



A meeting of **HUNTINGDONSHIRE DISTRICT COUNCIL** will be held as a **REMOTE MEETING VIA ZOOM** on **WEDNESDAY, 14 OCTOBER 2020** at **6:00 PM** and you are requested to attend for the transaction of the following business:-

## **AGENDA**

**A LIVE STREAM OF THE MEETING WILL BE AVAILABLE FOR PUBLIC VIEWING AT [www.youtube.com/user/HuntingdonshireDC](http://www.youtube.com/user/HuntingdonshireDC) OR VIA THE LINK AVAILABLE ON THE COUNCIL'S WEBSITE.**

### **APOLOGIES**

**1. MINUTES** (Pages 7 - 20)

To approve as a correct record the Minutes of the Meetings held on 17th June 2020.

**Time Allocation: 2 Minutes.**

**2. MEMBERS' INTERESTS**

To receive from Members declarations as to disclosable pecuniary, non-disclosable pecuniary or non-pecuniary interests in relation to any Agenda item. See Notes below.

**3. CHAIRMAN'S ENGAGEMENTS AND ANNOUNCEMENTS** (Pages 21 - 22)

To note the Chairman's engagements and receive any announcements since the last Council meeting.

**Time Allocation: 5 Minutes.**

**4. EXECUTIVE LEADER'S UPDATE**

The Executive Leader, Councillor R Fuller to address the Council.

**Time Allocation: 40 Minutes.**

**5. QUESTIONS TO MEMBERS OF THE CABINET**

In accordance with the Council Procedure Rules, all questions –

- ❖ Must be relevant to matters for which the Council has powers or duties;

- ❖ Must not relate to an item which is included elsewhere on the Council Agenda;
- ❖ Should be limited to obtaining information or pressing for action; and
- ❖ Should not exceed two minutes in duration.

Questions should not divulge or require to be divulged, confidential or exempt information.

**Time Allocation: 10 Minutes.**

**6. CORPORATE PLAN REFRESH 2020/21 (Pages 23 - 40)**

The Executive Leader, Councillor R Fuller to present a refresh of the Corporate Plan for 2020/21 detailing the proposed new actions and performance indicators to Council for approval.

*(The new actions and performance indicators have been endorsed by the Overview and Scrutiny Panel (Performance and Growth and the Cabinet at their meetings in September 2020).*

**Time Allocation: 10 Minutes.**

**7. CODE OF FINANCIAL MANAGEMENT 2020/21 (Pages 41 - 58)**

Councillor G J Bull, Chairman of the Corporate Governance Committee, to present a revised Code of Financial Management for approval by the Council.

*(The report was endorsed by the Corporate Governance Committee at their meeting on 23rd July 2020).*

**Time Allocation: 5 Minutes.**

**8. ANNUAL REPORT OF THE CORPORATE GOVERNANCE COMMITTEE (Pages 59 - 70)**

Councillor L W McGuire, former Chairman of the Corporate Governance Committee, to present the Annual Report of the Committee for the year ending 31st March 2020.

*(The Report was endorsed by the Corporate Governance Committee at their meeting on 23rd July 2020).*

**Time Allocation: 5 Minutes.**

**9. TREASURY MANAGEMENT SIX MONTH PERFORMANCE REVIEW (Pages 71 - 92)**

Councillor J A Gray, Executive Councillor for Finance and Resources, to present the Treasury Management Six Month Performance Review.

*(This report was considered by the Cabinet at their meeting on 16th July 2020).*

**Time Allocation: 10 Minutes.**

**10. LICENSING ACT 2003: STATEMENT OF LICENSING POLICY (Pages 93 - 124)**

Councillor S J Criswell, Chairman of the Licensing Committee, to present a draft Statement of Licensing Policy to the Council for approval for a five-year period from January 2021.

*(The draft Statement was endorsed by the Licensing Committee at their meeting on 30th September 2020).*

**Time Allocation: 5 Minutes.**

**11. USE OF SPECIAL URGENCY PROVISIONS 2019/20 (Pages 125 - 130)**

In accordance with 18.3 of the Council's Access to Information Procedure Rules, the Executive Leader Councillor R Fuller, to present the annual report on executive decisions taken using the Special Urgency Provisions set out within the District Council's Constitution.

**Time Allocation: 5 Minutes.**

**12. CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY - UPDATE**

Councillor R Fuller, Executive Leader to present on the activities of the Cambridgeshire and Peterborough Combined Authority.

Councillors S J Corney and P A Jordan to provide an update on the Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee.

Councillor G J Bull to provide an update on the Cambridgeshire and Peterborough Combined Authority Audit and Governance Committee.

Decisions Summaries for meetings held in June, July and August 2020 have been circulated to Members separately on the Members briefing.

Decisions summaries for the most recent meetings (28th September, 30th September and 2nd October 2020) are not yet available and will be circulated in advance of the meeting if possible.

In accordance with the Protocol agreed at the February 2017 meeting, this item provides an opportunity for District Council Members to ask questions and comment on Cambridgeshire and Peterborough Combined Authority issues.

If Members wish to raise questions or issues requiring a detailed response, it would be helpful if they can provide prior notice so that the necessary information can be obtained in advance of the meeting.

**Time Allocation: 20 Minutes.**

### 13. OUTCOMES FROM COMMITTEES AND PANELS (Pages 131 - 134)

An opportunity for Members to raise any issues or ask questions arising from recent meetings of the Council's Committees and Panels.

A list of meetings held since the last Council meeting is attached for information and Members are requested to address their questions to Committee and Panel Chairmen.

**Time Allocation: 10 Minutes.**

### 14. VARIATIONS TO THE MEMBERSHIP OF COMMITTEES AND PANELS

Group Leaders to report on variations to the Membership of Committees and Panels if necessary.

**Time Allocation: 2 Minutes.**

6th day of October 2020



Head of Paid Service

### **Disclosable Pecuniary Interests and Non-Statutory Disclosable Interests**

Further information on [Disclosable Pecuniary Interests and Non - Statutory Disclosable Interests is available in the Council's Constitution](#)

### **Filming, Photography and Recording at Council Meetings**

The District Council permits filming, recording and the taking of photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening at meetings.

Arrangements for these activities should operate in accordance with [guidelines](#) agreed by the Council.

**Please contact Mrs Lisa Jablonska, Elections and Democratic Services Manager, Tel No. 01223 739952 / e-mail [Lisa.Jablonska@huntingdonshire.gov.uk](mailto:Lisa.Jablonska@huntingdonshire.gov.uk) if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.**

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

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

Agenda and enclosures can be viewed on the [District Council's website](#), together with a link to a Broadcast of the meeting.

### **Emergency Procedure**

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

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## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the ANNUAL meeting of the COUNCIL held as a REMOTE MEETING via MICROSOFT TEAMS on Wednesday, 17 June 2020.

PRESENT: Councillors T D Alban, B S Banks, L A Besley, Mrs M L Beuttell, G J Bull, S M Burton, E R Butler, S Bywater, B S Chapman, J R Clarke, Mrs S Conboy, S J Corney, S J Criswell, J W Davies, D B Dew, Ms A Diaz, Mrs A Dickinson, R Fuller, I D Gardener, Dr P L R Gaskin, D A Giles, Mrs S A Giles, J A Gray, M S Grice, K P Gulson, M J Humphrey, Dr N Johnson, Mrs P A Jordan, P Kadewere, D N Keane, C J Maslen, H V Masson, L W McGuire, D J Mead, J P Morris, J Neish, J M Palmer, K I Prentice, A Roberts, T D Sanderson, Mrs P E Shrapnel, Mrs S Smith, Mrs J Tavener, D Terry, R G Tuplin, D M Tysoe, S Wakeford, D J Wells, R J West and Mrs S R Wilson.

APOLOGIES: An apology for absence from the meeting was submitted on behalf of Councillor J C Cooper-Marsh.

The Chairman welcomed Members to Huntingdonshire District Council's first virtual Annual Council Meeting and in the absence of the Reverend Amey opened the meeting with Prayer.

Given that this would be the last meeting that he would be officiating as Chairman, Councillor West paid tribute to all those who had ensured that his tenure had been a memorable and interesting three years and who had assisted him in undertaking this important role for the District Council.

### 1 ELECTION OF CHAIRMAN

It was proposed by Councillor R J West, seconded by Councillor R Fuller and

RESOLVED

that Councillor J W Davies be elected Chairman of the Council for the ensuing Municipal Year.

Councillor Davies made the Statutory Declaration of Acceptance of Office and thanked Members for the honour which the Council had bestowed upon him.

**Councillor J W Davies in the Chair.**

### 2 VOTE OF THANKS TO RETIRING CHAIRMAN

The Chairman paid tribute to the way in which Councillor West had performed his duties as Chairman of the District Council over the course of the last three years and one month and proposed a vote of thanks be conveyed to him. He added that it had been a great pleasure to work closely alongside Councillor West and

commended him for his inclusive and fair approach to all Members, together with his professional representation on behalf of the District Council.

Councillor Fuller echoed the comments which had been made and paid tribute to the way in which Councillor West had represented the Council with true community spirit during the course of the last three years. He had been a tremendous ambassador for the District Council and a role model for his successors to follow. Councillor Fuller also commended Councillor West on the excellent and unique manner in which he had chaired the Council meetings which would have a lasting legacy for many years.

As leader of the Liberal Democrats, Councillor Mrs S J Conboy concurred with the sentiments which had been made and thanked Councillor West for his wisdom and patience, together with his even handed manner when chairing meetings of the Council which had ensured that all views were represented.

Finally, and having offered his best wishes to him for the future, Councillor D A Giles concluded by also echoing all the sentiments and remarks which had been made.

### **3 MINUTES**

The Minutes of the meeting of the Council held on the 26th February 2020 were approved as a correct record and signed by the Chairman.

### **4 MEMBERS' INTERESTS**

No declarations were received.

### **5 APPOINTMENT OF VICE-CHAIRMAN**

It was proposed by Councillor J Neish, seconded by Councillor M Beuttell and

RESOLVED

that Councillor L W McGuire be appointed Vice-Chairman of the Council for the ensuing Municipal Year.

Having thanked Members for the honour which had been bestowed upon him, Councillor McGuire made the Statutory Declaration of Acceptance of Office.

### **6 APPOINTMENT OF CABINET AND CABINET ASSISTANTS**

The Executive Leader, Councillor R Fuller announced that he had appointed Councillors M Beuttell, S Bywater, J A Gray, D Keane, J Neish and K I Prentice to join him as Members of the Cabinet for the ensuing Municipal Year and confirmed that Councillor J Neish would continue as the Deputy Executive Leader.

Councillor Fuller, then presented the details of the Cabinet Portfolios for the 2020/21 Municipal Year :-

Councillor M L Beuttell, Operations and Environment



Councillor S Bywater, Community Resilience and Wellbeing  
Councillor R Fuller, Housing and Economic Development  
Councillor J A Gray, Finance and Resources  
Councillor D Keane, Corporate Services  
Councillor J Neish, Strategic Planning  
Councillor K I Prentice, Leisure and Regulatory Services

Councillor Fuller further confirmed the appointment of Councillor J Palmer as a Cabinet Assistant for the ensuing Municipal Year.

## **7 REPRESENTATION OF POLITICAL GROUPS ON DISTRICT COUNCIL COMMITTEES AND PANELS**

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 and proportionality to be applied to the appointment of Committees and 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 District Council Committees and Panels to political groups and non-aligned Members be determined as set out in the report now submitted.

## **8 OVERVIEW AND SCRUTINY PANELS**

RESOLVED

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

### **Overview and Scrutiny Panel (Performance and Growth) (12)**

Councillors E R Butler, B S Chapman, J C Cooper-Marsh, S J Corney, D B Dew, I Gardener, P L E Gaskin, M S Grice, J P Morris, A Roberts, S Wakeford and D J Wells.

### **Overview and Scrutiny Panel (Customers and Partnerships) (12)**

Councillors T Alban, B S Banks, R E Bellamy, S Criswell, J W Davies, A Diaz, A Dickinson, D A Giles, S Smith, J Tavener, D M Tysoe and S R Wilson.

## **9 COMMITTEES**

RESOLVED

(a) that Members be appointed to serve on the Corporate Governance, Development Management, Employment, Licensing and Protection,

Licensing and Senior Officers Committee for the ensuing Municipal Year as follows:-

**Corporate Governance Committee (12)**

Councillors G J Bull, S M Burton, E R Butler, P L E Gaskin, D A Giles, K P Gulson, P Kadeware, H V Masson, L W McGuire, J P Morris, R J West and S R Wilson.

**Development Management Committee (16)**

Councillors L A Besley, E R Butler, S J Conboy, S J Corney, D B Dew, I Gardener, K P Gulson, M Humphrey, N Johnson, C J Maslen, J Neish, A Roberts, T D Sanderson, S Smith, R G Tuplin and D M Tysoe.

**Employment Committee (8)**

Councillors P A Jordan, D N Keane, C J Maslen, J M Palmer, J Tavener, D Terry, D M Tysoe and R J West.

**Licensing and Protection Committee (12)**

Councillors B S Banks, J Clarke, S Criswell, A Diaz, A Dickinson, S A Giles, P A Jordan, L W McGuire, D J Mead, K I Prentice, P A Shrapnel and R J West.

**Licensing Committee (12)**

Councillors B S Banks, J Clarke, S Criswell, A Diaz, A Dickinson, S A Giles, P A Jordan, L W McGuire, D J Mead, K I Prentice, P A Shrapnel and R J West.

**Senior Officers' Committee (4)**

Councillors S J Conboy, D A Giles, D N Keane and R J West.

- (b) that the following Members be nominated from which the Elections and Democratic Services 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 Committee) to determine appeals under the Council's disciplinary and appeals procedures-

Councillors T Alban, R E Bellamy, S J Conboy, S J Corney, J W Davies, I Gardener, S A Giles, P Kadeware, H V Masson, D J Mead, A Roberts, S Smith and R G Tuplin.

**10 HUNTINGDONSHIRE DISTRICT COUNCIL VENTURES LTD -  
SHAREHOLDER REPRESENTATIVES AND REFERENCE GROUP**

RESOLVED

- (a) that Councillor J A Gray be appointed as the Shareholder Representative to act on behalf of the Council as Shareholder of the Council's Local Authority Trading Company; and
- (b) that Councillors S J Corney, M Humphrey, T D Sanderson and D M Tysoe be appointed to the HDC Ventures Shareholder Reference Group for the ensuing Municipal Year.

**11 CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY - MEMBERSHIP AND OTHER APPOINTMENTS**

With the assistance of a report by the Managing Director (a copy of which is appended in the Minute Book), the Council were invited to make appointments/nominations to the Cambridgeshire and Peterborough Combined Authority for the 2020/21 Municipal Year.

**RESOLVED**

- (a) that Councillor R Fuller, Executive Leader be appointed to act as the Council's appointee to the Combined Authority and Councillor J Neish be appointed as the substitute member;
- (b) that Councillors S J Corney and Mrs P A Jordan be nominated to the Overview and Scrutiny Committee, with Councillors E R Butler and M Humphrey nominated as substitutes;
- (c) that Councillor G J Bull be nominated to the Audit and Governance Committee, with Councillor P L E Gaskin as the substitute member; and
- (d) that the Managing Director be authorised to make any amendments to the Overview and Scrutiny Committee and the Audit and Governance Committee in consultation with the Political Group Leaders, should the political balance be amended by the Combined Authority between now and the next Council meeting.

The meeting ended at 6.44pm.

Chairman

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## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the COUNCIL held as a REMOTE MEETING via MICROSOFT TEAMS on Wednesday, 17 June 2020.

PRESENT: Councillor J W Davies – Chairman.

Councillors T D Alban, B S Banks, L A Besley,  
Mrs M L Beuttell, G J Bull, S M Burton, E R Butler,  
S Bywater, B S Chapman, J R Clarke, Mrs S Conboy,  
S J Corney, S J Criswell, D B Dew, Ms A Diaz,  
Mrs A Dickinson, R Fuller, I D Gardener, Dr P L R Gaskin,  
D A Giles, Mrs S A Giles, J A Gray, M S Grice, K P Gulson,  
M J Humphrey, Dr N Johnson, Mrs P A Jordan, P Kadewere,  
D N Keane, C J Maslen, H V Masson, L W McGuire,  
D J Mead, J P Morris, J Neish, J M Palmer, K I Prentice,  
A Roberts, T D Sanderson, Mrs P E Shrapnel, Mrs S Smith,  
Mrs J Tavener, D Terry, R G Tuplin, D M Tysoe,  
S Wakeford, D J Wells, R J West and Mrs S R Wilson.

APOLOGY: An Apology for absence from the meeting was submitted on behalf of Councillor J C Cooper-Marsh.

### 12 MEMBERS' INTERESTS

No declarations were received.

### 13 EXECUTIVE LEADER'S UPDATE

The Chairman invited the Executive Leader, Councillor R Fuller to address the Council.

Councillor R Fuller explained that given this was the first time that the Council had met in public since the start of the pandemic, it was now appropriate for him to talk to all Members about the Council's response to the coronavirus and provide a brief overview of the plans for recovery.

The Council were reminded that traditionally the Executive Leader presents a State of the District Address to Members in July, however given that the meetings in May and July had been combined, he would begin his address by giving a brief update of the Council's performance over the 2019/20 Municipal Year.

The Council were advised that during the majority of the last year the District Council has performed strongly in a number of different service areas. The Council had managed to deliver the highest number of new affordable homes across the District in more than a decade. By maintaining the manifesto commitment to fund the homelessness trailblazer early intervention project despite the cessation of Government funding, the Council had managed to prevent 521 cases of homelessness. Nearly 30% more successful preventions

than the previous year. The Council's persistence in working towards eradicating the usage of bed and breakfast accommodation had also delivered a 90% reduction in the numbers of people housed in such accommodation.

Councillor Fuller explained that a further manifesto commitment had also been successfully met with 60% of household waste now being recycled or composted. One Leisure also had experienced another exceptional year with admissions increasing yet again.

Members were reminded that the Council had been able to successfully deliver such strong service delivery through the pursuit of a prudent financial strategy. Without the use of a Commercial Investment Strategy, for example, it would not have been possible to achieve such strong performance or to survive the current crisis.

Councillor Fuller also reported that it had also been pleasing to see the reduction in staff sickness days from 9.2 to 6.5 days per full time equivalent member of staff.

Until around March 2020, the Council had every expectation that it would be able to continue to build on the strong performance of the previous year.

Councillor Fuller reminded Members that on 18th March 2020, in his first public statement on coronavirus, he had reiterated that Huntingdonshire District Council's priority at this time would be to support and protect its communities and that as Executive Leader he would do everything possible to assist our business community, maintain the essential services that the residents relied upon and support the most vulnerable residents in the District. This has guided all Council activity over the past three months in response to coronavirus.

Councillor Fuller then drew Members attention to some of the work that the Council had undertaken during the pandemic. A number of Council staff had been redeployed to assist with the delivery of prescriptions and food parcels and efforts to contact vulnerable residents. New teams and processes have also had to be established at pace to deal with business grants. Attention was also drawn to the 'We Are Huntingdonshire' web site as a portal for all members of the community to access information. The business pages alone had received 25k visitors and the District Council's Economic Development Team have been working to support local businesses sending 40k emails so far, signposting to support and advice. As a result of which Huntingdonshire businesses have received £650k of capital grants from the Combined Authority, more than any other District within the County and 170 jobs have been guaranteed.

Councillor Fuller went on to mention the District Council's waste collection service. Whilst many Councils had ceased to provide certain services, in Huntingdonshire a full-service delivery had been maintained throughout the crisis. In addition, the service had also managed to absorb the collection of 135 lorry loads of waste. Tribute was also paid to the Operations Service, which alongside only 5% of other Councils within the Country had managed to maintain full-service delivery.

Reference to the Revenue and Benefits service was also made and the role it has played in quickly providing help and support to those residents who most

needed it. Huntingdonshire has been one of the few Councils in the country to implement a Council Tax deferral scheme, which has resulted in the Team processing 3k applications. In addition, the scheme to distribute £500k in Council tax support was also dealt with by this Team.

With reference to communication with residents and new ways of working, Council's attention was drawn to the fact that prior to the pandemic, arrangements for an online customer portal had been put in place, more services were now available online and the Council Anywhere programme had been rolled out to Members and Officers which has enabled the Authority to act at pace to maintain service delivery. During the pandemic, 400 members of Council staff seamlessly moved to working from home and the Council's Call Centre was also able to become a remote operation with to-date over 135k calls being answered at home. Nearly 1k new customer portal accounts were also created.

In terms of communication, it was reported that the District Council had communicated in new ways with great effect. District Council tweets have been viewed 214k times and an email newsletter reaching 70k residents directly.

As lockdown is now beginning to ease, Councillor Fuller explained that the District must now begin to channel its activity into Huntingdonshire's recovery. Members were advised that the Cabinet would be focusing on four themes until there was a firmer steer nationally from Central Government.

Prior to the pandemic, the Council was already actively preparing plans for town centre investment and regeneration. Whilst the Council will now have to consider the impact of coronavirus on its financial position it remains the intention to proceed with investment in town centres. Support which will be needed now more than ever before.

The Council's commitment to offering a helping hand to the communities which need it will also continue. As the full impact of coronavirus continues to become apparent, the Authority shall carry on providing that 'helping hand' to residents.

Current events have also demonstrated the importance and value of parks, open spaces and the environment to the residents of Huntingdonshire. Councillor Fuller reiterated that the District Council will continue to maintain excellent services to support pride of place.

The unprecedented challenges the District Council faced demanded a speedy reconfiguration of service delivery and Members were advised the challenges that lie ahead will require further reprioritising and reshaping of what the Authority does. New ways of working which have been developed in recent months and new areas of focus which have proved valuable should not be lost and the speed of delivery of momentum should be harnessed. The District Council will seek to build on the community spirit within Huntingdonshire in future years.

The significant loss of Council income which has been experienced and which will continue to be experienced will undoubtedly take its toll on the ability to balance budgets and continue to operate in the same way. However, Councillor Fuller reiterated that as a result of many years of sound financial management,

the District Council will emerge from this crisis and will not suffer the same fate of many other Councils in a less fortunate position.

Members were reminded that the last three months had seen the most challenging circumstances that many people have ever known. The incredible way that volunteers, community groups and parish councils have responded have made the Executive Leader immensely proud of the Huntingdonshire Community and he reiterated that if we can maintain and continue to build upon that community spirit, Huntingdonshire will have a positive future.

In concluding his address the Executive Leader took the opportunity to place on record his sincere thanks, those of his Group and to all of the District Council's dedicated officers who have all worked tirelessly to keep services running, deliver new services and help Huntingdonshire communities through this difficult time. He also paid tribute to the leadership of the District Council's Managing Director, the support received from his Deputy, Councillor Neish, the Cabinet and all colleagues around the Chamber for championing their communities and stepping up in new ways.

