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28 February 2007

To: The Leader – Councillor RMA Manning
Deputy Leader – Councillor SM Edwards
Members of the Cabinet – Councillors Mrs DSK Spink MBE, Dr DR Bard,
Mrs VG Ford, JA Hockney and MP Howell

Dear Councillor

You are invited to attend the next meeting of **CABINET**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **THURSDAY, 8 MARCH 2007** at **10.00 a.m.**

Yours faithfully
GJ HARLOCK
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

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OPERATIONAL ITEMS

- 9. Milton Country Park - Land Ownership** **65 - 68**
- 10. Staff to Implement the Health Act 2006 (Smoke Free Regulations)** **69 - 72**
- 11. Private Hire and Hackney Carriage Vehicles: Amendments to Licensing Conditions** **73 - 78**
- Cabinet is requested to approve the adoption of the attached Vehicle Licensing Conditions as recommended at the joint meeting of the Licensing Committee and Environmental Health Portfolio Holder held on 20 February 2007. The conditions will become effective from 1 April 2007.
- 12. Private Hire and Hackney Carriage Drivers: Adoption of Driving Test**
- Cabinet is requested to approve the following recommendation from the joint meeting of the Licensing Committee and Environmental Health Portfolio Holder held on 20 February 2007:
- All new applicants or existing drivers who have allowed their licenses to lapse in any manner are required to undertake and pass the Driving Standards Agency (DSA) test for Private Hire and Hackney Carriages before being granted a licence by South Cambridgeshire District Council except,
- (i) Where an applicant for a Private Hire or Hackney Carriage drivers licence has successfully completed all the Go Skills vocational qualification modules and/or
 - (ii) Where an applicant already holds the Institute of Advanced Motoring qualification or RoSPA advanced driving test, the DSA driving test shall be waived.
- As subsequently advised by the DSA, the above would become effective on 23 April 2007.
- 13. Private Hire and Hackney Carriage Applications: Driver Guidelines** **79 - 82**
- Cabinet is requested to approve the adoption of the attached Private Hire/Hackney Carriage Driver Application Guidelines as recommended at the joint meeting of the Licensing Committee and Environmental Health Portfolio Holder held on 20 February 2007. The guidelines to be effective from 1 April 2007.
- 14. Private Hire Driver: Licensing Conditions** **83 - 88**
- Cabinet is requested to approve the adoption of the attached Private Hire Driver Licensing Conditions as recommended at the joint meeting of the Licensing Committee and Environmental Health Portfolio Holder held on 20 February 2007. The conditions to become effective on 1 April 2007.

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- 15. Capital Pooling Receipts 89 - 98**

STANDING ITEMS

- 16. Corporate Governance Inspection: Improvement Plan**
- 17. Matters Referred by Scrutiny and Overview Committee**
- 18. Updates from Cabinet Members Appointed to Outside Bodies**

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Cabinet held on
Thursday, 8 February 2007

PRESENT: Councillor RMA Manning (Leader of the Council)
Councillor SM Edwards (Resources, Staffing, Information & Customer Services
Portfolio Holder / Deputy Leader of the Council)

Councillors: Mrs DSK Spink MBE Housing Portfolio Holder
Dr DR Bard Planning and Economic Development Portfolio Holder
JA Hockney Conservation, Sustainability and Community Planning
Portfolio Holder
MP Howell Environmental Health Portfolio Holder

Officers in attendance for all or part of the meeting:

Holly Adams	Democratic Services Officer
Steve Hampson	Executive Director
Greg Harlock	Chief Executive
Simon McIntosh	Corporate Manager (Policy, Performance and Partnerships)
Keith Miles	Planning Policy Manager
Alison Talkington	Senior Planning Policy Officer
Gwynn Thomas	Principal Accountant (Housing)

Councillors R Hall, Mrs CAED Murfitt and NIC Wright were in attendance, by invitation.

Apologies for absence were received from Councillors Mrs VG Ford and Mrs EM Hezell.

The Leader welcomed Councillor MP Howell to Cabinet.

Procedural Items

1. MINUTES OF PREVIOUS MEETINGS

The Leader was authorised to sign as correct records the minutes of the meetings held on 11 and 25 January 2007, subject to the following amendment:

Direct Labour Organisation Business Plan (Minute 5, 11 January 2007)
(final paragraph): "**At the request of Councillor Mrs EM Hezell**, Cabinet offered its congratulations to all officers **of the DLO** involved with the recent successes of the DLO."

2. DECLARATIONS OF INTEREST

None declared.

**Recommendation to
Council and Decision
made by Cabinet**

3. CAPITAL AND REVENUE ESTIMATES, COUNCIL TAX AND PRUDENTIAL

INDICATORS 2007/08

The Resources, Staffing, Information & Customer Services Portfolio Holder outlined the report, which was the final stage in the process for setting the 2007/08 budget and council tax:

- the latest position of the Medium Term Financial Strategy included the latest adjustments for interest rates and identified savings;
- the capital programme had been prepared on the assumption that forthcoming legislation would allow all equity share capital receipts to be exempt from pooling;
- unless other sources of funding were agreed, there would be a 40% reduction in the capital programme from 2010/11 onwards, representing about £5-6 million per annum;
- individual portfolio revenue estimates had been affected significantly by a recent change in local authority accounting practice, but this would have no effect on council tax levels;
- the net General Fund expenditure would be lower than anticipated; and
- the projected target level of balances of £1.5 million would not be reached as quickly as originally thought, but this would be very dependent upon interest rates, identified Business Process Re-engineering savings being realised and implementation of improvements arising from the Corporate Governance Inspection.

A supplementary report from the Chief Executive outlined a further option for Council to consider as an alternative to the Medium Term Financial Strategy. In March 2006, the Local Government Minister had taken the view that local authority 2006/07 budgets were excessive if they showed an increase of more than 6% in their budget requirement compared with the previous year *and* if their council tax increased by more than 5% in the same period. On the basis of this view, an authority could exceed one of the capping criteria without being capped. The Chief Executive advised that this was not officers' recommended course of action, but that he had a responsibility to advise members of all available options. Cabinet considered this strategy to be "a risk too far", especially without knowing the 2007/08 capping criteria.

There was a prospect of meeting with the Local Government Minister to discuss the Council's financial position and, although it was clear that there was little chance to change the revenue support grant received, the Minister would be asked to confirm the 2007/08 capping criteria.

Cabinet **RECOMMENDED TO COUNCIL** that:

- (a) the capital programme up to the year ending 31 March 2010 be approved as submitted, which includes the sum of £33.285 million to be spent on affordable housing for the years from 2007/08 to 2009/10;
- (b) the increase in staffing costs due to an approved saving no longer being achieved be reviewed in September 2007;
- (c) the revised revenue estimates for the year 2006/07 and the revenue estimates for 2007/08 be approved as submitted, incorporating the decision made at (b);
- (d) the District Council demand for general expenses for 2007/08 be £5.798 million;
- (e) that Council set the amount of Council Tax for each of the relevant categories of dwelling in accordance with Section 30(2) of the Local Government Finance Act 1992 on the basis of a District Council Tax for general expenses on a Band D property of £102.26 plus the relevant amounts required by the precepts of Parish Councils, Cambridgeshire County Council and the Cambridgeshire Police and Fire Authorities, details of those precepts and their effect to be circulated with the formal resolution required at the Council meeting; and

- (f) the prudential indicators in Part 3 of the report be approved.

Cabinet AGREED:

- (g) to approve the list of precautionary items at Appendix D to the report to be used under delegated powers already given to the Resources, Staffing, Information & Customer Services Portfolio Holder and the Chief Executive; and
- (h) that the option at Appendix C1 to the report, allowing for additional expenditure / less savings than planned, met by a higher council tax, not be incorporated into the Medium Term Financial Strategy.

**Recommendations to
Council**

4. HOSTEL CHARGES, HOUSING RENTS AND SERVICE CHARGES

The Housing Portfolio Holder introduced the proposed 2007/08 figures, which had been increased in line with government requirements. The Council had tried to keep the amounts as low as possible.

