

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the CABINET held in the The Aquarius Suite, One Leisure St Ives Indoor, Westwood Road, St Ives, PE27 6WU on Thursday, 16 June 2016.

PRESENT: Councillor R B Howe – Chairman.
Councillors R C Carter, S Cawley, J A Gray and D Brown.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors R Harrison, D M Tysoe, G J Bull, S J Criswell and J M Palmer.

11. MINUTES

The Minutes of the meeting held on 18 May 2016 were approved as a correct record and signed by the Chairman.

12. MEMBERS' INTERESTS

There were no declarations of disclosable pecuniary or other interests received at the meeting.

13. REVIEW OF THE OWNERSHIP AND MAINTENANCE OF ORPHAN SITES

By way of a report by the Interim Head of Service (Operations) (a copy of which is appended in the Minute Book) presented in his absence by the Executive Councillor for Environment, Street Scene and Operations, the Cabinet considered proposals regarding future ownership and maintenance of 240 orphan sites that the Council did not own but maintained at its own expense.

A review of all grounds maintenance regimes had highlighted that there were not insubstantial costs associated with the maintenance of these orphan sites. The ownership details of the sites had been reviewed in order to transfer the maintenance responsibilities to the rightful landowner. The Officer's report detailed the various ownerships and the proposed course of action for the sites.

Having considered the comments of the Overview and Scrutiny Panel (Communities and Environment) the Cabinet were informed that the Panel were generally in support of the report and that maps of orphan sites were being compiled for the respective Ward Members.

In response to questions it was explained to the Cabinet that the orphan sites were a longstanding anomaly which pre-dated the establishment of the Land Registry and that once resolved there should not be an issue in the future. Whereupon the Cabinet,

RESOLVED

to approve the proposed treatment of the categories of orphan sites in respect to future ownership and maintenance arrangements, as detailed in paragraph 3.2 of the Officer's report, as follows:

- a) Maintenance activities to cease on the 60 privately owned sites and the one utility company site, as of 31 July 2016;
- b) Having been advised of the need to adopt the 66 sites identified as part of the Highway under their statutory function as the Highway Authority, the costs of maintaining these sites to be included in the negotiations already taking place with Cambridgeshire County Council;
- c) The additional costs of maintaining 23 Luminus sites to be directly recharged to Luminus for 2016/17;
- d) That the District Council adopt 42 of the orphan sites and continue to maintain these sites, having been identified in the review as sites being appropriate for the Council to own; and
- e) Further review work to be carried out regarding the 23 sites yet to have ownership determined.

14. RISK MANAGEMENT

By way of a report by the Audit and Risk Manager (a copy of which is appended in the Minute Book) the Cabinet were presented with the first report on risk management and the contents, reports having previously been submitted to the former Corporate Governance Panel.

The Risk Register was reviewed frequently by Heads of Service to ensure that it remained fit for purpose and captured the significant risks to the achievement of the Council's objectives.

The report detailed the contents of the Risk Register as at 24 May 2016 and focused mainly on corporate risks. It was noted that the Risk Management Strategy required the Cabinet to consider each of the very high 'red' residual risks that exceeded their risk appetite levels, and to decide whether they should be further mitigated by cost-effective and affordable actions.

The Cabinet considered each of the 'red' residual risks as detailed in the Corporate Risk Register, as appended to the Officer's report.

Regarding risk reference 239 – Huntingdon Town Centre redevelopment, it was explained that this risk had been classified as a transformational risk which according to the Risk Management Strategy was acceptable provided the benefits and risks were properly assessed and accepted before the redevelopment progressed. The risk was likely to be downgraded or removed from the Risk Register as a reserve had been established to mitigate against the loss of Section 106 monies.

Having been advised that the Risk Register contained one very high operational risk, risk 58, that referred to information security and information use, it was explained that the risk owner was of the view that the loss of IT services was the key risk that needed to be addressed. A number of systems had been successfully tested and

recovered to their 'live' state since December 2014. With the introduction of the IT shared service, the programme needed to be extended to include all systems. Once that had been completed it was considered that the inherent risk score would reduce to an amber status. The Cabinet agreed that no further action was required to mitigate risk 58.