Finally, the Executive Leader expressed his appreciation to all the Opposition Group Leaders who throughout this period had nobly set aside their political differences and worked together to support the organisational response to the crisis. In other areas of the country, local authorities had not been so fortunate.

In his role of as Leader of the HDC Independent Group, Councillor T D Sanderson addressed the Council. In doing so, he congratulated Councillor J W Davies on his election to the position of Chairman and thanked the Executive Leader for producing a comprehensive report pulling together the considerable challenges facing the District Council.

Councillor Sanderson reiterated that having looked at the Minutes of the last meeting, the District Council could not have imagined then that it would be faced with the situation that it now finds itself in. He emphasised that the Council should be proud of its achievements to help the most vulnerable residents within Huntingdonshire which he had seen first-hand in the Huntingdon North ward, one of the most deprived parts of the District. He was delighted to see some of the changes which had been made, for example the reconfiguration of the Community Chest grant award funding which would make a difference to local communities suffering as a result of the coronavirus.

Councillor Sanderson also expressed his support for the aspirations which were demonstrated within the themes which the Council intends to pursue during the recovery period. He reiterated that public spaces within the District had become increasingly important as people were now able to leave their homes. He paid tribute to the District Council's staff who had been involved in the maintenance of these spaces during the lockdown period.

Councillor Sanderson also paid tribute to the work which had been undertaken by the Council in getting Huntingdonshire towns working again, helping shops to open and comply with new safety measures and he reported that comments from the market towns had been highly favourable.



Councillor Sanderson reiterated that this had been an extraordinary time for everyone and expressed his appreciation to colleagues and staff for the work they had undertaken in rising to the challenges which had been posed.

In concluding his remarks, Councillor Sanderson requested clarification as to when the Overview and Scrutiny Panels would recommence their meetings and asked whether more detailed information regarding the impact of the coronavirus on the Council's budget and the loss of income could be provided to Members.

Councillor Mrs S J Conboy, Leader of the Liberal Democrats Group, was invited to address the Council meeting. In doing so, she echoed the sentiments of the Executive Leader and Councillor Sanderson. She also drew attention to the considerable achievements by the District Council pre-Covid which should not be lost sight of.

With regards to the pandemic and the impact upon Huntingdonshire, Councillor Mrs Conboy took the opportunity to pay tribute to everyone for coming together for the benefit of the residents in the community at this time. She also expressed appreciation to Councillor Fuller for his outstanding leadership and to the Managing Director and her team for the support provided to all communities across the District and their visibility. She also referred to the contributions made by a number of elected members across the chamber who have worked hard to rally and support their communities.

Councillor Mrs Conboy went on to pay tribute to the organisational approach which the District Council has taken to the pandemic which had not been typical of other councils and expressed her appreciation for the exceptional level of engagement with the opposition groups and the frequency of updates. The operation of the Council's emergency plan, a matter of debate at the Corporate Governance Committee for many years, had worked extremely well when it was needed.

She explained that she has received many comments from residents on the focus of front-line services of which they were extremely assured to find that when they needed services, these were provided in a timely fashion. The District Council had been quick to respond to the changing needs within the District, particularly around Council Tax and grants, support for local businesses.

With reference to the fact that the District was now entering a new phase of the pandemic, Councillor Mrs Conboy welcomed the focus upon the recovery and emphasised that there was lots to unite all members of the community around the priority themes.

With regards to the economic position of the District Council, Councillor Mrs Conboy was reassured to hear that it would not be in the position of other authorities who would be severely financially challenged in the future. She went on to welcome the resumption of meetings of the Overview and Scrutiny Panels from the start of next month and the opportunity which might be presented to reposition the operation of this function. It was inevitable that the priorities of the Overview and Scrutiny Panels will have changed since the start of the pandemic and it was important for them now to look forward to enable the District Council to provide the best and most robust responses post Covid.

Councillor P Kadeware, Leader of the Labour Group, reiterated his Group's support to the Executive Leader and the extraordinary commitment shown by District Council staff during this period. He was truly grateful for the way in which help has been provided for residents and the regular updates from the Executive Leader on how the Council was navigating through the pandemic. He reiterated that whilst there would be a need to review in more detail some of the specific decisions made during this exceptional period with regard to improving the Council's steps and budget changes but indicated that this was not for today and he asked when Members will have opportunity to scrutinise the issues through the normal Overview and Scrutiny process.

Having been invited to comment on the Overview and Scrutiny function, the Executive Leader was pleased to confirm that the intention was to recommence operation of the Overview and Scrutiny Panel (Performance and Growth) on 8 July 2020. At this meeting, it was intended to present the decisions which have been taken under the Executive powers that the Council holds during the pandemic. He went on to explain that it had been difficult to resource the Panels during the Covid response period and there had also been very little policy development for them to scrutinise. However, it was intended to have a full meeting schedule up and running following the Summer recess in September 2020.

With regards to the future focus of Overview and Scrutiny, the Executive Leader agreed that inevitably the focus would now shift. He explained that he would be meeting shortly with the two newly appointed Chairmen to discuss the role of these Panels going forward. It was his view that there was an opportunity for scrutiny to play a more active role in the policy investigation work, together with monitoring of the Council's budgets. There would also be an in-depth role for the Performance and Growth Panel in monitoring the health of the economy. He explained that inevitably as the Council moves through the recovery phase there will be a new focus to the work and he was happy to work with both Panels to achieve this through regular attendance and engagement by Members.

Councillor S Corney paid tribute to the 'We Are Huntingdonshire' website which had been a great source of guidance to signpost residents to help and support during the lockdown period.

Councillor Dr N Johnson echoed the comments which had been made to the District Council by the Labour leader. He went on to ask about the Black Lives Matter movement and whether this had had any effect on the District Council's thinking for the future in planning for recruitment with the rising awareness of discrimination. In response, Councillor Fuller explained that Huntingdonshire had not traditionally had these types of issues. Whilst there were a number of diverse communities within the District, there have always been excellent relationships between all sections of the community and this was not a significant issue that had been experienced. Given the prominence that the wider agenda is receiving nationally, Councillor Fuller suggested that the District would seek to review this but he stressed that he did not believe there would be any significant work to be done. Huntingdonshire has always had a diverse community, has always maintained good relations and will continue to do so.

## **14 APPOINTMENT OF CHIEF FINANCE OFFICER AND SECTION 151 OFFICER**

With the assistance of a report by the Managing Director (a copy of which is appended in the Minute Book) regarding the legislative duty placed on the Council to appoint a Section 151 Officer, the Council were reminded that the designation was held currently by the Council's Finance Manager on an interim basis for a period not to exceed 12 months. This period was due to expire on 14 October 2020.

Having regard to the need to formalise a more permanent arrangement for these duties to be undertaken now that the senior management reorganisation within the organisation had been completed, it was

### **RESOLVED**

- (a) that Claire Edwards, Finance Manager, be appointed permanently as the Council's Chief Finance Officer/Section 151 Officer; and
- (b) that the Council's Constitution be updated to reflect the changes that resulted from this appointment.

The meeting ended at 7.23pm

Chairman

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## CHAIRMAN'S ENGAGEMENTS

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<b>Date</b>	<b>Venue/Event</b>
<b>May 2020</b>	
8	HDC VE Day, Flag Raising (Chairman)
<b>August 2020</b>	
15	VJ Day, Huntingdon Town Council (Chairman)
<b>September 2020</b>	
3	HDC Merchant Navy Day Flag Raising (Chairman)
15	HDC Battle of Britain Flag Raising (Chairman)

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**Public**  
**Key Decision - Yes**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Corporate Plan Refresh 2020/21.

**Meeting/Date:** Council, 14th October 2020.

**Executive Portfolio:** Executive Leader, Councillor Ryan Fuller.

**Report by:** Business Intelligence and Performance Manager.

**Wards affected:** All Wards.

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### **Executive Summary:**

The purpose of this report is to provide an update on the refresh of the Corporate Plan for 2020/21 and present the proposed new actions and performance indicators to Council for approval.

The Council's Corporate Plan was adopted in 2018, comprising of a four-year plan outlining the Vision, Strategic Priorities and Objectives for Huntingdonshire District Council. The Plan sets out what the Council aims to achieve in addition to core statutory services.

A 'light touch' review of the Plan has taken place which has allowed us to identify whether the 2019/20 key actions and performance indicators are still fit for purpose (i.e. which have been achieved and can be removed) and to include new or alternative actions and indicators that better reflect the Council's current direction. This has been informed by both the known and expected impacts of Covid-19 on our services but does not set out all the actions which will be taken as we deal with immediate issues facing our residents and move into the recovery phase.

A set of plans are being developed to form a strategic policy framework for the Council and this 'policy bookcase' is included as an annexe to the Corporate Plan.

The Cabinet considered this report at their meeting on 17<sup>th</sup> September 2020 and endorsed the proposed list of key actions and performance indicators at Appendix A for inclusion in the Corporate Plan for 2020/21.

**The Council is**

**RECOMMENDED**

**to approve the revised key actions and performance indicators for inclusion in the Corporate Plan for 2020/21.**



## **1. PURPOSE OF THE REPORT**

- 1.1 This report seeks approval of the proposed key actions and performance indicators (PIs) for the Corporate Plan for 2020/21.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 The Council needs a clear vision with strategic priorities, setting out its objectives and how these will be achieved. The Council's Corporate Plan was reviewed in 2018 and comprises of a four year plan outlining the Vision, Strategic Priorities and Objectives for Huntingdonshire District Council.
- 2.2 The purpose of the refresh is not about creating a new Corporate Plan but providing an opportunity to reflect on any changes needed to the key actions and PIs for 2020/21. This review provided an opportunity to consider whether any actions or measures have been achieved and should therefore be removed and whether any new actions or measures should be included. It was also an opportunity to consider whether the actions and measures continue to be the right ones. The review took account of whether any changes due to new challenges or ambitions were necessary.
- 2.3 The known and expected impacts of Covid-19 on our services and residents have been taken into account in reassessing priorities and several 'recovery actions' are listed where we expect to need to undertake additional work to deliver against our Strategic Priorities and Objectives as a result of the pandemic. More detail will be provided on what these activities will entail as our recovery plans continue to be developed and informed by emerging information.

## **3. OPTIONS CONSIDERED/ANALYSIS**

- 3.1 Quarterly performance reporting throughout the year has highlighted areas where actions and PIs could be improved. We have taken into account feedback throughout the year from Heads of Service, Officers who provide data and both Overview & Scrutiny and Cabinet Members.
- 3.2 All actions and PIs supporting the three Strategic Priorities (People, Place and Providing Value for Money Services) were examined; proposed changes considered included removal of, or amendments to, actions or PIs as well as the addition of some new actions or PIs. The list of proposed key actions and PIs for 2020/21 is attached at Appendix A.
- 3.3 This review has followed the development of Service Plans which allows us to more closely align the actions or PIs proposed for inclusion in the Corporate Plan with those being used to manage services. Where the same actions and PIs have been used, services will be clearly focussed on delivering the same outcomes and measuring these in the same way. The Corporate Plan provides the highest level in the "golden thread" running from the Plan through Service Plans to individual objectives set in Staff Appraisals.

- 3.4 Services will continue to monitor progress on their Service Plan aims and Members will continue to receive reports on progress made against key activities and PIs in the Corporate Plan on a quarterly basis.
- 3.5 Subject to any amendments, the proposed list of key actions and PIs at Appendix A will be submitted for approval by Council on 14 October 2020.

#### **4. COMMENTS OF OVERVIEW & SCRUTINY**

- 4.1 The Overview and Scrutiny Panel (Performance and Growth) received the Corporate Plan Refresh 2020/21 at its meeting on 16th September 2020.
- 4.2 A question was asked by Councillor Roberts on how important partnership working is going forward. In response, the Panel was informed that partnership working is crucial for the Council in order to fulfil the aims of the Corporate Plan. There are significant problems which require the Council to work with partners to resolve for the benefit of Huntingdonshire residents.
- 4.3 The Panel supported the Corporate Plan Refresh and recommended that the Cabinet endorse the proposed list of key actions and performance indicators for 2020/21.

#### **5. KEY IMPACTS / RISKS**

- 5.1 The key impact is that everyone in the Council will be clear about the actions and PIs to be used to measure progress made in delivering the Council's Vision and Strategic Priorities.
- Officers will be clear about what is important and their role as identified through individual objectives
  - Financial Planning will be more clearly linked to corporate planning
  - Service Plans will be more clearly linked to corporate planning
  - Members will know what information they will get and when
  - Portfolio Holders will be able to hold Officers to account
  - Overview and Scrutiny will have the information they need to hold Portfolio Holders to account

#### **6. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

- 6.1 Following Cabinet, the proposed key actions and PIs will be submitted for approval by Council. Once approved, an updated version of the Corporate Plan will be made available to all employees through the Intranet and will be published on the Council's website. Progress in delivering our key actions and results for PIs in the Corporate Plan will be reported to Overview and Scrutiny and Cabinet every quarter as part of an integrated report, incorporating financial performance and progress in delivering corporate projects.

## **7. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

- 7.1 No changes are proposed to the Corporate Plan Vision or Strategic Priorities. The actions and PIs proposed will be used to measure progress in 2020/21.

## **8. CONSULTATION**

- 8.1 The Council's Senior Leadership Team and their teams have been involved in the refresh of the Corporate Plan, in consultation with relevant Portfolio Holders. The views of Overview and Scrutiny Members are to be submitted to Cabinet with this report following their meeting on 9 September 2020.

## **9. LEGAL IMPLICATIONS**

- 9.1 Not applicable for this report.

## **10. RESOURCE IMPLICATIONS**

- 10.1 The Council's 2020/21 Budget and Medium Term Financial Strategy to 2024/25 was approved by Council in February 2020. The proposed 2020/21 Corporate Plan actions and PIs have been informed by the approved service budgets and savings and growth proposals. It is anticipated that there will be no additional resource implications as a result of adopting these actions and PIs. However, the impact of Covid-19 on our services, residents and finances will affect service delivery and performance and increase costs where additional spending is required to support residents and businesses and to fund action taken to aid social, community and economic recovery. Additional external funding will help to offset these costs and the impact on the current year's budget and the Medium Term Financial Strategy will continue to be reported to Overview & Scrutiny and Cabinet on a quarterly basis.

## **11. OTHER IMPLICATIONS**

- 11.1 No equality implications have been identified as a result of the refresh of the Corporate Plan.

## **12. REASONS FOR THE RECOMMENDED DECISIONS**

- 12.1 The Corporate Plan provides a clear direction for what we are doing, why we are doing it and what impact it is having. The refreshed Corporate Plan will continue to guide the work of services responsible for delivery of the Council's ambitions, with actions and PIs to be used to monitor progress in 2020/21.

### **13. LIST OF APPENDICES INCLUDED**

Appendix A – draft Corporate Plan featuring key actions and performance indicators proposed for 2020/21, with Annex presenting the policy framework.

### **14. BACKGROUND PAPERS**

None.

### **CONTACT OFFICER**

Name/Job Title: Daniel Buckridge, Business Intelligence and Performance  
Manager

Tel No: 01480 388065

Email: [Dan.Buckridge@huntingdonshire.gov.uk](mailto:Dan.Buckridge@huntingdonshire.gov.uk)

## Corporate Plan 2018 – 2022

Huntingdonshire is already one of the best places to live in the country. We have good strategic transport links, a diverse workforce, below average unemployment, prosperous towns, active and engaged communities, a wide range of leisure options, a well-cared-for local economy and many, many other benefits.

We want to create an environment within which Huntingdonshire and its people can thrive. We want to protect and enhance the natural beauty of the area, ensuring that new development creates sustainable places where people want to live.

The Council is one part of a complex structure of public sector service providers and, in the context of public sector reforms and new ways of working, the need for collaborative partnership working is ever-increasing. We know we cannot deliver our vision alone and no single organisation has all the answers. We are taking the lead on work with partners such as the Cambridgeshire and Peterborough Combined Authority, to help bring in investment and attract people to live and work here.

The Council has taken a lead role in a multi-agency response to the national and local implications of COVID-19 and this has had significant short-term impacts and will impact on some of our medium-term objectives. Some changes that are happening now are likely to have a lasting impact on the area. In preparing this plan, some assumptions have been made around how long the emergency response will last and the recovery profile in terms of moving to a “new normal” way of life. It is anticipated that it will take up to 12 months for the local situation to stabilise.

We remain committed to addressing the area’s ‘grand challenges’ (Good Start, Good Health, Good Work, Good Place), which are now linked to our Corporate Plan, as well as a range of ‘wicked issues’ which present risks to the area, its people and the Council’s ability to deliver its vision. We will continue to be reactive to emerging issues as we address wider economic and environmental challenges and we will involve and support our residents and businesses in adapting to these challenges.

The Council’s Corporate Plan sets out a programme of activity to deliver growth and investment in the local economy whilst at the same time delivering quality services to residents. However, in the current climate we need to remain prepared to reallocate resources to react to new circumstances and to support evolving recovery plans.

Where we can properly plan for the future prosperity of our residents, find sensible solutions to tackle the things that matter to our residents and more proactively engage with the communities of Huntingdonshire; we will do so. We will do all these things because we are an ambitious **place** with huge potential and we always strive for the best outcomes for our **people**.

The Corporate Plan shows you our objectives, the work programmes we have put in place, the actions we will take and how we will measure our performance.

**Vision: We want to support a safe and healthy environment, deliver economic growth, provide value for money services and create opportunities for the people of Huntingdonshire**

**People (Good Start/Good Health):**

**We want to make our district a better place to live, to improve health and well-being and support people to be the best they can be**

**People – Support people to improve their health and well-being**

**Our Work Programme**

- Enabling people to live independently through the provision of adaptations and accessible housing
- Providing great, accessible green spaces, countryside, leisure and cultural facilities and opportunities for recreation and health
- Ensuring new developments have sufficient public green open spaces including play provision
- Facilitating and providing opportunities for positive activities that support residents' health and wellbeing needs
- Supporting, enabling and facilitating individuals to improve their health and well-being through self-care
- Working with partners to improve health and reduce health inequalities
- Prioritising accessible, high quality, well maintained open space, walking and cycling facilities on new housing developments
- Meeting the housing and support needs of our population

### Key Actions for 2020/21

- Work in partnership to provide greater leisure and health opportunities to enable more people to be more active, more often
- Establish a Healthy Open Spaces Strategy and Plan to maximise the health benefits of the Council's Parks and Open Spaces.
- **Recovery Action (One Leisure and Active Lifestyles – e.g. promoting health and wellbeing, sport and fitness activities, weight loss, healthy eating)**
- Provide financial assistance to people on low incomes to pay their rent and Council Tax
- Ensure that the principles of earlier interventions aimed at preventing homelessness are embedded within public sector organisations and other stakeholder partners
- Adopt a new Homelessness Strategy and a new Lettings Policy
- Identify and implement solutions to eradicate the need to place homeless families in B&Bs

### Performance Indicators for 2020/21

#### We will measure our success in the following ways:

- Number of homelessness preventions achieved (cumulative year to date)
- Average number of days to process new claims for Housing Benefit and Council Tax Support (cumulative year to date)
- Average number of days to process changes of circumstances for Housing Benefit and Council Tax Support (cumulative year to date)

#### More people taking part in sport and physical activity:

- Number of individual One Card holders using One Leisure Facilities services over the last 12 months (rolling 12 months)
- Number of individual One Leisure Active Lifestyles service users (cumulative year to date)

#### Providing more opportunities for people to be more active:

- Number of sessions delivered by One Leisure Active Lifestyles (cumulative year to date)

#### People participating more often:

- Number of One Leisure Facilities admissions – swimming, Impressions, fitness classes, sports hall, pitches, bowling and Burgess Hall (excluding school admissions) (cumulative year to date)
- People participating more often: One Leisure Active Lifestyles total attendances (cumulative year to date)

## People – Develop a flexible and skilled local workforce

### Our Work Programme

- Ensuring the full range of sufficient skills are available to support the Enterprise Zone
- Creating stronger links between businesses, education and training
- Working with businesses to establish current and future skills needs

### Key Actions for 2020/21

- Recovery Action (Community / Economic Development – e.g. promoting opportunities for local people to improve their skills and experience)

## People – Develop stronger and more resilient communities to enable people to help themselves

### Our Work Programme

- Supporting community development and enabling the voluntary and community sector to develop
- Working with communities to build resilience
- Increasing and supporting the development of levels of volunteering

### Key Actions for 2020/21

- Support community planning including working with parishes to complete Neighbourhood Plans
- Award and manage contracts for a public advice service and an infrastructure and support service for the voluntary sector
- Develop our asset-based approach to working with partners to improve opportunities for residents in the Oxmoor area, taking actions to increase community resilience and reduce demands and pressures on partner organisations
- Recovery Action (Community – e.g. work with Recognised Organisations or other community organisations to increase volunteering)



**Place (Good Place/Good Work):**  
**We want to make Huntingdonshire a better place**  
**to work and invest and we want to deliver**  
**new and appropriate housing**

**Place – Create, protect and enhance our safe and clean built and green environment**

**Our Work Programme**

- Ensuring that our streets and open spaces are clean and safe
- Working closely with partners to reduce crime and anti-social behaviour
- Collaborating with partners, providers and stakeholders in an enterprising fashion to enhance community resilience and build sustainable opportunities for people

**Key Actions for 2020/21**

- Establish a new park in St Ives
- Adopt a plan and deliver increases in nature – protecting and increasing biodiversity within our parks and open spaces
- Adopt Waste Minimisation Plan and deliver programme of waste minimisation activities to encourage people to reduce, re-use and recycle
- Install electric vehicle charging points in specific council owned car parks
- Install secure cycle storage facilities in specific council owned car parks

**Performance Indicators for 2020/21**

**We will measure our success in the following ways:**

- Percentage of sampled areas which are clean or predominantly clean of litter, detritus, graffiti or flyposting (cumulative year to date)
- Number of missed bins per 1,000 households (cumulative year to date)
- Percentage of household waste recycled/reused/composted (cumulative year to date)
- Number of complaints about food premises (cumulative year to date)
- Percentage of licensed taxi/hackney carriage/private hire vehicles that meet 'Euro 6' low vehicle emission standards (latest position at end of each quarter)
- Total number of appeals allowed as a percentage of total number of planning appeals decided (cumulative year to date)
- Number of cost awards against the Council where the application was refused at Development Management Committee contrary to the officer recommendation (cumulative year to date)

## Place – Accelerate business growth and investment

### Our Work Programme

- Supporting new and growing businesses and promoting business success
- Supporting the delivery of the Alconbury Enterprise Zone
- Supporting economic growth in market towns and rural areas
- Promoting inward investment