Cabinet RECOMMENDED TO COUNCIL that:

- (a) from the first week in April 2007, rents be increased by an average of 5%, based on an inflationary increase of 4.1%, plus or minus a maximum of £0.65 towards the phasing in of rent restructuring;
- (b) permission be granted to Hereward Housing to increase hostel rents by £11.06 per week, in addition to 4.1% for inflation, from April 2007; and
- (c) charges for services and facilities be increased as outlined in the following table:

Service or Facility	Current Charge	Proposed Charge	Increase	
	p.w. £	p.w. £	%	£
Sheltered Housing Charges				
Tenants				
- support element				
- those in residence prior to 01/04/03	11.04	12.37	12.0	1.33
- other tenants	14.13	14.48	2.5	0.35
- communal facilities	6.04	6.29	4.1	0.25
Equity Shareholders				
- schemes with communal facilities				
- those in residence prior to 01/04/03	20.58	22.16	7.7	1.58
- other shareholders	23.67	24.27	2.5	0.60
- schemes without communal facilities				
- those in residence prior to 01/04/03	14.54	15.87	9.3	1.33
- other shareholders	17.63	17.98	2.0	0.35
Alarm System Service Charges*				
Individual Alarms	3.28	3.36	2.5	0.08
- Those not in receipt of benefit				
- where the Council supplies the alarm	3.61	3.70	2.5	0.09
- where the user supplies the alarm	2.92	2.99	2.5	0.07
- Those in receipt of benefit				
- where the Council supplies the alarm	2.30	2.70	17.4	0.40

- where the user supplies the alarm	1.63	2.00	22.7	0.37
Group Alarms	3.28	3.36	2.5	0.08
* plus VAT where appropriate				
Garage Rents				
Garages rented to a Council tenant or leaseholder	6.11	6.36	4.1	0.25
N.B. In excess of two garages will be subject to VAT				
Other Garages (subject to VAT)	8.43	8.78	4.1	0.35

5. JOINT PLANNING SERVICES ARRANGEMENT

The Planning and Economic Development Portfolio Holder explained that details of the proposals for a joint approach to major development in the Cambridge area already had been circulated to Cabinet and Opposition members and the press and emphasised that these arrangements did not reflect a lack of competence on behalf of any of the authorities, but were common elsewhere in the country where there were two-tier authorities or cross-boundary developments.

Under the joint arrangements, the City Council would not play a role on the Northstowe Delivery Board and the District Council would attend as observers only for any delivery boards concerned with sites wholly within the City boundaries. Cross-boundary sites such as Cambridge East and North West Cambridge would be dealt with in their entirety, rather than considering individual phases of each development separately. The Planning and Economic Development Portfolio Holder commended the arrangements, which retained democratic control over the planning process and should unlock additional funding for the growth agenda. He added that the Minister had endorsed a rolling fund to help finance major projects at an earlier time in the development programme than otherwise would have been achieved by waiting for s106 funds.

Cabinet, having due consideration for sections 19 (Discharge of functions of and by another local authority) and 20 (Joint exercise of functions) of the Local Government Act 2000, **RECOMMENDED TO COUNCIL** that:

- (a) the joint working arrangements set out in Appendices 1-3 of the report, including the creation of the Joint Strategic growth Implementation Committee, Northstowe Development Control Committee and Fringe Sites Development Control Committee, be approved subject to agreement of detailed operational arrangements and adequate financial resources being made available by the Minister;
- (b) subject to the relevant provisions being made, the following appointments to the joint committees be made,:
 - (i) Joint Strategic Growth Implementation Committee – 3 Councillors, including the PDF
 - (ii) Northstowe Development Control Committee – 6 Councillors, in accordance with the rules of political balance; and
 - (iii) Fringe Sites Development Control Committee – 6 Councillors, in accordance with the rules of political balance;
- (c) subject to the relevant provisions being made, that the planning powers listed in Annex 1 to Appendix 1e of the report, be delegated to the joint development control committees, with the Constitution being amended accordingly, subject to a detailed scheme of delegation to Officers being prepared for subsequent approval by Council; and

- (d) the Chief Executive be authorised to make any further minor or consequential amendments to the scheme as may be from time to time required.

6. LOCAL GOVERNMENT PENSION SCHEME DISCRETIONARY COMPENSATION REGULATIONS 2006

The Resources, Staffing, Information & Customer Services Portfolio Holder explained that the Council had to amend its existing policy in light of new age equality legislation.

Cabinet **RECOMMENDED TO COUNCIL** that the following revised discretionary compensation policy be adopted:

- (a) General Policy
- (i) The revised policy should seek to minimise any adverse impact on the terms and conditions of employment for Council employees.
 - (ii) The Council should continue not to seek to use the LGPS augmentation provisions due to the costs and complexities this would entail.
 - (iii) The revised policy should be applied consistently to all, regardless of age.
 - (iv) The revised policy should be reviewed after six months of operation in order to manage any potential risks and issues arising.
- (b) Transitional protection
- (i) The Council should continue to use the discretions it currently applies under the 2000 regulations to award Compensatory Added Years (CAY) for any protected employees made redundant / subject to Premature Retirement in the Interest of the Efficient Exercise of the Authority's Functions (PRIEEAF) before 1 April 2007
- (c) Redundancy policy
- (i) Redundancy should remain calculated on actual week's pay, rather than statutory redundancy provisions.
 - (ii) All local government service, even if broken, should continue to count for the purposes of redundancy payment calculations; however, no period of employment should count twice, i.e., where the employee concerned has previously received compensation, only the remaining, un-compensated, service should be counted;
 - (iii) The revised redundancy policy for all employees should be to award an overall lump sum of 1 1/2 times the redundancy payment to employees with two or more years' continuous employment within local government (or a public sector company recognised by Modification Order), regardless of their membership of the LGPS, with effect from 1 April 2007. (Note: The overall lump sum so awarded would include the statutory redundancy payment due.)
- (d) PRIEEAF policy
- (i) The revised PRIEEAF policy for the Council should be a flexible approach to award a lump sum of up to 104 weeks' pay.

Decisions made by Cabinet

7. COTTENHAM: DUAL USE SPORTS FACILITIES

Mr Tony Cooper, Head Teacher of Cottenham Village College, Mr Geoff Redhead, Sports Centre Management, Mr Les Rouse, Site Manager and Mr Chris Smith, Sports Centre Manager, were in attendance for this item.

Cottenham Village College was the first approved Dual Use Sports Facility in South Cambridgeshire and had been very successful, used by the village and surrounding communities. The current application for funding was part of a joint bid to provide two main additions to the existing facility: a floodlit artificial training pitch for football, hockey and rugby, and extensions to the changing rooms. Officers commended the project, which developed from the needs of the community and would meet the requirements of local sports clubs.

Members supported the project, which demonstrated the benefit of partnership working as the contribution from SCDC would be enhanced by funding from Cambridgeshire County Council, Cottenham Parish Council, the Football Foundation and the Village College. Mr Cooper explained that, should there be any queries why this project should receive funding when Milton Country Park was at risk of closure, the project was good value for money and the Village College was more than just a sports facility: it benefited the community by giving residents access to high-quality leisure, recreational and educational facilities, including space for local meetings and a swimming pool.

Mr Cooper further explained that:

- Cottenham Football Club was one of the largest in Cambridgeshire, with four adult and thirteen junior teams as well as girls' football;
- A large number of other teams in the surrounding catchment villages had expressed an interest in the new training pitch, as had a local corporate football team;
- The Village College facilities were used every Monday evening by a special needs club and there was an on-site behavioural unit which students could use instead of having to travel to Cambridge;
- The local Traveller population used the facilities and the Village College provided a mobile bus for special needs education and adult learning in the Travelling community;
- The facilities were well-placed for use during the 2012 Olympics, particularly the triathlon, and would be promoted as a venue for young people to use to improve their performance.

A statement of support from Councillor Mrs VG Ford was read, noting that funding for this project had been earmarked and in budgets since 2002 and that Sport England had found that the Council received excellent value for money through its dual use sports programme.

Cabinet **AGREED** to award a grant of £265,000 to Cottenham Village College Dual Use Sports Facility Project, representing 37% of the total cost of the project.

Cabinet thanked Messrs Cooper, Redhead, Rouse and Smith for their presentation and commended them on their business plan.

8. EAST OF ENGLAND PLAN - REGIONAL SPATIAL STRATEGY (RSS) MODIFICATIONS

The Planning and Economic Development Portfolio Holder outlined the proposed responses, which had been considered by the Planning Policy Advisory Group, and drew attention to several of the modifications:

- the Cambridge Green Belt was not to be reviewed as part of the current process;
- the Council's Local Development Framework had confirmed that there would be a maximum of 8,000 dwellings at Northstowe, but the supporting text in the RSS referred to a settlement of 'initially' 8-10,000;

- if Cambridge were not to be planned as a compact city there could be implications for South Cambridgeshire as City growth began to encroach upon the necklace villages and if so, the District Council would need to make a political decision where to accommodate the additional annual growth beyond 2021 at the level proposed in the RSS if Cambridge City were considered full;
- the East of England Regional Authority had passed a motion for 35% affordable housing in new developments, which could have implications for South Cambridgeshire where higher levels of affordable housing would be provided than in neighbouring districts; and
- the Council would need to push for more infrastructure if the second runway at Stansted Airport went ahead.

Councillor JA Hockney welcomed the inclusions emphasising reduction of climate change emissions and a policy statement on renewable energy, but cautioned that the benefits of these would be offset by increased air travel through expansion at Stansted Airport.