Regarding risk reference 40 – Planning Policy may be insufficient to meet Government requirements, it was explained that the succeeding report on the Cabinet agenda provided a progress update on preparation of the Huntingdonshire Local Plan to 2036 (HLP2036), its supporting evidence base and highlighted the risks arising from delays to the Strategic Transport Study and the Strategic Flood Risk Assessment. The Cabinet were informed that the Council had received confirmation that the Council had met the Government deadline for 'writing' a Local Plan by March 2017.

Regarding risk reference 47 - Council's funds not invested appropriately leading to losses or poor returns resulting in unexpected service cuts, it was explained to the Cabinet that there were a number of controls in place to ensure that investments were made in the most prudent way.

Risk reference 251 related to social media activity operating inconsistently leading to inappropriate and unauthorised use of social media by services. It was explained that a Social Media Policy and Guidelines had been introduced to ensure Staff were aware of the correct procedures to follow.

Having thoroughly considered that the Corporate Risk Register incorporated the significant risks encountered by the Council and being satisfied that risks had been mitigated to an appropriate level, the Cabinet,

RESOLVED

- i. that having reviewed and scrutinised the Corporate Risk Register, that no further risks be included; and
- ii. that no further action was required to mitigate risk 58.

15. HUNTINGDONSHIRE LOCAL PLAN TO 2036 QUARTERLY UPDATE AND INFRASTRUCTURE PLANNING UPDATE

By way of a report from the Head of Development (a copy of which is appended in the Minute Book) the Cabinet received a progress update on preparation of the Huntingdonshire Local Plan to 2036 (HLP2036), its supporting evidence base and highlighted the risks arising from delays to the Strategic Transport Study and the Strategic Flood Risk Assessment (SFRA). The Cabinet were informed that the Council had received confirmation that the Council had met the Government deadline for 'writing' a Local Plan by March 2017.

Subsequent to the publication of the agenda the Cabinet had been provided with the comments from the Overview and Scrutiny Panel (Economy and Growth) meeting and an addendum as the following paragraph had been omitted from the report between paragraphs 5.2

- A428: Black Cat to Caxton Gibbet Improvement and 5.3 - A1: Oxford to Cambridge Expressway and East West Rail:

'A1: M25 to Peterborough.

The Department for Transport (DfT) and Highway England are taking this forward with Stakeholders, including Huntingdonshire District Council, as one of six Strategic Studies across England. Options and ideas are currently being developed with partners and this will culminate in a range of recommendations emerging from DfT by the end of 2016, with preferred options published for community consultation and engagement. Discussions to date have included the potential need for a new offline route, including at Buckden, to address current delays, congestion and safety issues as well as tying into the emerging Oxford to Cambridge Expressway scheme. Any final outcomes will inform the Government Roads Investment Strategy 2 and subject to a scheme approval, this could be delivered as part of Roads Period 2 from April 2020 onwards.'

The report provided updates on each element of the evidence base currently under preparation. It was explained that continuing delays in the availability of the revalidated Cambridge Sub-Regional Model (CSRM) meant that a robust Strategic Transport Study was unable to be completed by the date necessary to deliver the HLP2036 to the timeline anticipated in the Local Development Scheme (LDS). The CSRM was a fundamental element of the evidence base necessary to demonstrate that the preferred development strategy was deliverable. Cambridgeshire County Council had advised that the revalidation work was not expected to be completed until the end of June 2016 and would then require further checks to test its accuracy.

It was also explained that difficulties in obtaining information from the Environment Agency necessary to complete the SFRA had also impacted on the timeline for preparation of the HLP2036 as suitability and deliverability of site specific allocations were unable to be confirmed.

Detailed in the Officer's report was an amended timetable for the preparation of the HLP2036 which had been amended to demonstrate the currently anticipated timescales following the delays in the availability of the CSRM. It was anticipated that the submission of the HLP2036 to the Secretary of State would now be November 2017.