### Key Actions for 2020/21

- Develop a Regeneration Plan
- Prepare options reports for the redevelopment of the Bus Station Quarters in St Ives and Huntingdon
- Work with partners across the Cambridgeshire economy to deliver the ambitions of the Cambridgeshire and Peterborough Independent Economic Review / Local Industrial Strategy
- Recovery Action (Economic Development – Economic Growth Strategy)

## Place – Support development of infrastructure to enable growth

### Our Work Programme

- Facilitating the delivery of infrastructure to support housing growth
- Influencing the development of the Highways and Transport Infrastructure Strategy

### Key Actions for 2020/21

- Continue to work with partners and influence the Combined Authority (CA) and secure support and resources to facilitate delivery of new housing, drive economic growth and provide any critical infrastructure
- Support the implementation of ‘Prospectuses for Growth’ for St Ives, Huntingdon and Ramsey and the St Neots Masterplan
- Continue to provide active input into and work with partners on key transport developments, including the A428, East-West Rail and A14 improvements
- Work with partners to develop Oxford-Cambridge Arc (Ox-Cam) growth corridor proposals and maximise the opportunities this can offer locally
- Prepare and implement an updated Section 106 Supplementary Planning Document and Community Infrastructure Levy charging schedule
- Recovery Action (Economic Development)

**Performance Indicators for 2020/21**

**We will measure our success in the following ways:**

- The amount of Community Infrastructure Levy (CIL) funding allocated for small-scale infrastructure development (cumulative year to date)

**Place – Improve the supply of new and affordable housing, jobs and community facilities to meet current and future need**

**Our Work Programme**

- Planning and delivering the provision of decent market and affordable housing for current and future needs
- Ensuring an adequate supply of housing to meet objectively assessed needs
- Ensuring there are the right community and leisure facilities to support new housing developments

**Key Actions for 2020/21**

- Maintain a five year housing land supply (5YHLS) and ensure that the Housing Delivery Test in the National Planning Policy Framework is met
- Facilitate delivery of new housing and appropriate infrastructure
- Devise and implement strategies to use Council assets to support the delivery of affordable homes
- Recovery Action (Housing Strategy and/or Planning/Growth)

**Performance Indicators for 2020/21**

**We will measure our success in the following ways:**

- Percentage of planning applications processed on target – major (within 13 weeks or agreed extended period) (cumulative year to date)
- Percentage of planning applications processed on target – minor (within 8 weeks or agreed extended period) (cumulative year to date)
- Percentage of planning applications processed on target – household extensions (within 8 weeks or agreed extended period) (cumulative year to date)
- Number of new affordable homes delivered in 2020/2021 (cumulative year to date)
- Net growth in number of homes with a Council Tax banding (cumulative year to date)

## Becoming a more Efficient and Effective Council

### Our Work Programme

- Implementing our Transformation Programme
- Where possible, migrating customers to online services as the service of choice
- Maximising income opportunities, where appropriate
- Increasing the use of Information Technology to maximise efficiencies
- Identifying new opportunities for income generation
- Having an engaged and motivated workforce
- Ensuring our Medium-Term Financial Strategy is focused on strategic priorities
- Continuing to reshape the way the Council works to realise our savings target and improve performance

### Key Actions for 2020/21

- Actively manage Council owned non-operational assets and, where possible, ensure such assets are generating a commercial return for the Council
- Develop the Council's approach to data and business intelligence to support efforts to improve organisational efficiency including the development of unit cost and value metrics to measure service performance
- Develop the Council's approach and methodologies for business change, service design and user research to enable effective change management within the organisation
- [Recovery Action \(Finance\)](#)
- Develop Workforce Strategy including options for best use of apprenticeship levy

### Performance Indicators for 2020/21

#### We will measure our success in the following ways:

- Total amount of energy used in Council buildings (cumulative year to date)
- Percentage of Business Rates collected in year (cumulative year to date)
- Percentage of Council Tax collected in year (cumulative year to date)
- Number of magistrates court appeals against licensing decisions which have been upheld against the Council (cumulative year to date)
- Percentage satisfaction with ICT support services from feedback received (cumulative year to date)
- Percentage of invoices from suppliers paid within 30 days (cumulative year to date)
- Staff sickness days lost per full time equivalent (FTE) (cumulative year to date)
- Income generated from Commercial and Operational Estate Rental Income (cumulative year to date)

## Becoming a more Customer Focused Organisation

### Our Work Programme

- Ensuring technology is used effectively to maximise our interaction with customers
- Involving customers in significant changes to services
- Gaining a better understanding of our customer needs and ensuring all customer engagement is meaningful

### Key Actions for 2020/21

- Develop our understanding of customer and resident needs and demands
- Expand how we offer online and out of hours access to our services via the customer portal and other solutions
- Introduce a new electronic pre-application planning advice service

### Performance Indicators for 2020/21

#### We will measure our success in the following ways:

- Percentage of calls to Call Centre answered (cumulative year to date)
- Call Centre telephone satisfaction rate (cumulative year to date)
- Customer Service Centre satisfaction rate (cumulative year to date)
- Percentage of Stage 1 complaints resolved within time (cumulative year to date)
- Percentage of Stage 2 complaints resolved within time (cumulative year to date)
- Percentage reduction in avoidable contacts (cumulative year to date)
- Percentage of households with customer accounts generated (latest result)
- Percentage of all council services that have an end to end digital process (latest position at end of each quarter)

### Councillor Ryan Fuller, Executive Leader –

“I will never stop championing what a great place Huntingdonshire is and I want to see us continue to thrive.

The Council’s vision is ambitious but achievable. As a provider of vital services, we will strive for the best and will always be there for our most vulnerable residents.”

## Annex – Policy Framework

Overarching Plans	Outcome Plans	Strategic Plans	Activity Plans
Place Strategy to 2050 (Vision for Huntingdonshire)	Local Plan	<ul style="list-style-type: none"> <li>• Asset Management Strategy</li> <li>• Waste Strategy</li> <li>• <i>Housing Strategy</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Corporate Plan</i></li> <li>• Asset Management Plan</li> <li>• Waste Minimisation Plan</li> </ul>
	Community Strategy	<ul style="list-style-type: none"> <li>• <i>Housing Strategy</i></li> <li>• Consultation and Engagement Strategy</li> <li>• <i>Leisure and Health Strategy</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Corporate Plan</i></li> </ul>
	Economic Growth Strategy	<ul style="list-style-type: none"> <li>• Transport Strategy</li> <li>• Climate Change Strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Regeneration Plan</li> </ul>
Vision for HDC	Core Service Strategy	<ul style="list-style-type: none"> <li>• Workforce Strategy</li> <li>• Medium Term Financial Strategy</li> <li>• Commercial Investment Strategy</li> <li>• Digital Strategy</li> <li>• <i>Leisure and Health Strategy</i></li> </ul>	<ul style="list-style-type: none"> <li>• Information Management Plan</li> <li>• Service Plan(s)</li> </ul>

Plans or strategies in italics are linked to more than one Outcome Plan.

The planned publication dates for each plan/strategy and the officers responsible are listed in the following table.

## Timetable

Strategy	Accountable Owner	Status	Date of Publication
Place Strategy to 2050	Nigel McCurdy/ David Edwards	In progress	Nov-20
Vision for HDC	Jo Lancaster	In progress	Sep-20
Local Plan to 2036	Clara Kerr	<b>Published</b>	May-19
Community Strategy	Finlay Flett	In progress	Dec-20
Economic Growth Strategy	Clara Kerr/Paul Gibbons	In progress	Oct-20
Core Service Strategy	Justin Andrews/John Taylor	Not started	Nov-20
Asset Management Strategy	Jackie Golby/Justin Andrews	Not started	Mar-21
Waste Strategy	Neil Sloper	Not started	Sep-21
Housing Strategy to 2025	Liz Bisset	In progress	Sep-20
Consultation and Engagement Strategy	Michelle Greet	In progress	Dec-20
Leisure and Health Strategy	Jayne Wisely	Not started	Mar-20
Transport Strategy	Nigel McCurdy/ David Edwards	Not started	Dec-20
Climate Change Strategy	Neil Sloper	Not started	Sep-21
Workforce Strategy	Aileen Whatmore	In progress	Nov-20
Medium Term Financial Strategy	Claire Edwards	In progress	Feb-20
Commercial Investment Strategy	Jackie Golby/ Justin Andrews	<b>Current</b> with refresh in 2020	Mar-21
Digital Strategy	Tony Evans	In progress	Oct-20
Corporate Plan	Daniel Buckridge	In progress	Oct-20
Asset Management Plan	Jackie Golby/ Justin Andrews	Not started	Mar-21
Waste Minimisation Plan	Andy Rogan	Not started	Nov-20
Regeneration Plan	Clara Kerr	Not started	Mar-21
Information Management Plan	Tony Evans	Not started	Dec-20

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**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Code of Financial Management 2020/21

**Meeting/Date:** Council – 14 October 2020

**Executive Portfolio:** Councillor J A Gray – Executive Councillor for Finance and Resources

**Report by:** Finance Manager

**Ward(s) affected:** All Wards

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### **Executive Summary:**

The Code of Financial Management is reviewed on an annual basis to ensure that it reflects current legislation and the changing needs of the Council. This policy underpins financial governance in the Council and is an annexe to the Council's Constitution.

The Code of Financial Management is the Council's primary financial policy which sets out the financial responsibilities and is updated on an annual basis to ensure that the Code provides clear and updated guidance of responsibility and accountability for the 2020/21 financial year.

### **Recommendation:**

**It is RECOMMENDED that Council approves:-**

- **The Code of Financial Management, Appendix 1**

## **1. PURPOSE OF THE REPORT**

- 1.1 The Code of Financial Management are reviewed on an annual basis to ensure that they reflect current legislation and the changing needs of the Council. This policy underpins the financial governance of the Council and are incorporated in the Constitution.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 The Code of Financial Management is the Council's primary financial policy and sets out the financial responsibilities, financial and service planning, control of financial plans, cash and credit management and accounting procedures.

## **3. OPTIONS CONSIDERED/ANALYSIS**

- 3.1 Changes to the Code of Financial Management are minimal, throughout the document DRFO has been changed to RFO as there is no Deputy Responsible Finance Officer; CMT has been changed to CLT (Corporate Leadership Team) and added in is Assistant Director where appropriate. All limits and processes remain the same.

## **4. KEY IMPACTS / RISKS**

- 4.1 The emphasis of this report is to recognise the risks that underpins the financial operation of the Council and ensure that these are kept relevant to the organisation.
- 4.2 The Finance Governance Board (FGB) or equivalent, an officer led governance arrangement adds an additional level of control in mitigating financial risks with its scrutiny and challenge.

## **5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

- 5.1 Upon approval, these codes will be the requirements for financial and procurement operations.

## **6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

- 6.1 The Code of Financial Management comes under the "Becoming a more efficient and effective council".

## **7. LEGAL IMPLICATIONS**

- 7.1 The Code of Financial Management have been updated to reflect current legislation and regulations, aiding the Councils' compliance.

## **8. RESOURCE IMPLICATIONS**

- 8.1 There are no direct cost implications arising from this report, however the both of these codes promote best practice and best value in the management of the Councils resources.

## **9. OTHER IMPLICATIONS**

- 9.1 There are no known other implications at this time.

## **10. REASONS FOR THE RECOMMENDED DECISIONS**

- 10.1 The Code of Financial Management support the internal governance framework of the Council, they also form part of the Councils constitution. This annual review seeks to ensure that they continue to be relevant and up to date, reflecting any new statutory regulations or changes in local management and practice.

## **11. LIST OF APPENDICES INCLUDED**

Appendix 1 - Changes to Code of Financial Management

### **CONTACT OFFICER**

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Chief Financial Officer  
[claire.edwards2@huntingdonshire.gov.uk](mailto:claire.edwards2@huntingdonshire.gov.uk)

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Assistant Director Corporate Services  
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# Code of Financial Management

## 1. FINANCIAL RESPONSIBILITIES

### General

- 1.1. Before any proposal that affects the Council's financial position is made the body or person(s) responsible for making that decision, or for making a recommendation to that body or person(s), shall consider a written report, approved by the officer accountable for the appropriate budget, detailing the financial implications.

### The Council

- 1.2. Will:
- determine the Council's Medium Term Financial Strategy (MTFS), approve the annual budget and set the level of the Council Tax.
  - approve the Council's Treasury Management Strategy (TMS) and prudential indicators.
  - approve changes to this code.

### The Corporate Governance Committee

- 1.3. Will:
- ensure that the financial management of the Council is adequate and effective.
  - ensure that the Council has a sound system of internal control including arrangements for the management of risk.
  - consider the Council's code of corporate governance and approve the annual statement.
  - approve the internal audit charter and the annual internal audit plan and comment on the external audit plan.
  - approve the Council's Annual Financial Report (AFR), which includes the statutory accounts.
  - consider reports from the external auditor.
  - recommend changes to this code to the Council.

### The Cabinet:

- 1.4. Will propose to the Council:
- the MTFS.
  - the annual budget and Council Tax level.
  - a combined annual report including the TMS, Treasury Management Policy, and the Treasury Management and Commercial Investment Strategy prudential indicators.
  - after considering the views of the appropriate Overview and Scrutiny Panel and representatives of the business community, set financial priorities, allocate and re-allocate resources in accordance with the limits in this code, monitor and review financial performance.
  - approve the Risk Management Strategy.

### Overview and Scrutiny Panels

- 1.5. Will contribute to the development of, and review the effectiveness of, the Council's MTFS, Treasury Management and annual Budget.

### **Cabinet and Committees (and sub-committees)**

- 1.6. Will ensure that all decisions within their remit are made within the relevant budgets and are consistent with achieving the Council's corporate plan and adopted policies. If they wish to make proposals that will require additional resources, these will need to be subject to officers, the Cabinet or the Council making these available through the normal process.

### **Budget Managers and Executive Councillors**

- 1.7. Will own and manage the budgets within their responsibility. Specifically, they will effectively plan and control financial activity to ensure efficient and effective use of resources. Budget Managers should ensure that the full financial implications of all decisions are properly assessed and highlighted to decision makers.
- 1.8. Will take lead responsibility for planning the Budgetary Cycle, including monitoring and forecasting of revenue activity so far as it is related to those budgets.

### **Members and Employees**

- 1.9. Will contribute to the general stewardship, integrity and confidence in the Council's financial affairs and comply with this code and any systems, procedures, or policies relating to the financial management of the Council.
- 1.10. Specifically, they shall bring to the attention of the Responsible Financial Officer (RFO) any act or omission that is contrary to the provisions of this code or the maintenance of high standards of financial probity, and provide information or explanation on matters within their responsibility to him/her, the Monitoring Officer (MO), Internal Audit Service or the Council's external auditors.
- 1.11. Any member or employee who is involved in a transaction with the Council, or who has an **interest** in a transaction between a third party and the Council, shall declare the nature and amount to the MO before any decision on the matter is made by the Council. The MO will advise the member or employee of any actions they should or must take.
- 1.12. For the purpose of this section an interest also includes any interest of a member of your family or a close associate or acquaintance. This shall be interpreted as anyone whom a reasonable member of the public might think you would be prepared to favour or disadvantage.

### **The Monitoring Officer (MO) or, in their absence, the Deputy Monitoring Officer (DMO).**

- 1.13. Will report to the Council on any proposal, decision or omission that in their view is likely to result in a contravention of the law or any code of practice enacted under it, fails to comply with a legal duty, represents maladministration or is unjust, in accordance with section 5 of the Local Government and Housing Act 1989.
- 1.14. For these purposes he/she shall have full and unrestricted access to all Council assets, systems, documents, information, employees and Members.

**The Responsible Financial Officer (RFO).**

- 1.15. Will be responsible for the proper administration of the Council's financial affairs, prescribe appropriate financial systems, protocols, procedures and policies, maintain an internal audit service and report to the Council in the event of a decision or action leading to unlawful expenditure, a loss or deficiency or an unlawful accounting entry (in accordance with section 151 of the Local Government Act 1972, section 114 of the Local Government Act 1988 and the Accounts and Audit Regulations).
- 1.16. Will be responsible for ensuring the final accounts are completed and published by the statutory dates and reporting the details of any material amendments specified by the external auditor to the Corporate Governance Committee.
- 1.17. For these purposes they shall have full and unrestricted access to all Council assets, systems, documents, information, employees and Members.
- 1.18. The RFO officer will be responsible for detailed and operational aspects of the administration of the Council's financial affairs, approving new financial systems and undertaking such duties as are set out in this code.

**Budget Managers (Team Managers, Heads of Service, Assistant Directors, Corporate Directors and Managing Director)**

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

**The Budget Manager responsible for a budget:**

- will be responsible for proper financial and resource management and the prevention of fraud and corruption within the services and functions under their control and will be responsible for informing the Internal Audit Manager of all suspected or notified cases of fraud, corruption or impropriety.
- will be responsible for preparing and submitting the capital project appraisal form for approval.
- will be responsible for developing and submitting a detailed business case if required (following approval of the capital project appraisal form).
- may incur financial commitments and liabilities in accordance with this Code, the Council's scheme of delegation and resources allocated in their budgets. In particular they may make purchases of goods and services, subject to the requirements of the code of procurement, and employ staff, in accordance with HR policies and any CLT requirements.
- will need approval from their Head of Service or Assistant Directors in consultation with Corporate Director for appointments for vacant posts at Grade D and below.
- will need approval from CLT for the appointment to vacant posts of Grades E and above.
- will be responsible for regular and effective monitoring and forecasting of the financial position relating to their services.

- will, in accordance with the risk management strategy determine the inherent risks within their services, to the achievement of the Council's priorities and establish, maintain and document adequate systems of risk management and internal control, in consultation with the Internal Audit service, and ensure that relevant employees or Members are familiar with such systems.
- will be responsible for providing in a timely manner, the information necessary to ensure that the final accounts can be completed by the statutory deadlines.
- will be responsible for improving the value for money and efficiency of their services and in discussion with their accountant, ensuring that any budget adjustments are included in the following years budget process.
- will be responsible for identifying opportunities and then bidding for grants or contributions from other bodies to support the achievement of the Council objectives through their services.
- annually review their services to identify any aspects that are not currently charged for, but could be and the appropriateness of the current charges.
- annually review their fees and charges in line with the Fees and Charges guidance for managers and in consultation with the Executive Councillors, with any changes being included in and approved with the annual budget. Changes within the financial year will be subject to consultation with the Executive Councillors and approved by the RFO. In doing so:
  - charges should be made for services whenever the Council has a power or duty to do so.
  - however, this presumption may be modified by the application of the charging principles set out at below, which may result in no charge being made or a lesser charge being made or in some cases a charge being made which is greater than that required for cost recovery.
  - no charge will be made in cases where the Council is not permitted to charge by law. Where charges are set by external bodies, those charges will be applied. Where maximum or minimum charges are specified externally, charges will be set in compliance with those requirements.
  - when deciding to set a charge which is not based on cost recovery, general areas of consideration are set out at in the Fees and Charges Guidance for Managers. This provides relevant factors which should be taken in to account.
  - where without prior agreement by the Council, individuals or organisations engage in activities that result in a cost to the Council, the Council will seek to recover this cost, wherever possible.
  - consideration may be given to offering a discount or other reduction, in appropriate cases, where it is felt that this may improve take up of the service or to encourage prompt payment, following consultation with Head of Services or Assistant Director and the S151 Officer.
  - activities carried out by the Council will be continually reviewed in order to identify any new areas where it would be appropriate to make a charge to persons or organisations benefiting (actually or potentially) from those activities. The level of the charge will be determined in accordance with these charging principles.
- will be accountable for the delivery of services, projects, contracts within the budgets set by the Council.
- will be accountable for financial performance and ensuring, wherever possible, appropriate comparisons are made against service standards or other organisational comparators.



### **Internal Audit**

- 1.20. Will be responsible for providing an independent and objective opinion on internal control and governance systems. It will act in accordance with the internal audit charter and undertake reviews that focus on areas of greatest risk to the Council's control environment as contained within a programme agreed annually by the Corporate Governance Committee after consultation with the RFO and budget managers.
- 1.21. For these purposes internal audit shall have free, full and unrestricted access to services and functions and all Council assets, systems, documents, information, employees and Members. All employees are required to assist internal audit to carry out its role.

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

### **June - Overall review**

- 2.2. The Cabinet shall review the financial performance of the Council in the previous year, compared with the annual budget, on the basis of the provisional outturn report prepared by the RFO in conjunction with budget managers.

### **August to January – Preparation of the draft budget and MTFS**

- 2.3. The RFO in conjunction with budget managers will review and prepare the draft annual budget and the MTFS for review by Cabinet after consultation with the relevant Overview and Scrutiny panel.

### **February - Annual budget, MTFS and service plans**

- 2.4. The Cabinet shall, after consultation with the relevant Overview and Scrutiny Panel, recommend to the Council an annual budget for the next financial year and a MTFS for the succeeding four years, incorporating both capital and revenue expenditure, which is consistent with corporate and service strategies. Following approval of the annual budget each budget manager shall update their service plan(s) to reflect the approved budget and how the resources allocated will be used to meet service objectives in the forthcoming year.

### **March to May – Annual Financial Report (AFR)**

- 2.5. The RFO in conjunction with the budget managers will prepare the AFR. The AFR includes the statutory annual accounts which subject to external audit will be approved by both the RFO and Corporate Governance Committee.

## **3. CONTROLLING FINANCIAL PLANS**

### **Financial Monitoring**

- 3.1. Budget Managers will be responsible for regular and effective monitoring and forecasting of the financial position relating to their services. Where it is identified that there will be a significant overspend or underspend, this will be promptly reported to the RFO by the budget manager. If it is considered necessary by the RFO in delivering projects or programmes, the same discipline will apply.

- 3.2. On a periodic basis the financial and overall performance of the Council will be reviewed by the budget managers and the relevant Executive Councillors. This will include trend and forecast data and, where available comparative data.
- 3.3. CLT will review, on a periodic basis, the Financial Performance Monitoring Suite (FPMS). The FPMS will be reported to Cabinet on a quarterly basis. The FPMS will be prepared by the RFO, in consultation with each Head of Service or Assistant Director and budget manager to include comparisons with other service providers and local trend data.

#### **Commitments to Expenditure in Future Years**

- 3.4. No new commitment to expenditure beyond the current budget year may be made unless it:
- is consistent with the achievement of the Council's objectives and other relevant strategies, and
  - is compatible with the Council's MTFS.

