

## Decision Digest

Edition 98

**Monthly summary of the decisions taken at meetings of the Council, Cabinet, Overview & Scrutiny and other Panels for the period 5<sup>th</sup> October – 27<sup>th</sup> October 2009.**

### THE PLACE SURVEY

The Overview and Scrutiny Panels have received a presentation on the findings of The Place Survey which is designed to capture local people's views, experiences and perceptions about the area in which they live. The form of the Survey in terms of its timing and the questions asked are closely prescribed by the Department for Communities and Local Government.

The Panels have noted that for a majority of National Indicators, Huntingdonshire exceeds the figures for both the County and for the National context. Attention has been drawn to areas identified by respondents as having the most need of improvement in Huntingdonshire, namely activities for teenagers, road and pavement repairs, public transport, traffic congestion and shopping facilities. In acknowledging the limits of the information presented on the improvement areas, the Panels have noted plans to obtain further qualitative data in these areas through a series of focus groups. All Overview and Scrutiny Panels will consider a report on the findings from the focus groups in three months time.

The Environmental Well-Being Panel has specifically requested for the results to be broken down to ward level in relation to activities for teenagers and public transport as well as the

percentage of people who agreed they can influence decisions in their locality.

The Economic Well-Being Panel has identified the need for better shopping facilities as a potential study area and a scoping report to this effect has been requested.

### REVIEW OF ONLINE PETITIONS

The Overview and Scrutiny Panel (Social Well-Being) has been acquainted with details of online petitions received since the facility was introduced to the Council's website via the Modern.Gov software system in July 2008. Whilst it has been evident that the launch of the facility generated initial interest in the use of online petitions, the Panel has registered concern at the low level of use of the facility. Nevertheless, Members are of the view that it will become a more popular method of public engagement in the future. In the meantime, it has been suggested that online petitions might be used proactively by the Council for consultation purposes. The feasibility of this is to be investigated.

### APPOINTMENT OF CO-OPTED MEMBERS TO THE OVERVIEW AND SCRUTINY PANELS

The Overview and Scrutiny Panels have been acquainted with progress towards the appointment of independent Members to the Overview and Scrutiny Panels. Having noted the

terms of a Scheme of Co-option, the Head of Democratic and Central Services has been authorised to convene an Appointments Panel for each of the Overview and Scrutiny Panels. A programme of publicity designed to generate expressions of interest in joining the Panels from members of the public is currently being undertaken.

### PROVISION OF PLAY FACILITIES FOR YOUNG PEOPLE

The Provision of Play Facilities Working Group has submitted preliminary findings on its work to the Overview and Scrutiny Panel (Social Well-Being). The Working Group was previously tasked with making recommendations on achieving an even distribution of play facilities across the District and on how the ongoing revenue costs associated with such facilities might be met.

The Panel has considered a number of options identified by the Working Group, which might achieve the study's objectives. The Working Group has been requested to meet with the Executive Councillor for Operational and Countryside Services to discuss them before proceeding further with the study.

### HUNTINGDON TOWN HALL – THE WAY FORWARD

The Cabinet and the Overview and Scrutiny Panel (Economic Well-Being) have been acquainted with the conclusions reached by E W Consultancy Ltd following investigations into the future use of Huntingdon Town Hall.

The Overview and Scrutiny Panel (Environmental Well-Being) have concurred with the suggestion that the Town Hall should be used for public

good but, at the same time, generate revenue to meet the ongoing cost of maintenance. In noting the financial implications of the proposals, potential sources of funding and possible transfer of the building to a Building Preservation Trust, the Panel has raised the possibility of a potential transfer of the Town Hall to Huntingdon Town Council in the form of an asset swap.

