity of the report and has been informed that the specialist software used for RBV determines whether a claim is a low, medium or high risk case using previous statistics and the claim form itself.

Additional funding from the Department for Work and Pensions has been received which will assist with any further software costs to set up RBV for changes of circumstances, however these costs will be minimal due to the initial outlay when the software was first purchased.

Other Matters of Interest

7. NOTICE OF KEY EXECUTIVE DECISIONS

The Panel has been acquainted with the contents of the Notices of Key Executive Decisions which have been prepared by the Executive Leader.

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

The Panel has reviewed its programme of studies at each of its meetings. In doing so, the Panel has noted the expected timescales for the current Operations Review and it has been noted that the Review is anticipated to be completed during Autumn 2015.

9. WORKPLAN STUDIES

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

10. SCRUTINY

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

S J Criswell
Chairman

Overview and Scrutiny Panel (Environmental Well-Being)

**Report of the meetings held on 9th June, 16 June and
14th July 2015.**

Matters for Information

**1. CORPORATE PLAN PERFORMANCE MONITORING REPORT
(Q4)**

In conjunction with the Panels for Economic and Social Well-Being, the Panel has received an update on progress achieved against the Key Activities and Corporate Indicators identified in the Council's Corporate Plan 2014/2015 for the period 1st January to 31st March 2015.

The Panel has discussed targets contained in the report and it has been suggested that all information should be presented as a percentage. Members of the Panel have been informed that targets were quantified in various ways in order to make the information clear and simple to understand. For instance, the figure relating to sickness is presented as an average number of days lost rather than a percentage to provide a more meaningful figure that can be compared with others.

Members have queried targets relating to planning applications, suggesting that the target might not be high enough. The Panel has noted that the targets presented were in line with those set by central Government and have been agreed with the relevant Executive Councillor.

The Panel has questioned the time taken to process planning applications and whether this could be improved. Members have been informed that following changes made by the Department for Communities and Local Government, applications will now be determined on time, with extensions being agreed with the applicant. The Panel has noted that a new Planning Service Manager (Development Management) will be commencing employment with the Council in August 2015, which will reduce the pressure on the Department.

Regarding the cause of delays in processing planning applications it has been explained to Members that issues such as staffing pressures and applicant mistakes or omissions have affected the rate at which applications were considered. Members have been assured that pressures were being reduced with a scope to deal with applications in a different way.

The Panel has expressed concern about planning enforcement due to a lack of resources and the need for greater funding. Members have agreed that the Council was delivering strong economic growth and the Panel has noted that the Executive Leader of the Council has been lobbying Central Government for further funding.

The Panel has concluded that a firm message needs to be sent to Central Government that funding is required to consistently reach the targets that they have set.

2. A14 CAMBRIDGE TO HUNTINGDON IMPROVEMENT SCHEME

The Panel has been updated on progress with the development of the A14 on matters surrounding the Examination in Public and documentation that the Council will submit to the Examination.

The Panel has been informed that there are no further 'Borrow Pits' planned following questions on potential changes and it has been confirmed that no changes are imminent with any discrepancies occurring to be resolved before the end of the Examination period. Members have noted that there was a legacy meeting scheduled on 11th June 2015 to further discuss Borrow Pits, to ensure that maintenance would be upheld after the obligatory 10 year period.

The Panel has queried the routes for the aggregate deliveries during the A14 development and access issues that might arise from the work. It has been explained to Members that Highways England (HE) has indicated that the route of the new roads would bear the majority of the construction traffic, including a new 'Haul Route' between Ellington and Swavesey. Contractors appointed to carry out the works might suggest an alternative solution although the Council would continue to press for the 'Haul Route' as currently proposed. The Panel has suggested that this information should be provided to local Parish Councils to avoid further confusion.

