

Decision Digest

Edition 120

Monthly summary of the decisions taken at meetings of the Council, Cabinet, Overview & Scrutiny and other Panels for the period 28th November to 21st December 2011.

EMPLOYMENT REPORT

The Employment Panel has considered a range of information relating to the management of the Council's workforce and the workload of the Human Resources Team. This has included the latest position and trends relating to:-

- ❖ Employee Numbers;
- ❖ Salary Costs;
- ❖ Employee Turnover;
- ❖ Retention of new starters;
- ❖ Sickness Absence reporting; and
- ❖ The Human Resources Caseload.

In considering the information, the Panel's attention was drawn to the number of days lost to sickness per full time employee. Whilst the figure remains below the average for local government, the Panel noted that the Council was taking action to manage and address short and long term sickness absence. In this respect, a new Sickness Absence Policy had been adopted in February 2011 and Heads of Service had been set a specific target regarding absence management. The caseload undertaken by the Human Resources team also reflected the efforts which were being taken to address long term sickness.

With regard to the presentation of future reports, it was suggested that it would be useful to receive a breakdown of sickness absence by department.

ANNUAL EQUALITY PROGRESS REPORT

The Employment Panel has been updated on progress made on the delivery of actions and targets set out in the Council's Single Equality Action Scheme (SES) Action Plan and the findings from the Equality Impact Assessments conducted during 2010/11. Members have noted that of the 51 actions contained within the Plan, 47 had been completed or were ongoing.

The Panel's attention was drawn to the requirement for an external assessment to be undertaken in February 2012. The assessment will seek to validate the Council's current status as an "Achieving" Council and Panel Members were invited to attend the discussion Forum, established as part of the process.

EQUAL OPPORTUNITIES EMPLOYMENT MONITORING

Having noted that the 2010 Equality Act requires the Council to publish information relating to the characteristics of its employees, the Employment Panel has received and noted the results of the equal opportunities monitoring of its workforce over the period 1st April 2010 to 31st March 2011. In reviewing the statistics, the Panel has noted that the composition of the workforce remained broadly similar to the previous year and that the analysis of HR practices and procedures suggest there was no

evidence of discrimination within the Council during the year.

Having noted that there may be more that the Council could do to make a contribution towards reducing youth unemployment in the District, the Panel has been informed of the exploratory work which had been undertaken on the potential to offer apprentice and work experience schemes. Having indicated their support in principle to these types of initiatives, the Panel has agreed that further reports on the actions that the Council could take to address youth unemployment and the rehabilitation of offenders should be presented at an appropriate time

SAFEGUARDING POLICY & CRB REVIEW

Following the approval of the Council's Safeguarding Policy in June 2011, recent changes to the Employees' Code of Conduct and a review of practices in neighbouring Local Education Authorities, the Employment Panel has endorsed a number of changes to the procedure for renewing Criminal Record Bureau (CRB) disclosures for District Council employees.

REVIEW OF HDC REDUNDANCY POLICY

At the request of Employees' Side representatives, the Panel has endorsed a minor amendment to the Council's Redundancy Policy. The amendment clarifies the point at which employees are placed at risk of redundancy and will reflect current practice within the Council.

PAY REVIEW

The Employment Panel has considered the outcome of negotiations with Employees' side representatives on the

cost of living awards for 2011/12 and 12/13, the formal consultation on proposals to amend the District Council's pay structure and other changes to appraisal and incentive schemes. To inform the Panel's discussions, Members were provided with the results of the employee survey which had been undertaken on the consultation proposals.

Having been acquainted with the outcome of discussions between the Employees' and Employers' Side representatives, and having understood that the proposals were expected to generate budgetary savings of £244,000 in 2011/12 and £695,000 in 2012/13, provide a good basis for securing long term improvements in the Council's pay systems and that they had addressed a number of issues which had been raised during the formal consultation, the Panel agreed the following:-

- ❖ that there be no cost of living award for employees in 2011/12 and 2012/13;
- ❖ that no increments be awarded to employees for the year April 2011 – March 2012, although some non consolidated (taxable and non pensionable) awards would be made following the performance appraisals for this year to all staff on the incremental pay system who satisfied the specified conditions; and
- ❖ that eligible staff should receive an increase in salary of at least 2% from 1st April 2013, subject to there being 'no substantial shocks' to the Council's finances.

