

## Decision Digest

Edition 125

**Monthly summary of the decisions taken at meetings of the Council, Cabinet, Overview & Scrutiny and other Panels for the period 1<sup>st</sup> June to 29<sup>th</sup> June 2012.**

### **MAKING ASSETS COUNT – PROGRESS REPORT**

The Overview & Scrutiny Panel (Economic Well-Being) has received an update on the progress being made by the Cambridgeshire Making Assets Count (MAC) initiative and on specific developments in the Huntingdonshire area.

A half day Countywide seminar will be held on 11th July 2012 at Pathfinder House on the subject, which the Under Secretary of State, Baroness Hanham will be attending. Attention has also been drawn to the resources which had been made available from Improvement East to assist with the development of a number of business cases for the various area projects in St Ives and St Neots. Whilst the District Council does not possess a significant property portfolio within these towns, Members have noted that resources are available to develop a robust methodology and have asked the Managing Director (CPP) to report back on developments at a future meeting.

The Panel has also endorsed the amendments to the aims and objectives of the Huntingdonshire MAC Board.

### **TREASURY MANAGEMENT ANNUAL REPORT 2011/12**

In accordance with the CIPFA Code of Practice and the Council's Treasury

Management Strategy, the Overview & Scrutiny Panel (Economic Well-Being) has reviewed the performance for the year ending 31st March 2012 in the investment of the Council's Capital receipts. Funds have performed well, significantly exceeding both the benchmark and the budgeted investment interest. This achievement is particularly significant in the current economic climate.

Having raised a number of specific questions with regard to the contents of the report, the Panel has been advised that the Cabinet will be asked to reduce the credit ratings of the major banks and building societies with which it can transact to enable the Council to continue to use existing facilities for liquidity accounts. Members have endorsed this approach.

Subsequently, the Cabinet has noted the contents of the report and has recommended to Council that they receive the Treasury Management Annual Report 2011/12 and approves the amended Appendix B of the Strategy for 2012/13.

### **HOUSING BENEFIT CHANGES AND THE POTENTIAL IMPACT ON HUNTINGDONSHIRE**

Following an update on the Government's Welfare Reform programme, the Overview and Scrutiny Panel (Social Well-Being) have placed on record their strong concerns over the impact of the changes upon

Huntingdonshire residents in receipt of Housing Benefit assistance.

The reforms will impact significantly upon larger households renting in the private sector. These individuals are expected to experience a significant reduction in their Housing Benefit entitlement but efforts are being made to approach these households to discuss future housing options.

Members have discussed a number of ways in which the changes could have an impact, together with the financial implications of the reforms. Local authorities are required to have in place localised Council Tax Support schemes by April 2013, but, if an agreement on a local scheme is not reached by January 2013, then the Government will impose its own scheme on the Council.

The Panel has received assurances that Officers are exploring a number of ways to mitigate the impact of the reforms on claimants and on the Council. Updates on further developments will be provided to the Panel on a quarterly basis.

#### **ST NEOTS SURFACE WATER MANAGEMENT PLAN**

The Overview and Scrutiny (Environmental Well-Being) Panel has received a presentation by the County Council's Flood and Water Manager on the management of surface water in St Neots and possible ways of reducing the occurrence of surface water flooding. A long-term Surface Water Management Action Plan has been developed for St Neots and four 'wet spot' areas have been identified along with measures to help reduce surface water flood risk in these locations.

Members have discussed instances of sewage flooding in the District and have been advised that the DG5 Register is

the official register of properties at risk of sewage flooding. Anglian Water is only allocated funding to investigate and, where necessary, carry out remediation works for the areas that appear on this Register. All other flooding matters fall under the Maintenance Plan, which has limited resources for conducting investigations and undertaking works.

Members have questioned why steps are only being taken to alleviate the flood risk in St. Neots when other areas of the District also suffer from significant flooding. It has been explained that the Surface Water Management Plan for the whole of Cambridgeshire contains a prioritised list of areas that have been identified as being susceptible to surface water flooding through a multi-factor analysis. St Neots is the highest priority area on the list and therefore most in need of flood alleviation measures. Members have been assured that other areas will be dealt with in due course.

#### **EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT – EQUALITY PEER CHALLENGE – ACHIEVING ACCREDITATION**

The outcome of a recent accreditation obtained by the Council as an "Achieving" authority under the Equality Framework for Local Government was noted by the Cabinet, Employment Panel and the Overview and Scrutiny Panel (Social Well-Being). The Framework is a performance improvement and benchmarking tool which is designed to help local government meet their equality duties. South Cambridgeshire is the only other Cambridgeshire authority that has attained the "Achieving" status.

