

Decision Digest

Edition 105

Monthly summary of the decisions taken at meetings of the Council, Cabinet, Overview & Scrutiny and other Panels for the period Monday, 24th May 2010 to Friday, 25th June 2010.

POLICY REVIEWS

Subject to a number of minor amendments, the Employment Panel has approved the content of a policy designed to address issues which may arise during periods of adverse weather. The need for such a policy had arisen during poor weather conditions experienced during the previous two winters and is intended to clarify working and remuneration arrangements in such circumstances.

As part of its overall review of the Council's current HR policies and procedures, the Employment Panel has also approved the content of a new disciplinary policy which has been drafted to take into account best practice and legislative changes which have emerged since the procedure was last reviewed. The aim of the policy is to provide a solution for those occasions when standards of conduct or performance are unacceptable and to encourage an improvement in these circumstances.

TERMS OF REFERENCE FOR EMPLOYEE LIAISON ADVISORY GROUP

Pending a review of the operation of the Employee Liaison Advisory Group by the Democratic Structure

Working Group and discussion with employee representatives, the Employment Panel has approved interim revisions to the terms of reference and constitution of the Group. The changes include an increase in the number of Employees' Side representatives, together with changes to the Group's general objectives.

ANNUAL PAY AWARD 2010 / 11

The Employment Panel has received the findings of a study by the Employment Advisory Group regarding current remuneration practices and terms & conditions of employees. The study included a review of the salaries of those members of staff on lower salary scales.

In endorsing the overall conclusions, the Panel has

- ❖ used the Group's analysis and recommendations in continuing negotiation of the 2010/11 Pay Award to employees;
- ❖ authorised the Director of Central Services to initiate a review of the Council's pay and performance related pay schemes; and

- ❖ Undertaken to engage with employee representatives to suggest improved mechanisms to consult and engage with employees on future savings plans, in conjunction with the outstanding work of the Democratic Structure Working Group.

The Panel has initiated negotiations with Employees' Side representatives on the Annual Pay Award for 2010/11. Negotiations are currently adjourned and expected to continue on Monday, 26th July 2010.

REQUEST TO FILL VACANT POSTS

The Employment Panel has considered the circumstances applicable to a number of vacancies across the Council's Directorates. Having questioned the Director of Environmental & Community Services and Head of Financial Services extensively as to the justification for recruitment to these posts, the Panel has authorised the Head of People, Performance and Partnerships to recruit to the posts of:-

- ❖ Head of Operations; and
- ❖ Auditor, Financial Services

A decision in respect of a Supervising Inspector (Refuse and Recycling) has been deferred and delegated to the Chairman and Vice-Chairman for their consideration in consultation with the Executive Councillor.

PROPOSED AMENDMENTS TO THE HUNTINGDONSHIRE DISTRICT COUNCIL BUDGET 2010 -11

The Overview and Scrutiny Panel (Economic Well-Being) has met to discuss details of proposed amendments to the 2010-11 Budget which was submitted by the Liberal Democrat Group to the Council meeting on 17th February 2010. The Council decided to refer them to the Panel for consideration and Officers have been invited to comment on each of the proposals individually.

The Panel has discussed each of the proposals in turn, and in so doing noted that the proposals were not intended to be a comprehensive alternative budget but represented suggestions for ways in which the Council might achieve budget adjustments.

Having noted that the proposal relating to the Arts Development Service had been withdrawn, the Panel has agreed

- ❖ that the Independent Members' Allowances Panel be requested to take account of recent economic trends when it undertakes the forthcoming review and that the review be undertaken as cost effectively as possible;
- ❖ that further information be requested on the public's perception and the effectiveness of District Wide, together with the ways of reducing the cost of its production;

- ❖ that a report be requested on the scope of a review of Customer Services;
- ❖ that no changes be made to the Council's current electoral cycle;
- ❖ that Officers be asked to investigate ways of altering the format of Council publications to reduce cost;
- ❖ that investigations be undertaken into ways of disseminating information to Members more economically;
- ❖ to note that planned improvements to Huntingdon Bus Station have been deferred pending the outcome of investigations into alternative courses of action;
- ❖ that any future reports on public conveniences be reviewed by the relevant Overview and Scrutiny Panel before its submission to the Cabinet; and
- ❖ that the Overview and Scrutiny Panel (Environmental Well-Being) be asked to consider the cost effectiveness of investing in the distribution of Smart meters to residents in comparison with other initiatives in the Environment Strategy.