The Panel has been informed that Borrow Pits were utilised in a variety of ways such as landfill sites or the preferred option of filling them with water, creating uses within that new environment. It has been noted by the Panel that after the Compulsory Purchase of the land it then had to be offered back to the original landowner. If that offer is declined then HE has a statutory obligation to maintain the land for a 10 year period and the Panel has been informed that the Council has been working to have a greater say on how the sites are used in the long-term future beyond that period.

In conclusion, the Panel has endorsed the report and remarked on the usefulness of the document as an update. All recommendations to the Cabinet have been endorsed by the Panel.

3. PROGRAMMES AND PROJECTS INCLUDING FACING THE FUTURE

In conjunction with the Panels for Economic and Social Well-Being, the Panel has received a report updating Members on changes to the

way projects are managed within the Council, including the new role of the Programme and Project Manager.

The Panel has been informed that all existing projects have been categorised by strategic priority and then allocated to the most appropriate Overview and Scrutiny Panels. The Facing the Future project has been closed and now features eight projects.

Members have been made aware that project documents will now be held within the SharePoint site and Councillors can request documents from Officers.

In querying whether business cases are considered when new projects are approved, the Panel has been informed that business cases appear later in the authorisation process and that the pre-initiation process map is a work flow of the initial steps involved in the first formal stages of approval.

In response to a query regarding support for Project Managers to assist them in carrying out the work required, it has been explained that they have support from both the Programme Office and their Project Boards, alongside 40 further staff who are now trained in project management. Experienced staff will also act as mentors for the new recruits.

The Panel has noted that some ideas for projects originate from new legislation where this requires the Council to introduce a clear change or improvement. The pre-proposition form is now in use and any new ideas require the approval of Directors and Heads of Service before they can proceed.

4. OPERATIONS REVIEW

The interim Head of Operations has been introduced to Members of the Panel and was accompanied by the Corporate Director (Services) in presenting details of a review of the Operations Division. The presentation has highlighted the current strengths within the Council identified throughout the review and then focused further on specific points of interest including -

- formal consultation starting on 16th June 2015;
- individual meetings with those whose posts within the Council may be affected by the review have already been held;
- the Council is now looking to understand the service required rather than investing further money on areas that are not as effective;
- there is a strong core of highly valued members within the current workforce;
- avoidance of false economy; key roles should remain in place, particularly front-line members of staff; and
- changes in Terms and Conditions will address Bank Holiday waste collection issues and shortfalls in car park staffing.

It has been made clear to the Panel that the intention is that the relationship between Overview and Scrutiny and Operations will be improved and maintained. The Panel has agreed that all Task and Finish Groups/Working Groups for the Panel are to be disbanded while the Operations review and restructure is ongoing, giving the Department time to implement changes identified in the review. In order for the Panel to remain involved and kept abreast of changes which are taking place, the Corporate Director (Services) has made a commitment that the Panel will receive regular reports on progress.

The Chairman has praised the presentation and has suggested that a greater sense of clarity within the Operations Division is needed and that monitoring and tracking of jobs is important so it is simple to determine whether work is being done or is completed. The interim Head of Operations has informed the Panel that a change in culture at the Council needs to happen alongside the restructure, which will involve a clearer understanding of the organisation's values, with a follow-through process making use of customer feedback.

The Panel has asked for further information on sickness levels within the Operations Division. The Interim Head of Operations has informed Members that sickness is an area that requires investigation and that this topic is being addressed, featuring greater responsibilities for line managers in the future.

It has been agreed that the Panel will receive regular updates regarding the Operations Review. There will be quarterly updates directly to the Panel and further monthly meetings will update the Chairman/Vice-Chairman of the Panel so that they can feedback to Members as appropriate.

6. RECAP UPDATE

The Panel has received an update on the Recycling in Cambridgeshire & Peterborough (RECAP) partnership. A Member has stated that the benefits from working with RECAP as it is configured presently need to be clearer moving forward.

The Members have agreed that RECAP updates will be reported to the Panel as and when they are available.

7. LOCAL PLAN CONSULTATION REVIEW

The Panel has received an update on the key issues arising from the recent targeted consultation on the Local Plan.

