

Decision Digest

Edition 118

Monthly summary of the decisions taken at meetings of the Council, Cabinet, Overview & Scrutiny and other Panels for the period 26th September to 28th October 2011.

ANNUAL REVIEW OF THE EFFECTIVENESS OF THE SYSTEM OF INTERNAL AUDIT

In accordance with the Accounts and Audit Regulations 2011, the Corporate Governance Panel has reviewed the effectiveness of the system of internal audit and is satisfied with the Audit and Risk Manager's opinion that adequate assurance was provided by the Council's internal control environment in terms of the effective exercise of its functions.

REVIEW OF THE EFFECTIVENESS OF THE CORPORATE GOVERNANCE PANEL

The Corporate Governance Panel has undertaken a review of its own effectiveness. The review concluded that the Panel was acting effectively and in accordance with its terms of reference. The content of an action plan designed to address a number of issues raised during the review was endorsed by the Panel.

The Panel agreed to undertake the exercise on an annual basis, with the next session to be undertaken in March 2012. This will give new Members an opportunity to enhance their knowledge and experience in corporate governance matters.

REVIEW OF THE EFFECTIVENESS OF THE INTERNAL AUDIT SERVICE

The Corporate Governance Panel has noted that a review of the effectiveness

of the system of internal audit has concluded that the Council's internal audit service meets the requirements of the CIPFA Code of Audit Practice for Internal Audit in Local Government. The Panel has endorsed an action plan which addressed the areas for improvement identified during the self-assessment process.

GOVERNANCE STATEMENT

The Chairman of the Corporate Governance Panel has been authorised to consent to the final wording and sign the Governance Statement for 2011. A number of amendments to the Statement were made by Members at the meeting.

LOCAL GOVERNMENT OMBUDSMAN – LOCAL SETTLEMENT OF COMPLAINT

Details of a complaint against the Council have been noted by the Corporate Governance Panel together with the terms of a compensatory payment which had been negotiated under the terms of the Council's scheme of delegation.

TRAINING OF CORPORATE GOVERNANCE PANEL MEMBERS

Members of the Corporate Governance Panel have agreed that training on specific subject matters will be considered on a meeting by meeting basis.

2011 PAY NEGOTIATIONS

Having received a detailed briefing by the Managing Director (Resources) on the proposals, the Employment Panel has reconsidered the current position in negotiations on the 2011 Pay Award and on changes to the pay structure. The Panel has also discussed the process adopted thus far for the presentation of proposals to staff and has welcomed the intention to undertake a staff survey to generate a better response to the consultation.

Having given an early indication on the direction of the proposals and expressed a wish not to extend the consultation period beyond the existing deadline of 15th November 2011, the Panel has authorised the Chairman and Vice-Chairman, in consultation with the Managing Director (Resources) and the Executive Leader to negotiate with Employee Side representatives on the 2011 Pay Award and proposals to re-structure the District Council's pay systems with a view to reaching agreement for approval at a future meeting of the Panel.

VOLUNTARY SECTOR REVIEW

The Overview and Scrutiny Panel (Social Well-Being) has noted the outcome of a review of the voluntary sector organisations that hold commissioning agreements with the Council. The review assessed the potential impact of a reduction in grant funding on their service users and on their own ability to attract external funding.

The Panel has discussed a number of matters including the social value of the services provided by voluntary organisations, the outcome of the Equality Impact Assessment, the provision of financial support to the organisations by other funders and the

value of the contributions made by each of the organisations.

The Panel has suggested to the Executive Councillor for Healthy and Active Communities that future funding levels should be based on an assessment of the level of need for the services offered by the organisations. An important consideration will be whether they are offered on a District-wide basis. It has further been suggested that a uniform rate of reduction across all the organisations would not be appropriate and that each organisation should instead be treated on an individual basis. Finally, the Panel has recommended the Executive Councillor for Healthy and Active Communities to consider alternative accommodation options for these organisations and the provision of support from Council Officers in their search for external and/or match funding opportunities.

Following consideration of the outcome of the review, the Cabinet acknowledged the excellent work of the voluntary sector locally, reaffirmed their commitment to supporting them and requested that negotiations continue to attempt to achieve organisational change and the potential of savings from alternative accommodation arrangements.