PERFORMANCE MANAGEMENT

The Overview and Scrutiny Panels have reviewed the Council's performance against its priority

objectives, which are contained in "Growing Success" – the Corporate Plan, prior to its submission to the Cabinet. The Panels have endorsed the views of the Corporate Plan Working Group.

The Social Well-Being Panel has received clarification on a number of matters raised by the Corporate Plan Working Group including the methodology used to calculate admissions to the Burgess Hall, the achievement of targets in respect of the objective "to promote healthy lifestyle choices" and the types of temporary accommodation used to prevent people from becoming homeless.

The Economic Well-Being Panel has received clarification regarding the fact that the Burgess Hall is £20k up on target and £30k up on the previous year, despite hospitality income dropping by £65k across the board. While the former concerns events income, the latter relates to bars and catering income. Members have decided that the reported financial performance requires further investigation. In addition, the Panel will also look at the Leisure Centres' overall financial performance and their employment structure.

The Economic Well-Being Panel has also commented that the target of 10% for staff turnover is too high and that something in the order of 7% would be more appropriate. At the same time it is recognised that an actual figure of 2.23% reflected a positive performance.

The Environmental Well-Being Panel has noted that the target for

the key measure relating to the tonnes of CO2 saved from year one carbon management projects has not been achieved. Members have been advised that this was attributed to the fact that not all the Leisure Centres have installed new combined heat and power systems as originally planned. At present, only the Huntingdon facility has the system installed and a decision has been made to review the system before rolling it out to the other Leisure Centres.

Members have also requested details of the amount of CO2 saved by moving into the Council's new headquarters.

In discussing the Council's performance, the Cabinet has been apprised of plans to review the structure of the Council's performance management procedure in light of changes to local priorities, circumstances and national inspection regimes.

MONITORING OF SECTION 106 AGREEMENTS (PLANNING OBLIGATIONS)

The Overview and Scrutiny Panel (Social Well-Being) has been updated on the receipt and expenditure by the Council of money negotiated under Section 106 Agreements. Progress against two of the four schemes identified previously by Members for further investigation has been made since the last quarter. Details of the developer for each scheme has been requested for inclusion in future reports, together with information on particular schemes that are currently pending allocation.

PROVISION OF PLAY FACILITIES IN HUNTINGDONSHIRE

The outcome of the Cabinet's deliberations on the Panel's study into the availability of play facilities in Huntingdonshire has been reported to the Overview and Scrutiny Panel (Social Well-Being). A progress report has been requested to a future meeting of the Panel in respect of the recommendations that were endorsed by the Cabinet, namely researching the availability of group insurance schemes and the feasibility of combining safety inspections.

CAMBRIDGESHIRE HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE

An update on matters currently being considered by the Cambridgeshire Health and Adult Social Care Scrutiny Committee has been delivered to the Overview and Scrutiny Panel (Social Well-Being). Views on the quality of services at Hinchingsbrooke Hospital are currently being sought by the Committee, which may be subject to a future study.

OVERVIEW AND SCRUTINY ANNUAL REPORT 2009/10

The Overview and Scrutiny Panels have reviewed the draft Overview and Scrutiny Annual Report for 2009/10 in advance of its forthcoming publication.

OVERVIEW AND SCRUTINY (SOCIAL WELL-BEING) – REMIT AND WORK PROGRAMME

The Overview and Scrutiny Panel (Social Well-Being) has reviewed its programme of studies and considered its work programme for the forthcoming year. In so doing, Members have been reminded of their responsibility to scrutinise the Children and Young People, Health and Well-Being and Inclusive, Safe and Cohesive Communities thematic groups of the Huntingdonshire Strategic Partnership.