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

- 3.5. Where a budget manager proposes to take advantage of:
- receipts of grants, contributions and other forms of external funding, or
  - enter cost sharing arrangements,
- 3.6. with other organisations, and where such arrangements will deliver additional or improved services, consistent with their service plan without creating any current or future commitment to net expenditure they may do so subject to:
- the relevant Head of Service or Assistant Director being satisfied that the project funding meets with corporate objectives and that the resource required to produce the bidding documents is reasonable.
  - the funds being dependent upon a particular project or service being provided but, in the case of S106/CIL agreements, the location or some other aspect is at the Council's discretion.
  - informing the RFO of the details.
  - consulting the relevant Executive Councillor(s) if the proposal exceeds £30,000 revenue or £50,000 capital in any one year with any capital having been previously agreed with the MTFS or any discretionary element of a S106/CIL agreement.
- 3.7. A budget manager may utilise sums of money received under S106/CIL, or equivalent agreements where there is no discretion. The RFO should be informed of the details including:
- A copy of all information that supports the grants received (grant letter etc) so a decision can be made in respect of the correct accounting treatment.
  - Documentation confirming how they plan to meet any grant conditions, including suitable monitoring and reporting arrangements.

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

- 3.8. The Managing Director, or in their absence, the RFO, may incur expenditure for the immediate alleviation of hardship or suffering in the case of peacetime emergency in the

district. Any exercise of this power must be reported to the Cabinet (under £500,000) or the Council (over £500,000) at the first opportunity.

- 3.9. The Managing Director, or in their absence, the RFO, may incur expenditure of up to £500,000 for any purpose which is urgent and demonstrably in the Council's best interests to do so following consultation with the Executive Leader or Deputy Executive Leader. Any exercise of this power must be reported to the Cabinet at the first opportunity.

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

- 3.10. Proposals that require initial funding but will then result in net surpluses or savings that are at least sufficient to produce a break-even position will be supported in principle if they are:
- consistent with increasing the achievement of the Council's objectives and compatible with relevant strategies.
  - achievable within the Council's MTFS.
  - supported by a robust business case which includes a risk assessment.
  - supported by CLT.
- 3.11. The RFO may approve such a scheme following consultation with the relevant Executive Councillor for the service and the Executive Councillor for Resources. The relevant budget(s) and MTFS will be appropriately adjusted.

#### **Budget Virements**

- 3.12. The process of moving budget resources between different areas within the budget year is called a virement. The virement of resources within, or between, any of the types of budgets is supported in principle when it will make it more likely that the Council will achieve its service objectives and targets or enhance value for money.
- 3.13. These limitations are:
- The salary budgets (pay, national insurance and pension) represent the Councils approved establishment list. As such the salary budgets cannot be vired to other areas of the budget. A positive salary budget variance may be used to cover the additional temporary staffing costs incurred due to vacant posts.
  - The corporate finance budgets are those budgets that are necessary to the operation of the Council and have limited controllability. Such budgets included with this area are; minimum revenue provision, interest, pension liability and levies. Changes to the corporate budget can only be made by the RFO following consultation with the Head of Paid Service.
  - Not from capital to revenue.
- 3.14. A Budget Manager may approve a budget virement within and between the budgets they are responsible for providing it is:
- Consistent with increasing, or at least maintaining the achievement of service objectives and compatible with the Council's financial and other relevant strategies.
  - Only a movement of establishment posts to another service as part of a service restructure.
  - Notified to the RFO.
  - Each virement is over £5,000.
  - Within the following limits if between service budgets:

- Revenue to revenue £75k
  - Revenue to capital £75k
  - Capital to capital £75k
- 3.15. CLT may, subject to the same criteria, except for the enhanced limits shown below, approve budget virements between any budgets:
- Revenue to revenue £250k
  - Revenue to capital £250k
  - Capital to capital £250k
- 3.16. Cabinet may approve budget virements of up to:
- Revenue to revenue £500k
  - Revenue to capital £500k
  - Capital to capital £500k
- 3.17. In all cases, any previous transfers in the same financial year relating to those budgets shall be aggregated for determining whether the limit has been exceeded. Providing there is no increase in the “budget requirement”, Cabinet can approve the application of reserves to meet additional expenditure in line with the reserves strategy.
- 3.18. In all other cases the approval of the Council will be required.

**Price Base Changes**

- 3.19. Inflation will be included, if necessary during the budget process as directed by the RFO.

**Capital Programme**

- 3.20. The Finance Governance Procurement Board (FGPB) or equivalent will review and recommend to CLT those schemes that should be included in the capital programme, the MTFS and be approved by Cabinet.
- 3.21. FGPB may recommend changes to existing schemes or the introduction of new schemes during the financial year based on the performance of, or delays incurred within the delivery of the approved capital programme plan. Changes to the schemes in the MTFS will be approved by Cabinet.

**4. CASH AND CREDIT MANAGEMENT**

**Banking**

- 4.1. The RFO is responsible for all Council banking arrangements and shall maintain an account(s) with an appropriate bank(s) as defined in the Treasury Management Strategy (TMS). All transactions involving income or expenditure shall be dealt with through the Council's bank account(s).

**Income**

- 4.2. All employees receiving money (including cash, cheques, credit card payments etc.) must comply with the relevant procedures issued by the RFO to ensure that the sums are properly recorded, receipted and banked.
- 4.3. No cash payment in excess of £1,000 will be accepted.

- 4.4. The Chief Operating Officer (Assistant Director) will manage the Council Tax and Non-Domestic Rating collection service on behalf of the Council; including the billing and debt recovery procedures.
- 4.5. The RFO shall manage a sundry debt collection service on behalf of the Council and all sums due must be registered by raising an invoice on the Council's financial management system.
- 4.6. All budget managers are required to ensure that:
- Invoices and invoice adjustments are raised promptly.
  - Invoice queries are answered promptly.
  - The Income Team are informed of any information that may affect the recovery of any invoiced sums.
  - All debts are collected in a timely fashion.
  - They periodically consider, in liaison with the Income Team, whether there would be a more effective or efficient way of collecting sums due (e.g. cash in advance).
  - They comply with the Debt Management Policy.

#### **Treasury Management**

- 4.7. All treasury management activities will be undertaken in accordance with the Council's annual Treasury Management Strategy (TMS), which includes the policies, objectives, risk management approach, and the treasury management and commercial investment strategy prudential indicators. The strategy will comply with the Code of Practice for Treasury Management and the Prudential Code for Capital Finance, both published by the Chartered Institute of Public Finance and Accountancy (CIPFA), and reflect any published Government advice. The execution and administration of treasury management is delegated to the RFO.
- 4.8. The Council shall have overall responsibility for treasury management and will formally approve the annual TMS and receive an annual and mid-year report on treasury management activities.
- 4.9. The Cabinet will be responsible for the implementation and regular monitoring of treasury management activity. The Treasury and Capital Management Group will include:
- the Leader, Deputy Leader and the Executive Councillor for Resources. Other members can be co-opted onto the group at the discretion of the Executive Leader.
  - the RFO and as and when necessary the Managing Director and/or Corporate Director (Services). Other officers can be co-opted onto the group at the discretion of the Managing Director or the RFO.
- 4.10. The Overview and Scrutiny (Performance and Customers) Panel will be responsible for the scrutiny of treasury management.

#### **Payments**

- 4.11. All payments made by the Council must be made either:
- through the Council's purchase ledger system, with payments being made direct to the supplier's bank account wherever this is practicable.
  - by procurement card.
  - by direct debits or standing orders (after agreement from the RFO).

- by some other system specifically approved by the RFO.
- 4.12. In each case complying fully with the relevant procedures for that system (e.g. appropriate authorisation), particularly the requirement to obtain official VAT receipts, as determined by the RFO. Advice can be sought from the RFO.

## **5. ACCOUNTING REQUIREMENTS**

### **Best Practice**

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

### **Records**

- 5.2. Each budget manager is responsible for maintaining records of their financial transactions and commitments, that they are in the appropriate financial period and with the appropriate account codes. Each budget manager is responsible for ensuring that the financial management system is used only by authorised individuals and for proper council purposes.

### **Retention of Documents**

- 5.3. Documents required for the verification of accounts, including invoices, will be retained for six years plus current year.

### **Contingent Assets and Liabilities**

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

### **Stock**

- 5.5. The RFO shall determine, after consultation with the relevant budget manager, when stock accounts shall be maintained. This will normally be where the value of the items are significant or the items are considered to be vulnerable to loss or theft.
- 5.6. In such cases the relevant budget manager shall ensure that a certified stock-take is carried out at the end of March each year, and that records of receipt and issue of all stock are maintained throughout the year in a manner agreed with the RFO.

### **Insurance**

- 5.7. The Internal Audit Manager shall obtain insurance to protect the Council or minimise its potential losses from risks including those to employees, property, equipment and cash. Any decision not to insure significant risks must be based on a detailed risk assessment and reported to the Executive Councillor for Resources.

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

- 5.8. The Head of Service or Assistant Director where the debt originated or the RFO is authorised to write-off debt with an individual value up to £5,000. Greater than £5,000 requires consultation with the Executive Councillor for Resources. Appropriate steps must

be taken to ensure that the debt is irrecoverable or cannot be recovered without incurring disproportionate costs.

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

- 5.9. The AFR will be produced in line with both statutory regulations and relevant Codes of Practice.
- 5.10. The RFO will ensure that there is appropriate liaison with service teams prior to closure, including the hosting of relevant training and the issue of closure guidance and timetables. The accruals de-minimis limits will be adhered to by all services, and where estimated accruals are to be issued they are to be supported by accurate calculation. Other accounting estimates will be calculated by finance staff in line with professional advice.
- 5.11. Provisions, either for bad debts or other purposes will be calculated in line with the guidelines approved by the RFO. Earmarked reserves will be operated in line with the reserves strategy.
- 5.12. The accounts of the Local Authority Trading Company, HDC Ventures and possibly the Joint Venture Company will need to be included within the Council's accounts and in particular, any guarantees that the Council gives in respect of the Company should be counted as a liability of the Council under the accounts.

#### **Assets**

- 5.13. An asset is an item of land, building, road or other infrastructure, vehicle or plant, equipment, furniture and fittings or information and communications technology (hardware and software) with a life exceeding one year.
- 5.14. The acquisition and disposal of assets will be completed in accordance with the Disposal and Acquisition of Land and Buildings Policy. In addition, there is a new Disposal of Small Land Parcels Policy.
- 5.15. The financial thresholds for both disposals and acquisitions are as shown in the table below:

£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

- 5.16. The financial thresholds of the sale or transfer of small land parcels are shown in the table below:

Thresholds of the Sale or Transfer of Small Land Parcels		Table 1
All sales and transfers will include the transfer of all associated liabilities.		<b>Minimum Administration Charge (*)</b>
<b>Transfer of Small Land Parcels to Other Public Bodies</b>		
£0 - £10,000	Finance Manager (as Section 151 Officer),	£500
£10,000 - £50,000	Managing Director (as Head of Paid Service) & Finance Manager (as Section 151 Officer),	£1,000
£50,000 - £100,000	Managing Director (as Head of Paid Service) & Finance Manager (as Section 151 Officer), in consultation with the Executive Member for Strategic Resources.	£1,500
£100,000 - £500,000	Treasury & Capital Management Group.	£2,000
£500,000+	Cabinet.	£3,000
<b>Sale of Small Parcels of Land</b>		
£0 - £10,000	Managing Director (as Head of Paid Service) & Finance Manager (as Section 151 Officer).	£1,000
£10,000 - £100,000	Managing Director (as Head of Paid Service) & Finance Manager (as Section 151 Officer), in consultation with the Executive Member for Strategic Resources.	£1,500
£100,000 - £500,000	Treasury & Capital Management Group.	£2,000
£500,000+	Cabinet.	£3,000

\* This Administration Charge excludes all legal and other ancillary costs. Further it is the minimum charge that any prospective purchaser will pay. If any sale requires additional officer time beyond what would reasonably be expected, the vendor will be required to meet this higher charge.

- 5.17 Each Budget Manager is responsible for ensuring that the assets relating to their services are properly safeguarded, managed and maintained, and used only to achieve the Council's objectives. This will include establishing and maintaining appropriate security, control systems and records. They will need to consult relevant officers in relation to specialist



items and, where vehicles are concerned, the officer holding the Council's operating certificate who has specific statutory responsibilities.

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

5.19 Once the asset is disposed of, the relevant budget manager will inform the RFO within 10 working days of the disposal of any asset included in the asset register.

#### **Capital Expenditure**

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

#### **Leases**

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

#### **Valuations**

5.22 In order to comply with accounting requirements, assets will need to be revalued at regular intervals. A three year "phased" revaluation programme will be followed, other than for:

- those assets that are categorised as "investment" properties (e.g. industrial units), which must be revalued every year, or
- where, following significant capital investment or disinvestment in an asset within an asset group, whereby the whole asset group will be revalued.

5.23 All capital asset revaluations for the AFR will be obtained by the DRFO.

### **6 Update of the Code of Financial Management**

6.1 A review of the Code will be undertaken on an annual basis and this will be presented to the Corporate Governance Committee for approval during the financial year.

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**Public**  
**Key Decision – No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Annual Report of the Corporate Governance Committee.

**Meeting/Date:** Council – 14 October 2020.

**Executive Portfolio:** Finance and Resources: Councillor J A Gray.

**Report by:** Acting Internal Audit & Risk Manager.

**Wards affected:** All Wards.

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### **Executive Summary:**

The Constitution requires the Chairman of the Corporate Governance Committee to present an annual report to the Council.

The annual report in respect of 2019/20 is attached at Appendix 1. It summarises the work undertaken by the Committee during 2019/20 together with any issues that relate to the year.

A copy of the report will be uploaded onto the Council's website following the Council meeting.

### **Recommendation:**

**It is RECOMMENDED that the Council receive and note the Corporate Governance Committees 2019/20 Annual Report.**

### **CONTACT OFFICER**

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**Corporate Governance Committee**

**Chairman's Annual Report to Council  
for the year ending 31 March 2020**

DRAFT



## **Introduction by the Chairman of the Corporate Governance Committee**

This report summarises both the Committee's activities undertaken during 2019/20 and issues that relate to that financial year. It is intended to:

- reassure the Council and other stakeholders that it is undertaking its responsibilities and obligations properly and in a way that allows it to provide effective oversight; and
- demonstrate to the Districts residents and other stakeholders the importance that the Council places on good governance and the contribution the Committee makes to achieving that aim. The Committee's meetings are open to the public and its reports are available on the Council's webpages and I welcome the public's attendance at our meetings.

This report will be my final, outgoing report as Chairman of the Committee. I originally set out five issues for the Committee to focus upon.

1. Maintain awareness of the progress being made against the issues identified in previous annual governance statements
2. Understand what lessons can be learnt from identified issues for the future
3. Receive assurance that business continuity plans are in place, especially in those service areas that are supporting the Council's commercialisation agenda
4. Review the controls in place to rebut a cyber-security attack
5. A continued increase in the percentage of internal audit actions introduced on time

I am happy that during the course of the year the Committee has considered these and other issues that have arisen, maintaining oversight and a monitoring role to review and challenge, and also to ensure that progress is maintained.

I hope that these priorities will remain a core focus for the Committee going forward and will continue to form part of their ongoing monitoring.

I'd like to thank all the Members who served on the Committee during the 2019/20 municipal year and for the contributions they made to challenging and improving governance arrangements. I also want to thank those Officers who have supported the Committee and those Officers and Members who have supported me in my role as Chairman.

Councillor M. McGuire  
Chairman, Corporate Governance Committee (until Jan 20)  
July 2020

## **Introduction**

The Committee is required to discharge the functions of the Council in relation to both the corporate governance of the Council and the conduct of elected Members.

The Committee oversees the Council's governance and financial arrangements and the promotion and maintenance of high standards of conduct amongst the Council and Town and Parish Councils within the District of Huntingdonshire. This includes advising the Council on the Code of Conduct for Members, agreeing a Code of Conduct for Planning matters and considering reports by the Local Government Ombudsman.

Functions relating to the conduct of Members are considered by a Standards Sub-Committee (which will report to the main Committee).

The full functions of the Committee are listed in Appendix A.

## **Effectiveness**

An effective Corporate Governance Committee can bring many benefits, including:

- raising greater awareness of the need for internal control and the implementation of agreed audit recommendations;
- increasing public confidence in the objectivity and fairness of financial and other reporting;
- reinforcing the importance and independence of internal and external audit and other similar review process; and
- providing additional assurance through a process of independent and objective review.

The Committee's work activities have been designed so that they not only provide assurance to the Council and allow it to discharge its functions, but also allow the Committee to make a positive contribution towards maintaining good governance practices across the Council.

## **Committee training**

In previous periods, a skills and training needs assessment form was circulated to all Committee members but was completed by only three Members. This was insufficient to allow training needs to be identified; Members need to understand their ongoing personal obligation to training.

Members of this committee should engage with the training that is available in order that they can equip themselves with the requisite knowledge to be effective on this important governance forum.

**Corporate Governance Committee  
Functions : Approved by Council 29 March 2017**

**Matters considered**

The table below groups into six categories the significant issues considered by the Committee during 2019/20. A brief summary of the issues considered within each of the categories is included on the following pages.

	2019 Jan	Mar	Jun	Jul	Oct	Nov	2020 Jan
<b>1. Constitution</b>							
Changes to Code of Procurement		■					
<b>2 Governance issues</b>							
Local Code of Corporate Governance & annual governance statement (AGS)	■						
Progress on AGS							■
Governance Board effectiveness reviews							
Annual reports: Complaints					■		
: Freedom of Information	■						■
<b>3 External Audit (EA) &amp; financial reporting</b>							
Approve 2018/19 annual financial report and AGS						■	
Receive EA annual audit letter & grant certification 2017/18		■					
Review EA 2018/19 audit plan	■						
Review EA 2019/20 audit plan							
<b>4 Internal Audit</b>							
Internal Audit Service Annual Report 2018/19			■				
Implementation of agreed actions				■			■
Approve 2019/20 audit plan		■			■		
Audit Charter review & approval					■		
<b>5 Standards</b>							
Member code of conduct / register of pecuniary interests / complaint	■	■	■	■	■		■
<b>6 Fraud</b>							
Fraud Investigation Activity 2017/18			■				
Approved whistleblowing policy & noted concerns received			■				
Risk Based Verification policy			■				
Review of Regulation of Investigatory Powers Act Policy							

**Corporate Governance Committee  
Functions : Approved by Council 29 March 2017**

***Reviewing the Constitution***

**The Council have adopted the recommendations of the Committee and introduced a number of changes to the Constitution to allow it to operate more effectively.**

The Committee is responsible for proposing to Council changes to the Council's Constitution.

The Council is the sole shareholder of HDC Ventures Ltd. The day-to-day operation of the company is the responsibility of its Directors. To provide a link between the Directors and the Council, the Council has appointed a Shareholder Representative. The Constitution required amending to reflect this change and terms of reference for the Shareholder Representative were considered by the Committee. Amendments were proposed in two areas, both of which were approved by Council.

***Governance of the Council***

**Approving the Local Code of Corporate Governance.**

At the June 2018 meeting the Committee approved the Local Code of Corporate Governance. The Local Code sets out the processes and procedures which taken together support the Council's governance processes.

**Approving the Annual Governance Statement on behalf of the Council.**

The Committee approved the—2018/19 Annual Governance Statement (AGS). The format of the AGS changed in 2017/18, moving from inward looking, focussing on improvements to governance arrangements, to a focus on significant governance themes that affect the communities of Huntingdonshire and the way that the Council operates to support and provide services to them. .

**Five significant themes included in the AGS:**

1. The themes identified for inclusion in the AGS were: Housing Affordability;
2. Morbidity / growing number of years of ill health;
3. Wider economic environment;
4. Skill levels and educational attainment, and
5. Partner agency operational issues.

These five themes remain the focus of attention and are covered in the Annual Governance Statement. It is expected that the committee will continue to view these as the strategic themes which guide decision-making.

The Committee received a detailed update on the progress that had been made against each theme at



**Corporate Governance Committee  
Functions : Approved by Council 29 March 2017**

its January 2020 meeting.

**Complaints**

The Committee receives an annual report on the outcome of any complaints referred to the Local Government Ombudsman as well as complaints that had been dealt with under the Council's own procedures. Members should request further information. Reports include any key lessons learnt from complaint resolutions as well as a summary of complaint themes.

***External Audit matters***

**Approving the 2018/19 annual financial report.**

The 2018/19 financial report was externally audited and approved prior to the statutory deadline of 31 July 2019. The external auditors issued both an unqualified value for money and financial statement opinion.

**Housing Benefit grant certification**

Our external auditors have confirmed that there is no auditors report on the Housing Benefit grant certification process. Previously, we have requested this work separately and it is no longer part of the main audit.

***Internal audit***

**Adequate assurance opinion.**

The Committee noted that the 2018/19 adequate assurance opinion was unchanged from 2017/18.

*The annual opinion of the Internal Audit & Risk Manager as at 31 March 2019 was that the Council's internal control environment and systems of internal control provide adequate assurance over key business processes and financial systems.*

There have been two substantial assurance, 16 adequate assurance and 10 limited assurance internal audit reports issued in 2017/18.

**Approving the internal audit work plan and Internal Audit Charter.**

The internal audit plan has historically been approved prior to the start of the financial year. The Internal Audit & Risk Manager discussed proposals with the Committee and it was agreed that two half-yearly Plans would be produced for 2019/20. Due to

**Corporate Governance Committee  
Functions : Approved by Council 29 March 2017**

the COVID Pandemic situation which had a major effect from March 2020, Audit planning has had to adopt a more flexible and risk-based approach. This will become evident in subsequent reports . J, this isnt needed as it is reporting on 2019/20 backwards reporting only.

Whilst not consulted directly, the Committee were informed that as a result of the Resources restructure, additional resource was to be allocated to the internal audit service as responsibility for insurance and risk management services was to be transferred away from internal audit and so make further time available for internal audit delivery.

***Standards***

**Ensuring good standards are maintained throughout the District.**

The Committee has received four reports during the year on various standards matters:

- The adoption of Codes of Conduct by Town and Parish Councils
- The receipt and publication of register of interests forms on behalf of District, Town and Parish Councillors
- Updates on complaint cases regarding alleged breaches of the Code of Conduct by Members within the Council and Town and Parish Councils.

When discussing the reports Members requested that feedback could be provided to Town and Parish Councils together with suggestion for possible future training areas.

***Countering fraud***

**Corporate Fraud Teams (CFT)**

The Committee remain strong supporters of the CFT and were pleased to see that in 2019/20 they had identified £671,000 fraud across the council which involved recovering a number of social housing properties through collaborative and joint working with local Social Landlords in the district and also carried out prosecutions. As a result of fraudulent SPD(what are these?) cases a record number of CT penalties were issued raising an additional £10k income . A future 12 month saving of £102,000 has been calculated based on the amount of SPD

**Corporate Governance Committee  
Functions : Approved by Council 29 March 2017**

cases that have been investigated and corrected as a result .