CAMBRIDGESHIRE ADULTS WELL-BEING AND HEALTH OVERVIEW AND SCRUTINY COMMITTEE

The Overview and Scrutiny Panel (Social Well-Being) has received an update on matters currently being considered by the Cambridgeshire Adults Wellbeing and Health Overview and Scrutiny Committee, which included the forthcoming NHS consultation on the Redesign of Mental Health Services in Cambridgeshire, acute stroke services for Huntingdonshire residents, a review of

home care services, the Adult Social Care Review of Progress Against the Integrated Plan, the review of dementia services and the Health and Wellbeing Board.

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

The Overview and Scrutiny Panel is seeking a response from Circle Healthcare on the provision they have made to finance the Public Finance Initiative (PFI) for the construction of the treatment centre at Hinchingsbrooke Hospital.

CAMBRIDGESHIRE PUBLIC SECTOR ASSET MANAGEMENT STRATEGY

The Overview & Scrutiny Panel (Economic Well-Being) has received an update on proposals to prepare a Cambridgeshire Public Sector Asset Management Strategy and establish a Making Assets Count Board for Huntingdonshire. Members have welcomed the suggestion that public sector organisations should develop a joined-up approach to the management and use of their property assets. Sharing facilities with other public sector partners has the potential to generate significant financial benefits through reduced costs and enhanced returns. However given that the proposal is expected to yield financial benefits, Members have commented that the report should include specific financial targets and that the project should have a more broadly defined commercial objective. Members have also queried whether there is any potential to involve the voluntary sector in the proposals and have been informed that there is likely to be some cross over with the current voluntary sector support project and with the ongoing efforts to let parts of the Council's Headquarters to other organisations

The Panel has discussed the proposals to establish a Project Board in each of the District areas to focus on specific projects where there appears to be potential for sharing accommodation and improving service delivery. It has been noted that Huntingdon Town Centre, Huntingdon Operations Centre, St Neots Town Centre, Training Facilities and the development of community hubs for service delivery at Yaxley, Ramsey and Sawtry have been identified as priorities for Huntingdonshire. Members have commented on the need to ensure that the District Council achieves the best value and outcomes from the Board and have asked the Managing Director (Communities, Partnerships and Projects) to submit a further report outlining progress made in six months time.

The Panel has commented generally on the likely impact on the local economy of public sector organisations leasing fewer properties in the future. With regard to the potential for changes to take place to the structure of local government, the Panel has recommended that the public sector property portfolio should be flexible enough to suit the circumstances of the time and the local area. In the longer term, Members have suggested that the project should make provision for public sector employee numbers to go up as well as down.

Subsequently and having considered the views of the Panel, the Cabinet has endorsed the document as a guide to asset management planning and its delivery. Executive Councillors have also expressed their support for the work of the Making Assets Count Programme and the establishment of a Huntingdonshire Making Assets Count Board.

DISABLED FACILITIES GRANTS AND CHARGES ON PROPERTIES

The Overview and Scrutiny Panels for Social and Economic Well-Being have endorsed a proposal to place charges on properties where owner occupiers receive a Disabled Facilities Grant (DFG) in certain defined circumstances.

The Social Well-Being Panel has received clarification on a number of matters which include the resources required to implement the proposal, the anticipated level of charges placed on properties, the criteria utilised to claim repayments, when applicants will be notified of charges and the market value of properties adapted by DFGs.

The Economic Well-Being Panel have discussed a number of issues including the likely impact of the proposals on property values, the cost of imposing charges and the length of time occupiers will remain in their properties. They have also queried whether there will be a sliding scale for repayments over time and have been informed that if the property is sold within a ten year period the full amount will be claimed up to a maximum limit of £10,000.

Having regard to the limited funding which is provided by Central Government for DFGs, the Economic Well-Being Panel has suggested that the District Council, in conjunction with other local authorities in the region should make representations to Government requesting additional support. Members have also commented that the maximum amount that could be reclaimed by local authorities has been capped at £10,000 for several years and that representations should also be made that the figure should be index linked.