The Planning Policy Manager explained that the likelihood of the Council's comments being incorporated depended upon the extent to which they were in agreement with national government policy, which was very focussed upon delivering development in the growth areas.

Cabinet **AGREED** the following responses to the proposed changes to the draft revision to the Regional Spatial Strategy for submission to the Secretary of State:

The Proposed Changes to the Draft Revision of the Regional Spatial Strategy

This is consistent with the challenging levels of development for which South Cambridgeshire and Cambridge City are already planning. Further development on the edge of Cambridge cannot be accommodated without calling into question the fundamental purposes of the Cambridge Green Belt to protect the character and setting of the historic city or to prevent villages in the vicinity of Cambridge merging with the City or with one another.

Green Belt

The Council welcomes the fact that the Cambridge Green Belt will not be reviewed through this RSS but is concerned at the suggestion that it may be examined in the future as part of the RSS review. The potential for revising the boundaries of the green belt around Cambridge without undermining the purposes of the Cambridge Green Belt was comprehensively explored during the preparation of the Cambridgeshire and Peterborough Structure Plan. The evidence is that opportunities for further revisions to deliver regionally strategic levels of development post 2021 are unlikely to be found without harming the character and setting of Cambridge or resulting in coalescence with nearby villages. . Whilst this does not form part of this review of the RSS the District Council advises caution on the assumption that growth can continue at the same rate post 2021 in or close to Cambridge.

Compact City

The Council objects to the deletion of the term 'compact' from the description of Cambridge in Policy CSR3.

Northstowe

Reference to Northstowe as a settlement of initially 8-10,000 houses should be deleted and its size confirmed in the revised wording to Policy CSR1.

In Policy CSR1 when Northstowe is mentioned the population size should be included

as follows '...at the new settlement of Northstowe, with a population size of up to 10,000, linked to the guided busway....'

Affordable housing

In Policy CSR1 there should be a new paragraph added after the second paragraph using the following wording....' In recognition of the pressures for housing arising in the Cambridge Sub-region at least 40% of new housing needs to be affordable. Employment development will also be expected to contribute towards affordable housing.'

Policy H3 should specifically recognise the problem of affordability in the Cambridge Sub-region and the following wording should be added to the end of the policy: '...In some areas of the region such as the Cambridge Sub-region there will need to be set higher targets for affordable homes'.

Employment

The Council welcomes the flexibility for the job growth figure for Cambridgeshire County to be allocated between each of the five Districts provided that the level of job growth in Cambridge and South Cambridgeshire continues to be governed by the 'selective management of growth' policy to encourage the growth of high technology research and development companies that need a location close to the historic city of Cambridge.

Stansted airport

In the context that it is government policy to promote a second runway at Stansted and the Secretary of State is required to agree the RSS, it is understandable that the RSS is proposed to be modified to remove references to opposition to a second runway. However, equally the Council can continue its opposition to the proposal of Stansted to have a second runway and welcomes the recognition that the airport developers will be expected to contribute to any surface access improvements necessary as a result of the expansion of the airport.

Cambridge Airport

The Council welcomes the inclusion of this mention of Cambridge Airport.

Housing

The RSS should be revised to recognise the existing step change in growth that the Cambridge Sub-region has taken and the words 'at least ' be removed from Policy H1 for Districts planning for annual growth in excess of 1,000 dwellings.

Travellers and Gypsies

The Council welcomes the inclusion of Policy H4. It is hoped that other districts progress the requirements of this policy and that the rapid progress of this Council is recognised by the Government and that this does not prove to be disadvantageous to this Council.

Transport

This policy is to be welcomed by the Council since many of the non-regional roads pass through villages in this District.

The Council welcomes the recognition that the Cambridge area will be subject to a further study but there needs to be a reassurance that this will be linked to further commitment to investment in infrastructure in the Cambridge Sub-region if further growth.

It is of great concern that schemes have been omitted from the tables in Appendix A that

are seen by this Council as being important to supporting the growth agenda.

The following schemes should be reinstated into Appendix A:

- (a) M11 dual 3 lane J9-14 – was previously listed as ‘part of an endorsed transport strategy – further appraisal needed’.
- (b) A428 dualling A1 to Caxton – was previously listed as ‘part of an endorsed transport strategy – further appraisal needed’.

New inclusions

The Council welcomes the inclusion of policies on water, carbon emissions and renewable energy but considers that improved sustainability at the dwelling level will need to be complemented with measures to promote the overall sustainability of the development as a whole. There also needs to be reduction in air travel in the long-term.

Early review

The Council is already meeting a very challenging agenda of growth and considers that if further growth is to be imposed on the Cambridge Sub-region it must be at a level directly related to local job growth, environmental, social and infrastructure capacity all of which will be stretched by the current RSS in that part of the Sub-Region close to Cambridge. Continued sustainable growth may only be possible if the remaining Districts in the Cambridge Sub-Region play a greater role in accommodating housing and employment growth after 2021.

9. CABINET MEETING SCHEDULE 2007/08

The Leader proposed that Cabinet meet during the afternoons for the first four meetings during 2007/08 and that Cabinet undertake a trial of holding evening meetings, to which it was hoped that more members of public would attend. Members noted that previous attempts to hold evening meetings had not resulted in increased public attendance, but decided to hold two evening meetings during the 2007/08 year, during October 2007 and February 2008 when the Medium Term Financial Strategy would be reviewed the 2008/09 budget and council tax levels would be considered, both issues of relevance to all residents. Cabinet would consider at a future date holding meetings at different venues in the district.

Cabinet **AGREED** the following schedule of meetings for 2007/08:

Thursday 10 May 2007 – 2 pm
 Thursday 14 June 2007 – 2 pm
 Monday 9 July 2007 – 2 pm
 Thursday 13 September 2007 – 2 pm
 Monday 8 October 2007 – 7 pm
 Thursday 8 November 2007 – 2 pm
 Thursday 13 December 2007 – 2 pm
 Thursday 10 January 2008 – 2 pm
 Monday 18 February 2008 – 7 pm
 Thursday 13 March 2008 – 2 pm
 Thursday 10 April 2008 – 2 pm
 Thursday 8 May 2008 – 2 pm

Standing Items

10. MATTERS REFERRED BY SCRUTINY AND OVERVIEW COMMITTEE

Nothing to report.

11. UPDATES FROM CABINET MEMBERS APPOINTED TO OUTSIDE BODIES

Nothing to report.

**The Meeting ended at 11.26
a.m.**

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet

08 March 2007

AUTHOR/S: Chief Executive

INVESTMENT STRATEGY (TREASURY MANAGEMENT) 2007/08**Purpose**

1. To recommend to Council that the Investment Strategy for 2007/08 is approved

Background

2. With effect from 1 April 2004, the Local Government Act 2003:
 - (i) included a power for a local authority to invest for the purposes of prudent management of its financial affairs;
 - (ii) requires a local authority to have regard to any guidance the Secretary of State may issue; and
 - (iii) repealed all the previous legislation on approved investments.

Considerations

3. Guidance has been issued which:
 - (i) requires a local authority to draw up an annual investment strategy for the following financial year to be approved by full Council; and
 - (ii) requires the strategy to give priority to security and liquidity rather than to yield, to identify which categories of investments may be prudently used and the maximum amount for each category and to set out procedures for determining maximum investment periods.
4. An investment strategy is attached as **Appendix A**. This is basically the previous year's Investment Strategy and it continues to restrict investment to the same groups of organisations as before.

Options

5. These include:
 - (a) Continuing with the present policy which has produced good results. The Council is a member of the CIPFA Treasury Management benchmarking club. The results for 2005/06 show that South Cambridgeshire achieved another creditable performance for the third year running with a return of 4.84% on combined investments (less than and more than 365 days) compared to 4.76% for its comparator group and 4.71 % for the overall group. South Cambridgeshire was second highest in the comparator group of 11 other organisations and ninth highest in the overall group of 134 other organisations. These good results were achieved at minimal cost;

- (b) Increasing risk which should produce a higher rate of return. This is not recommended;
- (c) With the rapidly declining level of capital receipts, outsourcing is probably no longer feasible as external fund managers often require at least £10 million for at least three years; and
- (d) An option would be to stop using lists of named counterparties and have a policy of investing only with counterparties with an AAA rating. This would be a radical departure from present practice and would probably result in investing with foreign banks and other commercial organisations (but with all investments and repayments still denominated in £ sterling). Most of these organisations will only accept a minimum of £5 million so the Council would, therefore, have fewer higher value investments with the consequent higher risk. With reducing balances, the opportunity for these large investments will be very limited. The trend with other local authorities seemed to be to move away from credit ratings in order to achieve a wider range of counterparties with the consequent greater flexibility and spread of risk.
A policy of investing only with counterparties with a AAA rating would be heavily dependent on the credit rating being an accurate assessment. Standard & Poor's credit ratings on their website include the caveat that "any user of credit ratings ... should not rely on any such ratings ... in making any investment decision".