Members have reviewed their existing programme of studies and received updates on the future governance of Hinchingsbrooke Hospital, the Place Survey and car parking at Hinchingsbrooke Hospital.

VISITOR DEVELOPMENT AND TOWN CENTRE VIBRANCY

The Overview & Scrutiny Panel (Economic Well-Being) has received a presentation by the Head of People, Performance and Partnerships and the Sustainable Economic Development Manager on visitor development and town centre vibrancy. Having been reminded of the Cabinet's previous decisions to drastically reduce the Tourism Service to make savings, Members have been acquainted with the ways in which the Council, in conjunction with its partners and local businesses, encourages visitors to the District.

There are two main strands to the Council's Strategy. Firstly, it aims to encourage visitors within a two hour radius of the District to use local accommodation by drawing attention to specialist attractions and

attracting tourists visiting Cambridge. This is almost exclusively achieved through the internet. Secondly, it endeavours to promote town centre vibrancy and thereby persuade Huntingdonshire residents to spend their money locally. The resources used by the Council to do this work amount to less than the equivalent of one full-time post.

The Panel has discussed the interaction between the two approaches, the potential for staging more large scale events and the costs and benefits of this work. Members have noted that most bed and breakfast accommodation is occupied by workers staying during the week. While they are keen to promote events, it has been stressed that this should be done using local suppliers and services.

Having received an introduction to this area of activity, the Panel will now look at the cost of the service and the benefits it brings to both the Council and the District.

TREASURY MANAGEMENT ANNUAL REPORT 2009 /10

In accordance with the requirements of the CIPFA Code of Practice and the Council's Treasury Management Strategy, the Overview & Scrutiny Panel (Economic Well-Being) has reviewed the performance of Fund Managers for the year ending 31st March 2010 in the investment of the Council's capital receipts. Members have been pleased to note that funds have performed well, significantly exceeding both the benchmark and the budgeted investment interest. In addition, all

of the Council's investments have been repaid in full and on time.

The Panel has paid particular attention to the scheme through which Town and Parish Council's can deposit funds with the District Council for investment. Having noted the origins of the scheme, the Panel has been made aware of the strict legal framework within which it operates in that, for example, the District Council cannot borrow to invest. Members have considered whether there might be any benefit in varying the scheme's current terms. While the administrative costs and low level of likely returns mean it would not be worth reducing the minimum sum that can be invested, there might be an opportunity to tailor investments that exceed £250k.

With regard to the Council's advisors on investments, Members have discussed the value of the service they provide. Although the cost to the Council is relatively low, the Panel has suggested that the Council should review whether they are needed in two years time, when balances have reduced.

Having discussed the security of investments and received an update on the request for a loan by the Wildlife Trust for Bedfordshire, Cambridgeshire, Northamptonshire and Peterborough, the Panel has endorsed the Treasury Management Annual Report 2009/10 for submission to the Cabinet.

Subsequently, Cabinet has noted the views of the Overview and Scrutiny Panel and recommended the report to Council.

OVERVIEW AND SCRUTINY (ECONOMIC WELL-BEING) – REMIT AND WORK PROGRAMME

The Overview & Scrutiny Panel (Economic Well-Being) has added waste collection round scheduling, promotion of use of disposable nappies and the use of S106 money for transport schemes in St Neots to the list of matters it intends to investigate in the course of the year.

RAMSEY MARKET TOWN TRANSPORT STRATEGY

The Overview & Scrutiny Panel (Environmental Well-Being) has considered a report seeking approval of the first Ramsey Market Town Transport Strategy which has been devised in conjunction with the Huntingdonshire Traffic Management Area Joint Committee. The Strategy identifies the key transport issues facing Ramsey and outlines a programme of transport schemes to address the transport needs of the Town and surrounding villages over the next five years. Projects within the Strategy will be funded from a variety of different sources, with the Strategy providing the evidence base required to request contributions from developers. The majority of funding will be required from the County Council as the Highway Authority which will be responsible for the maintenance of the improvements that are made. Members have acknowledged that on-street parking is a particular concern in Ramsey as it slows traffic and can make junctions more difficult to negotiate. This is exacerbated by a lack of enforcement of illegal parking which

might be addressed by forthcoming proposals on civil parking enforcement.