Having considered the views of the Overview and Scrutiny Panels, the Cabinet has agreed to introduce

charges on properties adapted through DFGs where the owner has received a grant in excess of £10,000 for a garage or outbuilding conversion, extension or any combination of these. The charge will be placed on adapted properties if the property is sold after ten years. The Cabinet has authorised the Heads of Legal and Democratic Services and of Housing Services, after consultation with the Executive Councillor for Strategic Planning and Housing, to determine the most effective/efficient charging procedure. The decision as to when repayments should be sought will be down to the Head of Housing who will be guided by the requirements of the Disabled Facilities Grants General Consent Order 2008.

PROJECT MANAGEMENT

The Overview & Scrutiny Panel (Economic Well-Being) has previously identified a need for the Council to introduce internal guidelines on the kind of information, which should be included in the business case for large projects. It arose following investigations into the business case for the multi-storey car park in Huntingdon.

As a means of establishing whether there exists a need to undertake a study into this matter, the Panel has asked for information on whether the Council has any significant projects in the medium term. If this is the case the Panel will look at the Council's existing project management structures and their future information requirements. Members have suggested that it is important to ensure that rigorous post project appraisals are undertaken at the conclusion of a particular project.

OVERVIEW AND SCRUTINY REMITS

The Overview and Scrutiny Panels have considered proposed changes to the way their remits are defined in the Constitution. The remits have been

revised and now refer to the Council's service functions as opposed to the responsibilities of Executive Councillors.

The Social Well-Being Panel has also decided to reinstate its previous Section 106 monitoring arrangements for the scrutiny of leisure and play facilities and agreed to consider the budgets associated with services that fall within the Panel's remit.

ST IVES WEST URBAN DESIGN FRAMEWORK

The Overview and Scrutiny Panel (Environmental Well-Being) has requested the Cabinet to reconsider the representations received from residents of Houghton and Wyton before approving the draft St Ives West Urban Design Framework (UDF). The Panel decided it could not support the framework following a vote which had resulted in 5 votes to 4 against the document.

The Panel reached their decision following consideration of the comments received during the recent consultation. Members also took into account statements made by Ward Members for Houghton and Wyton who expressed the view that the UDF will result in a disproportionate number of houses being built in the village. Additionally they were concerned over traffic congestion on the A1123 and felt that the proposed green gap of separation between the villages and St Ives was inappropriate.

At the same time the Panel listened to alternative points of view which included the requirements of the Council's Core Strategy that had been agreed by Members and public examination, and the protection from poor development that the guiding principles within the document would afford the area.

This issue also has been considered by the Development Management Panel and the Cabinet and having had regard to the views of the Overview & Scrutiny Panel and representations from local District Councillors both decided to authorise the Head of Planning Services, after consultation with the Executive Councillor for Strategic Planning and Housing and the Chairman of the Development Management Panel to finalise and approve the UDF, as planning guidance, to inform Council policy and future decisions on potential development applications.

MAINTENANCE OF WATER COURSES

The Overview and Scrutiny Panel (Environmental Well-Being) has received a presentation on the maintenance of the District's watercourses, the different types of water courses and the various bodies and authorities responsible for them

The Council has an obligation under the Enclosures Act for the maintenance of approximately 100km of awarded water courses. However, with a budget of £30k the Council is only able to maintain ditches causing major problems. The Panel has been advised that in normal circumstances the Council's involvement in protecting properties from flooding is confined to emergency planning and the provision of accommodation to those affected by it. However the Council can use its permissive powers to carry out minor repairs to pipes of unknown ownership in order to avoid flooding or pollution, or to enforce clearance by 'riparian' owners.

The Panel has invited an Officer from the County Council to a future meeting to explain the new role the County Council will have under the Flood and Water Management Act 2010.

GREEN HOUSE PROJECT UPDATE

The Environmental Well-Being Panel having expressed its support for the Council's exemplar Green House project, have recommended the Cabinet to retain the property in St Ives as a showcase for the demonstration of sustainable environmental refurbishment to both residents and local businesses. The Panel has however recommended that the property in St Neots be offered for rental in order that fuel and energy usage can be monitored.