Implications

6.

Financial	The Council may currently earn less interest on its investments by having a very restricted range of investments but this is considered to be more than offset by the reduced risk of default by counterparties. Any change to the use of credit ratings may involve additional time and expenditure with no guarantee of an increased rate of return on investments.
Legal	None
Staffing	Any change to the use of credit ratings would require detailed research by senior management and training for staff who deal with treasury management on a daily basis. There is no specific budget for this training.
Risk Management	There is internal check with division of duties between dealing, administration and authorisation and any losses due to fraud should be covered by fidelity guarantee insurance. Credit and counterparty risk is currently managed by restricting the range of investment organisations to the main banks, building societies, etc. A change to the use of credit ratings would transfer part or all of the risk assessment to the credit rating agency/ies which do not provide any indemnities against loss. There may be fewer higher value investments which would concentrate and may increase the risk of default by counterparties.
Equal Opportunities	None

Consultations

- 7. None.

Effect on Annual Priorities and Corporate Objectives

8.	Affordable Homes	Effective treasury management provides support towards the achievement of the Council's corporate objectives
	Customer Service	
	Northstowe and other growth areas	
	Quality, Accessible Services	
	Village Life	
	Sustainability	
	Partnership	

Recommendations

- 9. Cabinet is requested to recommend to Council that the Investment Strategy in the Appendix is approved.

Background Papers: the following background papers were used in the preparation of this report:

- Guidance from the Office of the Deputy Prime Minister dated 12th March 2004
- Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes (CIPFA) and
- The Prudential Code for Capital Finance in Local Authorities (CIPFA).

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INVESTMENT STRATEGY 2007/08

1. South Cambridgeshire District Council has adopted the Code of Practice for Treasury Management in the Public Services issued by the Chartered Institute of Public Finance and Accountancy and complied with the Guidance issued by the Secretary of State.
2. **Defined Activities**
 - 2.1 Treasury Management is defined as the management of the Council's cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks. Any Treasury Management activity that is not covered by this Policy Statement shall require the approval of the Cabinet.
3. **Policy**
 - 3.1 This Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organisation.
 - 3.2 This Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving best value in treasury management, and to employing suitable performance measurement techniques, within the context of effective risk management.
4. **Strategy**
 - 4.1 On 1st April 1996 the Council became debt-free. In order to maintain its debt free status, the Council in its Treasury Management operations must not borrow long term (for one year or more). Long term borrowing, and the consequence of no longer being debt free, shall require the approval of Council.
 - 4.2 The Chief Executive and Chief Financial Officer will only have delegated authority to deal in investments which are denominated in sterling and any payments or repayments in respect of the investments are payable only in sterling.
 - 4.3 The Chief Executive and Chief Financial Officer may undertake short term borrowing where it is associated with specific investments for longer periods and, thereby, take advantage of interest rate differentials.
 - 4.4 Credit arrangements are forms of credit which do not involve the borrowing of money and are defined by Section 7 Local Government Act 2003. The Chief Executive and Chief Financial Officer shall only commit the Council to credit arrangements, which have been approved either specifically or as part of the financing of the capital programme by the Cabinet and/or Council.
 - 4.5 Any decision to outsource all or part of the treasury management function will require the approval of the Cabinet.

5. Operations and Prudential Indicators

5.1 The Chief Executive and Chief Financial Officer will formulate:

- (i) an investment strategy in February for the following year to be approved by Council;
- (ii) an investing plan in February of each year for the next five years which will incorporate the expenditure and income in the capital programme and capital and revenue financing decisions approved by the Council; and
- (iii) short term borrowing/investing plans at the beginning of each week for the current week.

5.2 **Liquidity of Investments:** the procedure for determining the maximum periods for which funds may be prudently committed is to formulate the five year investing plan (guidance paragraph 15). No investments will be made for more than five years. The prudential indicators for principal sums invested for periods longer than 364 days being the maximum limit shall be:

Investment period	Longer than 364 days but less than two years £ million	Longer than one year and 364 days but less than three years £ million	Longer than two years and 364 days but less than four years £ million	Longer than three years and 364 days but not more than five years £ million
Maximum limit	6	5	4	4

5.3 **Interest Rate Exposures:** as the Council will only undertake a minimal amount of short term borrowing to take advantage of interest rate differentials and to meet immediate cash flow requirements, the upper limits for interest rate exposures are based on gross investments. These upper limits for the forthcoming financial year and following two financial years will be:

Upper limit on gross investments	2007/08	2008/09	2009/10
Fixed rate	100%	100%	100%
Variable rate	20%	20%	20%

5.4 **External Debt:** the prudential indicators for external debt will be:

- (i) authorised limit

Authorised Limit	Estimate 2007/08 £ million	Estimate 2008/09 £ million	Estimate 2009/10 £ million
Borrowing	7.5	7.5	7.5
Other Long Term Liabilities	0.0	0.0	0.0
Total	7.5	7.5	7.5

The authorised limit is the maximum limit, is solely to take advantage of interest rate differentials and to meet immediate cash flow requirements and will not affect the Council's debt free status. The authorised limit is the statutory affordable borrowing limit under Section 3(1) Local Government Act 2003.

- (ii) operational boundary

The operational boundary is the most likely scenario and is expected to be zero for both borrowing and other long term liabilities for each of the three years.

(iii) actual debt

The third indicator for external debt is actual debt at the end of the last financial year and is not applicable to this Council.

5.5 **Maturity Structure of Borrowing:** as the Council currently intends to remain debt free and will only undertake a minimal amount of short term borrowing to take advantage of interest rate differentials and to meet immediate cash flow requirements, the upper and lower limits will only need to be set for borrowing for periods under 12 months and will be 100% and 0% respectively as a percentage of total borrowing.

5.6 Investments will only be in non negotiable fixed time, callable and on call deposits to the following approved organisations and within the following limits (guidance paragraph 14):

Groups of organisations	Maximum investment limit to any one organisation within a group (£ million)	Maximum proportion which may be held by each group at any time during the financial year
The Treasury (the UK Debt Management Office's Debt Management Account)	5.0	20%
Money Market Funds subject to the highest possible credit rating.	5.0	25%
UK Local Authorities and Police Authorities (excluding Parish Councils)	5.0	75%
UK Banks (which are also retail)	5.0	50%
Subsidiaries of UK Banks (provided the subsidiaries are UK-incorporated deposit takers under the Financial Services and Markets Act 2000 and provided loans are for a maximum period of three months)	1.0	10%
Other Banks and Financial Institutions specifically approved by Cabinet (or formerly Finance, Resources and Staffing Committee)	2.5	20%
Building Societies		100%
with assets greater than £10,000 million	5.0	
with assets between £10,000 million and £5,000 million	3.0	
with assets between £1,500 million and £5,000 million	2.0	
with assets between £350 million and £1,500 million	1.0	

- 5.7 **Security of Investments:** the Chief Executive and Chief Financial Officer shall review at least annually the list of approved organisations and make appropriate amendments to individual organisations on the list, but not to the principles on which it is compiled without the approval of the Council.
- 5.8 The guidance (paragraph 12) determines specified investments as investments denominated in sterling, for less than twelve months, not in share or loan capital and with a high credit rating or with the Government or local authority. Non-specified investments may have greater potential risk and are any investments which are not specified. The groups of organisations set out above are restricted in order to give priority to security but credit ratings are not used. As a result, investments cannot be classified as specified or non-specified and the Strategy does not define high credit rating or the monitoring of credit ratings. The Chief Executive and Chief Financial Officer will have discretion over whether to obtain and how to apply credit ratings for any organisation (guidance paragraph 13).
- 5.8 The Chief Executive and Chief Financial Officer shall have delegated authority to borrow money on a short term basis only:
- (i) by overdraft or short term from the Bank of England or from a body or partnership which, at the time the borrowing is undertaken, is an authorised deposit taker within the meaning of the Financial Services and Markets Act 2000.
 - (ii) from the National Debt Commissioners or from the Public Works Loan Commissioners; or
 - (iii) by means of a loan instrument.
- 5.9 Delegation may be summarised as:
- (i) to the Chief Executive and Chief Financial Officer
 - temporary borrowing/investing for up to 364 days
 - investments up to five years
 - capital financing
 - credit arrangements
 - (ii) to the Cabinet
 - external management
- 5.10 The Chief Executive and Chief Financial Officer shall present to the Cabinet an annual report on the activities of the Treasury Management operation and on the exercise of Treasury Management powers delegated to him at the earliest practicable opportunity after the end of the financial year but in any case by the end of September.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Leader and Cabinet	8 March 2007
AUTHOR/S:	Executive Director/Head of Housing Strategic Services	

ARBURY PARK NOMINATION AND MANAGEMENT AGREEMENT

Purpose

1. To approve a draft Nominations and Management Agreement and associated local lettings plan in respect of the affordable housing to be provided at Arbury Park.