**Review of Regulation of  
Investigatory Powers Act  
Policy (RIPA)**

The Committee approves updates to the RIPA policy. There has been no legislative changes that have needed approval but the CFT Manager continues to make sure all relevant staff and officers receive the necessary training and refresher courses in line with IPCO guidance.

The issues above deal with the core business of the Committee. A number of reports and other issues were also considered during the year that had a direct impact upon governance systems and processes across the Council:

- Considering and then approving to Cabinet, changes to the Housing Benefits risk based verification policy.
- Reviewing the Council's compliance and performance in respect of responses to enquiries received under both the Freedom of Information and Environmental Impact Regulations.
- Considering whistleblowing allegations received and changes to the whistleblowing policy and procedure.
- Considering the progress made by managers to introduce agreed internal audit actions on time.

**Corporate Governance Committee  
Functions : Approved by Council 29 March 2017**

***Committee membership & attendance***

		2019 June	July	Oct	Nov	2020 Jan
Chairman	Cllr M McGuire	■	■	■	--	■
Vice-Chairman	Cllr P L R Gaskin	■	■	■	■	■
	Cllr A Roberts					
	Cllr G J Bull					■
	Cllr S M Burton	■	--	■	--	■
	Cllr E R Butler	■	■	■	--	■
	Cllr S J Conboy		--	■		
	Cllr D A Giles	--	■	--	--	■
	Cllr P Kadewere	--	■	■	■	--
	Cllr D N Keane	■	■	■	■	■
	Cllr H V Masson	■	--	■	■	■
	Cllr J P Morris	--	--	--	--	--
	Cllr D R Underwood	--				
	Cllr D J Wells	--	--	--	■	
	Cllr R J West					■
	Cllr J White	--	--	--		
	Cllr S J Wilson				■	--
Key:		■ attended	-- absent			Not a Cttee Member

The following appointments were made to the Committee by the Council.

- 15 May 2019 Councillors E R Butler, P Kadewere, D A Giles, Dr P L R Gaskin, H V Masson, L W McGuire, J P Morris, D R Underwood, J E White, D N Keane, S M Burton and D J Wells.
- 24 July 2019 Councillor S J Conboy in place of former Councillor D Underwood.
- 9 October 2019 Councillor Mrs S Wilson in place of Councillor S J Conboy.
- 4 December 2019 Councillors G J Bull and R J West in place of Councillors D N Keane and D J Wells.
- 26 February 2020 Councillor A Roberts be appointed to the Corporate Governance Committee.

**Corporate Governance Committee**  
**Functions : Approved by Council 29 March 2017**

To discharge the functions of the Council in relation to the Corporate Governance of the Council and to be the Council's "Audit" Committee.

These responsibilities include:

**Constitution** Considering proposals to change the Council's Constitutional arrangements and making appropriate recommendations to the Council.

**Governance** Regularly reviewing the Council's Code of Corporate Governance and recommending any changes to the Council and approving the annual governance statement and reviewing the achievement of any outstanding improvements.

Ensuring there are effective arrangements for the management of risk across the Council.

To consider the arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.

Through the Chairman, the Committee will provide the Council with an Annual Report, timed to support finalisation of the financial statements and the Governance Statement, on how it has discharged its responsibilities.

**Internal and External Audit** Fulfilling the Board responsibilities of the Public Sector Internal Audit Standards and ensuring effective internal audit is undertaken in accordance with those Standards.

Receiving and considering external audit reports including the adequacy of management response to issues identified.

**Final Accounts** Approving the accounting policies, statement of accounts and considering any matters arising from the external audit.

**Countering Fraud** Reviewing and monitoring the policy and procedure and arrangements for investigating disclosures under the Public Interests Disclosure Act 1999.

Monitoring the Anti-Fraud and Corruption Strategy and receive annual updates on countering fraud.

**Standards** The promotion and maintenance of high standards of conduct within the Council.

To advise the Council on the adoption or revision of its Codes of Conduct for Members.

**Corporate Governance Committee**  
**Functions : Approved by Council 29 March 2017**

The promotion and maintenance of high standards of conduct within the town and parish councils within Huntingdonshire.

To advise the Council on the adoption or revision of a Protocol for Member/Officer relations.

To advise the Council on the adoption of a Code of Conduct for Planning and monitoring operation of the Code.

**Complaints** Consideration of reports by the Local Government Ombudsman including compensatory payments.

**Electoral matters** Consider the periodic electoral review and review District and Parish electoral arrangements including boundaries and other electoral matters.

Determination of Community Governance Reviews.

The Monitoring Officer, in consultation with the Chairman of the Corporate Governance Committee is authorised to appoint to the Standards Sub-Committee as and when it is required to be convened.

**Standards (Hearings) Sub-Committee** Functions relating to standards of conduct of members under any relevant provision of, or regulations made under, the Localism Act 2011.

3 Members of the Corporate Governance Committee plus Independent Person.

**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title:** Treasury Management Six Month Performance Review

**Meeting/Date:** Council – 14th October 2020

**Executive Portfolio:** Executive Councillor for Finance and Resources, Councillor J A Gray

**Report by:** Chief Finance Officer

**Ward(s) affected:** All Wards

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### **Executive Summary:**

Best practice and prescribed treasury management guidance requires Members to be kept up to date in respect of treasury management activity for the first half of the year, including investment and borrowing activity and treasury performance.

The Council's 2019/20 Treasury Management Strategy was approved by the Council on the 27th February 2019 and this report sets out the Treasury Performance for period between 1st October 2019 and 31st March 2020.

### **The main purpose of Treasury Management is to.**

- Ensure the Council has sufficient cash to meet its day to day obligations.
- Borrow when necessary to fund capital expenditure, including borrowing in anticipation of need when rates are low.
- Invest surplus funds in a manner that balances low risk of default by the borrower with a fair rate of interest.

### **The key market Treasury Management issues through the second half of 2019/20 influencing the Council's decision-making were.**

- Economic growth forecasts are still more pessimistic due to the Brexit uncertainty, and real wage growth was 1.8% excluding bonuses after adjusting for inflation. The unemployment rate edged back down to 3.8% while the employment rate was 76.5%.
- The Bank of England maintained the Bank Rate at 0.75%.

- Market rates as a whole are very low, due to the Bank Rate remaining historically low, reducing the Council's ability to earn a return on investments without increasing the risk of the investments. The Council's average investing rate was 0.63% (average interest rates obtained from Bank Deposits and Money Market Funds).

**The Council's responses to the key issues were.**

- When the Council has surplus funds, these will primarily be invested on a short term basis, in bank deposit accounts and money market funds.
- Where possible to take a higher return without sacrificing liquidity.
- When borrowing the Council has used the Public Works Loan Board (PWLB), which offers low fixed rate borrowing, based on gilt yields over a long period. The average interest rate paid was 2.76%.
- Where economic conditions are forecast to deteriorate it is vital to monitor financial institutions credit rating, and credit default swap rates (the cost to insure lending). This information is provided by the Council's treasury adviser- Arlingclose.

**The Council's Commercial Investment Strategy (CIS)**

The Commercial Investment Strategy commenced in 2015/16. Indicators relating to the investments are shown in **Appendix A section 3.5**.

These investments generated £3.6m of investment income for the Council in 2019/20 after taking account of direct costs, representing a rate of return of 6.5%. The breakdown of the property's portfolio is shown in **Table 6** and the proportion of the investment income in relation to gross service expenditure, in **Table 7 of Appendix A**.

**Recommendation:**

**The Council is RECOMMENDED to**

**consider the contents of the report.**



## **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to update Members on the Council's treasury management activity for the second 6 months of the year, including investment and borrowing activity and treasury performance.

## **2. BACKGROUND**

- 2.1 It is regarded as best practice and prescribed treasury management practice, that Members are kept up to date with treasury management activity.
- 2.2 The Council approved the 2019/20 Treasury Management Strategy at its meeting on 27th February 2019.
- 2.3 All treasury management activity undertaken during the second half of 2019/20 complied with the CIPFA Code of Practice and relevant legislative provisions.
- 2.4 The investment strategy is to invest any surplus funds in a manner that balances low risk of default by the borrower with a fair rate of interest. The Council's borrowing strategy permits borrowing for cash flow purposes and funding current and future capital expenditure over whatever periods are in the Council's best interests.

## **3. ANALYSIS**

### **Economic Review**

- 3.1 An economic review of the year has been provided by our Treasury Management advisors, Arlingclose and is attached with an analysis of the local context implications in **Appendix A section 2.0**.

### **Performance of Council Funds**

- 3.2 The treasury management transactions undertaken during the second 6 months of 2019/20 financial year and the details of the investments and loans held as at 31<sup>st</sup> March 2020 are shown in detail in **Appendix A section 3.0 to 3.2**.

### **Risk Management**

- 3.3 The Council's primary objectives for the management of its investment are to give priority to the security and liquidity (how quickly cash can be accessed) of its funds before seeking the best rate of return. For more details see **Appendix A section 3.3**.

### **Non-Treasury Investments**

- 3.5 The definition of investments in CIPFA's revised Treasury Management Code now covers all the financial assets of the Council as well as other non-financial assets which the Council holds primarily for financial

return. The full details of these investments can be found on **Section 3.4 of Appendix A.**

### **Compliance**

- 4.0 Compliance with specific investment and debt limits are indicated in **table 8 and 9 of Appendix A.**

### **Treasury Management Indicators**

- 5.0 The Council measures and manages its exposure to treasury management risks using indicators which are details in the **Appendix A section 5.0.**

### **List of Appendices Included**

#### **Appendix A**

- Economic review (source: Arlingclose)
- Borrowing and Investment as at 31st March 2020
- Risk Management
- Non-treasury Investments
- Treasury Management Indicators
- Outlook for the remainder of 2020/21

#### **Appendix B**

- Capital Prudential Indicators

#### **Appendix C**

- Glossary

### **CONTACT OFFICER**

Claire Edwards, Chief Finance Officer  
01480 388822

### Treasury Management Six Month Performance Review

#### 1.0 Introduction

The Council adopted the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice* (the CIPFA Code) which requires the Council to approve treasury management semi-annual and annual reports.

The Council's treasury management strategy for 2019/20 was approved at a meeting on 27<sup>th</sup> February 2019. The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remain central to the Council's treasury management strategy.

The 2017 Prudential Code includes a requirement for local authorities to provide a Capital Strategy, a summary document approved by full Council covering capital expenditure and financing, treasury management and non-treasury investments. The Council's Capital Strategy, complying with CIPFA's requirement, was approved by full Council on 27<sup>th</sup> February 2019.

#### 2.0 External Context

##### 2.1 Economic background

###### Inflation

UK Consumer Price Inflation (CPIH) remained at 1.7% year/year in February 2020, weaker than the consensus forecast of 1.9% and below the Bank of England's target.

In local context, the inflationary pressures have eased and as a result there is reducing pressure on some budgets. However, the MTFs forecast should factor in the rate of inflation in order to accommodate increase in prices in medium to long term.

###### Labour Market

The most recent labour market data for the three months to December 2019 showed the unemployment rate stabilising at 3.8% while the employment rate increased to 76.5%, a record high since records began in 1971. Nominal annual wage growth measured by the 3-month average excluding bonuses was 3.9% and 4.0% including bonuses. Adjusting for inflation, real wages were up 1.8% excluding bonuses and 1.4% including.

In local context, the Council may find it harder to recruit suitable skilled staff and

may have to offer a higher starting salary to attract skilled workers.

### **Economic Growth**

Quarterly UK GDP growth rates throughout 2019 have been affected by temporary, mainly Brexit-related factors, including stock piling and car factory shutdowns. GDP grew by 0.3% in Q3, growth in Q4 is expected to be zero.

Locally, the challenging conditions in the economy will impact on the Council's services that are income generating.

### **Politics**

Politics both home and abroad, continued to be a big driver of financial markets over the last quarter. Boris Johnson won the December General Election and has now delivered on leaving the EU on 31<sup>st</sup> January. This now takes the UK into the transition phase until 31<sup>st</sup> December 2020.

Withdrawal from the EU may create skills shortages especially in the construction and tourism industries. Whilst it seems to have a no direct impact on the Council, there may be a role for the Council to engage with the local economy to help to support local businesses where there are skills shortages.

### **Global Monetary Policy**

Tensions have eased somewhat between the US and China announcing the preliminary details of the first phase of a trade deal, in which tariffs due to be implemented in December would not go ahead and some existing tariffs would reduce. The US Federal Reserve maintains its Federal Funds rates in November to a range of 1.75% - 2%, to maintain economic growth amid escalating concerns over the trade war and a weaker economic environment leading to more pronounced global slowdown.

Quarterly growth in the euro areas was a little stronger than expected in Q3, although inflation remain weak around 1%, despite a rise in unit labour costs.

A reduction in economic activity could have an adverse effect on the Council's trading operations (e.g. CIS, Markets, Car Parks, Building Control, Development Control and leisure); as well as receipts from business rates and council tax.

### **Interest Rates Forecast**

In January, the Monetary Policy Committee (MCP) voted to maintain the Bank of England Base Rate at 0.75%, in light of the global economy stabilising and the imminent withdrawal from the EU.

The historical low level of interest rates, have made it difficult to achieve a higher rates returns on investment.

## 2.2 Financial markets

Sentiment in UK financial markets has been boosted by political developments, with the event of the general election reducing uncertainties in the near term around the potential options for Brexit.

The decline in uncertainty has been reflected in asset prices and bond spreads. UK equity prices have also strengthened for UK focused companies, rising on average by 8%.

## 3.0 Local Context

On 31<sup>st</sup> March 2020, the Council had net borrowing of £21.37m arising from its revenue income and capital income and expenditure. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors are summarised in Table 1 below.

Table 1: Balance Sheet Summary

	<b>31.3.20 Estimate £m</b>	<b>31.3.20 Actual £m</b>
General Fund CFR	73.4	71.3
Less: *Other debt liabilities	0.5	0.5
<b>Total CFR</b>	<b>73.9</b>	<b>71.8</b>
External borrowing	40.0	43.9
<b>Internal borrowing</b>	<b>33.9</b>	<b>27.8</b>
Less: Usable reserves	43.1	55.5
Less: Working capital	4.00	15.3
<b>Net (Investing) or New Borrowing</b>	<b>(13.2)</b>	<b>(43.0)</b>

The Council pursued its strategy of keeping borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low.

The treasury management position at 31<sup>st</sup> March 2020 and the change during the year is shown in Table 2 below.

Table 2: Treasury Management Summary

	<b>30.9.19 Balance £m</b>	<b>Movement £m</b>	<b>31.3.20 Balance £m</b>	<b>31.3.20 Rate %</b>
Long-term borrowing	40.23	(0.27)	39.96	-0.67
Short-term borrowing	0.00	4.00	4.00	100
<b>Total borrowing</b>	<b>40.23</b>		<b>43.96</b>	
Long-term investments	10.46		10.46	
Short-term investments	0.00		0.00	
Cash and cash equivalents	16.05	(3.92)	12.13	-24.4%
<b>Total investments</b>	<b>26.51</b>		<b>22.59</b>	
<b>Net borrowing</b>	<b>13.72</b>		<b>21.37</b>	

The movement in short-term borrowing was as a result of maintaining cash balances over £10m to comply with the Markets in Financial Instruments Directive (MiFID), that allows the council access to investment instruments as a professional client rather than a retail client, such Money Market Funds (MMF).

The movement in the cash and cash equivalent has been as result of council tax and NNDR receipts; these funds were invested in bank deposits and Money Market Funds for easy access and liquidity reasons.

### **3.1 Borrowing Strategy during the period**

At 31<sup>st</sup> March 2020, the Council held £43.96m of loans, an increase of £3.73m to 30<sup>th</sup> September 2019. Outstanding loans on 31<sup>st</sup> March are summarised in Table 3 below.

Table 3: Borrowing Position

	<b>30.9.19</b>	<b>Net</b>	<b>31.3.20</b>	<b>31.3.20</b>	<b>31.3.20</b>
--	----------------	------------	----------------	----------------	----------------

	<b>Balance</b>	<b>Movement</b>	<b>Balance</b>	<b>Weighted</b>	<b>Weighted</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>Average</b>	<b>Average</b>
				<b>Rate</b>	<b>Maturity</b>
				<b>%</b>	<b>(years)</b>
Public Works Loan Board	40.23	(0.27)	39.96	2.76	23.66
Local authorities (short-term)	-	4.00	4.00	0.72	0.03
<b>Total borrowing</b>	<b>40.23</b>		<b>43.96</b>		<b>23.69</b>

The Council's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Council's long-term plans change being a secondary objective.

With short-term interest rates remaining much lower than long-term rates, the Council considered it to be more cost effective in the near term to use internal resources or short-term loans instead. The Council had not used short-term loans facility so far in this financial year.

The Council has an increasing CFR due to the capital programme including CIS purchases and an estimated borrowing requirement as determined by the Liability Benchmark which also takes into account usable reserves and working capital. Having considered the appropriate duration and structure of the Council's borrowing need based on realistic projections, the Council decided to take some advantage of the fall in external borrowing rates and borrowed £11.96m maturity loans.

<b>Long-dated Loans borrowed</b>	<b>PWLB Reference</b>	<b>Amount £</b>	<b>Rate %</b>	<b>Period (Years)</b>
PWLB 1	495152	5,000,000	3.91	38.7
PWLB 2	495153	5,000,000	3.90	37.7
PWLB 3	502463	563,381	2.24	3.4
PWLB 4	504487	690,150	3.28	26.7
PWLB 5	504598	917,912	3.10	26.8
PWLB 6	504810	457,723	2.91	27.0
PWLB 7	504922	371,493	3.10	27.1
PWLB 8	504993	301,169	2.92	27.2
PWLB 9	505255	597,586	2.31	27.3
PWLB 10	505372	459,383	2.18	27.5
PWLB 11	505649	818,187	2.67	27.8
PWLB 12	506436	5,000,000	2.78	17.5
PWLB 13	508696	7,291,685	2.49	19.0
PWLB 14	508931	533,333	1.48	2.0
PWLB 15	509389	11,963,000	2.18	19.2
<b>Total borrowing</b>		<b>£39,964,999</b>	<b>2.76</b>	<b>23.66</b>

<b>Short-dated Loans borrowed</b>	<b>Broker</b>	<b>Amount £</b>	<b>Rate %</b>	<b>Period (days)</b>
Derbyshire Police & Crime Commissioner	Martins	1,000,000	0.70	20
Harlow District Council	Martins	3,000,000	0.75	31
<b>Total borrowing</b>		<b>£4,000,000</b>	<b>0.725</b>	<b>25.5</b>

The Council's borrowing decisions are not predicated on any one outcome for interest rates and a balanced portfolio of short- and long-term borrowing was maintained.

### 3.2 Treasury Investment Activity

The Council holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held and money borrowed in advance of need. During the year, the Council's investment balances ranged



between £2.52m and £20.9 million due to timing differences between income and expenditure. The investment position is shown in table 4 below.

Table 4: Treasury Investment Position

	<b>30.9.19 Balance</b>	<b>Net Movement</b>	<b>31.3.20 Balance</b>	<b>30.9.19 Income Return</b>	<b>30.9.19 Weighted Average Maturity days</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>%</b>	
Banks & building societies (unsecured)	7,612,000	(2,632,000)	4,980,000	0.39	30
Government (incl. local authorities)	-	-	-	-	7
Money Market Funds	8,440,000	(1,290,000)	7,150,000	0.43	7
Loans to other organisation	6,461,000	10,000	6,462,000	3.96	>365
Other Pooled Funds.					
- <i>Property funds</i>	4,000,000	-	4,000,000	4.41	>365
<b>Total investments</b>	<b>26,513,000</b>	<b>(3,912,000)</b>	<b>22,592,000</b>	<b>3.20</b>	

The weighted average rate for the investment portfolio up to 30.09.2019 was 3.51%.

### 3.3 Risk Management

Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

Given the increasing risk and low returns from short-term unsecured bank investments, the Council has maintained a diversified portfolio of asset classes as shown in table 4 above. As a result, investment risk was diversified while the average income return has decreased 3.51% to 3.20%.

The progression of risk and return metrics are shown in the extracts from Arlingclose’s quarterly investment benchmarking in Table 5 below.

Table 5: Investment Benchmarking – Treasury investments managed in-house

	<b>Credit Score</b>	<b>Credit Rating</b>	<b>Bail-in Exposure</b>	<b>Weighted Average Maturity (days)</b>	<b>Rate of Return</b>
			%		%
30.09.2019	4.72	A+	100	1	1.32
31.03.2020	4.49	AA-	100	1	1.35
Similar LAs	3.95	AA-	59	53	1.55
All LAs	4.03	AA-	56	20	1.23

\*Weighted average maturity

£3.97m of the Council’s investments are held in externally managed strategic pooled property funds – CCLA Property Fund where short-term security and liquidity are lesser considerations, and the objectives instead are regular revenue income and long-term price stability. This fund generated an average total return of £168,922 (4.41%), comprising a £76,702 (0.63%) income return from bank deposit and MMFs combined for period of 1<sup>st</sup> April to 31<sup>st</sup> March 2020 which is used to support services in year.

Because these funds have no defined maturity date, but are available for withdrawal after a notice period, their performance and continued suitability in meeting the Council’s investment objectives are regularly reviewed. Strategic fund investments are made in the knowledge that capital values will move both up and down on months, quarters and even years; but with the confidence that over a three- to five-year period total returns will exceed cash interest rates. In light of their performance over the medium-term and the Council’s latest cash flow forecasts, investment in these funds has been maintained.

### **3.4 Non-Treasury Investments**

The definition of investments in CIPFA’s revised Treasury Management Code now covers all the financial assets of the Council as well as other non-financial assets which the Authority holds primarily for financial return. This is replicated in MHCLG’s Investment Guidance, in which the definition of investments is further broadened to also include all such assets held partially for financial return.

The Authority also held £55.04m of such investments in:

- directly owned property £54.9m

- shareholding in subsidiaries £0.1m

Table 6: Property held for investment purposes in £'000

Property	Actual	31.3.2020 actual	
	Purchase cost	Gains or (losses)	Value in accounts
Existing Portfolio	19,644	1,581	21,225
2 Stonehill	1,400	400	1,800
80 Wilbury Way	2,200	(330)	1,870
Shawlands Retail Park	6,500	(2,000)	4,500
1400 & 1500 Parkway	5,425	(1,025)	4,400
Units 21a, 21b,23a,b,c Little End Road, St Neots	3,200	(300)	2,900
Rowley Centre, St Neots	7,600	(1,850)	5,750
Tri-link, Wakefield	13,750	(1,250)	12,500
<b>TOTAL</b>	<b>59,719</b>	<b>(4,774)</b>	<b>54,945</b>

These investments generated £3.6m of investment income for the Authority in 2019/20 after taking account of direct costs, representing a rate of return of 6.5%.