In response to a question regarding the development of a railway station at Alconbury Weald, it was explained that this proposal was being progressed as Urban&Civic had devised a Business Plan for submission and that it was a project which was part of the 2021 – 2026 funding window.

Regarding the Gypsy and Traveller Needs Assessment it was explained that a county wide assessment was being coordinated which would provide each authority with the amount of Gypsy and Traveller need that would be required. Due to delays in obtaining more detailed information from some partner authorities had resulted in the completion of the report being unlikely until early July. Once completed the Council would be able to devise a Gypsy and Traveller Needs Policy.

Regarding the delays from consultees, the Cabinet expressed disappointment and frustration as the Council was committed to producing the certainty for all that a new adopted Local Plan would provide. Having considered the comments of the Overview and Scrutiny Panel, the Cabinet requested that Cambridgeshire County Council provides an explanation as to why the Highway work was delayed and provide absolute assurances that they would commit to the amended timescales. Whereupon the Cabinet,

RESOLVED

- i. to note progress on preparation of the Huntingdonshire Local Plan to 2036 and its supporting evidence base, including confirmation that the Core Strategy (2009) meets the Government's requirement to have a submission Local Plan by March 2017, and the update in relation to highways and transport infrastructure projects;
- ii. endorses the use of approach B as detailed in paragraph 4.3 of the Officer's report (the revalidated Cambridge Sub-Regional Model for the Strategic Transport Study) as follows:

'Priority is to develop a defensible transport evidence base: this would involve waiting for the revalidated CSRM to be available which could provide forecasts up to 2041 if required and would be based on an up-to-date data set. This would form a more robust evidence base for the Local Plan Examination and be less susceptible to challenge from developers. Preliminary work could be undertaken in the short-term but this approach would necessitate delaying modelling the four development scenarios until the revalidation work on the CSRM is completed; checking to test accuracy for the Huntingdonshire area could be incorporated within the scope of the Strategic Transport Study.'; and

- iii. request that Cambridgeshire County Council provides an explanation as to why the Highway work is delayed and provide absolute assurances that they will commit to the amended timescales.

16. INTEGRATED PERFORMANCE REPORT, 2015/16 QUARTER 4 (INCLUDING THE PROVISIONAL OUTTURN FOR 2015/16)

The Cabinet considered a report by the Corporate Team Manager and Head of Resources (a copy of which is appended in the Minute Book) and commented on progress against the Key Activities and Corporate Indicators listed in the Council's Corporate Plan for 2015/16 for the period 1 January to 31 March 2016. The report also incorporated progress on the current projects being undertaken at the Council; details of the 2015/16 provisional outturn for revenue and capital spend; and an update on the Commercial Investment Strategy including details of the investments to date and the level of returns these were expected to generate.

The Cabinet were informed regarding the year end outturn revenue position for 2015/16 of the net revenue spend of £17.1m resulting in a

saving against budget of £2.0m when compared to the updated Budget. The main reasons for the £2.0m variance were detailed within paragraph 4.4 of the Officer's report.

The Council's final 2015/16 net capital programme was £9.3m, following slippage of £0.3m as a result of a loan to Luminus for financial support of the Langley Court development not commencing.

In December 2015 the Cabinet approved that the minimum level of the General Fund to be maintained was 15% of net expenditure. The 2015/16 opening General Fund balance was £9.3m. As a consequence of the service saving noted in the report; the transfers to and from Earmarked Reserves in respect of the Collection Fund and external grant; maintaining the general fund at 15% of net expenditure; and a transfer to the Commercial Investment Reserve, the revised forecast General Fund balance was £2.7m.

During the year there had been a significant review of the Earmarked Reserves held by the Council. At the start of the financial year there were 38 separate Earmarked Reserves, as detailed within Appendix D of the Officer's report, totalling £15.7m.

As per the requirements of the Reserves Strategy, the Cabinet were requested to approve the deletion of 21 Earmarked Reserves as listed within paragraph 4.14.1 of the Officer's report as well as the formation of the reserves listed in paragraph 4.14.2 of the Officer's report.