Executive Summary

2. In order to meet the aims and objectives of the joint housing strategy for Arbury Park agreed in 2003 a nominations and management agreement which sets out how the affordable homes will be let/sold to qualifying households in housing need is essential. In particular a sustainable lettings plan for the expected 139 general needs social rented homes is needed to help ensure a mixed and balanced community.
3. In drafting a sustainable lettings plan the local authority and RSL partners have sought to learn not only from local experience at Cambourne but also from available best practice and/or experiences elsewhere.
4. Any local lettings policy/plan as proposed for Arbury Park will need to comply with certain requirements. These include setting out the length of time that the initiative will be in place, defining the geographical area in which it will operate, establishing defined objectives and being part of a wider strategy to tackle specific issues in the area concerned.
5. The proposed local lettings policy for Arbury Park will apply only to initial lets with subsequent lettings to be made in accordance with the nominating organisations general lettings policy.

Background

6. A total of 900 new homes are to be provided at Arbury Park, of which around 270 are to be affordable in accordance with the planning obligation, on the northern fringe of Cambridge. The nominations for the affordable housing are to be split 50:50 between this Council and Cambridge City Council in accordance with the wider partnership agreement in respect of major developments coming forward in and around Cambridge and Northstowe that was agreed by both authorities in May 2002.
7. The affordable housing is anticipated to be made up of the following tenures

Social rented:

General needs	139
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Supported Housing:

Wheelchair accessible units	13
Flats for people with learning disabilities	8

Shared Ownership:

General Needs	108
Key Workers	12
	280

However, it should be noted that the proposed housing and tenure mix will be subject to the current allocation of funding from the Housing Corporation being secured which will be dependent on the delivery of the affordable housing in accordance with agreed timescales.

8. It should be noted that the 280 units includes 12 units of affordable housing that are to be provided as a result of Cambridge City Council making available some of the land in its ownership on Arbury Park for which it will receive 100% nomination rights.
9. A consortium of Registered Social Landlords (RSL's) was appointed in early 2003 to deliver the affordable housing following a competitive selection process jointly commissioned by this Council and Cambridge City Council with the participation of the Housing Corporation as a key stakeholder and in consultation with the landowners/lead developer.
10. The members of the RSL Consortium, who are signatories to the Head Section 106 Agreement for the Arbury Park development, are as follows:

Places for People (Lead RSL)
Bedfordshire Pilgrims Housing Association (BPHA)
King Street Housing Society (KSHS)
The Papworth Trust
11. The ownership of the general needs affordable housing provided at Arbury Park will be split equally between Places for People and BPHA with KSHS providing the management role on behalf of BPHA for their rented units only. The special needs housing will be owned and managed by The Papworth Trust. This major development is in progress with the first completions of the affordable homes expected later this year.

Considerations

12. A protocol for delivering the affordable housing at Arbury Park was agreed by the local authorities, RSL Consortium and the Housing Corporation in 2003 with the following mission statement:

Working together to create a flagship development combining innovation in design and procurement, local management and community development, the Consortium, under the leadership of the Lead RSL and with the co-operation and support of all the Parties will endeavour to create a balanced thriving, accessible and sustainable community to meet the needs of local economic and demographic growth
13. The Protocol sets out the relationship between the parties and includes the following matters:
 - Roles and responsibilities of each party
 - Development, management and ownership of the affordable housing
 - Default provisions
 - Resignation of existing and/or introduction of new Consortium members

- Disputes or differences
- Communications and publicity
- Assignment of sites, nominations and lettings
- Innovation and Modern Methods of Construction (MMC)
- Performance Indicators
- Monitoring and review
- Joint Housing Strategy

14. The Joint Housing Strategy sets out the principles that will be applied in delivering the affordable housing at Arbury Park and incorporates the following aims and objectives:

- **Commitment to Partnership Working** - a consistent approach and policies that will provide an effective service and achieve best value.
- **Innovative Quality Design** - utilising the principles of partnering, shared objectives and commitment to continuous improvement and customer focus.
- **Affordable Warmth and Environmental Design** - high quality, energy efficient homes with good internal space standards and low running costs, achieving an Eco Homes rating of at least Very Good, whilst aiming for 'Excellent' wherever possible.
- **Local Housing and Maintenance Service** – provision of a local management presence and inviting a high level of resident involvement in setting and agreeing service standards.
- **Community Involvement** - commitment to resident involvement in the development process and future management.
- **Investing in the Community** – including appropriate levels of community development in the planning process, with an agreed annual budget to invest in the community.
- **An Inclusive Community** - committed to developing a community that is accessible both in physical terms and in respect of access to community facilities and services and is truly inclusive of the needs and aspirations of people with a disability.

A full version of the updated joint housing strategy for Arbury Park is attached as a **Appendix 1** to this report for information and reference purposes.

15. In order to meet these aims and objectives a nominations and management agreement which sets out how the affordable homes will be let/sold to qualifying households in housing need is essential. In particular a sustainable lettings plan for the expected 139 social rented homes will need to be agreed to ensure a mixed and balanced community at Arbury Park.
16. In drafting a sustainable lettings plan the local authority and RSL partners have sought to learn not only from local experience at Cambourne but also from available best practice and/or experiences elsewhere.
17. In terms of lessons to be learnt from Cambourne it is apparent that a sustainable lettings plan will only be successful if the principles are carefully monitored from the

outset and there is effective communication between the nominating authorities and RSL partners both prior to, during and after the nominations process.

18. The issues identified as a result of collation of information on the Cambourne sustainable lettings plan have been addressed through identification of appropriate mechanisms to monitor the implementation of all sustainable lettings plans including those developed for Arbury Park and Cambourne including regular reports to the Housing Portfolio Holder.
19. Having carried out research it would appear that there are few practical examples of sustainable lettings plans for major developments of the scale of those in progress and planned for in the Cambridge Sub-region. What material does exist seems to suggest that locally developed approaches to sustainable lettings plans are acceptable provided that they adhere to certain principles and can still contribute to housing those in greatest housing need.
20. Generally local lettings plans can differ from mainstream lettings policies in some of the following ways:
 - They restrict eligibility for housing
 - Give additional priority to people who want to live in the area
 - Enable properties to be offered to people in lower priority groups
 - Disregard household type/property type matching rules eg enabling under-occupation to promote longer term tenancies and reduce child density
 - Change the proportion of people housed through different access routes eg transfers, housing register, homelessness.
 - Set targets for a range of characteristics eg child density, older people.
21. Any local lettings plans need to comply with certain requirements. These include setting out the length of time that the initiative will be in place, defining the geographical area in which it will operate, establishing defined objectives and being part of a wider strategy to tackle specific issues in the area concerned.
22. A proposal for the implementation of a local lettings plan should set out the following information:
 - a clear definition of the problem backed up by evidence
 - A method which is likely to address the problem
 - Some assessment of possible adverse impacts
 - A way in which the scheme can be monitored
 - Proposals for reporting and reviewing the scheme
23. The proposal for Arbury Park is set out in the draft Nomination and Management Agreement *Building a Sustainable Community at Arbury Park* which is attached to this report as **Appendix 2**.
24. The Nomination and Management Agreement includes the following as key objectives:
 - To create a sustainable community on the edge of Cambridge – a place where people want to live, not just now, but in the future.
 - To build high levels of social capital on the development. Social capital can be enhanced when residents see their neighbourhood as a destination in which they are prepared to invest time and effort in developing the community.

25. In terms of achieving these objectives a flexible and sensitive local lettings policy is being put forward by the local authority and RSL partners which aims to provide a reasonable balance between the competing pressures for the affordable housing at Arbury Park. Whilst housing need will remain the overriding factor governing selection of nominees other factors will be taken into account when the **initial** lettings of the social rented properties as follows:

- 70% of the two and three bedroom homes will be under occupied by one person or more eg 2 children in a three bedroom five person and 1 child in a two bedroom 4 person house
- Households for the 139 general needs social rented units will be selected with a range of child ages in order to meet the following child density targets across the development

Preschool Age 0-5	Primary School Ages 5-11	Secondary School Age 12-16	Further Education Age 17+	Total
65	65	65	22	216
30%	30%	30%	10%	100%

Note: The targets suggested above would enable child numbers to be reduced by around 56 (20.5%) based on a maximum of 272 that could be accommodated if all of the 2 and 3 bedroom units were to be fully occupied.

- Diversity – the new community should broadly reflect the diverse population of Cambridge and the adjoining parishes in South Cambridgeshire
- At least 40% of households will include a member who is economically active
- Transfers will comprise no more than 50% of nominees
- Fully wheelchair accessible properties have been excluded from the child density targets as they will be let to households who have an identified need only
- It is assumed that 4 and 5 bedroom homes will be fully occupied and that no one bed flats will be occupied by families with children

It should be noted that where targets have been included these will be aspirational and subject to ongoing monitoring and review between the partners to the agreement.