The report has set out a number of key issues to be addressed. Some of these issues have been raised through the consultation and others have been identified from reviewing the outcomes of examinations elsewhere.

The Panel has been informed of continuing work on the preparation of the Local Plan, including resources focussing on highways and transport modelling and analysis. It is expected that the majority of

the work to complete the evidence base will take 6 to 9 months. The work needs to be undertaken in order, with flooding and highways work to take place before the new Retail Study is commissioned. The Local Plan will also need to be consistent with the results from the Environment Agency's new lower Great Ouse modelling due to be published in August 2015.

The Panel has been advised that the Council will continue making decisions on applications without a Local Plan in place, having regard to the National Planning Policy Framework. There is a need to continue to ensure that there is a five year supply of housing land to reduce the likelihood of unexpected decisions at appeal and it has been confirmed that this is in place. The Council has continued to work with partners on development sites such as Alconbury Weald and sites in Ramsey and Warboys.

The possibility of land at RAF Molesworth and RAF Alconbury being included in the Local Plan has been discussed and it has been stated that this land cannot be allocated as it has not yet been declared surplus. The Council will continue to monitor the situation.

Confirmation has been sought on whether gypsy/traveller accommodation needs will be met through the Local Plan. The Head of Development has confirmed that at a recent appeal relating to an application for six pitches in Alconbury the inspector had confirmed that the District had a 10 year supply of gypsy/traveller pitches and could meet the needs.

The number of responses to the consultation has been queried. As a targeted consultation, fewer responses were expected than in earlier rounds which had a wider focus and involved more people. The independent inspector will not penalise the Council for a lack of engagement but will focus on whether significant issues have been resolved. It has been suggested that there were few responses from District Councillors as there were few changes for them to comment on.

In relation to how progress will be communicated to residents, the Head of Development has indicated that more communication is required and has welcomed views on how to proceed. It has been suggested that information be sent to all Town and Parish Councils at the earliest opportunity.

Affordable housing provision has been discussed. The Head of Development has described this as challenging but has explained that the Council has an exception site policy in both its adopted Core Strategy and the draft Local Plan. However, there can be barriers to this from local opposition. The Council has previously been able to secure grants from Central Government to help fund exception sites and due to the reduction in grants available now allows a proportion of market homes to subsidise the affordable homes built on these sites. It has been confirmed that this change has been communicated to Town/Parish Councils. Exception sites are only sought where

surveys have identified needs and the targeted consultation proposed to remove the requirement for Town/Parish Council support.

Affordable housing on larger sites is affected by viability but the Council is still seeking to maximise this. Retained consultants act as the Council's experts in undertaking viability assessments and these are paid for by the developer but instructed by the Council. Some developers consider that the Council is too hard in its challenges as it does the utmost to secure the best possible deal for communities. The Council is exploring use of its own land for affordable housing development and a report on affordable housing from a working group is due to be presented to the Overview & Scrutiny (Social Well-being) Panel in October.

In response to a comment regarding national criticism of how long local authorities are taking to produce Local Plans, the Head of Development has explained that tests are being applied by inspectors so councils need to ensure that Local Plans meet their requirements. He has confirmed that Huntingdonshire has the five year supply of housing land it is required to have.

Resources for highways and transport modelling have been discussed and it has been confirmed that contributions are being sought from Crest Nicolson, the development partner for the RAF Wyton site, as they will need to prove the viability of the site for housing.

Public transport and parking issues in new developments such as Love's Farm, St Neots have been highlighted. The Panel has been told that the maximum parking standards applied by the Government at the time of the Love's Farm application no longer apply. The District Council is working with the County Council to move towards a monitoring and management approach to mitigate transport issues in new developments.

It has been suggested that the Council needs to ensure that contributions from developers are adjusted where extra homes are added after developments and contributions are approved. It has also been suggested that creating bus stop areas in new housing sites would encourage bus companies to route services through new developments. The Head of Development has undertaken to consider these suggestions in discussion with local bus companies.