The findings from the assessment have been incorporated into an action plan to take forward those areas which require further consideration.

Attention also has been drawn to the forthcoming welfare reforms and specifically the equality issues and financial pressures which may arise for the Council as a result. Members have been informed that the Overview and Scrutiny Panels have given preliminary consideration to the matter and that further reports would be submitted to their future meetings.

### REMIT AND WORK PROGRAMME

The Overview and Scrutiny Panels have reviewed their programme of studies and considered their work programme for the forthcoming year. Members have also examined the membership of their existing working groups.

Further to the Social Well-Being Panel's discussions on the Equality Peer Challenge, a new Working Group has been established to consider the action plan arising from the assessment. Members have also reaffirmed their wish to undertake scrutiny of the Council's budgets of the services that fall within their remit.

In considering potential areas for future investigation, the Economic Well-Being Panel has agreed to include Economic Development, Fraud Prevention and the implications of planning social housing requirements on Community Infrastructure Levy income and the housing waiting list in its work programme for the forthcoming year. A briefing on the Supporting People Back to Work Initiative has also been requested at a future meeting.

The Panel has also received an update on the discussions at the meeting of the Overview & Scrutiny Panel (Social Well-Being) on the implications of forthcoming changes to the Housing Benefit system for the District Council's

budget. Further information will be provided to the Panel's next meeting.

In considering their work programme, a Member of the Overview and Scrutiny (Environmental Well-Being) Panel has emphasised the need for the Council to educate residents as to what can be placed in recycling bins. Having acknowledged that waste contamination incurs costs for the Council it has been suggested that residents ought to be encouraged to recycle and educated as to what can be recycled. A meeting of the Waste Collection Working Group will be arranged so that these matters can be discussed in more detail.

Further to their discussion on the St. Neots Surface Water Management Plan, the Overview and Scrutiny (Environmental Well-Being) Panel has decided that, as drainage problems within the District are widespread, a Working Group should be convened to engage with Anglian Water in order to establish their general powers, responsibilities and limitations on its ability to prevent flooding.

### HR & PAYROLL SUPPORT SERVICES

The Employment Panel has received a presentation by Ms J Maulder, HR Business Partner on the future plans of Local Government Shared Services (LGSS), who has been providing Human Resources (HR) support to the District Council from 1 May 2012.

Information on the vision and values of LGSS, their governance arrangements and the benefits that they were able to offer the District Council was presented. The Panel also has been advised of the work which was being undertaken by LGSS to develop their understanding of the District Council and its HR policies, and their expectations in terms of the

service they can offer to the Authority in the future

Arising from the presentation, a number of questions were raised about the future aspirations of LGSS and the point at which any benefits from economies of scale become impractical. Members also were advised of the benefits which could be achieved from the pooling of professional expertise. The Panel was pleased to note that the Managing Director had received positive feedback about the LGSS service thus far.

### EMPLOYMENT REPORT

The Employment Panel has received a quarterly report on a range of information relating to the management of the Council's workforce and the workload of the Human Resources Team. The report 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 provided, the Panel noted that employee numbers had fallen by just over 8% in the year since 31st March 2011 and that salary costs had also reduced significantly. Whilst these figures did not include the recent transfer of HR employees to LGSS, Officers undertook to clarify this position in future reports. With regard to the overall reduction in employee numbers and having recognised the need to maintain staff morale, the Managing Director (Resources) has indicated that he hoped to be in a position to promote more positive messages about job

security as progress was made with the Council's pay review.

Members have also noted that the annual average day's sickness per FTE employee has reduced from 8.4 to 8.1 days in the year to 31st March 2012 and remains well below the average for local government. This also compares well with the figures for the private sector published by the Chartered Institute for Personnel Development. Whilst this outcome was pleasing, the Panel has been informed that sickness absence will remain a key focus for the Human Resources' Team and Heads of Services would continue to be directed to pay specific attention to this matter. With this in mind and to improve their understanding of the sickness absence policy and procedure, the Panel has requested a presentation on the subject at a future meeting.

### REVIEW OF ESSENTIAL MILEAGE, TRAVEL ARRANGEMENTS AND POOL CARS

The Employment Panel has received an update on the impact of changes to employee mileage allowances for both essential and casual car users.