26. Ensuring that prospective residents have chosen to move to Arbury Park will be fundamental to this process and this will be more easily facilitated when the proposed Sub-regional Choice Based Lettings (CBL) Scheme comes into operation in early 2008.

27. It should also be stressed that in respect of this Council's 50% nomination rights priority will be afforded to qualifying households with a relevant local connection with the parishes of Histon and Impington.

28. The proposed local lettings policy for Arbury Park will apply only to initial lets with subsequent lettings to be made in accordance with the nominating organisations general lettings policy.

29. The shared ownership and intermediate rented properties will be sold/let to qualifying applicants identified through the Homebuy Agent who now manage our Low Cost Home Ownership Register and/or through direct marketing of the units by the relevant

RSL. The Council will verify whether the prospective purchasers meet any local eligibility criteria as necessary.

26. A joint good practice nomination guide is also proposed as part of the wider Nomination and Management Agreement which sets out the process by which tenants for Arbury Park will be selected and arrangements for the monitoring/review.

Options

27. The options are to either adopt a sustainable local lettings plan in respect of the affordable housing to be provided at Arbury Park or to use the separate existing lettings policies that the local authorities and RSLs each have in place for both initial as well as subsequent lettings of the social rented properties that are to be delivered as part of this major new development.
28. The main disadvantage of using existing policies is that child densities and the number of people from disadvantaged groups and/or economically inactive households could be skewed rather than be more representative of the wider community of Cambridge and neighbouring villages. A local lettings plan could proactively enable a more balanced mix of households which would help contribute to the creation of a sustainable community at Arbury Park.
29. Further, it would be clear to all prospective tenants, whether they are to be nominated by a local authority or an RSL, what criteria would be used to select households for the new affordable homes at Arbury Park through a clear and publicised policy.

Implications

30. Financial	None.
Legal	Provided the local lettings plans meets the requirements set out in paragraph 18 of this report then there should be no conflict with the allocation provisions of the Housing Act 1996 (as amended by the Homelessness Act 2002).
Staffing	None.
Risk Management	Without a local lettings plan it will be not be possible to ensure that the affordable housing will positively contribute towards the creation of a mixed and sustainable community at Arbury Park.
Equal Opportunities	A local lettings plan will need to ensure that BME Groups and people with a disability are not disadvantaged and have equal access to the affordable housing at Arbury Park. The quarterly monitoring and annual review arrangements will enable the partners to assess whether these groups are being underrepresented and take action accordingly. For monitoring of purposes regard will be made to: - the percentage and composition of BME households already living in neighbouring areas of Cambridge and Histon/Impington - the number of people in housing need with a limiting long term illness/disability as identified in most recent Housing Needs Studies/Housing Market Assessment and census information on such households within the overall population of the 2 districts .

Consultations

- 31. The local authority and RSL partners have jointly developed the draft Nominations Agreement which includes the local lettings plan. In addition the Housing Corporation have been consulted on the proposal.
- 32. The Local Members and Parish Councils for Histon and Impington have also been consulted although no comments have been received.

Effect on Annual Priorities and Corporate Objectives

33. Affordable Homes	The Arbury Park development will provide 282 affordable homes which will contribute to meeting the housing needs of Histon and Impington as well as the wider South Cambridgeshire district and the City of Cambridge.
Customer Service	
Northstowe and other growth areas	This major new development of 900 homes which includes 270 units of affordable housing will contribute to delivery of the growth agenda.
Quality, Accessible Services	The affordable homes will be provided to a high standard and will be accessible to a range of people in housing need and a local lettings plan will help ensure delivery of a quality scheme.
Village Life	
Sustainability	A local lettings plan will help contribute towards creating a sustainable new community on the edge of Cambridge.
Partnership	The Nominations Agreement and associated local lettings plan has been developed in partnership with Cambridge City Council, the RSL Consortium and the Housing Corporation.

Recommendation

- 34. That Cabinet approve the Nominations and Management Agreement *Building a Sustainable Community at Arbury Park* and the associated local lettings policy.

Background Papers: the following background papers were used in the preparation of this report:

None.

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HOUSING STRATEGY FOR ARBURY PARK (Updated February 2007)

1. Introduction – Aims and Objectives

A development proposal designed to produce a full sustainability package for the future residents at Arbury Park incorporating:

- **Commitment to Partnership Working.**

We are committed to a consistent approach and policies that will provide an effective service and achieve best value.

- **Innovative Quality Design.**

We aim to provide a scheme developed utilising the principles of partnering, shared objectives and commitment to continuous improvement and customer focus. To facilitate this we will evaluate innovative design solutions where they enhance and improve the quality of life of the tenants/residents and will seek to introduce new methods of procurement and construction where it is practical and economically viable to do so.

- **Affordable Warmth and Environmental Design**

We will produce high quality, energy efficient homes with good internal space standards and low running costs, achieving an Eco Homes rating of at least Very Good, whilst aiming for 'Excellent' wherever possible

- **Local Housing and Maintenance Service**

We will provide a local management presence and invite a high level of resident involvement in setting and agreeing service standards.

- **Community Involvement.**

We will demonstrate our commitment to resident involvement in the development process and future management.

We will explore the potential for the provision of training and employment opportunities for local people.

- **Investing in the Community.**

We will include appropriate levels of community development in our planning, with an agreed annual budget to invest in the community.

- **An Inclusive Community.**

We are committed to developing a community that is accessible both in physical terms and in respect of access to community facilities and services. In

doing so we aim to develop a community that is truly inclusive of the needs and aspirations of people with a disability.

2. Consortium Working

The RSL Consortium is fully committed to the concept of joint working and the agreement of common standards, policies and services at Arbury Park. This approach will help to ensure that our customers receive the best possible level of service within a framework of fairness and consistency.

Our view is one of a common approach with consistent aims, rather than identical policies. By this we mean:

- Policies which are fair and treat tenants/leaseholders of the consortium members in a consistent way.

Our approach does, however, recognise diversity. We are very different organisations with different cultures and histories. We do not feel that our policies and our products should be identical. Arbury Park will be a diverse community and we are prepared to embrace diversity rather than stifle it.

We all share common values and a commitment to high standards of customer service.

Each of us has examples of innovation and good practice, which can benefit the other partners and the Consortium as a whole. We are keen to learn from each other and to move our activities to the highest level of quality. This means that our approach is founded upon current best value principles, in particular the principle of continuous improvement. We aim to work together to ensure that our customers do receive continually improving services. Above all, we want to see our tenants/leaseholders having more choice and more say over the way that services are delivered.

3. Innovation and Quality in Design

The RSL Consortium will adopt a common development strategy to ensure consistency in design, space standards, innovation and continuous improvement. Our aim is to provide a high standard of affordable housing with design quality, materials choice and integrity which avoids obvious tenure distinctions and which will provide an attractive living environment now, and in the future.

The RSL proposals include:

- Integrated Quality Design
- Egan Compliance

Our proposals will be incorporated into a common design brief which will fully comply with the Housing Corporation Scheme Development Standards where public subsidy is involved and in a number of critical areas will exceed the requirements, for example:

- All houses (where public subsidy is involved) will incorporate the full 16 point Joseph Rowntree Lifetime Homes specification.

- Installation of appropriate wiring in order to provide easy access to terrestrial TV, satellite, CCTV and the Internet, improved facilities for tele-working and home working and future access to home shopping and e-mail.
- Adoption of principles from the NHF's "Standards and Quality in Development" where appropriate.

Whilst fully complying with the design issues outlined in the tender document, our design will strive to produce a safe Secured by Design scheme, which will incorporate provision for burglar alarms to houses and entry phones to flats.

SCDC and CCC will endeavour to identify potential tenants for the project to allow such involvement/consultation to take place. If this is not possible, the Parties will agree alternative ways of obtaining customer views and input.

The RSLs have a commitment to ensure low running costs for our residents, as well as to wider environmental sustainability objectives. Therefore we will design the homes to achieve:

- Eco homes rating of "Very Good" as a minimum or equivalent Code for Sustainable Homes rating in accordance with Government specified targets
- Water conservation measures, such as reduced flush toilets and provision of rainwater butts.
- Space for and provision of storage containers to promote recycling of household and garden waste.

Tenants/leaseholders will be able to choose internal fixtures and fittings, colour choices and, where applicable, the internal layouts of dwellings. The RSLs intend to work with partners in the form of suppliers and contractors to produce a range of tenants' choice items. The tenants'/leaseholders' choice menu will include a list of optional extras such as extra kitchen units, additional tiling and lighting, but as a minimum, tenants/leaseholders will be able to choose their kitchen units and worktops, tiling, wall colours and floor coverings to the bathroom, toilet, kitchen and shower rooms from selected ranges.