8. SHARED SERVICES

The Panel has received a Shared Service Overview report by the Managing Director, setting out the overarching principles to apply to proposed shared services for Legal, ICT and Building Control. The report has previously been discussed at the Overview and Scrutiny (Economic Well-being) Panel on 9 July 2015.

Members have queried whether the initial agreement of 5 years, with reviews scheduled for years 2 and 4, is an appropriate term. It has been explained that a 5 year term fits with the Council's financial

planning cycles and scheduled review points would provide an opportunity for testing whether the aims of the shared services were being delivered. However, the shared ambition for the shared services is a long-term arrangement and it is hoped that dispute resolution measures outlined in the report would resolve any issues between parties.

Members have stated that they would have expected the report to provide more information on risks if circumstances changed or a shared service was found not to be a suitable option after its establishment. Members have sought assurance that such risk and associated costs were fully understood if there was a need to opt-out.

Members have stressed that there is a need to ensure that basic ICT support between the Councils is adequate and that systems will work together as ICT problems could present a serious risk to service delivery, as has occurred when Central Government has introduced various high profile systems. The Panel has been informed of the reasoning behind why ICT is one of the first services to be shared so a common IT service can be put in place to support the other shared services across the whole geographical area. Principles being agreed will mean software adopted across all three Councils will not be new to all of the Councils, taking a best fit approach to existing systems.

Scrutiny arrangements for shared services have been discussed as the Panel would like the ability to review and approve any changes proposed by other Councils. It has been confirmed that all three leaders would sit on the proposed Joint Committee but arrangements would allow each authority's Scrutiny panels to 'call in' or request items on shared service matters if appropriate. Budget savings through shared services would appear in each Council's budget reports.

The Panel has recommended that the Cabinet approve the recommendations in the report, subject to the following additional recommendations -

- consider whether the full cost of an exit strategy and associated risks are known and understood;
- consider the need to ensure that the costs of introducing any new ICT systems to support the shared services are well managed; and
- consider whether the safeguards in the sovereignty guarantee are sufficient to allow the Council's Overview & Scrutiny Panels to scrutinise topics related to shared services.

9. BUILDING CONTROL SHARED SERVICE BUSINESS CASE

The Panel has endorsed the business case for the proposed Building Control shared service, including details of the financial savings expected.

The Panel has been informed that different legal parameters applying to the Building Control service mean that the focus of the shared

service is on resilience rather than just financial savings. The service operates in a commercial environment with private sector competitors and cannot make a profit from fee-earning activities over each rolling 3-year period. This means savings in delivering these activities reduce the amount of income that can be taken. However, the proposal includes savings on non-fee earning activities which are not limited in the same way and seeks to improve resilience in staffing, ensuring the service can respond rapidly to work requests. It would provide staff with more development opportunities and more varied and rewarding work.

It has been explained that there will be an assessment of two ICT systems currently used by the three Councils to determine which is most appropriate. This means that the system adopted for the shared service will not be a new system for all but will be one that is currently supported and in use by at least one of the authorities.

Members have suggested that creating a Building Control shared service would present an opportunity to change the perception of how the public sector delivers these services.

Other Matters of Interest

10. NOTICE OF KEY EXECUTIVE DECISIONS

The Panel has been acquainted with the contents of the Notices of Key Executive Decisions which have been prepared by the Executive Leader.

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

The Panel has reviewed its work programme at each of its meetings. Members have questioned the lack of progress on Task and Finish Groups/Working Groups relating to Operations Division services. Members have been informed that this is due to the Operations review and restructure. These concerns have been addressed at the Panel's meeting on 16th June 2015 where it has been agreed that these Groups are to be disbanded during the review and restructure.

The Panel has requested an item on the Community Infrastructure Levy (CIL) to explain the basics of how it is calculated, collected and how it can be spent as well as detailing what money has been received and how this has been spent to date. It has been agreed that this will be added to the workplan for a future meeting.