The Panel has questioned the extent to which the proposed Strategy could be funded via S106 contributions from the recent Tesco development in Ramsey. However, the principle contribution would have been the provision of traffic signals at the High Street/Great Whyte junction which has not been supported by the Huntingdonshire Traffic Management Area Joint Committee.

Having received the views of the Overview and Scrutiny Panel, the Cabinet has approved the contents of the Transport Strategy.

CAR PARKING ORDERS

Following consideration of reports on car parking in February and March 2010, the Overview and Scrutiny Panel (Environmental Well-Being) has considered a further report summarising the public response to the advertisement of proposals to introduce new Orders governing the use of car parks operated by the Council.

Members have been acquainted with details of the financial impact of the approved MTP, in the context of income from the fees for parking at Riverside Park, St. Neots with 38 spaces free of charge for two hours, as well as the alternative scenario suggested by the Panel of all spaces at Riverside Park being free of charge for three hours.

With regard to the proposed introduction of parking charges at

Hinchingbrooke Country Park, Members have recognised that the car park is being used by motorists working and visiting the nearby Hospital and commuting via the Railway Station. With that in mind, the Panel has drawn attention to the need to ensure that membership of the "Friends of the Country Park" is not used simply as a way of enabling motorists to continue to park at the Country Park without charge.

Members have noted the responses received which oppose the introduction of charges at Riverside Park, St. Neots. In view of the level of publicity that this matter has generated in the local press, it was felt that there has been ample opportunity for members of the public to comment. Members therefore see no reason why a local inquiry should be required to explore the objections raised in greater detail, which in Members' opinion, would only add further delay and additional costs to the process.

Members of the Panel have expressed some sympathy with the views expressed by the public but also recognise the need for the Council to generate additional income to meet the anticipated shortfall in the Council's budget. The Panel has recommended that the Cabinet considers the objections received and determines the Orders without holding a local inquiry. In so doing, the Cabinet have concurred with the Panel that the use of the car park at Hinchingbrooke Country Park will need to be managed in such a way to prevent "Friends of the Country Park" car park permits being exploited by commuters and

those working and visiting the nearby Hospital.

The Cabinet has considered carefully the representations received in the context of needing to achieve additional income to balance the Council's budget in future years. Executive Councillors decided that the retention of a number of spaces where motorists can park free of charge for 2 hours will offset the concerns of the users of Riverside Park. In that respect, the Cabinet has therefore decided not to hold a local inquiry and to confirm the Orders as advertised.

OVERVIEW AND SCRUTINY PANEL (ENVIRONMENTAL WELL-BEING) WORKPLAN STUDIES

The Overview and Scrutiny Panel (Environmental Well-Being) has reviewed its programme of studies. Members have requested further information on the work of the Flood Forum, which was established as a result of a previous scrutiny study. The Panel has appointed Councillors M G Baker, P Godley, D Harty and Messrs D Hopkins and M Phillips to a Working Group to investigate planning conservation.

TRANSFER OF SECTION 106 ASSET: LOVES FARM COMMUNITY BUILDING

The Cabinet has agreed to Loves Farm Residents' Association managing a new community building to be built at the Loves Farm development, St Neots as part of the S106 Agreement.

The Association has expressed a wish to be involved in both the

design and generation of supplementary funding for the building. The terms of the agreement will involve the granting of a leasehold and will be subject to the establishment of an appropriate charitable trust and the receipt of a three to five year business plan.

CAMBRIDGESHIRE VOLUNTARY SECTOR: INFRASTRUCTURE REVIEW

The Cabinet has requested further information from Cambridgeshire County Council and NHS Cambridgeshire on the cost implications and benefits of their proposal to introduce a single funding agreement for the Council for Voluntary Services.