The Authority is dependent on profit generating investment activity to achieve a balanced revenue budget. The table below shows the extent to which the expenditure planned to meet the service delivery objectives and/or place making role of the Authority is dependent on achieving the expected net profit from investments over the lifecycle of the Medium Term Financial Plan. Should it fail to achieve the expected net profit, the Authority's contingency plans for continuing to provide these services, are to use reserves where necessary to offset any negative variances in the final outturn. Unallocated general fund balances and budget surplus reserve can be used in case of a downturn in investment income to meet any detrimental effect.

Table 7: Proportionality of Investments in £'000

	<b>2018/19 Actual</b>	<b>2019/20 Actual</b>	<b>2020/21 Budget</b>	<b>2021/22 Budget</b>	<b>2022/23 Budget</b>
Gross service expenditure	75,729	77,760	72,303	69,710	58,836
Investment income	2,753	3,283	5,654	5,290	5,345
Proportion	3.6%	4.22	7.82%	7.59%	9.1%

#### **4.0 Compliance**

The Finance Manager (s151 officer) reports that all treasury management activities undertaken during the quarter complied fully with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy. Compliance with specific investment limits is demonstrated in table 6 below.

Compliance with the authorised limit and operational boundary for external debt is demonstrated in table 7 below.

Table 8: Debt Limits

	<b>31.3.20 Actual £m</b>	<b>2019/20 Operational Boundary £m</b>	<b>2019/20 Authorised Limit £m</b>	<b>Complied?</b>
General	10.00	70.00	80.00	Yes
Loans	9.71	15.00	20.00	Yes
CIS	24.25	30.00	30.00	Yes
<b>Total debt</b>	<b>43.96</b>	<b>115.00</b>	<b>130.00</b>	

Since the operational boundary is a management tool for in-year monitoring it is not significant if the operational boundary is breached on occasions due to variations in cash flow, and this is not counted as a compliance failure. Total debt was below the operational boundary all through the quarter.

Table 9: Investment Limits

	<b>31.3.20 Actual £m</b>	<b>2019/20 Limit £m</b>	<b>Complied?</b>
<b>Deposit Accounts</b>			
NatWest	0.78	1.00	Yes
Debt Management Office (DMO)	-	unlimited	Yes
Santander	2.00	4.00	Yes
Handelsbanken	0.60	4.00	Yes
Barclays	1.600	4.00	Yes
<b>Money Market Funds</b>			
BlackRock Institutional sterling liquidity Fund	0.50	2.00	Yes
CCLA Public Sector Deposit Fund	0.90	1.00	Yes
Federated Short Term Prime Fund	1.30	2.00	Yes
Insight Liquidity Funds	1.25	2.00	Yes
Legal & General Sterling Liquidity Fund	1.20	2.00	Yes
Aberdeen Liquidity Fund	1.00	2.00	Yes
Invesco	1.00	2.00	Yes

## 5.0 Treasury Management Indicators

The Council measures and manages its exposures to treasury management risks using the following indicators.

### Security

The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

	<b>30.3.20 Actual</b>	<b>2019/20 Target</b>	<b>Complied?</b>
Portfolio average credit rating	A+	A-	Yes

### Liquidity

The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing.

	<b>31.3.20 Actual £m</b>	<b>2019/20 Target £m</b>	<b>Compl ied?</b>
Total cash available within 3 months	13.8	2.0	Yes

### **Interest Rate Exposures**

This indicator is set to control the Council's exposure to interest rate risk. The upper limits on the one-year revenue impact of a 1% rise or fall in interests was:

<b>Interest rate risk indicator</b>	<b>31.3.20 Actual</b>	<b>2019/20 Limit</b>	<b>Complied?</b>
Upper limit on one-year revenue impact of a 1% <u>rise</u> in interest rates	0	£128,000	Yes
Upper limit on one-year revenue impact of a 1% <u>fall</u> in interest rates	0	£128,000	Yes

The impact of a change in interest rates is calculated on the assumption that maturing loans and investment will be replaced at current rates.

### **Maturity Structure of Borrowing**

This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of all borrowing were:

	<b>30.3.20 Actual</b>	<b>Upper Limit</b>	<b>Lower Limit</b>	<b>Complied?</b>
Under 12 months	9.09%	80%	0%	Yes
12 months and within 24 months	1.21%	80%	0%	Yes
24 months and within 5 years	1.28%	80%	0%	Yes
5 years and within 10 years	0%	100%	0%	Yes
10 years and above	88.42%	100%	0%	Yes

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

## **6.0 Outlook for 2020/21**

In February 2020, China experienced an air borne virus, referred to as Covid 19. Regions within China went into lock down to prevent the spread of this virus. The global economy has gone into financial shock due to worldwide lockdown in all the major economies, Europe, Asia and America.

Since February, the UK has also experienced an economic lockdown to stop the spread of this virus. In response to this, the Bank of England has reduced the based rate to 0.1%, with inflation falling to 0.5%. GDP has reduced by 2.2% in March and forecast show that the UK economy is likely to see its GDP fall by 11.5%, the highest expected fall within the developed world. This has been compounded by the failure to conclude a trade deal with Europe by the end of 2020.

Unemployment is forecast to increase to 8% in the next few months from 3.9% once the effects of furloughing staff comes to an end in October. This will be the biggest increase in unemployment since 1971 when records began.

The long-term impact on the economy and unemployment is still incomplete as the UK moves out of lock-down, together with the fear of a second wave as we approach winter. The effect of this pandemic on the global economy is estimated to be about £9.6tn, with the IMF estimating that it will take two years for the world output to return to level pre-covid.

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### Capital Prudential Indicators

Capital expenditure is where the Council spends money on assets, such as property or vehicles that will be used for more than one year. This includes spending on assets owned by other bodies, loans and grants to other bodies enabling them to buy assets. The Council has some limited discretion on what counts as capital expenditure, for example assets costing below £10,000 are not capitalised and are charged to revenue in year.

The summary of the capital expenditure is shown in the Table 1 below.

Table 1: Summary of Capital Expenditure in £m

	<b>2019/20 Budget</b>	<b>2019/20 Outturn</b>
General Fund Services	7.7	6.3
Capital investments	0.0	14.7
<b>Total</b>	<b>7.7</b>	<b>21.0</b>

All capital expenditure must be financed, either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing and leasing).

Table 2: The summary of Capital financing in £m

	<b>2019/20 Budget</b>	<b>2019/20 Outturn</b>
External sources	1.5	2.5
Own resources	1.2	4.3
Debt	5.0	14.2
<b>Total</b>	<b>7.7</b>	<b>21.0</b>

Debt is only temporary source of finance since loans and leases must be repaid, and this is therefore replaced over time by other financing, usually from revenue which is known as minimum revenue provision (MRP).

Table 3: The summary of capital Financing Requirement in £m

	<b>2019/20 Budget</b>	<b>2019/20 Outturn</b>
General Fund Services	41.5	45.0
Capital investments	5.7	26.8
<b>Total CFR</b>	<b>47.2</b>	<b>71.8</b>

When a capital asset is no longer needed, it may be sold so that the proceeds known as capital receipts can be spent on new assets or to repay debt. The Council is currently also permitted to spend capital receipts on service transformation project until 2021/22. Repayments of capital grants, loan and investments also generate capital receipts.

The summary of the capital receipt is show in Table 4 below in £m.

	<b>2019/20 Budget</b>	<b>2019/20 Outturn</b>
Asset sales	0.88	0.26
Loans repaid	0.32	0.31
<b>Total</b>	<b>1.20</b>	<b>0.57</b>

### GLOSSARY

#### **Bail in Risk**

Bail in risk arises from the failure of a bank. Bond-holders or investors in the bank would be expected to suffer losses on their investments, as opposed to the bank being bailed out by government.

#### **Bank Equity Buffer**

The mandatory capital that financial institutions are required to hold, in order to provide a cushion against financial downturns, to ensure the institution can continue to meet its liquidity requirements.

#### **Bank Stress Tests**

Tests carried out by the European Central Bank on 51 banks across the EU. The tests put banks under a number of scenarios and analyse how the bank's capital holds up under each of the scenarios. The scenarios include, a sharp rise in bond yields, a low growth environment, rising debt, and adverse action in the unregulated financial sector.

#### **Bonds**

A bond is a form of loan, the holder of the bond is entitled to a fixed rate of interest (coupon) at fixed intervals. The bond has a fixed life and can be traded.

#### **Call Account**

A bank account that offers a rate of return and the funds are available to withdraw on a daily basis.

#### **Capital Financing Requirement (CFR)**

The CFR is a measure of the capital expenditure incurred historically, but has yet to be financed; by for example capital receipts or grants funding.

#### **Collar (Money Market Fund)**

The fund "collar" forms part of the valuation mechanism for the fund. LVNAV funds allow investors to purchase and redeem shares at a constant NAV calculated to 2 decimal places, i.e. £1.00. This is achieved by the fund using amortised cost for valuation purposes, subject to the variation against the marked-to-market NAV being no greater than 20 basis points (0.2%). (This compares to current Prime CNAV funds which round to 50 basis points, or 0.5%, of the NAV.)

#### **Counterparty**

Another organisation with which the Council has entered into a financial transaction with, for example, invested with or borrowed from.

#### **Credit Default Swaps (CDS)**

A financial agreement that the seller of the CDS will compensate the buyer in the event of a loan default. The seller insures the buyer against a loan defaulting.

**Credit Ratings**

A credit rating is the evaluation of a credit risk of a debtor, and predicting their ability to pay back the debt. The rating represents an evaluation of a credit rating agency of the qualitative and quantitative information, this result in a score, denoted usually by the letters A to D and including +/-.

**Gilts**

Bonds issued by the Government.

**LIBOR**

London Interbank Offered Rate is the rate at which banks are willing to lend to each other.

**LIBID**

London Interbank Bid Rate is the rate at which a bank is willing to borrow from other banks.

**Liquidity**

The degree to which an asset can be bought or sold quickly.

**LVNAV Money Market Fund**

Low volatility net asset value. The fund will have at least 10% of its assets maturing on a daily basis and at least 30% of assets maturing on a weekly basis.

**Minimum Revenue Provision (MRP)**

An amount set aside to repay debt.

**Money Market Funds**

An open ended mutual fund that invests in short-term debt securities. A deposit will earn a rate of interest, whilst maintaining the net asset value of the investment. Deposits are generally available for withdrawal on the day.

**Public Works Loans Board (PWLB)**

The PWLB is an agency of the Treasury, it lends to public bodies at fixed rates for periods up to 50 years. Interest rates are determined by gilt yields.

**Transactional Banking**

Use of a bank for day to day banking requirement, e.g. provision of current accounts, deposit accounts and on-line banking.

**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Licensing Act 2003 - Statement of Licensing Policy

**Meeting/Date:** Council – 14 October 2020

**Executive Portfolio:** Executive Councillor for Leisure and Regulatory Services – Cllr K Prentice

**Report by:** Acting Operations Manager (Business)

**Ward(s) affected:** All.

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### **Executive Summary:**

The Council is required to produce a Licensing Act 2003 Statement of Licensing Policy on which it will base its decisions. The production of the document required the Council to undertake a period of public consultation which ended on 12<sup>th</sup> September 2020. This report provides the Council with a final draft of the document and seeks its approval and adoption with effect from 7th January 2021.

The draft Statement was considered and endorsed by the Licensing Committee at their meeting on 30 September 2020 and it was recommended that it should be referred to the Council for approval.

The costs of reviewing the statement will be set against the income from the application and annual licence fees received under the Licensing Act 2003 regime.

### **Recommendation:**

- (i) **that Council approve and adopt the Council's Licensing Act 2003 Statement of Policy for a 5 year period commencing on 7th January 2021.**

## **1. PURPOSE OF THE REPORT**

- 1.1 The Licensing Act 2003 (the Act), requires that for each five year period, the Council must determine its policy on how it will exercise its statutory duties relating to its licensing function and publish a statement of that policy before the beginning of the period. The Statement of Licensing Policy must be kept under review and approved by Full Council.
- 1.2 The current Huntingdonshire District Council policy expires on 6th January 2021 and the Council is required to determine the policy for the period 7<sup>th</sup> January 2021 to 6<sup>th</sup> January 2026, having undertaken public consultation and considered any feedback. If the Council fails to do this, then it will be unable to fulfil its licensing duties under the Act. It is vital therefore after conducting a consultation that subsequent approval and adoption of the draft document is undertaken to enable us to meet the statutory timeframe.
- 1.3 The purpose of this report is to invite Members to approve the revised draft document, having undertaken public consultation and considered all the comments received.
- 1.4 Through the document where new content has been added this is shown in bold italics. Where content has been changed or removed this is shown in red

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 The Council is the 'Licensing Authority' for the purposes of the Act, having taken on its licensing responsibilities in 2005, when the Act came into effect. The Act requires the Licensing Authority to prepare and publish a 'Statement of Licensing Policy' that it proposes to apply in exercising its functions under the Act. The policy statement must be kept under review and reviewed at least every five years.
- 2.2 The Council is now undertaking a review of its policy. The policy has been subject to public consultation prior to this report being made. Two comments were received and are attached as Appendix A.
- 2.3 The current policy, prepared in 2015, reflected the legislation and Government Guidance at that time. Since this date, there have been some minor changes to the legislation and updated versions of the Government Guidance have been issued, the latest being in April 2018.
- 2.4 The policy has therefore been re-drafted and takes into account the relevant legislative changes and provisions as they now apply to Huntingdonshire District Council. The document is attached as Appendix B.

## **3. OPTIONS CONSIDERED/ANALYSIS**

3.1 The Council has a statutory duty to adopt and publish a Statement of Licensing Policy before 7<sup>th</sup> January 2021 in order to fulfil its legal obligations under the Act.

#### **4. KEY IMPACTS / RISKS**

4.1 Failure to adopt a policy will result in Huntingdonshire District Council being unable to fulfil its statutory duties under the Licensing Act 2003.

#### **5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

5.1 Approval of the Statement of Licensing Policy is reserved to Full Council. Approval by the Council at their meeting on 14 October 2020 will be in time to publish the statement before it comes into effect on 7<sup>th</sup> January 2021.

#### **6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

6.1 This Policy helps promote the following:-

- Helping make Huntingdonshire a better place to live
- Helping make Huntingdonshire a better place to work.
- Create, protect and enhance our safe, clean and green environment
- Supporting new and growing businesses

#### **7. CONSULTATION**

7.1 Before determining or revising its policy, legislation requires the licensing authority to consult with bodies prescribed in the Act. These include the police, fire and rescue and persons/bodies representative of local holders of personal and premises licences, club premises certificates and persons/bodies representative of businesses and residents in the area.

7.2 The consultation took place between 22<sup>nd</sup> June and 12<sup>th</sup> September in accordance with Cabinet Office guidelines. Wide consultation was undertaken in accordance the legislation by a variety of means, including our website, and direct notification to as many interested parties as possible, including Parish and Town Councils and Councillors.

7.4 The final policy must comply with the Act and Statutory Guidance. For this reason, it is not always possible to adopt all suggestions put forward, but consideration will be given to all representations and where they cannot be given consideration, reasons will be recorded.

#### **8. LEGAL IMPLICATIONS**

8.1 Should the Council fail to have a policy in place by 7<sup>th</sup> January 2021, then it will be unable to fulfil its licensing duties under the Act, with possible

additional financial and legal consequences arising as a result. The Licensing Act sets out key principles of:-

- the prevention of crime and disorder,
- public safety,
- prevention of public nuisance, and.
- the protection of children from harm.

Clearly, these principles have cognisance with our own Corporate Priorities and therefore the provision of a Licensing Act 2003 licensing regime must remain a priority

8.2 The Licensing Act 2003, Section 5 places a statutory obligation on the Council to prepare its Statement of Licensing Policy

## **9. RESOURCE IMPLICATIONS**

9.1 The cost of implementing the policy is covered from fees income generated under the Licensing Act 2003.

## **10. OTHER IMPLICATIONS**

10.1 No other implications are envisaged. The legislation sets out four licensing objectives to be followed and provides a number of checks and balances to protect the local environment and community.

## **11. REASONS FOR THE RECOMMENDED DECISIONS**

11.1 The present Statement of Licensing Policy must be replaced for a further maximum period of five years.

## **12. LIST OF APPENDICES INCLUDED**

Appendix A – Consultation responses

Appendix B – Draft Statement of Licensing Policy

## **13. BACKGROUND PAPERS**

Revised guidance issued under S.182 of the Licensing Act 2003 April 2018.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf)

## **CONTACT OFFICER**

Myles Bebbington Acting Operations Manager

Email: myles.bebbington@huntingdonshire.gov.uk



**Licensing Act 2003 consultation responses**

**1. Hilton Parish Council**

Hilton Parish Council would like to comment on the above consultation to state that the current system is satisfactory.

**2. Abbots Ripton Parish Council**

Abbots Ripton Parish Council have reviewed the proposed new policy and have the following comments to make.

In view of the issue that was raised by the fact a licence had been transferred by yourselves to a property that did not have planning permission for that activity and all the issues that then occurred causing considerable time on both the PC and District officers .we feel that it should be essential that an application should have to confirm that the relevant planning permission is in place prior to a licence being issued.

we also cannot see the benefit of removing your telephone number as surely it is imperative that you make it easier not more difficult to contact you.

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**THE LICENSING ACT 2003  
STATEMENT OF LICENSING POLICY**

**7<sup>TH</sup> JANUARY 2021**

Licensing Section, Community,  
Huntingdonshire District Council, Pathfinder House,  
St Mary's Street, Huntingdon, Cambridgeshire, PE29 3TN  
[www.huntingdonshire.gov.uk](http://www.huntingdonshire.gov.uk)

Licensing Act 2003  
Huntingdonshire District Council Statement of  
Licensing Policy for  
Regulated Entertainment, Late Night Refreshment and the Sale of Alcohol

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## 1. Executive Summary

- 1.1 Section 5 of the Licensing Act 2003 has imposed a statutory duty on the Licensing Authority to produce a statement of licensing policy beginning with such day as the Secretary of State may by order appoint. The last policy commenced on 7<sup>th</sup> January 2016 and was initially for a period of three years, but was extended to five years following the Police Reform and Social Responsibility Act 2011.
- 1.2 This policy statement will therefore take effect from 7<sup>th</sup> January 2021. The policy statement will remain in existence for up to five years. This Licensing Authority may make revisions to it as it considers appropriate. It will be subject to review and further consultation before 7<sup>th</sup> January 2021, or as required by law.
- 1.3 Huntingdonshire District Council is the authority responsible for the licensing of such activities within Huntingdonshire and is referred to in this statement as the 'Licensing Authority'. This document sets out the Licensing Authority's policy, which will guide the Council when considering applications under the Act. The policy provides guidance on the general approach the Council, as the Licensing Authority within the meaning of the Act, will take in terms of licensing. However, each licence application will be considered separately on its individual merits.
- 1.4 It is recognised that licensed entertainment provides a valuable contribution which can have a positive impact towards the economy of the area. This authority seeks to balance the needs of local businesses and licensees, whilst protecting those of local residents and giving tougher controls for the police and the Licensing Authority.
- 1.5 This Licensing Authority recognises that in the absence of relevant representations it will grant licenses on the terms sought.
- 1.6 The Licensing Authority has had regard to the guidance issued by the Secretary of State under Section 182 of the Act when developing this statement of Licensing Policy. This Council may deviate from the guidance but will demonstrate good reasons for doing so.
- 1.7 The Licensing Authority may depart from this policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives. This Council may deviate from this policy but will demonstrate good reasons for doing so.
- 1.8 The policy relates to all types of premises covered by the Act.

## 2. Purpose and Scope of the Licensing Policy

- 2.1 The Licensing Authority has a duty under the Act to carry out its functions by promoting the four licensing objectives, which are:
  - the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance, and
  - the protection of children from harm

- 2.2 The Act regulates the following activities:
- the sale by retail of alcohol
  - the supply of alcohol by or on behalf of a club, or to the order of a member of a club
  - the provision of regulated entertainment
  - the provision of late night refreshment
- 2.3 The Licensing Authority will take this policy into account where its discretion is engaged (i.e. at a hearing following relevant representations).
- 2.4 In determining its statement of licensing policy, this Authority will have regard to the guidance issued by central government and other regulatory bodies to ensure that its actions are consistent with those nationally.
- 2.5 Licensing decisions will be made in accordance with the current legislation, case law, relevant guidance and in accordance with this policy.
- 2.6 This policy does not seek to undermine the right of any individual to apply under the Act for a variety of permissions and to have any such application considered on its individual merits. Nor does the Policy seek to override the right of a person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 2.7 Licensing is about regulating licensable activities on licensed premises, such as qualifying clubs, pubs and temporary events which fall within the terms of the Act. Any conditions imposed will focus on matters that individual licensees and others in possession of relevant authorisations are able to control.
- 2.8 *Applicants for premises licences should be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. This policy seeks to provide advice to applicants about the approach they should take to making applications and the view the council is likely to take on certain key issues where representations have been made.***
- 2.9 This Licensing Authority will primarily focus on the direct impact the activities taking place at the licensed premises will have on those living, working or engaged in normal activity in the area concerned.
- 2.10 Licensing law is not the primary mechanism for the general control of nuisance and anti- social behaviour by individuals once they are away from licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. Nonetheless, it is a key aspect of such control and licensing laws will always be part of the holistic approach to the management of the evening and night-time economy in Huntingdonshire.
- 2.11 The views of all of those consulted will be given appropriate weight when the policy is determined together with those of any other persons or bodies which the Authority considers appropriate to consult with. When undertaking consultation exercises, this Authority will also have regard to cost and time.
- 2.12 *In determining a licensing application the overriding principle will be that each application will be determined on its own merit, having regard to the need to promote the four licensing objectives and taking into account this licensing***

***policy and the guidance issued under Section 182 by the Secretary of State. Where it is necessary to depart from the guidance or this policy the council will give clear and cogent reasons for doing so.***

**2.13** ***It is now possible to make small changes to premises licences or club premises certificates through the minor variation process, which is cheaper, easier and quicker than the full variation process. The test for whether a proposed variation is ‘minor’ is whether it could impact adversely on any of the four licensing objectives. The council has issued guidance on this process which can be accessed on the council’s website.***

### **3. Duplication**

**3.1** So far as is possible, this policy seeks to avoid duplication with other regulatory regimes and if the control measures contained in any conditions sought are already provided for in other legislation, they cannot be imposed in the context of licensing law. It is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators e.g. The Health & Safety (First Aid) Regulations 1981 and the Regulatory Reform (Fire Safety) Order 2005.