12. WORKPLAN STUDIES

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

The Panel has been informed that a new structure for Overview & Scrutiny Panels has been proposed and that this will be considered as part of the forthcoming review of the Constitution.

13. SCRUTINY

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

T D Sanderson
Chairman

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Overview and Scrutiny Panel (Economic Well-Being)

Report of the meetings held on 4th June and 9th July 2015.

Matters for Information

1. ECONOMIC GROWTH PLAN REVIEW

The Panel has reviewed the Economic Growth Plan and in so doing has questioned how the Council will manage the possibility of overheating in the demand for housing. The Panel has been informed that economic and market indicators are monitored in order to prevent this occurrence and that there is a requirement to attract new employees with relevant skills to the area. Members of the Panel have been reassured that this issue is not a cause for concern.

The Panel has raised the issue of affordable housing provision in the County and it has been explained by the Economic Development Manager that this topic has not been covered in the report presented. This would be dealt with by other Departments in the Council, although it may be beneficial to link this subject to economic growth in the future.

2. PROGRAMMES AND PROJECTS INCLUDING FACING THE FUTURE

In conjunction with the Panels for Social and Environmental Well-Being, the Panel has received an update on changes to the way that projects are managed within the Council.

The report was intended as an update for Members on changes to the way projects are managed within the Council, including the new role of the Programme and Project Manager.

The Panel has been informed that all existing projects have been categorised by strategic priority and then allocated to the most appropriate Overview and Scrutiny Panels. The Facing the Future project has been closed and now features eight projects.

It has been explained to the Panel that project documents will now be held within the SharePoint site and Councillors can request documents from Officers.

Members have queried the Pre-Initiation Process Map and whether the scrutiny process should be included. The Panel has been

informed that the diagram concentrates on projects at the conception stage and that the Overview & Scrutiny Panels will feature later on in the process.

3. CORPORATE PLAN PERFORMANCE MONITORING REPORT (Q4)

In conjunction with the Panels for Social and Environmental Well-Being, the Panel has received an update on progress achieved against the Key Activities and Corporate Indicators identified in the Council's Corporate Plan 2014/2015 for the period 1st January to 31st March 2015.

With regard to Community Infrastructure Levy (CIL), Members have been informed that discussions regarding major infrastructure are still ongoing. The Executive Leader has confirmed that this would not affect development. The Panel has enquired about the transparency of how CIL funds are spent by Town/Parish Councils. It has been noted that Town/Parish Councils are not required to justify how CIL money is spent but the Council is working with partners to agree priorities in local areas.

The Panel has commented that the targets included in the report on Council Tax and Business Rates collection were particularly high and enquired how the Council has performed against the national average. It has subsequently been confirmed that 2014/2015 national outturn figures are not currently available but details will be included in future reports.

The Panel has questioned staff sickness figures and references to staff satisfaction, commenting that the two matters did not appear to be reflective of one another. Members have noted that issues surrounding staff sickness and satisfaction were currently being addressed, with assurance that the Employment Panel were working to tackle these issues.

In conclusion, the Panel has agreed that the content of the report was an improvement on previous reporting and looked forward to receiving further updates at future meetings.

4. PROVISIONAL OUTTURN 2014/15

The Panel has received the provisional outturn for 2014/15 and has been informed that money that has been saved within this timeframe will be invested back into the Council. Feedback on the report from the Panel has been positive, with discussion focussing on savings achieved. Members have recommended that the report be approved by Cabinet.

5. TREASURY MANAGEMENT STRATEGY OUTTURN REPORT 2014/15

In accordance with the requirements of the CIPFA Code of Best Practice and the Council's Treasury Management Strategy, the Panel

has reviewed the Council's treasury management performance for the year ending 31st March 2015.