Regarding the £0.805m held in the Budget Surplus Reserve at the end of the financial year, the Cabinet were requested to approve the transfer of £0.244m to 'Collection Fund Reserve' to finance the Department for Communities and Local Government's contribution as a consequence of the District Council being above the Non-Domestic Rates baseline funding in 2015/16; and £0.561m to finance the Democratic and Organisational Governance and Efficiency initiatives noted in Section 7 of Appendix D of the Officer's report.

The Cabinet were informed that as of 31 March 2016, the Council had invested £3.9m in Commercial Investment Strategy related assets, compiling investment of £2.5m in Churches, Charities and Local Authorities Mutual Investments Trust Property Fund and the purchase of 2 Stonehill, Stukely Meadows, Huntingdon for £1.4m.

The Cabinet considered and discussed each of the performance indicators with a 'red' status, those being where progress was behind schedule.

It was noted that the working days lost per full-time employee through sickness had increased to 11.7 days. The Cabinet were informed that to recognise the staff that had not had a day's absence in 2015/16 it had been agreed that they would receive an additional day's annual leave to use in 2016/17.

In considering the comments from the Overview and Scrutiny Panel (Performance and Customers) Members were referred to the following response that had been circulated to the Cabinet prior to the meeting regarding a question seeking clarification as to the

underspend in the Community Grants budget:

'Community Grants 2015/16 Variation £39,000

- *A variance of approximately £14,000 because, under the terms of the Service Level Agreement the Council had with one organisation, their failure to meet set targets resulted in a lower amount being paid to them.*
- *A variance of approximately £6,000 was generated on the Community Chest Grants because:*
 - o *£5,000 was brought forward from 2014/15 but was not taken up when the projects were abandoned; and*
 - o *£1,000 of the 2015/16 allocation was not taken up when the project was abandoned.*
- *A variance of approximately £18,000 because the Zero Based Budgeting adjustment put forward to reduce the 2015/16 grants budget was concluded after the determination of the 2015/16 budget setting. Consequently this amount remained in the budget, even though it was not required and was not committed. The 2016/17 budget has been reduced to the level required for the on-going commitments the Council has made'.*

Whereupon it was

RESOLVED

That the Cabinet,

- i. considered and commented on progress made against Key Activities and Corporate Indicators in the Corporate Plan and current projects, as summarised in Appendix A and detailed in Appendices B and C of the Officer's report;
- ii. considered and commented on the Council's 2015/16 provisional outturn;
- iii. approves the:
 - deletion of 21 Earmarked Reserves as detailed in paragraph 4.14.1 of the Officer's report;
 - formation of 9 Earmarked Reserves as detailed in paragraph 4.14.2 of the Officer's report;
 - transfer of £0.244m from the Budget Surplus Reserve to the Collection Fund Reserve, and
 - transfer of £0.561m from the Budget Surplus Reserve to finance the Democratic and Organisational Governance and Efficiency initiatives.

17. SAFETY ADVISORY GROUP

The Cabinet considered a report by the Head of Community (a copy of which is appended in the Minute Book) regarding the Council's new approach to the management of health and safety at work.

Following the review of the Constitution, the Council had revised its existing arrangements for the management of its health and safety obligations under the Health and Safety at Work etc. Act 1974, and

considered that the existing processes could be improved.

It was proposed that the Safety Advisory Group and service area specific activities be combined to a single Corporate Health and Safety Board, made up of representatives of employees, senior management and Staff Council. In addition to the Corporate Health and Safety Board oversight of the Council's activities would be provided by the Council's Employment Committee.

Having considered the recommendations, the Cabinet,

RESOLVED

- i. to agree the establishment of a Corporate Health and Safety Board to take responsibility for ensuring the arrangements for corporate health and safety are appropriate and effective and that the Corporate Health and Safety Board is provided with overview by the Employment Committee, and
- ii. that the existing Safety Advisory Group be abolished.

18. TREASURY MANAGEMENT ANNUAL REPORT 2015/16

A report by the Head of Resources was presented to the Cabinet (a copy of which is appended in the Minute Book) which reviewed the treasury management performance for the 2015/2016 financial year.