To address a number of problems associated with the current system for Sanctionable Pay which is in place in

the Operations Division for waste, recycling, street cleaners, grounds maintenance and vehicle fitters, the Panel endorsed a proposal to introduce an Attendance Allowance with effect from 1st April 2012. This will be reviewed in April 2013 to determine the impact that it may have had on sickness levels during the year. The Panel has also agreed to revise the basic pay for operational staff with effect from 1st April 2012 and reduce the overtime rate for some employees so that it is standardised after 30th June 2012.

Having recognised that there remained a need to address a number of issues relating to the District Council's pay systems, the Panel has also endorsed a suggestion that a working group should be established to review the Council's pay grades and bands with a view to implementing a revised pay structure from 1st April 2013. Reports on progress will be submitted to future meetings of the Panel.

DRAFT BUDGET AND MTP

The Overview & Scrutiny Panel (Economic Well-Being) has reviewed the draft Budget 2012/13 and MTP. The Executive Councillor for Resources has informed Members that the Council will have to operate under financial constraints for a number of years and many of the Council's decisions would be influenced by external events. He also presented an outline on the current situation, including:

- ◆ the progress that has been made towards achieving the current and next year's targets, helped in part by efficiency savings being higher than expected;
- ◆ some of the significant variations in the Financial Plan

including the introduction of the New Homes Bonus, and

- ◆ the savings that still need to be made over the MTP period.

In considering the contents of the report, the view has been expressed that the format could be clearer and more detail should be provided on explicit changes to revenue variations as the year has progressed. It has been agreed that a group of Members will meet with the Head of Financial Services to discuss these points and report back to the Panel in due course.

The Panel has accepted the proposed spending variations and congratulated the Cabinet and Officers on the significant progress that has been made in both the efficiency and savings measures that have been identified for the next two financial years. However, appreciating the current economic climate and the many unknown factors, it has been recommended that further investigation be undertaken to determine the feasibility of achieving some savings earlier than planned.

With regard to the supplementary capital estimate for Huntingdon multi storey car park, the Panel has noted that the project had already been approved and that the only change is that Trinity Place Car Park will now not be sold thereby leaving a £300K deficit. In view of the urgency to meet the necessary legal agreements so that the project can proceed to the agreed timescale, a proposed supplementary capital estimate of £300K has been supported. However, the Panel has requested an updated analysis on the project and Members are to notify the Chairman of the Panel and the Executive Councillor for Resources if there are any matters they want the Cabinet to take into account when the final decision is made.

The Panel has noted the possible relationship between the New Homes Bonus (NHB) and Formula Grant (FG), especially the lack of sufficient government funding for the former. Members have sought reassurance that the planning projections for future years are accurate. It has been noted that the retention of Business Rates might possibly replace the FG in future years and the possible implications of this.

The Panel has also recommended that the Council does not accept the proposed Council Tax Freeze Grant. It has been noted that £210K of additional savings will need to be identified as a result of accepting the 4 Year Reward Grant and that the acceptance of the second tranche would require the Council to find further savings in excess of £200k by 2015/16. It is understood that a significant number of other local authorities are unlikely to accept the Council Tax Freeze Grant.

The Panel has been informed that the Council Tax base is £25K better than forecast and that the Government is expected shortly to announce the Council's grant for 2012/13 and the level of Council Tax increase that will trigger a referendum. There are clear indications that the referendum legislation will replace capping and is likely to be enacted by February 2012. This will put the Council in a more informed position on which to make a decision on next year's Council Tax than has been the case in previous years. Before the Council Tax is set for 2012/13, the Panel has recommended that the Cabinet should identify those services that might be retained for a range of increases in Council Tax within the referendum limit.

The Panel has discussed the proposal to increase the minimum level of General reserves from £3M to £4M. Several Panel Members have questioned whether the new proposed

level is adequate in light of the unknown factors. For example, the NHB represents 25% of the Council's predicted income in 2015/16 and a reduction in home building is already included in the Risks and Unknowns assessment. This could, therefore, be a significant risk and the Panel is of the view that the Council should make greater provision to protect itself. Although in the past the Auditor has effectively required the Council to reduce its reserves, the general consensus is that it is desirable for the Council in the current economic climate to hold greater reserves. However, the Panel has recognised that such action would place an insurmountable burden on the savings programme in the short term. The Panel has, therefore, recommended that the minimum level of reserves should be £4M for now but that this should be reviewed in 2 years and if it is reasonable should be increased to £5M. This should be tested and considered in the forecast report each year and built into the draft budget if deemed necessary.