### **4. Strategies and Partnership working**

**4.1** By consultation and liaison, the Licensing Authority seeks to secure the proper integration of this licensing policy with local crime prevention, planning, transport, tourism, equality schemes, cultural, health and wellbeing strategies and any other plans introduced for the management of the town centres and the night-time economy. Many of these strategies may impact upon the four licensing objectives.

### **5. Impact of Licensed Activity**

**5.1** ***Where no representations are made the council will grant a licence subject to conditions consistent with operating schedule.***

**5.2** ***When determining any application where relevant representations are made, the council will consider it in the light of the four licensing objectives and in order to support a number of other key aims and purposes as set out in this policy. The requirement to promote the licensing objectives will be the paramount consideration. The council will focus upon the impact of the activities taking place on members of the public living, working or engaged in normal activity near the premises.***

***Where relevant representations are made in relation to a premises licence, club premises certificate or temporary event notice the following factors will normally be taken into account when the council is looking at the impact of the activities concerned:***

- the style of operation, the numbers of customers and customer profile likely to attend the premises***
- the location of the premises and the proximity of noise sensitive properties***
- the proposed hours of operation***
- any proposed methods for the dispersal of customers***
- the scope for mitigating any impact***
- the extent to which the applicant has offered conditions to mitigate the impact***
- how often the activity occurs***

- 5.3** *In considering any application for a variation to a premises licence or club premises certificate where a relevant representation has been received, the council may take into account, in addition to the above matters, any evidence:*
- of past demonstrable adverse impact from the activity especially on local residents or businesses*
  - that if adverse impact has been caused, appropriate measures have been agreed and put into effect by the applicant to mitigate that adverse impact*

## **6. Licensing Committee**

- 6.1** *The council has appointed a licensing committee of 15 Councillors. Licensing functions will often be delegated to a licensing subcommittee of consisting of not less than 2 Councillors or, in appropriate cases to officers of the council.*
- 6.2** *Councillors will have regard to the Huntingdonshire District Council Code of Conduct for Members. Where a Councillor who is a member of the Licensing Committee or subcommittee has a disclosable pecuniary interest in the application before them, in the interests of good governance they will disqualify themselves from any involvement in the decision making process in respect of that application.*
- 6.3** *A subcommittee may refer an application to another subcommittee or to the Licensing Committee where it is unable to deal with the application because of the number of members unable to vote on the matter in question.*
- 6.4** *The Licensing Committee will refer an application to the council where it is unable to deal with the application because of the number of members unable to vote on the matter in question*

### **Representations**

- 6.5** *Depending on the type of application representations may be made by a responsible authority or other people (as defined by the Licensing Act 2003). The council has agreed protocols with responsible authorities and issued guidance to other people making representations, setting out the detail of the process. Guidance is available on the council website or by contacting Licensing.*
- 6.6** *Members of the public who wish to submit a representation in regards to a premises licence or club premises certificate application need to be aware that their personal details will be made available to the applicant. If this is an issue they may contact a local representative such as a ward, parish or town councillor or any other locally recognised body such as a residents association about submitting the representation on their behalf. The council is not able to accept anonymous representations. In addition the council cannot accept petitions which do not follow the guidance on the council's website.*
- 6.7** *Where a representation is received which is not from a responsible authority the council will in the first instance make a judgement on whether it is relevant, i.e. based upon one or more of the four licensing objectives.*
- 6.8** *'Relevant representations' are representations:*
- about the likely effect of the premises licence on the promotion of the licensing objectives;*
  - which have not been withdrawn and are not, in the opinion of the council, frivolous or vexatious.*
- 6.9** *Where relevant representations are received about an application the council*



***will hold a hearing to consider them unless the council, the applicant and everyone who has made representations agree that the hearing is not necessary. Applicants and those making representations should seek, in advance of any hearing, to try to reach agreement or to narrow the areas in dispute, particularly where both are professionally represented.***

- 6.10** ***Where hearings are required as a result of relevant representations, the council may extend the time limits involved in calling hearings in order to allow the parties to negotiate suitable conditions to be added to the operating schedule and avoid the need for a hearing. Such an extension of time is considered to be in the public interest.***

## **7. Live Music Act**

- 7.1 The Live Music Act came into force on 1<sup>st</sup> October 2012 and is designed to encourage more performances of 'live' music.
- 7.2 Where licensable activities continue to take place on premises any licence conditions relating to 'live' music will be suspended, but it will be possible to impose new, or reinstate existing conditions following a review. When considering whether an activity constitutes 'the provision of regulated entertainment' each case will be treated on its own merits.

## **8. Operating Schedules**

- 8.1** ***Under the Licensing Act 2003 applicants are required to complete an 'operating schedule'. They are expected to have regard to the council's Statement of Licensing Policy. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.***
- 8.2** ***Applicants should make their own enquiries and demonstrate how they have considered the following in their operating schedule:***
- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children and young people may congregate;***
  - Any risk posed to the local area by the proposed licensable activities; and***
  - Any local initiatives (for example, local crime reduction initiatives or voluntary schemes such as local pub watch schemes, community based schemes which may help mitigate potential risks.***
- 8.3** ***Whilst applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. The council encourages co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.***

## **9. Objectives**

*Each objective is of equal importance, and the four objectives will be paramount considerations for the council at all times.*

- 9.1 *It is for the applicant to decide what, if any, measures to suggest in its operating schedule in order to address any potential concerns that might arise in the promotion of the licensing objectives. Applicants are reminded that measures proposed in the operating schedules will be converted into conditions on their licence.*
- 9.2 *The council recommends that applicants risk assess their operation against the four licensing objectives to identify potential areas of concern.*
- 9.3 *The council recommends early consultation with responsible authorities. Many responsible authorities have produced guidance which applicants can take into account when assessing whether they need to include any measures in their application to promote the licensing objectives. In addition, many responsible authorities would be prepared to discuss matters on site with an applicant with a view to reaching agreement on measures to be proposed. Contact details for the responsible authorities are available from Entertainment Licensing. Guidance issued by the responsible authorities can be found on the council's website or by contacting Entertainment Licensing.*

### **Prevention of crime and disorder**

***Under the Crime and Disorder Act 1998, the council must exercise its functions, having regard to the likely effect on crime and disorder in its area, and must do all it can to prevent crime and disorder.***

Conditions attached to premises licenses and club premises certificates will so far as possible reflect local crime prevention strategies and should be targeted on deterrence and preventing crime and disorder e.g. the use of closed circuit television cameras in certain premises, or a requirement for door supervisors, with security staff holding an appropriate licence.

Various 'PubWatch' schemes operate in Huntingdonshire which aim to counter individuals who damage property; are violent and cause disorder; or use or deal in drugs through exclusions. This Licensing Authority is supportive of such schemes and considers premises should join where it is appropriate to do so.

***There are many steps an applicant may take to prevent crime and disorder. The council will look to the Police for the main source of advice on these matters.***

### **Public safety**

This Licensing Authority recognises that licence holders have a responsibility to ensure the safety of those using their premises. Matters in relation to public safety that could be considered include, fire safety matters, the presence of trained first aiders on the premises, waste disposal methods and CCTV provision. The measures that are appropriate to promote public safety will vary between premises and these matters may not apply in all cases.

Applicants should consider their individual circumstances when making applications, which steps are appropriate to promote the public safety objective and to demonstrate how they will achieve it.

### **The prevention of public nuisance**

Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law definition.

The public nuisance objective is designed to focus on the effect of licensable activities at specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. These issues may concern noise nuisance, light pollution, noxious smells and litter.

Noise nuisance will usually concern steps to control the levels of noise emanating from the premises e.g. noise limiters, that doors and windows remain closed, or notices asking patrons to leave quietly.

### **The protection of children from harm**

The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language, sexual expletives, violence or frightening images, for example, in the context of film exhibitions, or where adult entertainment is provided.

Applicants will be expected to be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises.

Aspects of an application that would be likely to raise concerns in relation to access by children would include:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors, or with a reputation for allowing underage drinking;
- it is known that unaccompanied children have been allowed access;
- there is known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

It is not possible to provide an exhaustive list of the entertainment or services that are of an adult or sexual nature, therefore a common sense approach will be taken to interpretation. However such entertainment or services would also include entertainment involving strong and offensive language.

A very serious view is taken of the persistent and illegal sale of alcohol and other age-restricted goods to children. Together with the appropriate external partners, this Licensing Authority will continue to seek to ensure that illegal sales of alcohol and other age-restricted goods are reduced and ultimately eradicated.

The sale of alcohol to minors (under 18 years of age) is a criminal offence. The Licensing Authority will maintain close contact with our partners regarding unlawful activities and share actions and intelligence where appropriate

## **10 The Licensing Authority as a Responsible Authority**

10.1 This Licensing Authority acknowledges that it is now included in the list of responsible authorities.

The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect

of different licensing processes. Therefore, it is for this Licensing Authority to determine when it considers it appropriate to act in its capacity as a responsible authority.

- 10.2 This Licensing Authority will not normally act as a responsible authority on behalf of other parties (for example, local residents, local councillors or community groups) . Such parties can make relevant representations to the Licensing Authority in their own right, and it is reasonable for this licensing authority to expect them to make representations themselves where they are reasonably able to do so. However, if these parties have failed to take action and this licensing authority is aware of relevant grounds to make a representation, a choice may be made to act in its capacity as responsible authority.
- 10.3 This Licensing Authority expects that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other responsible authority. For example, the police should make representations where the representations are based on concerns about crime and disorder. Likewise, it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance.
- 10.4 In cases where this Licensing Authority is also acting as responsible authority there will be a separation of powers between those officers who exercise that role and those who administer the licensing application to ensure procedural fairness and eliminate conflicts of interest.

## **11. Responsible Authorities:**

### **Police:**

The Chief Officer of Police, Cambridgeshire Constabulary , Huntingdon Police Station, Ferrars Road, Huntingdon, PE29 3DQ Tel: 01480 456111

### **Fire and Rescue:**

Cambridgeshire Fire and Rescue Service, Fire Safety Department, Huntingdon Fire Station, Hartford, Huntingdon, Cambs, PE29 3RH

### **Child Protection:**

Child Protection Services, Licensing Applications, OCYPS, PO Box 144, St Ives, Cambs, PE27 9AU  
Tel: 0345 045 5203

### **Public Health:**

The Director of Public Health, C/O Head of Public Health Programmes, Cambridgeshire County Council, Scott House, PO Box No SCO2213, 5, George Street, Huntingdon, PE29 3AD

### **Trading Standards:**

Supporting Business and Communities, Cambridgeshire County Council, PO Box 450, Great Cambourne, Cambridge, CB23 6ZR

### **The Licensing Authority, Planning, Environmental Protection and Health and Safety:**

The Licensing Authority - Licensing  
Planning – The Head of Planning Services

Environmental Protection and Health & Safety – The Chief Operating Officer

Huntingdonshire District Council, Pathfinder House, St Mary's Street, Huntingdon,  
PE29 3TN  
Tel 01480 388388

**In addition, for vessels:**

Great Ouse and Stour Waterways, Environment Agency, Kingfisher House, Goldhay  
Way, Orton Goldhay, Peterborough, Cambs, PE2 7ZR  
Tel 01733 371811

The Surveyor in Charge, Maritime and Coastguard Agency, East Terrace, Walton-on-  
the-Naze, Essex  
CO14 8PY  
Tel 01255 682107

The Team Leader, River Nene, Nene House, Pytchley Road Industrial Estate, Pytchley  
Lodge Road, Kettering, Northants, NN15 6JN  
Tel 01536 517721

## **12. Planning**

- 12.1 The planning and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing Committees are not bound by decisions made by a planning committee and vice versa. It should be noted however that there is no legal basis for the licensing authority to refuse a licence application because it does not have planning permission.
- 12.2 When a terminal hour has been set as a condition of planning permission that is different from the licensing hours, the applicant must observe the earlier of the two closing times.
- 12.3 Where appropriate there will be liaison between the Licensing Committee and the Planning Committee.

## **13. Licensing Hours**

- 13.1 When the Licensing Authority's discretion is engaged, consideration will be given to the individual merits of an application in line with the four licensing objectives and any relevant representations.
- 13.2 This Licensing Authority recognises that in some circumstances, flexible licensing hours for the sale of alcohol need to be managed effectively to ensure that the concentrations of customers leaving premises simultaneously are avoided. This is necessary to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport, which may lead to disorder and disturbance.
- 13.3 Shops, stores and supermarkets, will generally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless representations raise reasons, based on the licensing objectives for restricting those hours.

## **14. Temporary Event Notices**

- 14.1** *The most important aspect of the system of temporary event notices is that no permission is required for these events from the council. In general, only the police or Environmental Health may intervene to prevent such an event or modify the arrangements for such an event. The council will only intervene itself if the limits on the number of notices that may be given in various circumstances would be exceeded.* This requires the notification of a qualifying event to the Licensing Authority, Environmental Health and Cambridgeshire Constabulary, subject to fulfilling certain conditions.
- 14.2** *There are two types of TEN; a standard TEN and a late TEN. These have different notice periods. A standard TEN is given no later than ten working days before the event to which it relates; a late TEN is given not before nine and not later than five working days before the event. In both instances this does not include the date of the event or the date the council receives the notice.*
- 14.3 The Licensing Authority would encourage event organisers not to rely on giving the minimum amount of notice, given the possibility of police intervention. Event organisers are encouraged to contact the police and environmental health as early as possible about their proposed event(s).
- 14.4 Where the application is not within the parameters defined in the legislation, the Licensing Authority will issue a Counter Notice to the person giving the TEN.
- 14.5 Notice givers will be advised of police powers to close down an event with no notice on grounds of disorder or because of public nuisance caused by noise emanating from the premises.

## **15. Sexual Entertainment**

- 15.1 This Licensing Authority has adopted a policy in relation sexual entertainment venues under the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009. With reference to this related policy standard conditions are attached to such licences and where there are similar conditions in the two regimes, the more onerous apply.
- 15.2 This Licensing Authority acknowledges there is an exemption under the Local Government (Miscellaneous Provisions) Act 1982 that allows premises to provide sexual entertainment no more than 11 times per year and no more frequently than monthly,

## **16. Entertainment Provision**

- 16.1 This Licensing Authority welcomes a broad range of entertainment provision for enjoyment by a wide cross-sector of the public. The Authority will endeavour to strike a balance between promoting the provision of entertainment and addressing concerns relevant to the licensing objectives.

## **17. Cumulative Impact and Special Policies**

- 17.1 Cumulative impact is the potential impact on the promotion of the licensing objectives

of a significant number of licensed premises concentrated in one area.

- 17.2 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that this Licensing Authority can consider.
- 17.3 This Licensing Authority can adopt a special policy on cumulative impact if there is an evidential basis that a significant number of licensed premises concentrated in one area is causing a cumulative impact on one or more of the licensing objectives.
- 17.4 The absence of a special policy does not prevent any responsible authority or other person making representations on a new application for the grant or variation of a licence on the grounds that the premises will give rise to a detrimental cumulative impact on one or more of the licensing objectives in a particular area.
- 17.5 If after considering the available evidence and consulting relevant individuals and organisations, this Licensing Authority is satisfied that it is appropriate to include an approach to cumulative impact in the statement of licensing policy, a special policy will be included in the statement that the licensing authority will generally refuse new applications for premises licences or club premises certificates whenever relevant representations are received about the cumulative impact on the licensing objectives.
- 17.6 The steps to be followed in considering whether to adopt a special policy within the statement of licensing policy will be:
- the identification of concern about crime and disorder, public safety, public nuisance or the protection of children from harm;
  - consideration as to whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm;
  - if such problems are occurring, to identify whether these problems are being caused by the customers of licensed premises, or that the risk of cumulative impact is imminent;
  - identification of the boundaries of the area where problems are occurring;
  - consultation with those specified in the Act and subject to the outcome of the consultation, include and publish details of the special policy in the licensing policy statement.

### **Other mechanisms for controlling cumulative impact**

- 17.7 Once away from licensed premises, a minority of consumers will behave badly and unlawfully. The licensing policy is part of a much wider strategy for addressing these problems. Other mechanisms both within and outside the licensing regime are available for addressing such issues. For example:
- planning controls;
  - positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
  - the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
  - powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
  - the confiscation of alcohol from adults and children in designated areas;
  - police enforcement of the general law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices;

- prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
- police powers to close down instantly for up to 24 hours any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises causing a nuisance;
- the power of the Police, other responsible authority or a local resident or business to seek a review of the licence or certificate in question;
- raising a contribution to policing the late night economy through the Late Night Levy;
- Early Morning Alcohol Restriction Orders

17.8 The above may be supplemented by other local initiatives that seek to address these problems, for example through the Huntingdonshire Community Safety Partnership in line with the strategic objectives for crime and disorder reduction within the district.

## **18. Early Morning Restriction Orders**

18.1 The power for this Licensing Authority to introduce an EMRO is specified in sections 172A to 172E of the 2003 Act which was amended by Section 119 of the Police Reform and Social Responsibility Act 2011. These provisions and the regulations prescribing the requirements in relation to the process were brought in force on 31<sup>st</sup> October 2012. Government Guidance has also been produced.

18.2 The legislation provides this Licensing Authority with the discretion to restrict sales of alcohol by introducing an EMRO to tackle high levels of alcohol related crime and disorder, nuisance and anti- social behaviour. The order may be applied to the whole or part of this licensing authority's area and if relevant on specific days and at specific times. This licensing authority must be satisfied that such an order would be appropriate to promote the licensing objectives.

18.3 The only exemptions relating to EMROs are New Year's Eve and the provision of alcohol to residents in premises with overnight accommodation by means of mini bars and room service.

18.4 The decision to implement an EMRO will be evidence based. The function of making, varying or revoking an EMRO is specifically excluded from the delegation of functions and may not be delegated to the licensing committee.

## **19. Late Night Levy**

19.1 The legislative provisions relating to the late night levy are not part of the Licensing Act 2003 but are contained in Sections 125 to 139 of the Police Reform and Social Responsibility Act 2011. The provisions came into force on 31<sup>st</sup> October 2012.

19.2 Regulations have been brought into force setting out the way in which the levy must be applied and administered, and arrangements for expenses, exemptions and reductions. Government Guidance has been produced.

19.3 These powers enable licensing authorities to charge a levy in relation to persons who are licensed to sell or supply alcohol late at night as a means of raising a contribution towards the costs of policing the night-time economy. The function of making, varying or ceasing the requirement for a levy may not be delegated to the licensing committee.

## **20. Public Spaces Protection Order**



20.1 The Designated Public Place Order (DPPO) was replaced by the Public Spaces Protection Order (PSPO) in the Anti-social Behaviour Crime and Policing Act 2014. DPPO's continue to be valid for a period of three years following commencement of the PSPO. Once the three year period expires, they are treated as a PSPO and enforceable as such. ***At the time of reviewing this policy the following orders are in place:-***

- ***identified areas of St Ives ( To prevent anti-social use of vehicles) expires May 2023***

## **21. Children**

21.1 There are a great variety of premises for which licences may be sought, including theatres, cinemas, restaurants, concert halls, cafes, take-away food businesses and fast food outlets, community halls and schools, as well as public houses and nightclubs.

21.2 This Licensing Authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of harm to children. Conditions requiring the admission of children to any premises cannot be attached to licences or certificates.

21.3 No statement of policy can properly anticipate every issue of concern that could arise in respect of children in relation to individual premises and therefore the individual merits of each application will be considered in each case.

21.4 Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm will be carefully considered. Conditions restricting access of children to premises will also be considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors, or with a reputation for allowing underage drinking;
- it is known that unaccompanied children have been allowed access;
- there is known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

21.5 The range of alternatives which may be considered for limiting the access of children where they are appropriate to protect children from harm can include:

- restrictions on the hours when children may be present;
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18)
- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

21.6 The Licensing Authority commends the Portman Code of Practice on the naming, packaging and promotion of alcoholic drinks. The Code seeks to ensure that

drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older.

- 21.7 This Licensing Authority recognises the Office of Children and Young People's Services (Social Care) of Cambridgeshire County Council as being competent to advise on matters relating to the protection of children from harm.
- 21.8 Where a premises licence or club premises certificate authorises the exhibition of a film, a condition will be included requiring the admission of children to films be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence e.g. the British Board of Film Classification, or by this Authority itself.
- 21.9 This Licensing Authority will expect licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification (or other body designated under section 4 of the Video Recordings Act 1984) or the licensing authority itself.

## **22. Alcohol Deliveries**

**22.1 An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures they intend to operate to ensure that:**

- **The person they are selling alcohol to is over the age of 18**
- **That alcohol is only delivered to a person over the age of 18**
- **That a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer**
- **The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.**

## **23. Staff Training**

- 23.1 The council recommends that all people employed on licensed premises who are engaged in the sale and supply of alcohol be encouraged to attend training programmes to raise awareness of their responsibility and particularly of the offences contained within the Act. Similarly people employed at on-licensed premises should be encouraged to attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all staff involved in managing or supervising the premises.**
- 23.2 It is also recommended that people employed on premises providing entertainment for children and youths attend training programmes in basic child protection and safety, and if appropriate have the necessary DBS checks.**
- 23.3 All people employed on licensed premises should be provided with in-house training on basic public safety and the housekeeping arrangements relative to those premises**

## **24. Conditions**

- 24.1 Conditions (other than the statutory mandatory conditions) may only be attached to a licence or club premises certificate if relevant representations are received (except for conditions drawn from the applicant's operating schedule since these are voluntary propositions). Any such conditions will be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions.
- 24.2 Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.
- 24.3 Blanket standard conditions will not be imposed without regard to the merits of the individual case.

## **25. Reviews**

- 25.1 The proceedings set out in the Act for reviewing premises licences and club premise certificates represents a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premise certificate.
- 25.2 At any stage following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask this Licensing Authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 25.3 This Licensing Authority will work in partnership with other responsible authorities to achieve the promotion of the licensing objectives and will give licence or certificate holder's early warning of any concerns identified at a premises. The Licensing Authority will also encourage other responsible authorities to do the same.
- 25.4 When a review has been requested the role of the Licensing Authority will be to administer the process and determine its outcome at a hearing. Where the Licensing Authority had applied to review an authorisation, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest.
- 25.5 This Licensing Authority may decide that no action is necessary if it finds that the review does not require it to take any appropriate steps to promote the licensing objectives. In appropriate cases this Authority may issue an informal warning to the licence holder and/or recommend improvement within a particular period of time. Any warnings will be issued in writing.
- 25.6 Where this Licensing Authority considers that action under its statutory powers is appropriate it may take any of the following steps:
- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition);
  - exclude a licensable activity from the scope of the licence;
  - remove the designated supervisor;
  - suspend the licence for a period not exceeding three months;
  - revoke the licence.