6. DISPOSAL AND ACQUISITIONS POLICY

Prior to its consideration by the Cabinet, the Panel has been presented with the Disposal and Acquisitions Policy, which will allow the Council to be able to manage its estate of land and buildings within a commercial environment. In so doing, Members have recommended that -

- where disposal and acquisition decisions are made, these are retrospectively reported to the Panel; and
- the new financial thresholds are reviewed 12 months following approval.

7. MARKETING STRATEGY AND BRANDING FOR HUNTINGDONSHIRE

Prior to its consideration by the Cabinet, the Panel has considered the Marketing Strategy and Branding for Huntingdonshire. The Panel has been informed that the Strategy document is a working document for the team rather than external-facing marketing material and is a follow-up to the recent report on the Economic Growth Plan.

Members of the Panel have queried timescales for implementation of the Marketing Strategy and have been informed that the external work will be starting immediately, subject to approval from the Cabinet.

In endorsing the Strategy, the Panel has proposed the following additional recommendations -

- progress on the implementation of the Marketing Strategy to be reported to the Overview and Scrutiny (Economic Well-Being) Panel at six monthly intervals; and
- an annual report on the impact of the Marketing Strategy work programme to be presented to the Overview and Scrutiny (Economic Well-Being) Panel.

8. SHARED SERVICES

Prior to its consideration by the Cabinet, the Panel has endorsed a report on shared services. The primary subjects for discussions were as follows -

- Lead Authority Model;
- Head of Shared service position;
- robust governance; joint committee;
- business plan;
- Intelligent Client function;
- identity for Shared Services, including branding; and

- sovereignty guarantee

Members have raised questions regarding the effects of Shared Services on Councillors. In response, the Panel has been informed that shared services will lead to a more robust service and that these improvements will create more resilience for all three Councils involved (Huntingdonshire District Council, South Cambridgeshire District Council and Cambridge City Council).

In terms of scrutiny, there may be instances where joint Scrutiny Panels are appropriate with each Council reporting their own findings on the Shared Service implementation.

The Panel has agreed that strong communication channels between Officers and Members need to be developed and upheld to maintain clarity and understanding of the areas for improvement within each separate Council.

9. LEGAL SHARED SERVICES BUSINESS CASE

The Panel has endorsed the business case for the proposed Legal shared service, including details of the financial savings expected.

The Corporate Director (Services) has explained the scope for the future legal service and Members have been informed of the following key points -

- there are expected disaggregation issues for participating Councils but these issues are in hand within the respective Councils;
- work relating to the Regulation of Investigatory Powers Act, the Freedom of Information Act, the Data Protection Act, Assets of Community Value and similar areas will remain within the individual participating Councils who will commission legal advice and support as appropriate from the Practice;
- each authority will take a decision on its required Monitoring Officer arrangements separately from this project; and
- the Practice business case is based on the need to create resilience, improve the quality of service to clients, become more efficient and increase capacity in order to reduce expenditure on external legal support and increase external fee earning opportunities.

The Panel has concluded that the report has clearly shown the benefits of a shared Legal service between the three councils.

10. ICT SHARED SERVICES BUSINESS CASE

The Panel has endorsed the business case for the proposed ICT shared service, including details of the financial savings expected.

The Corporate Director (Services) has summarised the report and discussed benefits and outcomes of the proposed ICT shared service, including -

- an ICT service that has the capability and capacity to meet the future demands of the Councils;
- greater efficiency and reduced duplication in ICT services;
- better access to and sharing of information for performance management and benchmarking;
- increased customer self-service for straightforward interaction;
- continuity and resilience of service;
- raising quality and adding value to existing services;
- securing cost savings and sustainable efficiencies;
- releasing staff time for more customer facing activities;
- improving system scalability;
- ensuring improved and more up-to-date systems;
- ability to offer otherwise unsustainable services; and
- leveraging transformation.

The Panel has concluded that the report has clearly shown the benefits of a shared ICT service between the three Councils.