The Panel has noted that the Low End Assumptions have already been built into the MTP. However, Members have questioned if the pay award assumptions should be included as they raise expectations, particularly as actual pay awards have been negotiated for the next few years. As regards the Risks and Unknowns contained with the report, the Panel has recommended that the following should be included:

- ◆ the implications of planning fees from the Enterprise Zone should be assessed and either included in the financial plan or identified as a risk/unknown; and
- ◆ the Panel are concerned about the projected levels of homelessness

and the increased demand for Disabled Facilities Grants. The Cabinet has been requested to verify that the figures on which the respective budgets have been prepared are reliable.

At the conclusion of their deliberations, the Panel invited the Cabinet to consider its discussions as part of their deliberations on this item.

GREAT FEN SUPPLEMENTARY PLANNING DOCUMENT

The Cabinet has considered the content of the Great Fen Masterplan: Statement of Consultation which has been compiled by project partners to accompany planning guidance for the area. In recognising its importance when determining forthcoming planning applications within the Great Fen, the Cabinet has agreed to adopt the Masterplan as Supplementary Planning Guidance to be used to inform Council policy and guide development management decisions. At the same time, the Cabinet has approved a Statement of Recognition which explains the document's status and will be included as a preface text with the final document.

RAF BRAMPTON URBAN DESIGN FRAMEWORK (UDF)

The Overview and Scrutiny (Environmental Well-Being) Panel has endorsed for submission to Cabinet, a report on the RAF Brampton Urban Design Framework.

Having regard to the responses received during the recent consultation, the Cabinet has authorised 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 the content of the UDF.

The UDF will inform Council Policy and development management decisions on potential planning applications for the area. The Cabinet has requested that the final document should make reference to potential options for the retention of the Brampton Park Theatre as a community building.

DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD)

The Cabinet has agreed to adopt the Developer Contributions SPD as supplementary planning guidance. It has been necessary to update the SPD to complement the Draft Charging Schedule for the Huntingdonshire CIL which also was subject to preliminary consultation in November/December 2011.

UPDATE ON THE COUNCIL'S CORE STRATEGY – ITS LOCAL PLAN.

The Overview and Scrutiny (Environmental Well-Being) Panel has approved for submission to Cabinet a report on the need for the Council to consider updating its Core Strategy. The work is necessary in order to provide Huntingdonshire with a robust ongoing local planning policy and development framework.

With regard to the proposal to use the existing Core Strategy as a basis for the work to be undertaken, some Members have expressed a view that the work will need to be started from scratch. In light of the constraints on the Council in terms of planning conditions for the completion of infrastructure works when granting permission for development, the Panel has recommended that an updated local infrastructure strategy should be

developed. Furthermore the Panel has recommended that the Council should establish and maintain an ongoing dialogue with the Highways Agency and the County Council on road provision and the local infrastructure generally.

Subsequently arrangements for the review and update of the Council's Core Strategy have been approved by the Cabinet. Its approval will result in a new Local Plan for the area and the Cabinet has requested the Head of Planning Services to bring forward an update of the Local Development Scheme to include a timetable for preparing and delivering this new local plan.

In the interim, the Cabinet has supported the continued use of the Core Strategy for defining sustainable development needs.

Sound evidence will need to be gathered to demonstrate the local need for additional economic growth, associated housing development and related infrastructure. The Cabinet has endorsed the commencement of this work with colleagues across Cambridgeshire and the LEP area.

HOUSING BENEFIT CHANGES AND THE POTENTIAL IMPACT ON HUNTINGDONSHIRE

The effect of Government changes to the Housing Benefits system has been considered by the Overview and Scrutiny Panel (Social Well-Being) which results in a reduction in Benefit entitlement of between £3 and £70 per week by existing claimants. The Panel is particularly concerned over larger households that will experience a significant reduction in their entitlement, such as those living in four bedroom properties. It is anticipated that these households will turn to the Council for assistance. However, with a shortage in the availability of social rented housing,

it is likely that there will be an increase in the number of households facing homelessness. This could result in additional costs incurred by the Council. Additional provision has however been made in the budget for this purpose.