25.7 In cases where the crime prevention objective is being undermined, this Licensing Authority will seriously consider revocation of the licence, even in the first instance.

## **26. Enforcement**

26.1 This Licensing Authority will consult and liaise with the local police and any other relevant enforcement body on enforcement issues. This will provide for the targeting of agreed problem and high- risk premises which require greater attention while providing a lighter touch for low risk premises or those that are well run.

26.2 In general, action will only be taken in accordance with the Council's licensing compliance and enforcement policy, as adopted at the time, which reflects the Council's obligations relating to licensing enforcement. The key principles of consistency, openness, proportionality, clear standards and practices, courtesy and helpfulness and training will be maintained. The policy is available on our website [www.huntingdonshire.gov.uk](http://www.huntingdonshire.gov.uk) or a copy can be made available upon request. This Licensing Authority will also have regard to the Regulators' Code <https://www.gov.uk/government/publications/regulators-code> or any future replacement.

## **27. Licence Suspensions**

27.1 This is a power brought as part of the amendments brought about by the Police Reform and Social Responsibility Act 2011. This Licensing Authority must suspend premises licences and club premises certificates on the non-payment of annual fees. The procedure to be used is set out in regulation.

## **28. Administration, Exercise and Delegation of Functions**

28.1 The functions of the Licensing Authority under the Act may be taken or carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.

28.2 Many of the decisions and functions will be largely administrative in nature. In the interests of speed, efficiency and cost-effectiveness these will, for the most part be delegated to officers as set out in the Huntingdon District Council Constitution.

28.3 On applications where there are relevant representations these will be dealt with by a Committee or sub-committee of the Licensing Authority, as will any application for review of a licence.

28.4 This Licensing Authority will expect applicants to address the licensing objectives in their Operating Schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community.

28.5 Applicants will be encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their Operating Schedule.

28.6 The 2003 Act provides that decisions and functions may be taken or carried out by licensing committees or delegated to sub-committees or in appropriate

cases, to officials supporting the Licensing Authority. In the interests of speed, efficiency and cost-effectiveness, as many of the decisions and functions will be purely administrative in nature, functions will be delegated to the appropriate level within the organisation where possible. See Annex 1.

## **29. Advice and Guidance**

- 29.1 Advice can be obtained via the Licensing Team and we will assist people on the types of licences they will need to apply for, the team can be contacted in the following ways:-

Website:

[www.huntingdonshire.gov.uk](http://www.huntingdonshire.gov.uk)

Email :

[licensing@huntingdonshire.gov.uk](mailto:licensing@huntingdonshire.gov.uk)

In person or writing to:  
The Licensing Team  
Huntingdonshire District  
Council  
Pathfinder House  
St Mary's Street  
Huntingdon  
PE29 3TN

## **30. Appendices**

- 30.1 The following appendices are provided with this policy:  
Appendix 1 – Delegation of Functions  
Appendix 2 – Other policies, legislation and guidance sources  
Appendix 3 – Useful references (organisations)

## **31. Equal Opportunities**

- 31.1 This Licensing Authority will have due regard to the need to eliminate unlawful discrimination, harassment and victimization; to advance equality of opportunity; and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 31.2 In implementing the Licensing Act 2003, associated legislation and guidance, this Licensing Authority is committed to ensuring that the obligations and duties within this legislation are met.

## **32. Review of the Policy**

- 32.1 This licensing policy will be formally reviewed and published every five years (section 5 Licensing Act 2003). This review of the policy will be subject to the consultation process. In addition, Section 5(4) of the Act provides that the licensing authority must keep its policy under review during each five year period and make appropriate revisions. Again, any revisions will be subject to consultation.

32.2 Where a special policy relating to cumulative impact or early morning restriction orders is adopted this will be reviewed regularly at least every five years, to assess whether it is needed any longer, or indeed needs expanding.

## Appendix 1 - Delegation of functions

<b>Matter to be dealt with</b>	<b>Full Committee</b>	<b>Sub Committee or Panel</b>	<b>Officers</b>
Application for personal licence	-	If a police objection made	If no objection made
Application for personal licence with unspent convictions	-	All cases	-
Application for premises licence/club premises certificate	-	If a relevant representation made	If no relevant representation made
Application for provisional statement	-	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	-	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	-	If a police objection	All other cases
Request to be removed as designated premises supervisor	-	-	All cases
Application for transfer of premises licence	-	If a police objection	All other cases
Application for interim authorities	-	If a police objection	All other cases
Application to review premises licence/club premises certificate	-	All cases	-
Decision on whether a representation is irrelevant, frivolous, vexatious etc	-	-	All cases
Decision to object when a local authority is a consultee and not the relevant authority	-	All cases	-

considering the application			
Determination of application to vary premises licence at community premises to include alternative licence	-	If a police objection	All other cases
Decision whether to consult on other responsible authorities on minor variation application	-	-	All cases
Determination of minor variation application	-	-	All cases
Determination of a police objection to a temporary event notice	-	All cases	-



## Appendix 2 - Other policies, legislation and guidance sources

There are a number of other local and national policies, strategies, responsibilities, and guidance documents which should be taken into account in order to complement this authority's licensing policy. In particular the policy should provide a clear indication of how the licensing authority will secure the proper integration of the licensing policy and other local policies such as the local crime prevention, planning, transport, tourism, cultural strategies and the local alcohol policy.

### (i) Legislation

- The Health and Safety at Work etc. Act 1974
- The Environmental Protection Act 1990
- The Noise Act 1996
- Crime and Disorder Act 1998
- Human Rights Act 1998
- Criminal Justice and Police Act 2001
- Private Security Industry Act 2001
- Anti-Social Behaviour Act 2003
- The Clean Neighbourhoods and Environment Act 2005
- The Gambling Act 2005
- The Regulatory Reform (Fire Safety) Order 2005
- The Health Act 2006
- Violent Crime Reduction Act 2006
- Policing and Crime Act 2009
- Equalities Act 2010
- Crime and Security Act 2010
- The Police Reform and Social Responsibility Act 2011
- Live Music Act 2012
- Anti-social Behaviour Crime and Policing Act 2014
- Deregulation Act 2015
- **Police and Crime Act 2017**

*Note: These and other relevant pieces of legislation can be found at [www.opsi.gov.uk](http://www.opsi.gov.uk)*

### (ii) Strategies and Policies

- Alcohol Strategy
- Alcohol Harm Reduction Strategy in Cambridgeshire
- Best Bar None
- British Beer and Pub Association Partnerships Initiative
- Community Alcohol Strategy
- Community Safety Strategy
- Crime & Disorder Reduction Strategy
- Council's Licensing Compliance and Enforcement Policy
- Cultural and Tourism Strategies including promotion of live music and community events
- Home Office: Selling Alcohol Responsibly: Good Practice Examples from the Alcohol Retail and Hospitality Industries
- Local Development Framework
- Local Transport Plan
- Memorandum of Understanding and Joint Enforcement Protocol
- National and local PubWatch schemes
- Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks
- Purple Flag (ATCM)
- Regulators' Code

- Safer Socialising

### (iii) Guidance Documents

- [Home Office 'Practical Guide for Preventing and Dealing with Alcohol Related Problems](#)
- [Home Office Designated Public Place Order \(DPPO\) Guidance](#)
- [Home Office s182 Guidance](#)
- [BRDO Age Restricted Products and Services – Code of Practice](#)
- [Guidance on Running Events Safely](#)
- [The Purple Guide](#)
- [Licensing Large Scale Events \(Music Festivals etc\)](#)
- [Managing Crowds Safely](#)
- [Five Steps to Risk Assessment](#)
- [The Guide to Safety at Sports Grounds](#)
- [Safety Guidance for Street Arts, Carnivals, Processions and Large-scale Performances](#)
- [UK BIDS: Business Improvement Districts](#) (national BIDS advisory service)
- [BIS Code of Practice on Consultation](#)
- [The Plain English Campaign](#)

### (iv) Relevant case law regarding policy statements

- Limits of licensing policy:  
[BBPA & Others v Canterbury City Council \[2005\] EWHC 1318 \(Admin\)](#)
- “Strict” licensing policies and exceptions to policy:  
[R \(Westminster City Council\) v Middlesex Crown Court and Chorion plc \[2002\] LLR 538](#)
- Cumulative impact policies and hours  
[R \(JD Wetherspoon plc\) v Guildford Borough Council \[2006\] EWHC 815 \(Admin\)](#)
- Duplication and conditions:  
[R \(on the application of Bristol Council\) v Bristol Magistrates’ Court \[2009\] EWHC 625 \(Admin\)](#)
- Extra-statutory notification by the licensing authority:  
[R \(on the application of Albert Court Residents Association and others\) v Westminster City Council \[2010\] EWHC 393 \(Admin\)](#)
- The prevention of crime and disorder: ambit of the objective  
[Blackpool Council, R \(on the application of\) v Howitt \[2008\]](#)
- Crime and disorder: sanctions on review: deterrence  
[Bassetlaw District Council, R \(on the application of\) v Workshop Magistrates Court \[2008\]](#)

*Note: This list is not exhaustive*

## Appendix 3 Useful References (organisations)

### Local Government Association:

<http://www.local.gov.uk/regulatory-services-and-licensing>

### Association of Convenience Stores (ACS)

<http://www.acs.org.uk/>

### Association of Licensed Multiple Retailers (ALMR)

Now incorporating Bar, Entertainment and Dance Association (BEDA)

<http://www.almr.org.uk/>

### Association of Town Centre Managers (ACTM and Purple Flag)

<http://www.atcm.org/>

### Better Regulation Delivery Office (BRDO)

<http://www.bis.gov.uk/brdo>

### British Beer and Pub Association (BBPA)

<http://www.beerandpub.com/>

### British Board of Film Classification (BBFC)

<http://www.bbfc.co.uk/>

### British Institute of Inn Keeping (BII)

<http://www.bii.org/home>

### British Retail Consortium (BRC)

[http://www.brc.org.uk/brc\\_home.asp](http://www.brc.org.uk/brc_home.asp)

### Cinema Exhibitors' Association (CEA)

<http://www.cinemauk.org.uk/>

### Department for Culture, Media and Sport

[www.culture.gov.uk](http://www.culture.gov.uk)

### Home Office

[www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)

### Institute of Licensing (IOL)

<http://www.instituteoflicensing.org/>

### Licensed Victuallers Associations (LVAs)

<http://www.flva.co.uk/>

### National Association of Licensing and Enforcement Officers (NALEO)

<http://www.naleo.org.uk/>

### The Portman Group

<http://www.portmangroup.org.uk/>

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**Public  
Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Use of Special Urgency Provisions 2019/20  
**Meeting/Date:** Council – 14th October 2020  
**Executive Portfolio:** Executive Leader  
**Report by:** Executive Leader  
**Ward affected:** All

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### **Executive Summary:**

It is a requirement within the Council's Constitution that executive decisions taken as a matter of special urgency be reported annually to the Council by the Executive Leader.

Since the Council last received the annual report there has been two key decisions taken using the special urgency provisions, which are detailed in Appendix 1 of the submitted report.

### **Recommendation:**

**The Council is invited to comment and note the information within the report.**

## **1. PURPOSE OF THE REPORT**

- 1.1 To notify the Council of any key decisions taken throughout the year not included in the Notice of Executive Decisions.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 The definition of a key decision is contained within the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and is a decision which is likely:

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

- 2.2 In determining the meaning of 'significant' the authority must have regard to any guidance issued by the Secretary of State and a 'significant' decision is included within the Council's Constitution as any decision which would, if implemented, fall in any of the following categories:

- it is not in accordance with a policy, plan or strategy which forms part of the policy framework approved by the Council;
- it may result in the adoption of any additional policy, plan or strategy by the Council;
- it is not in accordance with the budget approved by the Council;
- it may increase financial commitments in future years above existing budgetary approvals;
- it will result in any of the following:
  - the appointment of additional permanent staff for which there is no budget provision;
  - the acquisition or disposal of land or property with a value in excess of £2,000,000;
  - any budgetary virement in excess of the limits set out in the Code of Financial Management in Part 4 of the Council's Constitution;
  - any statutory order or scheme if it requires, either directly or as a result of objections, the approval of a Minister of the Crown;
  - the initiation of local legislation or byelaws;

- it is likely to be of significance in the opinion of the decision taker.
  - Any decision to incur expenditure or savings or realignment of expenditure in excess of £200,000 shall be treated as significant.
- 2.3 Key decisions should be recorded and published in the Notice of Executive Decisions 28 clear days' before the matter is considered.
- 2.4 However, where the publication of the intention to make a key decision is impracticable, Rule 15 (General Exception) of the Council's Constitution, may apply:
- If the Head of Paid Service has given notice in writing to the Chairman of the relevant Overview and Scrutiny Panel, or if there is no such person, each member of that Panel in writing, of the matter to which the decision is to be made;
  - A Notice in the prescribed form is available for inspection by the public which provides details of the decision to be made and the reasons why compliance with providing 28 days' notice was impractical; and
  - The Notice is published on the Council's website.
- 2.5 If by virtue of the date by which a decision must be taken Rule 15 (General Exception) cannot be followed, subject to Rule 16 (Special Urgency) of the Council's Constitution, the decision may be taken:
- If the Chairman of the relevant Overview and Scrutiny Panel is in agreement that taking the decision cannot reasonably be deferred;
  - A Notice in the prescribed form is made available at the offices providing details as to the reasons why the meeting is urgent and cannot reasonably be deferred; and
  - The Notice is published on the Council's website.
- 2.6 As per the Council's Constitution any decisions taken as a matter of urgency must be reported to the next available meeting of the relevant Overview and Scrutiny Panel, together with the reasons for urgency and reported annually to the Council by the Executive Leader.
- 2.7 In addition to the Council's Constitution, under 100b (4) (b) of the Local Government Act 1972 an item of business may not be considered at a meeting unless by reason of special circumstances, which shall be specified in the minutes, the Chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
- 2.8 Two decisions were taken under these provisions. The first decision relates to the Commercial Investment Strategy. The Cabinet in 2015 approved the Disposal and Acquisition Policy which provides the

framework for the purchase and sale of land and property assets; the Commercial Investment Strategy (CIS) which is the framework for investing in a wide portfolio of commercial type properties to provide a long-term revenue stream for the Council; and the CIS Business Plan, which is the blueprint for how the Council plans to meet the objectives of the CIS. The second decision was taken as a result of the COVID-19/coronavirus pandemic by the Grants Panel to enable funding to be released to the community and voluntary sector without delay.

### **3. REASONS FOR THE RECOMMENDED DECISIONS**

- 3.1 It is a requirement within the Council's Constitution that executive decisions taken as a matter of special urgency be reported annually to the Council by the Executive Leader.

### **4. LIST OF APPENDICES INCLUDED**

- 4.1 None.

### **BACKGROUND PAPERS**

EXEMPT REPORT Agenda Item No.7 – Commercial Investment Strategy Asset - Cabinet 28th November 2019:

<http://applications.huntingdonshire.gov.uk/moderngov/ieListDocuments.aspx?Clid=256&MId=7584&Ver=4>

Agenda Item No.2 – Community Chest Grant Aid Awards 2020/21 – Grants Panel 13th May 2020:

<http://applications.huntingdonshire.gov.uk/moderngov/ieListDocuments.aspx?Clid=10006&MId=7863&Ver=4>

### **CONTACT OFFICER**

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## Executive Decisions Taken Under Special Urgency Provision – Annual Report

Date of Decision	Decision Maker	Agenda Item	Decision Made	Reason for urgency
28th November 2020	Cabinet	Commercial Investment Strategy Asset - The Avenue Godmanchester	Cabinet approved the recommendation contained within the exempt report and authorised the Managing Director, following consultation with the Executive Councillor for Strategic Resources, to agree the wording to be included within the final contract.	Developments on the matter had recently emerged which required an immediate Cabinet decision.
13th May 2020	Grants Panel	Community Chest Grant Aid Awards 2020/21	12 applications totalling £11,838 for Community Chest Grant Awards for COVID-19/coronavirus related projects in 2020/21 were approved.	Applications had been received for determination by the Grants Panel requiring an imminent decision on the award of grant funds to the community and voluntary sector in response to the COVID-19 pandemic.

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## MEETINGS OF THE COUNCIL'S COMMITTEES AND PANELS SINCE THE LAST ORDINARY MEETING

**JUNE 2020**

### **22. DEVELOPMENT MANAGEMENT COMMITTEE**

- ❖ 4 Other Applications
- ❖ 1 Deferred Item
- ❖ 5 Applications Requiring Reference to the Development Management Committee

### **24. LICENSING AND PROTECTION COMMITTEE**

- ❖ Monitoring Report on the Delivery of the Food Law Enforcement and Health and Safety Service Plans
- ❖ Duty of Care Section 34(2A) of the Environmental Protection Act 1990
- ❖ Licensing and Protection Sub-Committees
- ❖ Suspension and Revocation of Private hire and Hackney Carriage Vehicle and Driver Licences under Delegated Powers

### **24. LICENSING COMMITTEE**

- ❖ Licensing Act 2003 – Statement of Licensing Policy
- ❖ Licensing Sub-Committees

**JULY 2020**

### **8. OVERVIEW AND SCRUTINY (PERFORMANCE AND GROWTH)**

*(Members of both Overview and Scrutiny Panels were invited to attend and partake in this meeting).*

- ❖ Recovery Planning for Huntingdonshire: the impact of Covid 19
- ❖ Decision Tracker (Part Exempt)
- ❖ Future Policy Focus
- ❖ 3C Legal, ICT and Building Control Shared Services Annual Reports 2029/20 and Partnership Renewal Agreement
- ❖ Integrated Performance Report 2019/20, Quarter 4
- ❖ Treasury Management Six Month Performance Review

### **16. CABINET**

*(Questions to Cabinet Members should be raised under the item – Questions to Members of the Cabinet).*

- ❖ 3C Legal, ICT and Building Control Shared Services Annual Reports 2029/20 and Partnership Renewal Agreement
- ❖ Treasury Management Six Month Performance Review
- ❖ Integrated Performance Report 2019/20, Quarter 4

- ❖ Community Infrastructure Levy - Fenstanton

**20. DEVELOPMENT MANAGEMENT COMMITTEE**

- ❖ 1 Section 106 Agreement
- ❖ 5 Applications requiring Reference to Development Management Committee
- ❖ Appeal Decisions

**23. CORPORATE GOVERNANCE COMMITTEE**

- ❖ Draft 2019/20 Annual Financial Report
- ❖ Internal Audit Service: Annual Report 2019/20
- ❖ External Audit Plan 2019/20
- ❖ Approval for Publication of Annual Governance Statement
- ❖ Code of Financial Management 2020/21
- ❖ Internal Audit Plan 2020/21
- ❖ Annual Report of the Committee
- ❖ Corporate Governance Committee Progress Report

**28. OVERVIEW AND SCRUTINY PANEL (PERFORMANCE AND GROWTH) – SPECIAL MEETING**

- ❖ Future High Street Fund (Exempt Item)

**28. CABINET – SPECIAL MEETING**

- ❖ Future High Street Fund (Exempt Item)

**AUGUST 2020**

**17. DEVELOPMENT MANAGEMENT COMMITTEE**

- ❖ 1 other Application
- ❖ 1 Application requiring Reference to Development Management Committee
- ❖ Appeal Decisions

**18. CABINET – SPECIAL MEETING**

- ❖ Community Infrastructure Levy Spend - Kimbolton

**SEPTEMBER 2020**

**10. OVERVIEW AND SCRUTINY (CUSTOMERS AND PARTNERSHIPS)**

- ❖ Cambridgeshire Home Improvement Agency Annual Report 2019/20

- ❖ Street Cleansing Update 2020
- ❖ Representatives on External Organisations, Annual Update Report 2019/20
- ❖ Overview and Scrutiny Appointment to the Huntingdonshire Community Safety Partnership

**16. EMPLOYMENT COMMITTEE**

- ❖ Workforce Report Quarter 1, 2020-21
- ❖ Staff Survey
- ❖ Use of Consultants and Temporary Staff

**16. OVERVIEW AND SCRUTINY (PERFORMANCE AND GROWTH)**

- ❖ Financial Performance Report
- ❖ Integrated Performance Report 2020/21, Quarter 1
- ❖ Corporate Plan Refresh 2020/21
- ❖ A141 / St Ives Study
- ❖ Consultation on England's Economic Heartland: Draft Transport Strategy

**17. CABINET**

***(Questions to Cabinet Members should be raised under the item – Questions to Members of the Cabinet).***

- ❖ Corporate Plan Refresh 2020/21
- ❖ Corporate Performance Report 2020/21, Quarter 1
- ❖ Financial Performance Report, Quarter 1
- ❖ A141 / St Ives Study
- ❖ Consultation on England's Economic Heartland: Draft Transport Strategy
- ❖ Potential Judicial Review relating to Non-Compliance with a Statutory Duty in respect of Conservation Areas. (Exempt Item)

**21. DEVELOPMENT MANAGEMENT COMMITTEE**

- ❖ 3 Deferred Items
- ❖ 2 Applications requiring reference to Development Management Committee
- ❖ Appeal Decisions

**30. LICENSING AND PROTECTION COMMITTEE**

- ❖ Monitoring Report on the Delivery of the Food Law Enforcement and Health and Safety Service Plans
- ❖ Public Spaces Protection Order – Dog Control
- ❖ Suspension and Revocation of Private Hire and Hackney Carriage and Private Hire Licences.

**30. LICENSING COMMITTEE**

- ❖ Licensing Act 2003 – Statement of Licensing Policy

**30. CORPORATE GOVERNANCE COMMITTEE**

- ❖ Code of Conduct Complaints – Update
- ❖ Update on Code of Conduct and Register of Disclosable Pecuniary Interests
- ❖ Review of Fraud Investigation Activity 2019/20
- ❖ Whistleblowing (Policy, Guidance and Concerns received)
- ❖ Single Tender Awards
- ❖ Committee Progress Report

**OCTOBER 2020**

**7. OVERVIEW AND SCRUTINY (PERFORMANCE AND GROWTH)**

- ❖ Community Infrastructure Levy Governance
- ❖ “Planning for the Future” White Paper Consultation Response
- ❖ Housing Strategy 2020-25
- ❖ Housing Development on Council Owned Sites (Exempt Appendices)

**8. OVERVIEW AND SCRUTINY (CUSTOMERS AND PARTNERSHIPS)**

- ❖ Healthy Open Spaces Strategy
- ❖ Digital Strategy Discussion