

Decision Digest

Edition 159

Monthly summary of the decisions taken at meetings of the Council, Cabinet, Overview & Scrutiny and other Panels for the period 1st to 23rd October 2015.

LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY

Following a period of public consultation the Licensing Committee has reviewed the contents of a draft Statement of Licensing Policy for the District Council. The Policy which must be reviewed every 5 years, sets out how the Council will exercise its statutory duties relating to its licensing function. It has been re-drafted in its entirety to take into account substantial changes in legislation, updated Government Guidance, a new best practice framework for the review of licensing policy statements and the comments from the consultation.

Having acknowledged that the Council has a statutory duty to adopt and publish a Statement of Licensing Policy in order for the Council to fulfil its legal obligations, the Committee has recommended that the revised Statement should be approved by full Council for a period of five years from 7th January 2015.

In reviewing the responses which had been received to the public consultation, Members expressed their disappointment at the limited number of responses received from Town and Parish Councils. It was suggested that further consideration could be given to the methods for engagement with these organisations in the future.

GAMBLING ACT 2005 – STATEMENT OF PRINCIPLES

The Licensing Committee has reviewed the contents of a revised Statement of Principles for the District Council under the Gambling Act 2005. The current Statement is due to expire on 30th January 2016 and a new version must be placed to set out how the Council will exercise its functions under the Act in advance of this date.

The new Statement has been drafted to take into account the relevant provisions of the draft fifth edition of the Gambling Commission's Guidance to Local Authorities and the comments received from the public consultation which ran from 26th June to 4th September 2015. It must comply with the Gambling Act 2005, codes of practice and guidance issued by the Gambling Commission and be consistent with the licensing objectives.

As approval of the Statement is reserved to Full Council, the Committee has recommended that the new version be approved with effect from 31st January 2015 for a period of three years.

CLASSIFICATION OF FILM

The public exhibition of film on licensed premises must either be classified by the British Board of Film Classification (BBFC) or authorised by the Licensing Authority under the Licensing Act 2003.

For this purpose of fulfilling the Council's responsibilities and subject to an amendment to make clear that the determination of any requests must be undertaken by three individuals at all times, the Licensing Committee has approved a policy and procedure for determining matters relating to film classification under the Licensing Act.

SERVICE PLAN FOR FOOD LAW ENFORCEMENT AND HEALTH AND SAFETY MONITORING 2015-16

The Licensing and Protection Panel has received an update on progress being made against the Council's Food Safety and Health and Safety Service Plans for 2015/16 during the period 1st April to 30th September.

In reviewing the performance information provided, Members have expressed their concerns that the Service is behind target on the delivery of the Food Safety Service Plan. This is a direct result of a number of factors including staffing resources, two significant accident investigations, the impact of an unforeseen reactive workload, a higher than expected increase in the number of new food business and a higher than anticipated level of formal enforcement actions being undertaken.

Members have discussed the number of planned food hygiene inspections, which are significantly behind schedule. Having noted the reasons for this, the options which were available to address the situation and the actions which may be taken by the Food Standards Agency if the Authority failed to meet its statutory targets, the Panel has been informed that the matter will be discussed further by the Corporate Management Team. Members have been assured that the Executive Member for Strategic Economic Development and Legal is aware of the situation.

In recognition of Members concerns and in view of the time until the Panel's next meeting, the Head of Community has agreed to update the Chairman and Vice-Chairman on the position on a regular basis. He has also agreed that it would be useful to circulate further information to Panel Members when it became available.

With regard to Health and Safety premises inspections, Members have noted that whilst this is behind target, most of the preparatory work in connection with targeted health and safety interventions has been completed and the Head of Community is confident that the Authority would be back on target by the end of the year.

Overall, Members have welcomed the preparation of a monitoring report to enable the Panel to monitor the delivery of the Food Safety and Health and Safety Service Plans throughout the year. In terms of the format and content of the report, Members have made a number of suggestions for inclusion in future reports.

DEVELOPMENT APPLICATIONS

The Development Management Panel has considered six applications for planning permission. Of these, four have been approved and one refused with one deferred. One of the decisions to approve an application was contrary to the Officer recommendation.

The application, which was deferred, relates to the proposed change of use of 8 Market Hill, St Ives to a public house. The purpose of the deferral is to enable Officers to hold further discussions with consultees and with the applicant on the frontage and the beer garden.

PRESENTATIONS BY VOLUNTARY AND COMMUNITY ORGANISATIONS IN RECEIPT OF THREE YEAR FUNDING AWARDS

Six voluntary and community sector organisations in receipt of three year funding awards (Strategic Grants) from the Council each gave ten minute presentations to the Overview and Scrutiny Panel (Social Well-Being), with a further ten minutes allocated for questions from Members to each organisation's representatives.

The Head of Community provided the Panel with a brief introduction to the process for awarding Strategic Grants, concentrating on the following key points:

- The current Strategic Grants were allocated for a three year period from 1st April 2013 to 30th March 2016.
- The Council's budget for voluntary and community sector funding should be considered in line with the Council's Medium Term Financial Strategy to ensure the sector is not disproportionately affected.
- Further reports will be presented to the Panel in advance of the Council setting its budget for 2016/17 in February 2016.
- An application process for future grant funding will be opened once the budget available for this has been confirmed for 2016/17.