An additional report on the wider housing policy implications arising from further proposals in the Welfare Reform Bill will be presented to a future meeting of the Panel.

NHS CONSULTATION – PROPOSED REDESIGN OF MENTAL HEALTH SERVICES ACROSS CAMBRIDGESHIRE AND PETERBOROUGH

Before submitting a response to NHS Cambridgeshire's current consultation on the proposed redesign of mental health services across Cambridgeshire and Peterborough, the Overview and Scrutiny Panel (Social Well-Being) has decided to seek service users' views on the proposals and requested that a representative from NHS Cambridgeshire attend the Panel's January meeting. Preliminary views have been expressed over the proposed closure of Acer Ward at Hinchingbrooke Hospital, the risks associated with the Care in the Community approach proposed by NHS Cambridgeshire, the adequacy of the transportation system to Peterborough and the establishment of the new 24/7 Advice and Brief Intervention Centre.

VOLUNTARY SECTOR WORKING GROUP

Members of the Overview and Scrutiny Panel (Social Well-Being) have considered the Voluntary Sector Working Group's investigations into the potential impact on demand for District Council services of reductions in the services currently procured from voluntary organisations through Service Level Agreements. In addition, the

Panel has received details of potential financial liabilities relating to the Maple Centre, which is currently managed by the Hunts Forum of Voluntary Organisations.

The Panel has endorsed a list of priority areas for future voluntary activity in Huntingdonshire and has suggested that the services procured should be accessible to all residents across the District. These priorities will inform a report by the Head of Environmental and Community Health Services on voluntary sector support which will be considered by the Panel in January. This report will also propose options on what future funding methods are to be employed by the Council.

NEIGHBOURHOOD FORUMS WORKING GROUP

The Overview and Scrutiny Panel (Social Well-Being) has endorsed a suggestion to adopt the Shape My Place initiative within Huntingdonshire. A recommendation to this effect will be submitted to the Cabinet at its January meeting.

CAMBRIDGESHIRE ADULTS WELLBEING AND HEALTH OVERVIEW AND SCRUTINY COMMITTEE

Matters due for consideration by the Cambridgeshire Adults Well-Being and Health Overview and Scrutiny Committee have been noted by the Overview and Scrutiny Panel (Social Well-Being).

REVIEW OF REGULATION OF INVESTIGATORY POWERS ACT (RIPA) POLICIES AND PROCEDURES

Amendments to the existing RIPA Covert Surveillance Policy and Procedure and the content of a new Communications Data Policy and

Procedure have been endorsed for submission to the Council. These changes had been prompted following the outcome of an inspection by the Office of the Surveillance Commissioner, guidance issued by the Home Office and changes in the operational structure of the Council.

REVIEW OF HOUSING BENEFIT FRAUD INVESTIGATION ACTIVITY AND THE COUNCIL'S WHISTLEBLOWING POLICY

The Corporate Governance Panel has been acquainted with the activity of the Benefits Fraud Investigation Team over 2010/11 and has received details of new work areas undertaken by the Team which include the collection of debts arising from benefit overpayments, partnership working with recruitment agencies and the recovery of social housing.

In terms of the annual review of the whistleblowing policy and guidance, the Panel has been advised that only minor changes have been required and that 23 incidents were received through the various whistleblowing channels over the past year.

REVIEW OF THE ANTI-FRAUD AND CORRUPTION STRATEGY

The outcome of a review of the Anti-Fraud and Corruption Strategy has been noted by the Corporate Governance Panel and minor changes have been endorsed. The Panel has agreed to review the Strategy on a triennial basis.

NATIONAL FRAUD INITIATIVE

The work undertaken by the Council on the potentially fraudulent matches in data provided by the Audit Commission has been noted by Members of the Corporate Governance Panel. Two thirds of these cases relate to the

concessionary fares scheme and have been referred to Cambridgeshire County Council for investigation. A total of 55 days has been spent across the authority reviewing and investigating the matches identified.

APPROVAL FOR PUBLICATION OF THE 2010/11 ACCOUNTS

The efforts made by the Head of Financial Services and the Council's External Auditors to complete the process for finalising and publishing the Council's accounts for 2010/11 have been noted by the Corporate Governance Panel. It is hoped that this work will be completed early in the New Year. Delays to the process are attributed to the implementation of the new International Financial Reporting Standards, an underestimation of the time spent with the Council's new auditors explaining the Council's systems and practices, together with the introduction of new more onerous auditing standards, and unforeseen staff issues.