The Council's Treasury Management processes were underpinned by the Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management. The Code required the Council to produce an annual Treasury Management Strategy and recommended that Members were informed of treasury management activity at least twice a year. The first report being the mid-year review (reported to the Cabinet on the 19 November 2015) and the annual report after the financial year end.

Paragraph 3.2 of the Officer's report summarised the treasury management transactions undertaken during the 2015/2016 financial year and details of the investments and loans held as of 31 March 2016 were detailed in Appendix B of the Officer's report. Whereupon the Cabinet,

RESOLVED

to note the 2015/16 Treasury Management performance.

19. 3C EXECUTIVE SUMMARY BUSINESS PLANS

The Cabinet considered a report by the Corporate Director (Services) (a copy of which is appended in the Minute Book) regarding the Executive Summaries of the business plans for the ICT, Legal and Building Control Shared Services for the period 2016/17.

Having considered the Business Plans for the 3C shared services at the meeting on 21 April 2016 the Cabinet requested that a more focused form of document, without deviating from the overarching business principles, be presented to the June Cabinet meeting.

It was explained to the Cabinet that the main business objectives of the Shared Services had been retained in more streamlined and focused documents.

In considering the Executive Summaries, the Cabinet suggested that a uniformed approach in the form of key performance indicators was required to measure the success of the shared service, which it was hoped would materialise over the coming months. Having expressed support for the Executive Summaries and requesting that an update report on 3C Shared Service Business Plans for ICT, Legal and Building Control be presented in six months, the Cabinet,

RESOLVED

that the Executive Summary Business Plans, subject to any minor editorial changes which shall be delegated to the Corporate Director (Services) in consultation with the Executive Councillor for Strategic Partnerships, be approved.

20. CAMBRIDGESHIRE AND PETERBOROUGH DEVOLUTION DEAL

The Cabinet considered a report by the Managing Director (a copy of which is appended in the Minute Book) to enable the Council to consider the devolution proposals prior to the Cabinet exercising its executive powers.

Cambridgeshire and Peterborough were invited to submit proposals jointly with Norfolk and Suffolk for an East Anglian devolution agreement. Extensive negotiations between and within the Councils across the East Anglian region had concluded that the improvement of statutory functions and the development of the functional economic area was most appropriate through two combined authorities, namely Cambridgeshire and Peterborough and Norfolk and Suffolk, each with a directly elected Mayor,

The proposal requested that the Council consider the devolution proposal for wider consultation before submission of the proposals to the Secretary of State.

It was explained to the Cabinet that the recommendations contained within the Officer's report needed to be revised as legal advice subsequent to the publication of the Cabinet agenda indicated that the final decision regarding the content of the devolution documents was a decision required by the Executive.

Therefore at the conclusion of the Special Meeting of Council on 29 June 2016 a Special Meeting of the Cabinet would be convened to determine a position on the devolution proposals in so far as they relate to Huntingdonshire.

The report to Council would include three documents being the Cambridgeshire and Peterborough Authorities' Statutory Governance Review; Devolution Scheme; and Devolution Proposal. It was noted that the same report and Appendices would also be presented for approval to each authority within the Cambridgeshire and Peterborough Combined Authority (C&PCA) region.

It was a legal requirement that public consultation be undertaken where a Combined Authority was to be established. The consultation would relate to the proposals contained in the Devolution Scheme and would be open for a seven week period to August 2016. Once the consultation period had expired the C&PCA was required to provide the Secretary of State with a summary of the consultation responses.

In response to a question it was explained that although the decision at the Cabinet meeting on 29 June would not be the final decision and did not legally commit an authority to participating in a C&PCA, any significant change in the proposals after the public consultation commenced was likely to require a new scheme to be prepared for consultation, and therefore the timetable for creation of the C&PCA would not be met. Whereupon the Cabinet,

RESOLVED

- i. that a report be presented to a Special Meeting of Council on 29 June 2016 to consider devolution proposals so far as they relate to Huntingdonshire; and
- ii. at the conclusion of the Special Meeting of Council on 29 June 2016, a Special Meeting of the Cabinet be held to determine a position on the proposals in order to meet the deadline of 4 July 2016.

Chairman