This conclusion was supported by the Cabinet. In terms of the future, the Cabinet was of the view that more effort should be made to promote the scheme and that subject to a move away from the 'Greenhouse' description supported the development of the project as the main mechanism for the authority to deliver the Government's Green Deal initiative in conjunction with project partners.

GREAT FEN

Having received an update on the Great Fen Project, the Overview and Scrutiny Environmental Well-Being Panel have requested that a presentation be made by the new project manager to a future meeting. The Council's Head of Planning Services has now taken over as the Council's representative on the Great Fen Board and the Council will be contributing to the project using finance from the Economic Development budget.

Of the development applications considered by the Development Management Panel in October, approval was given to a proposal for the first phase of a programme to deliver visitor facilities to that part of the Great Fen Project to the east of Holme.

These will comprise improvements to the existing car park entrance and road access, the construction of a birdwatchers hide and provision of footpaths (to a picnic area) and better access generally around the site.

NATIONAL FOOD HYGIENE RATING SCHEME

The Licensing and Protection Panel has reluctantly recommended the Head of Environmental and Community Health Services to submit an application for grant funding from the Food Standards Agency (FSA), which if successful would enable the Council to migrate from the current Scores on the Doors hygiene rating scheme to one run by the FSA. The Panel has listened to the arguments for and against the new system and has agreed that the Council has little choice but to change to the system, which will be marketed nationally.

THE ENVIRONMENTAL PROTECTION (CONTROLS ON OZONE-DEPLETING SUBSTANCES) REGULATIONS 2011

The Licensing and Protection Panel has been informed of the introduction of the above Regulations which are designed to control the production, import, export, placing on the market, recovery, recycling, reclamation, destruction and use of substances that deplete the ozone layer. The Panel has delegated authority to suitably qualified officers to enforce the provisions of the Regulations which revoke and replace previous Regulations, on behalf of the Council.

THE TRADE IN ANIMALS AND RELATED PRODUCTS REGULATIONS 2011

The Licensing and Protection Panel has delegated authority to appoint suitably qualified officers to enforce the

provisions of the above Regulations. The provisions amalgamate and simplify current statutory instruments which cover the import of live animals and animal products from both EU and non EU countries.

ADOPTION OF THE DRIVING STANDARDS AGENCY (DSA) DRIVING TEST FOR PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS

The Licensing and Protection Panel has agreed to replace in house officer led driving tests for private hire and hackney carriage drivers with a standard, impartial and nationally recognised qualification.

The test which will affect all new applications from 1st January 2012, will be carried out by an executive agency of the Department of Transport and will ensure all applicants (and any existing driver about whom there are concerns) have achieved a high standard of driving in relation to private hire and hackney carriage vehicles.

HACKNEY CARRIAGE FARES

The Licensing and Protection Panel has agreed to an increase of 6.86% to tariff 1 taxi fares and 6.12% to tariff 2. Expert advice sought by the Council on the matter considered the increases to be reasonable and affordable to the public yet viable for hackney carriage proprietors. The increases will take effect from 1st December 2011 subject to no objections being received following the publication of the variation.

AMENDMENTS TO THE LICENSING ACT 2003 ARISING FROM THE POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011

The Licensing Committee has received an update on the amendments to the

Licensing Act 2003 arising from the Police Reform and Social Responsibility Act 2011, and the implications for the Council.

The amendments which have been designed to 'rebalance the licensing system in favour of local communities' include making the Licensing Authority a Responsible Authority and the removal of the vicinity and interested party test, which may well result in an increased number of contested applications and hearings.

APPOINTMENT OF SUB-COMMITTEES

The Licensing Committee has simplified its system for establishing sub-committees by allowing them to comprise any three of the twelve members of the Licensing Committee.

DEREGULATION OF ENTERTAINMENT

The Licensing Committee has received details of a consultation exercise currently being undertaken by the Department of Culture, Media and Sport. The consultation, which seeks the views of the public, examines the deregulation of Schedule One of the Licensing Act 2003, and the removal of the need for a licence from as many types of entertainment as possible.