In considering the proposals put forward by E W Consultancy Ltd, the financial implications and the deliberations of the Overview and Scrutiny Panel (Economic Well-Being) the Cabinet has-

- ◆ agreed to establish a building preservation trust;
- ◆ agreed in principle to the transfer of ownership of the freehold of Huntingdon Town Hall to an appropriate building preservation trust when a viable long-term solution has been identified through an options appraisal;
- ◆ agreed to provide project management support to the building preservation trust until it is established and can provide its own project management arrangements;
- ◆ suggested that possible building preservation trustees be investigated;
- ◆ endorsed steering group arrangements in the short term;
- ◆ endorsed the development of terms of reference for the steering group and the organisations to be invited;
- ◆ agreed to consider initial start-up funding needed for matched funds for the optional appraisal;
- ◆ defer consideration of the question of long-term revenue funding for the building at the present time;

- ◆ defer consideration of a recommendation by the consultants to continue discussions with Her Majesty's Court Service on lease surrender on the basis that this is premature at the present time;
- ◆ supported the possibility of investigating the transfer of the freehold of the building to Huntingdon Town Council in exchange for land currently owned by them; and
- ◆ requested that further reports addressing this matter be submitted to future meetings of the Cabinet.

## LOCAL PROCUREMENT

The Overview and Scrutiny Panel (Economic Well-Being) has referred two reports of meetings of the Local Procurement Working Group to the Local Strategic Partnership's Economic Prosperity and Skills Thematic Group.

## OVERVIEW AND SCRUTINY PANEL (SOCIAL WELL-BEING) - PROGRESS

The Overview and Scrutiny Panel (Social Well-Being) has appointed Councillor R J West as the Panel's representative to meet with the local branch of the Care Quality Commission to discuss Members concerns about the Commission's Enforcement Policy.

The Panel will consider NHS Cambridgeshire's consultation on Primary Care Out of Hours Services at their December meeting. A local event hosted by NHS Cambridgeshire will be held on 30th November 2009, details of which have been circulated to all Members. Following this event, the Panel will formulate its comments for submission to NHS Cambridgeshire.

## OVERVIEW AND SCRUTINY PANEL (ENVIRONMENTAL WELL-BEING) - PROGRESS

The Overview and Scrutiny Panel (Environmental Well-Being) has been invited to raise questions for consideration by Anglian Water on the problems of flooding at St Audrey's Lane in St Ives. Anglian Water has indicated that they are no longer prepared to attend a meeting of the Panel in person on this subject.

## DEVELOPMENT APPLICATIONS

The Development Management Panel has considered a total of 18 applications of which 12 were approved and 6 refused.

## MONITORING OF SECTION 106 AGREEMENTS (PLANNING OBLIGATIONS)

In accordance with the outcome of the Overview and Scrutiny Study on Section 106 Agreements, the Development Management Panel has noted, for the first time, information on the receipt and expenditure of Section 106 funds and an overview of benefit expected from development which has yet to commence and where trigger points for collection have yet to be reached. The report was previously submitted to the Section 106 Agreement Advisory Group where enquiries in relation to the progress of specific schemes had been raised.

## FINANCIAL MONITORING - REVENUE BUDGET

The Cabinet has noted the expected revenue budget variations already identified in the current year. Some concern has been expressed over the increasing cost to the Council of concessionary fares and the likely implications of the guided bus scheme given Cambridgeshire County Council's decision not to charge for parking at the new park and ride site in St Ives. Executive Councillors feel that this could have a detrimental effect on town centre parking with motorists switching

to the availability of free parking given the close walking distance of the park and ride site to the town centre. The Cabinet has concurred with a suggestion that the Leader and the Chief Executive raise the matter with their counterparts at the County Council.

#### **CAPITAL PROGRAMME MONITORING - 2009/2010 BUDGET**

The Cabinet has been acquainted with variations in the capital programme in the current year. In discussing cost variations and timing changes to 2010/11, the Cabinet has welcomed forecast savings amounting to £1,423,000 in the current year.

#### **NEW STARTER UNITS, CAXTON ROAD, ST. IVES**

The Cabinet has agreed to release the funding from the Medium Term Plan for the development of the former depot at Caxton Road, St. Ives as new industrial and commercial premises. The scheme will provide a flexible, mixed development of work spaces and small offices for new and small businesses and will achieve the targets set out in the Council's corporate plan and the Environmental Strategy.

At the same time, the Cabinet has authorised the Director of Central Services to accept an offer of capital funding from Cambridge County Council amounting to £150,000 for the scheme, subject to the agreement of the partnership terms.

#### **SAFETY ADVISORY GROUP**

Councillor P H Dakers has been replaced by Councillor P L E Bucknell on the Safety Advisory Group.