The Panel has received the External Auditor's draft report relating to the 2010/11 audit and agreed to amend the Annual Governance Statement to reflect the delay in publication of the Council's accounts.

It has been acknowledged that changes to the draft statement of accounts will be required. The Panel has delegated approval of any further amendments to the Managing Director (Resources), following consultation with the Chairman of the Panel and the external auditor, subject to there being no "material" change. The Panel has also authorised the Managing Director (Resources) and the Chairman of the Panel to sign the Letter of Representation on behalf of the Council when the accounts are completed. It is not anticipated that any changes will be required, but if they are, any changes to

the Letter of Representation have been delegated to the Managing Director (Resources) following consultation with the Chairman of the Panel and the external auditor.

ANNUAL REVIEW OF THE RISK MANAGEMENT STRATEGY

The Corporate Governance Panel has endorsed changes to the Risk Management Strategy. The Strategy was amended to reflect the current working practices employed by the Council.

POLICY ON THE MANAGEMENT OF UNREASONABLE COMPLAINANT BEHAVIOUR

The content of a policy on the management of unreasonable complainant behaviour has been endorsed by the Corporate Governance Panel.

TRAINING OF PANEL MEMBERS

In receiving their anticipated work programme for 2012, the Corporate Governance Panel has agreed to address any future training requirements on a meeting by meeting basis.

DRAINAGE ISSUES

The Overview and Scrutiny (Environmental Well-Being) Panel has considered a petition in respect of sewage overflow at Windsor Road and Main Street, Yaxley. The petition had been referred to the Panel from the Council meeting on 2nd November 2011.

The Panel was advised that the Executive Leader had written to Anglian Water expressing his concerns over the flooding problems in Yaxley and that a response has been received. Although Anglian Water's response had

addressed the particular instance of flooding, Members still were not satisfied with their programme to prevent problems occurring with the drainage system in the District and with their response to sewerage system failures. It has been suggested to the Panel that the Environment Agency has enforcement powers to deal with such situations. Given the lack of powers that the Council has to influence Anglian Water, the Panel requested the Executive Leader to write to the Environment Agency highlighting the Panel's concerns and asking them to use their enforcement powers.

LOCALISM ACT AND NEW STANDARDS REGIME

The Standards Committee has considered the provisions of the Localism Act and specifically those sections which relate to standards and the Code of Conduct. It is expected that the Act will come into force on 1st April 2012.

Interestingly, the Act still requires each authority to 'promote and maintain high standards of conduct' and to adopt a Code of Conduct which should provide for the registration of disclosable pecuniary interests. The Monitoring Officer still has a duty to maintain and publish a Members Register of Interests and Councillors will still be required to declare disclosable pecuniary interests although these have yet to be defined.

Rather surprisingly, the Council also will be required to have in place arrangements to deal with complaints of breaches of the Code about both District and Parish Councillors.

There are a number of other matters in the Act which will need to be looked at in detail and the Committee is hopeful that the Statutory Instruments which should follow will help in this task.

QUICK GUIDE TO BLOGGING

The outcome of a recent case considered in the Upper Tribunal could have implications for Member activity on blogs, twitter and other internet sites. Depending on circumstances, such communications might be regarded as conducting the business of the office of Member or 'acting as a representative of your authority' as set out in the Code of Conduct. As Standards for England have revised their quick guide to blogging to take account of this judgement, the Standards Committee has asked that this be circulated to Parish Councils for information and made available on the Members Homepage.

DEVELOPMENT APPLICATIONS

At its December meeting, the Development Management Panel determined ten applications. Amongst the eight applications approved and two items refused by the Panel was the proposal for the provision of a six screen cinema and four restaurant buildings and associated infrastructure on the site of the former fire station and household waste recycling centre off Huntingdon Street, St Neots. Having received representations from a number of District Councillors, an objector and the applicant, the Panel concluded that the application represented an opportunity to significantly improve leisure facilities in the town for all age groups and encourage and support the vitality and viability of St Neots town centre. The application was therefore approved subject to a number of conditions and a S106 agreement to secure a contribution from the applicant towards the upgrading of the traffic lights at the Cambridge Road/Tebbutts Road junction.