11. BUDGET MONITORING 2015/15 (REVENUE & CAPITAL)

The Panel has received the emerging variations to the 2015/16 approved revenue and capital budgets at its meeting in July. The report's key points concentrated on –

- Revenue Forecast Outturn;
- Capital Forecast Outturn;
- General Fund Reserve; and
- New Homes Bonus.

Feedback on the report has been positive, with discussion focusing on the progress made since the previous report received by the Panel in February 2015.

Other Matters of Interest

12. NOTICE OF KEY EXECUTIVE DECISIONS

The Panel has been acquainted with the contents of the Notices of Key Executive Decisions which have been prepared by the Executive Leader.

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

The Panel has reviewed its programme of studies at each of its meetings. In doing so, the Panel has noted the expected timescales

for the current Operations Review and it has been noted that the Review is anticipated to be completed during Autumn 2015.

14. WORKPLAN STUDIES

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

15. SCRUTINY

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

G J Bull
Chairman

Standards Committee

Report of the meeting held on 25th June 2015.

Matters for Information

1. STATUTORY DISMISSAL PROCEDURES FOR HEADS OF PAID SERVICE, MONITORING OFFICERS AND THE RESPONSIBLE FINANCIAL OFFICER

The Committee has been acquainted with changes to the statutory disciplinary and dismissal procedures applying to English local authorities' Heads of Paid Service, Monitoring Officers and Chief Financial Officers. Members have received clarification that the independent persons who are required to sit on the Panel when dismissal of any of the Officers is being considered would be those who had been appointed under the Localism Act to advise on standards issues. They also have received confirmation that these independent persons are distinct from the previous Designated Independent Person.

This item appears elsewhere on the Council Agenda.

2. UPDATE ON CODE OF CONDUCT COMPLAINTS

The Committee has been informed that in the last year, the Council's Monitoring Officer has received 16 complaints under the Code of Conduct. Of these, 15 have progressed and one has been cancelled. Members have requested details of the split between parish and district complaints. The Deputy Monitoring Officer has agreed to circulate this information directly to Members outside of the meeting.

3. REVIEW OF COUNCIL CONSTITUTION

The Committee has been updated on progress of the review of the Council's Constitution. An external firm of Solicitors, Bevan Brittan, has been appointed to carry out the review. Members have noted Bevan Brittan's initial assessment that the Constitution at present is not fit for purpose and it is one of the longest that they have seen due mainly to the very lengthy Scheme of Delegations and to the use of lists of examples, neither of which in their view assist the Council effectively to carry out its functions. It has been suggested that the review should be undertaken using defined principles. These are that the Constitution should:

- focus on how the Council carries out its business;
- be more streamlined and so less wordy;

- make it easier for the Council to do its business in not only a legal, but in an efficient and timely manner;
- contain a revised and much simpler scheme of delegation which will not need constant revisions as statutes change and so which will minimise the risk of challenge. This will involve the development of a Scheme of Delegation for executive functions, and a Scheme of Delegation for Council functions, but in terms of role rather than statute;
- provide clarity about the roles of Officers and Members, including the role of the Portfolio Holders and Chairmen of Council Committees;
- use the Local Choice functions in a way which facilitates quick and effective decision making; and
- be accessible to the public of the area.

A Member working group will be established to oversee the review process. It is likely the review will be concluded later in the year.

4. REQUEST FOR DISPENSATION

In accordance with the provisions of the Localism Act 2011, the Committee has granted a dispensation to Councillor Mrs P A Jordan to speak and vote on matters coming before the Overview and Scrutiny Panel (Social Well-Being) connected with NHS issues.

The dispensation has been applied for because Councillor Mrs Jordan is employed within the NHS. A similar dispensation had been granted to Councillor Mrs Jordan during her previous term of office and, having been re-elected, a renewal of the dispensation had been sought. The renewed dispensation lasts until 30th April 2019. It does not apply to those matters affecting her own personal terms and conditions of employment and matters which impact upon her directly as an employee.

A Hansard
Chairman