#### **EUROPEAN SERVICES DIRECTORATE**

The Licensing Committee has noted the changes resulting from the implementation of an EU Services Directive requiring the introduction of a system to allow service providers in the EU to apply for, vary and pay for certain licences and permits on-line by 28th December 2009. The implications of the Directive would apply equally to the licences and permits within the remit of the Licensing Committee and Licensing and Protection Panel.

#### **GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES**

The Head of Democratic and Central Services has been authorised, following consultation with the Chairman and Vice-Chairman of the Licensing and Protection Panel, following a public consultation, to make changes to the draft Statement of Principles, under the provisions of the Gambling Act 2005. The Statement has been revised to take into account the latest guidance issued by the Gambling Commission. The Panel has invited Cabinet and Council to approve the statement of principles.

#### **THE JOINT AIR QUALITY ACTION PLAN**

The Licensing and Protection Panel has been acquainted with progress of the statutory Air Quality Review and Assessment process and has authorised the publication of the joint Air Quality Action Plan, which propose actions to be taken in pursuit of the national air quality objectives. The plan has been developed in conjunction with Cambridgeshire City Council and South Cambridgeshire District Councils due to the similarities in air quality issues.

## **THE OZONE DEPLETING SUBSTANCES (QUALIFICATIONS) REGULATIONS 2009 AND THE FLUORINATED GREENHOUSE GASES REGULATIONS 2009**

The Licensing and Protection Panel has delegated authority to appointed Officers to enforce the provisions of two new sets of regulations designed to prevent climate change through the regulation of ozone depleting substances and reduction of the emissions of fluorinated greenhouse gases, which has been used as a replacement for ozone depleting substances, but which were now themselves being phased out.

## **HEALTH AND SAFETY AND FOOD SAFETY ENFORCEMENT POLICIES**

Members of the Licensing and Protection Panel approved the adoption of policy statements for health and safety and food safety enforcement, which was revised to comply with recent changes in legislation.

## **SCORES ON THE DOORS UPDATE**

Members of the Licensing and Protection Panel have been advised of the success of the Council's food hygiene rating scheme "Scores on the Doors" which was launched in 2008. The scheme was popular with both businesses and consumers and helped in improving standards resulting in the need for reduced enforcement.

## **ENFORCEMENT POLICIES**

The Licensing and Protection Panel has authorised the delegation to appointed Officers, the review of enforcement policies and implementation of any future changes needed to reflect the requirements of the Regulatory Enforcement and Sanctions Act 2008. This is an important element in delivering the Government's commitment to the implementation of

the Hampton agenda on regulatory reform and the reduction of the burden on businesses. The Act also sought to establish a Primary Authority Scheme to improve consistency of advice and enforcement which would prove resource intensive for those Councils nominated by businesses to be there for primary authority.

## **HEALTH PROTECTION REGULATIONS**

The Licensing and Protection Panel has noted the draft regulations produced by the Department of Health implementing a modernisation process for infectious disease notifications and control as a result of changes introduced by the Health and Social Care Act 2008. The Regulations introduce new powers and responsibilities for local authorities to allow for an appropriate response to public health threats. This may lead to the provision of services for people made housebound as a result of a public health order. A consequence of the legislation would be significant legal and human rights implications with safeguard of a magistrate's order when applying restrictions.

## **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' CRIMINAL CONVICTIONS**

The Licensing and Protection Panel noted the requirement for hackney carriage and private hire driver's licence applicants who resided outside the UK at any time over the previous five years to apply for a 'statement of good conduct' from the relevant embassy or police force. The usual Criminal Records Bureau check that was required in order to determine whether an applicant was a "fit and proper person" to hold a licence would only reveal convictions from a UK court.

**HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE CONDITIONS**

The Licensing and Protection Panel has approved the licensing of vehicles converted to run on liquefied petroleum gas and the inclusion of additional licensing conditions in the schedules of licensing conditions for hackney carriage and private hire vehicles to cover such vehicles.

**LAP DANCING**

Although there are currently no such clubs in the District, the Panel has been alerted to impending legislation which would introduce a requirement for lap dancing clubs to be licensed by the Council. The Policing and Crime Bill was likely to be enacted shortly and would define lap dancing clubs and similar establishments as sex encounter venues, requiring licensing as sex establishments under the Local Government (Miscellaneous Provisions) Act 1982.