The RSLs will adopt a 'Partnering' approach to develop Arbury Park. By adopting partnering in the procurement process, the RSLs aim to meet or advance the initiatives set out in the Egan report.

The RSLs are committed to producing a high quality environment for our tenants/leaseholders by using best value principles and adopting innovative and advanced construction methods, to ensure that we develop homes that meet residents' needs and aspirations.

Therefore, the criteria for selecting our development partners will not be based on cost alone, but will include experience, expertise, commitment to partnering and innovation, enthusiasm and quality of service.

A written statement of mutually agreed objectives, known as the Partnering Charter will be produced and the Parties may add further innovations and working practices (including levels of local consultation etc).

Agreeing mutual objectives means that all members of the Partnering team agree to work towards achieving all the objectives, such as completing the scheme on time

and within budget, achieving continuous improvement on cost, time, quality and profitability, and exceeding quality requirements.

The project will be assessed by producing Performance Indicators (PIs) to ensure that there is clear evidence of the effectiveness of the procurement process.

The PIs chosen will be wider than cost, time and quality, but will reflect the mutually agreed objectives established in the partnering agreement. The PIs will include:

- Number of defects during the defects liability period
- Total cost per square metre
- Residents' satisfaction surveys

As a minimum, the RSLs will adopt the construction Best Practice Key Performance Indicators.

Having established the PI's the RSLs, together with their development partners, will aim for continuous improvement and will meet as a Focus Group on a regular planned basis during the course of the project, to explore in an open, frank and objective way how the Egan agenda can improve the scheme PIs. This forum will not seek to apportion blame but will welcome positive input towards the aim of continuous improvement and pro-active problem solving.

Typically subjects for discussion may include:

- Exploring opportunities for elemental prefabrication.
- Exploring opportunities in construction methods and techniques, component selection and programming.
- Exploring opportunities to eliminate waste.
- Development of quality management systems with introduction of "right first time" philosophy.
- Learning from experience on site to avoid repetitive mistakes.

The RSLs, Local Authorities and the development partners, by working together in partnership, will provide consistency, continuity, innovation, value for money and resident satisfaction.

4. Delivering a Quality Housing Service

The RSL Consortium is committed to a consistent approach to housing management. Our proposals are based on:

- Best Value
- Consistent Standards
- Local Service Delivery

- Tenant Involvement

The early creation of a balanced and sustainable community at Arbury Park will require the establishment of on site project management facilities some time before the first tenants/leaseholders move in. These facilities will provide bases for the delivery of the following services:

- Housing Management.
- Community Development.
- Tenant/resident Participation.
- Tenants'/residents' Choice (including displays of the various ranges of decorative and building materials and finishes the tenants can select from).
- Meetings with the construction team.
- Meeting facilities for the Wider Consortium.

The RSL Consortium plans to involve tenants/leaseholders/residents in the complete range of housing management, sustainable communities and development issues and will be devising a framework to discuss options for the development of a Tenant/Resident Participation Strategy.

The RSLs will regularly audit and benchmark their housing management practices and procedures, including tenancy conditions and leasehold management, to ensure consistent standards. We are then committed to working together to raise these standards in line with the best practice among the RSLs, following best value principles.

Consistent standards will be achieved and maintained through service level agreements covering delivery of items such as estate management and grass cutting/grounds maintenance and so on. The RSLs will establish a framework for regular co-ordination meetings to review housing management policy and procedures and to implement best practice. Regular tenant/resident surveys will be carried out to monitor service quality and consistency.

5. Building Balanced Communities

This agreement sets the policy and process by which rented and intermediate tenure social housing dwellings provided at Arbury Park.

Preamble

The aim of the RSLs and the Local Authority partners is to create affordable housing which cannot be distinguished from the private dwellings on the site. The way that properties are let/sold will make a crucial contribution to the achievements of this objective. In order to create balanced communities the RSLs, the Councils and the Housing Corporation agree that, through a jointly developed and agreed sustainable lettings policy, we must house, at CNF, a mix of people who are representative of the wider community. This means that we must strive to avoid housing disproportionate numbers of children, or disproportionate numbers of households who face disadvantage; and we must balance the economic activity of tenants to avoid single tenure pockets on the estate.

Policy for letting properties

The sustainable lettings policy will set out who will be housed at Arbury Park and the criteria to be used in selecting prospective nominees. The RSLs will accept nominations at 100% net of transfers.

The Homelessness Act 2002 has enabled open access to Local Authority waiting lists so there should be no restriction on where a tenant can register, however being on a register does not confer any level of priority.

Nominations and allocations to key worker housing will be in accordance with national policy guidelines on access and eligibility criteria.

6. Affordability

The RSL Consortium is committed to providing housing to a range of people who are unable to afford to buy or rent suitable accommodation in the housing market. We will therefore:

- Charge rent restructured target rents from first lettings of social rented accommodation.
- Charge shared owners a rental of no more than 2.75% of unsold equity or a rent that will meet any Housing Corporation funding conditions or local authority policy conditions, whichever is the lower.
- Charge a maximum of 80% of open market rental values for sub-market rented properties.
- Sell proportions of equity that are affordable to target client groups for shared ownership in accordance with the local authority's affordable housing policies.
- Subject to the agreement of the local authorities, give residents the option of lower level of service, and commensurately lower service charges where appropriate.

7. Developing Sustainable Communities

The RSL Consortium is committed to improving the quality of life and the prospects of our residents and the Arbury Park community. This will be done by developing and maintaining a sustainable community and aiding integration between the affordable and private housing.

The RSL proposals include:

- Proactive interaction with residents
- Identifying residents' priorities
- Building the capacity of residents to get involved
- Developing partnerships with compatible local organisations
- Flexibility in approach

The specific schemes to be implemented by the RSL Consortium will reflect the needs of the community. These needs will be established by undertaking a community questionnaire within the sign-up process with all potential tenants/leaseholders/residents.

The following projects, which could be implemented by the RSL Consortium will be highlighted in the community questionnaire:

- Neighbourhood based training and personal development; for example computer skills.
- Access to affordable childcare, including after-school provision and activities during school holidays.
- Community development funds for specific projects, particularly tenant/resident-led schemes.
- Help in setting up groups and activities – after-school clubs, tenants/residents groups, and social groups.
- Youth and outreach work.
- Grants for employment and training initiatives.
- Gardening and DIY schemes for tenants/leaseholders who need them.
- Mobile benefit and financial advice.
- Access to financial services.

In general terms the RSL Consortium will expect to deliver some services directly and others in partnership with a range of organisations. A key factor will be to ensure that residents integrate with the wider community and that services are not necessarily targeted solely at social housing tenants.

To carry out a Sustainable Community Strategy, the RSL Consortium will jointly fund Community Development work provided by BPHA and KSHS in proportion to out-turn stock ownership. The RSL Consortium will also jointly work with the District Council Community Development Teams to provide community development services to the whole community. This holistic approach will be enhanced through consideration of joint funding of community development staff who will work with the new community on CNF.

8. Conclusion

The RSL Consortium is fully committed to the development of Arbury Park and looks forward to implementing its proposals in partnership with the local authorities, the Housing Corporation and the wider community.

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Arbury Park/Cambridge Northern Fringe

Building a Sustainable Community at Arbury Park

Inter-agency agreement on nominations and management arrangements between:

**Cambridge City Council -CCC
South Cambridgeshire District Council - SCDC
Places for People -PfP
Bedfordshire Pilgrims Housing Association - BPHA
King Street Housing Society - KSHS
The Papworth Trust**

1. Background

A consortium, comprising Places for People (lead RSL) together with BPHA and their partners, the Papworth Trust and King Street Housing Society, has taken on responsibility for the development of the affordable housing on the Cambridge Northern Fringe (CNF), now known as Arbury Park. A protocol sets out the responsibilities of each RSL in terms of achieving good quality homes and a sustainable living environment on this site.

A total of 900 new homes will be provided, of which **270** will be affordable. Of this total, approximately **156** will be rented properties with initial nominations coming from SCDC and CCC. This will include 13 fully wheelchair accessible properties and 10 supported housing flats. The remainder will be low cost home ownership, intermediate rented and key worker housing, which will be sold and let in partnership with the zone agent.

King Street Housing Society has been tasked to draw up proposals for nomination and letting arrangements and to ensure a co-ordinated approach to housing management between the RSLs who will manage homes on the site.