Although the reduction in mileage rates appears to have had little effect on business mileage at this stage, Members have noted that the effect of removing lump sum payments for essential users is still unknown. In this respect, the Panel has been advised that a review of pool car requirements will be undertaken shortly and that work is ongoing to identify service areas where special arrangements may be required. It was also intended to approach existing recipients on an individual basis to discuss the alternative arrangements which could be put in place to address their situation.

Members also have discussed the cost and value of the Council's pool cars and the need to ensure that the changes did not have an adverse impact on service provision. The situation will remain under review and further updates will be submitted to the Panel in due course.

### **ACCIDENT REPORTING PROCEDURE**

In order to fulfil the Council's statutory responsibilities and to ensure consistency in the recording and reporting of accidents across the organisation, the Employment Panel has formally adopted a new Accident Reporting Procedure for the Authority. Whilst the Council has a number of informal service based practices for ensuring accidents are reported, the new procedure has been devised to establish a corporate system which clearly sets out the Council's duties and responsibilities.

To assist in the implementation and to introduce the procedure to Heads of Service and Activity Managers, a training seminar has been arranged to ensure each are aware of their legal responsibilities and have the necessary competencies to record and report accidents to the Health and Safety Executive's Incident Contact Centre.

### **PAY REVIEW PROJECT**

The Employment Panel has received an update on the progress being made with the Council's Pay Review project and have been informed that the project had been split into a number of work streams with the first of these involving a review of the Council's existing job evaluation scheme. Once this activity has concluded, Local Government Shared Services (LGSS) will examine the Council's existing Grading Framework.

The Panel has been assured that any decisions regarding pay and pay structure will be determined by the District Council and not the LGSS Joint Committee.

### **FOOD SAFETY SERVICE PLAN 2012/13**

The Licensing and Protection Panel has considered an executive summary of the proposed Service Plan for Food Safety 2012/13 prior to its approval by Council. The Plan complies with the requirements of the Food Standards Agency and incorporates the aims and objectives of the service, the resources available and a review of the work undertaken during the previous year.

### **PAVEMENT CAFES**

The function of licensing pavement cafes has been returned to the County Council by the Licensing and Protection Panel. The function had been successfully delegated to the Panel since 2003. However, changes to the procedures and a reduction in application fees agreed by the County Council Cabinet in an effort to provide a consistent approach throughout the County would have resulted in a significant reduction in income for the District Council if they had chosen to continue with the function.

The process will now be administered and enforced by the County Council, with the District Council remaining as a consultee. Members have been assured that businesses will not be adversely affected.

### **TAXI REFORM**

The Licensing and Protection Panel has been made aware of consultation being undertaken by the Law Commission with the purpose of reforming the laws affecting taxis and private hire vehicles. The Commission has highlighted a

number of problems with the current system which includes legislation dating back to 1831.

The Commission considers that the overall effect of the proposals, which include minimum safety standards for both taxis and private hire, and greater ease for private hire services to operate on a national basis, will improve and simplify the existing system.

#### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 – HEARINGS PROCEDURE**

The Licensing and Protection Panel has approved a standardised procedure to be followed by its Applications Sub-Group for hearings relating to individual applications for the grant, renewal or transfer of sex establishment licences. The standardised procedure replaces the individual procedures that required formal adoption at each hearing previously and follows the pattern of standardised procedures used for hearings of the Licensing Sub-Committees and the Applications Sub-Group with regard to taxi matters.

#### **SEX SHOPS – STANDARD CONDITIONS**

The Licensing and Protection Panel has approved amendments to the prescribed standard conditions applicable to all sex shop licences. Regulations made under the Local Government (Miscellaneous Provisions) Act 1982 permit local authorities to prescribe standard conditions setting out the way in which licensed premises are to be conducted. In addition special conditions can also be attached on an individual basis to address particular issues.

The need for amendments to the current standard conditions was highlighted during a recent renewal application process when the

impracticalities of being able to comply with a standard condition were identified.

#### **HEALTH AND SAFETY ENFORCEMENT PLAN 2012/13**

The Licensing and Protection Panel has endorsed the content of the Service Plan for Health and Safety Enforcement for 2012/13. The Plan, developed in accordance with guidance issued by the Health and Safety Executive, covers the aims and objectives of the service, resources available and includes a review of the work undertaken in the previous year.

The number of inspection visits and revisits carried out by the service had fallen as a consequence of a 20% reduction in staff resources and the requirement for significant resources to be allocated to the investigation of a fatal accident involving a child at a local caravan site. Available resources have been directed toward high risk premises and some projects identified in the Plan have been scaled down or postponed. Despite these problems many of the targets and outcomes identified in the 2011/12 Plan have been delivered.