The presentations were intended to inform Members about what each of the organisations have delivered, how they consider they have assisted The Council in addressing its corporate objectives and what they consider their future challenges to be.

Following the presentations, the Head of Community re-iterated that the budget available for future voluntary and community sector grant funding will not be finalised until February 2016. Members stated that they would expect

an application process for this but expressed some concern about timescales for those organisations with funding arrangements due to finish in March 2016. The Head of Community will bring a further report to an upcoming meeting of the Panel.

PROJECT MANAGEMENT SELECT COMMITTEE – SIX MONTH REVIEW

The Programme and Project Manager and the Executive Councillor for Resources presented a report on projects at the delivery stage to the Overview and Scrutiny Panel (Economic Well-Being).

It was not possible to provide an update on progress with the In-Cab Technology project as this had been placed on hold until a review of the core processes and systems of the Waste Service has been completed.

Members were given an update on project activity over the last six months, including an overview of compliance with corporate project management guidance such as recording information on the Sharepoint projects site. A demonstration was given on how the site for the new website project has been used to manage the project and to share information.

Members were informed that anyone on the Council's network can access the site but that access to individual project sites, libraries and even individual documents can be restricted by amending permission settings. All information related to a specific project will generally be viewable and editable by members of the project team and there is also a clear audit trail which can be used to identify who has made changes and when.

The Panel were informed that staff have access to the network but Councillors do not due to public sector

network restrictions, which require the Council to follow a code of compliance which prevents this. Information for Members is included on the extranet site and performance reports also serve to provide information to Councillors. Officers can provide information on request.

SHARED SERVICES UPDATE

The Corporate Director (Services) presented an update to the Overview and Scrutiny Panel (Economic Well-Being). The timing was considered to be opportune following the completion of the TUPE consultation and the TUPE transfer of staff on 1 October 2015. The partnership with Cambridge City and South Cambridgeshire District Councils is now branded as “3C Shared Services”.

The transition planning and next steps planned in integrating services were described and information on the Governance model, the role of Members and the sovereignty guarantee was also covered in the presentation.

The Panel questioned whether a March 2016 target for ICT was too ambitious. Members were informed that the transition target is March–May 2016, when a new structure to deliver ICT services should be in place but that delivery of items in the service catalogue would take longer. There are around 60 posts in the new ICT shared services.

The flexibility for withdrawing from or adding other local authorities into shared services arrangements was discussed. The Panel was informed that the partnership agreement was for five years with a review in year three and an exit strategy would be included. Flexibility already exists so the scope of shared services could be widened relatively easily. Others could be involved on either a partnership or a contractual basis, as appropriate. A disagreement resolution

process will be included in the partnership agreement.

Members queried whether the sovereignty guarantee would only run for the five year life of the partnership or if it could be extended to cover the whole life of the partnership, if longer. The Panel was told that this suggestion for the guarantee to last the entire term would be considered in setting governance arrangements, although changes need to be agreed by all authorities.

REPLACEMENT FINANCIAL MANAGEMENT SYSTEM

The Cabinet has approved the Councils involvement in the procurement and implementation of a new Financial Management System (FMS) in partnership with its strategic partners, Cambridge City Council (CCC) and South Cambridgeshire District Council (SCDC).

The FMS that the Council currently uses has been in operation for a number of years with little improvements or modification to the system. Although the system continues to meet basic accounting requirements a new system will provide better financial reporting, improved financial management and support the sharing of finance resources.

Both CCC and SCDC recently gained approval from their Members for the joint procurement of a new FMS and it is considered that there are distinct advantages for the Council to enter into a joint procurement exercise.

Until the formal procurement has concluded the exact costs of a new FMS are unknown and the financial figures contained within the Officer’s report are indicative figures. However, CCC undertook some preliminary soft market testing earlier in 2015 and the

initial costing exercise has indicated a range of possible costs, which ultimately depend on the system eventually procured. As both CCC and SCDC are statutory landlords, and this service is financially resource intensive, it is assumed that the Councils implementation and subscription costs will be less as the Council does not operate a Housing Revenue Account.

The Cabinet has agreed to release up to £258,667 to finance the £192,000 capital acquisition and implementation costs and £66,667 first year revenue costs from the Special Earmarked Reserve.

The Cabinet has also delegated final approval to the Head of Resources in consultation with the Executive Councillor for Resources, subject to a 10% contingency, the release of the reserve to finance this project.

URGENT REPAIRS TO THE OCTAGON BUILDING, ST IVES

The Cabinet has considered a report and approved a capital allocation of £50,000 to repair and preserve the historic Octagon building in St Ives.

The Octagon building is owned by the Council and is located within the Cattle Market Car Park in St Ives. The building is not listed but does have protection against demolition as it is in the Conservation Area.

The building's condition is such that repairs are now required to ensure that the structure is made safe, is able to be secured and to improve the use of the internal space.

The repairs identified in the visible condition survey were estimated at £40,629. However, as the estimate does not include a contingent for others works that may be necessary a budget of £50,000 is considered more appropriate.

The budget of £50,000 is to be accommodated from underspend in the 2015/16 capital programme budget.

EMPLOYEE OPINION SURVEY RESULTS 2015

The Cabinet has received a presentation and been acquainted with the outcome of the Employee Opinion Survey 2015.