REPRESENTATION ON ORGANISATIONS AND PARTNERSHIPS

The Cabinet has made appointments/nominations in relation to representation on a variety of organisations/partnerships. A schedule of the appointments is available on request from the Democratic Services Section.

SERVICE PLAN FOR FOOD SAFETY

The Licensing and Protection Panel has recommended that the Council approve the Service Plan for Food Safety 2010/11 following consideration of an Executive Summary. The Plan has been developed to comply with the requirements of the Food Standards Agency and incorporates the aims and objectives of the service, the

resources available and reviews that were undertaken during the previous year.

SERVICE PLAN FOR HEALTH AND SAFETY ENFORCEMENT

The Licensing and Protection Panel has endorsed the Service Plan for Health and Safety Enforcement for 2010/11, which has been developed in accordance with guidance issued by the Health and Safety Executive. The Plan contains sections on the aims and objectives of the service and the resources available and reviews work undertaken in the previous year.

Members have been informed that a full programme of inspections of premises had been carried out in 2009/10 and a high customer satisfaction rating has been achieved.

HEALTH PROTECTION REGULATIONS

The Licensing and Protection Panel has approved delegations to appoint Officers to enforce new Regulations produced by the Department of Health implementing a modernisation process for infectious disease notifications and control. The Regulations are the result of changes introduced by the Health and Social Care Act 2008 and introduce new wide ranging 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. There are significant legal and potential human

rights implications for the Council as a consequence of the legislation, with the safeguard of a Magistrate's Order when applying restrictions on people's civil liberties.

PRIVATE WATER SUPPLY REGULATIONS

Members of the Licensing and Protection Panel have been advised of the implications of the introduction of the Private Water Supply Regulations 2009. The Regulations impose a duty on local authorities to carry out a risk assessment of the private water supplies in the District. Procedures including a full investigation will have to be followed if water is found not to be wholesome. The associated costs incurred by the Authority can be recovered where possible. There are nine private water supplies in the area at present all serving a single dwelling and are therefore currently exempt from requirement for a risk assessment unless this is requested by the owner.

The question of responsibility for private distribution networks is of greater concern for the Council. Depending on the definition of a private distribution network, this could apply where water is supplied by a licensed supplier and is then further distributed by a person other than a licensed supplier, eg. a caravan park. With the possibility that this could apply to 1,000 premises in the District, clarification and guidance is awaited from the Drinking Water Inspectorate. A further report on the possible impact will be submitted to the Panel once the position has been clarified.

The Panel has authorised delegations to Officers to enforce the Regulations and initiate prosecutions.

REPRESENTATIONS ON ORGANISATIONS

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

LICENSING ACT 2003 - NEW MANDATORY CONDITIONS

The Licensing Committee has been acquainted with five new mandatory conditions introduced for licences granted under the Licensing Act 2003 for the sale and supply of alcohol.

The conditions which are applicable to all premises licences and premises certificates have been introduced following concerns nationally about the costs of crime and disorder linked to alcohol consumption. The conditions are intended to ensure good practice and consistency within the industry in trying to prevent irresponsible drinking and associated activities.

Possible sanctions for a breach of the code include the revocation of the licence or certificate, additional conditions or on summary convictions, a fine not exceeding £20,000 and/or six months imprisonment.

DEVELOPMENT MANAGEMENT

At its June meeting, The Development Management Panel determined eight applications and of these six were approved, one refused and one deferred for further information. Of those approved, one involved the development of 191 dwellings on the site of the former Jewsons/LEL, on London Road, St Ives and the other a large development of mixed uses on St Mary's Road, Ramsey. The mixed uses of the latter application will include employment, car sales, combined heat and power uses and a children's day nursery.

At the same meeting, it was reported that the Secretary of State for Communities & Local Government had announced the Government's intention to abolish Regional Spatial Strategies, to exclude private residential gardens from the definition of previously developed land and to delete the indicative minimum density of 30 dwellings per hectare.