It was anticipated that the reduced budget for 2012/13 would be sufficient to meet the needs of the service, although in the event of a complex legal case additional funds might have to be sought.

#### **REPRESENTATIONS ON ORGANISATIONS**

The Cabinet and Licensing and Protection Panel have appointed representatives to serve on a variety of organisations for the ensuing year. The Head of Legal and Democratic Services, after consultation with the Deputy Executive Leader, has been authorised to make any changes to the

schedule that may arise throughout the year.

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

The Licensing Committee has approved, for public consultation, a draft statement of principles that it proposes to apply in exercising its functions under the Gambling Act 2005.

The Council is required to review its statement of principles every three years and following a 12 week public consultation the final version will be submitted to the Committee prior to approval by the Cabinet and Council.

### **NEW STANDARDS REGIME**

The Standards Committee and Corporate Governance Panel has made a series of recommendations to the Council on the implications of the Localism Act 2011 relating to Standards and the Code of Conduct. These relate to the adoption of a new Code of Conduct, the registration and disclosure of Members' Interests, the appointment of a new Standards Committee arrangements for responding to complaints and whether a Member should withdraw from a meeting room during consideration of any item of business in which he/she may have a disclosable pecuniary interest.

### **INSPECTION BY THE INTERCEPTION OF COMMUNICATIONS COMMISSIONER**

An inspection undertaken by the Interception of Communications Commissioner was undertaken on 13th March 2012, the outcome of which was reported to the Corporate Governance Panel. The report concludes that the Council's use of the Regulation of Investigatory Powers is at a satisfactory level.

### **INTERNAL AUDIT SERVICE – INTERNAL AUDIT PLAN**

The Corporate Governance Panel has commented on the Internal Audit and Assurance Plan for the twelve month period commencing 1st August 2012. Matters discussed included the Council's computer audit arrangements, the yearly inspections undertaken, the level of external resource that will be provided through Deloitte's and the methodology used to calculate the number of days spent for each audit activity.

### **ANTI-FRAUD AND CORRUPTION MEASURES**

Details of the new Local Government Fraud Strategy have been noted by the Corporate Governance Panel. Members' attention was drawn to three particular areas relating to Council tax, procurement and payroll fraud. Procurement fraud is particularly difficult for Officers to identify.

Owing to their wish to gain a better understanding of the fraud risks faced by the Council, the Panel has established a Working Group for this purpose. This has been welcomed by the Executive Councillor for Resources.

### **FINAL ACCOUNTS 2011/12 AND AUDIT OF 2010/11 ACCOUNTS**

An update on the completion of the 2010/11 accounts has been provided to the Corporate Governance Panel. It is hoped that they will be finalised by 4th July 2012. Assurances have been received that the 2011/12 accounts will be ready for audit by 30th June 2012.

Concerns continue to be expressed over the delay and it has been suggested that a special meeting of the Panel should be held once the 2010/11 accounts have been finalised. The purpose of this meeting will be to

consider the lessons learnt and the additional costs incurred by the Council which are attributed to the delay.

#### **FINAL ACCOUNTS 2011/12 – ACCOUNTING POLICIES**

The Corporate Governance Panel has approved minor changes to the accounting policies for the 2011/12 accounts.

#### **EXTERNAL AUDIT PLAN 2011/12**

The content of the draft External Audit Plan for 2011/12 was noted by the Corporate Governance Panel. Matters that were discussed included the key risk areas identified and the Value for Money Conclusion. The Panel's views on fraud were also sought by the external auditors.

#### **INTERNAL AUDIT SERVICE – TERMS OF REFERENCE AND STRATEGY**

A review of the Internal Audit Service's Terms of Reference and Internal Audit Strategy has been delayed for consideration by the Corporate Governance Panel in light of the fact that national Public Sector Internal Audit Standards are about to be published. A report will be submitted to the Panel once these Standards are made available.

#### **COMPLAINTS**

An analysis of the Council's internal complaints and a summary of complaints involving the District Council which have been determined by the Local Government Ombudsman in 2011/12 was received by the Corporate Governance Panel. The Panel has also approved a revised Compliments, Complaints and Lessons Learned Policy to take into account feedback received from two external assessments.

#### **TRAINING OF PANEL MEMBERS**

Details of the Corporate Governance Panel's anticipated work programme was noted by Members who have agreed to address any future training requirements on a meeting by meeting basis.