2. Objectives of the development

1. The overriding objective of the Arbury Park development is to create a sustainable community on the edge of Cambridge – a place where people want to live, not just now, but in the future. This means providing good quality homes within an attractive environment, which is accessible to local amenities and services.
2. One of the key objectives of the signatories to this agreement is to build high levels of social capital on the development. Social capital can be enhanced when residents

see their neighbourhood as a destination – a place where they are prepared to invest time and effort in developing neighbourly relations. One way of achieving this is by putting in place a flexible and sensitive lettings policy for the social rented units on the site (i.e. those properties which will be let at Housing Corporation target rents) in order to achieve a reasonable balance between the competing pressures for new accommodation. Ensuring that prospective residents have *chosen* to move to Arbury Park will be fundamental to this process. Under this policy housing need would still be the overriding factor governing the selection of nominees, but other factors will also be taken into account. It is the aim of the parties to this agreement that these will include the following. Where targets are given these will be **aspirational** and subject to ongoing monitoring and discussion between the signatories to this agreement.

Social housing dwellings – first lettings

At first letting, CCC and SCDC will receive 100% of all nominations in accordance with an agreed schedule. Thereafter CCC and SCDC will be offered 75% of all subsequent relets.

- Underletting – 70% of the homes will be let to households who will under-occupy the dwelling by one person or more. For example 2 children in a 3-bed 5-person house and 1 child in a 2-bed 4-person house.
- Children's ages – for households containing children, the local authorities will aim to select households with a range of child ages, from 0 to 18.
- Social capital and choice – the local authorities will aim to let only to people who have expressed a preference for living on Arbury Park. The local authority signatories to this agreement anticipate that a Choice Based Letting Scheme (CBL) will be in operation from November 2007 and this will allow nominees to make a positive choice of Arbury Park.
- Diversity - the new community should broadly reflect the diverse population of Cambridge and the parishes in South Cambridgeshire adjoining the A14.
- Economic activity – At least 40% of those nominated will have a household member who is economically active.
- Transfers – transfers of existing social housing tenants will comprise no more than 50% of nominees.
- Specialist Housing – fully wheelchair accessible properties will only be let to households who have a member who will benefit from the accommodation.

A Good Practice Nominations Guide, setting out the process by which residents will be selected for Arbury Park, is attached. This Guide forms part of this agreement. The

aspirational targets set out above will be monitored quarterly once lettings are underway and the RSL partners will arrange to meet with the local authorities in the event that the actual lettings figures vary significantly from these targets.

3. Key worker low cost home ownership and near rented dwellings

As well as social rented housing, the Arbury Park scheme includes up to 90 units of other forms of affordable housing, including low cost home ownership and intermediate rented units for key workers. All of these new homes are being funded through social housing grant from the Housing Corporation and will therefore be subject to the nomination process set out in the Capital Funding Guidance, issued by the Housing Corporation. In marketing, letting and selling these properties the RSL partners and the nominated zone agent will work closely with key worker employers and local authorities in accordance with the procedures set out in the Capital Funding Guidance.

4. Management arrangements

The housing association signatories to this agreement will use their best endeavours to ensure that their management arrangements for Arbury Park are harmonised. This will help to mitigate any resident dissatisfaction over differences in treatment.

All of the RSL partners in this agreement are regulated by the Housing Corporation's Regulatory Code but there may be differences in the detail and implementation of policy. The RSL partners agree to study the details of each others' policies to ensure that there is no significant difference in approach in the rights and obligations placed on tenants and the benefits offered. Should significant differences become evident, the associations hereby agree to seek a compromise position, specific to Arbury Park, which will standardise their approach. The following policies, in particular, will be standardised wherever possible.

- Anti Social Behaviour policy
- Rent Arrears Policy
- Complaints Policy
- Customer Care Policy
- Equalities and Diversity Policy
- Maintenance and Repairs policy
- Tenant Participation Policy
- Tenant Transfer and Allocations policy
- Tenants' Choice policy
- Car parking policy
- Adaptation policy for people with disabilities
- Management of grounds and the open realm

There will be a common community development programme in place and management staff from the RSLs will hold regular meetings to discuss progress and review any disparities.

Signatories to this agreement

Cambridge City Council

) **Date**
)

South Cambridgeshire District Council - SCDC

) **Date**
)

Places for People -PfP

) **Date**
)

BPHA

) **Date**
)

King Street Housing Society

) **Date**
)

The Papworth Trust

) **Date**
)

JOINT GOOD PRACTICE NOMINATION GUIDE FOR ARBURY PARK

Signatories

**Cambridge City Council - CCC
South Cambridgeshire District Council - SCDC
Places for People -PfP
Bedfordshire Pilgrims Housing Association -BPHA
King Street Housing Society -KSHS
Papworth Trust**

**Nominations to Registered Social Landlords at
Arbury Park**

September 2006 Fourth draft

C O N T E N T S

- 1) Introduction
- 2) Principles
- 3) Nomination Procedure
- 4) Receipt of Nomination
- 5) Nomination Outcome
- 6) Monitoring Nominations

GOOD PRACTICE NOMINATION GUIDE FOR ARBURY PARK

1) Introduction

This Agreement is based on a National Housing Federation Publication – ‘Partners in Meeting Housing Need’- recommendations for good practice in nomination procedure.

- Each local authority will usually undertake to inform all applicants on their housing needs register that any offer of housing could include registered social landlord (RSL) property as well as Council property. This will be confirmed with all applicants and internal transfers at the time of any initial interview as well as being confirmed in explanatory booklets given out at the time of application. Those applicants who refuse an RSL property will be made aware that it will count as one of their offers under a local authorities allocation scheme. If it is their second offer then the applicant will be informed of the consequences according to each LAs allocation scheme.
- The spirit of this Agreement acknowledges that RSLs will endeavour to comply with all current Housing Corporation performance standards and Best Practice.

2) Principles

At first letting the rented units at Arbury Park will be split 50/50 between Cambridge City Council and South Cambridgeshire District Council, initially in accordance with the attached schedule, or subsequently according to any mutually agreed schedule that is put in place between CCC and SCDC following the introduction of Choice Based Lettings. CCC and SCDC will be offered 100% of all first lettings and 75% of subsequent relets.

For subsequent relets, each RSL will offer eligible properties to CCC and SCDC in turn – i.e. the first available unit will be offered to CCC, the second to SCDC, the third to CCC, the fourth to SCDC and so on.

3) Nomination Procedure

For both first lets and subsequent relets the procedure will be as follows:

- a) The relevant RSL should request a nomination from the relevant local authority as soon as it is known that a property will become available.
- b) A standard form should be used for all nomination requests. This form will provide the relevant authority with specific information about the vacant property, the date of the request, and the date that the property is becoming vacant, and if possible the date it will be available for letting.

- c) Any special criteria for a particular property should be provided on the nomination request form and agreed in advance with the local authority concerned. These special criteria could include the measures agreed to create a balanced and sustainable community see Paragraph 2 (“Objectives of the Development”).
- d) The local authority will undertake to respond to the nomination request with the relevant details of the nominees **within TEN working days for first lettings and THREE working days for relets**. If it is not possible to nominate within this timescale the RSL will be informed promptly. If the relevant LA is unable to provide a nomination it shall inform the RSL promptly. The RSL will then offer the property to the other local authority signatory to this agreement. If they cannot find a suitable nominee the property will be offered to a household on its own waiting or transfer list. Each authority will provide the details of the nomination on a standard form, copies of which will be e-mailed to the RSL. E-mail will be the preferred form of written communication under this agreement.
- e) Each authority will nominate on the basis of **one** nominee per vacancy. Should the nomination prove to be unsuccessful the LA will undertake to make a further nomination immediately upon receipt of the result form, and within **three** working days.
- f) The authority shall inform the nominee that they are to be nominated to an RSL, and that the RSL will contact them shortly.
- g) The RSL will be responsible for confirming the relevant details of the prospective nominee. In selecting potential nominees the LA will have regard to the need to produce a sustainable and balanced community and will therefore select on the basis of the criteria and targets set out at paragraph 2 “Objectives of the Development”.
- h) Relets to vacant properties that arise after first letting will be dealt with outside this agreement and will be subject to existing good practice nomination guides.

4) Receipt of Nominations

- a. The RSL will undertake to visit or inform the nominated applicant as soon as possible after receiving the nomination. If possible this contact should be made within three working days of receiving the nomination. If the nominee does not respond to a letter or telephone call within three working days the RSL has the right to withdraw the offer and seek a new nomination.
- b. If the RSL wishes to collate more information than is provided on the standard form, about the nominee or wish to fill in a separate form, this should be done by the RSL on the home visit.
- c. Unless the RSL considers the nominee to fall within the definition of ‘unsuitable’ (see 5c below) the offer must be made to the nominee.

5) Nomination Outcome

- a. The RSL should inform the local authority of the outcome of the nomination on a standard nomination result form within five working days of the offer being accepted or refused by the nominee.
- b. It is an applicant's choice to refuse an offer but any offer will count as one of the offers that can be made to an applicant under the relevant LA's allocations scheme, so long as it is deemed to be reasonable. When a nominee refuses a property, s/he must be informed of the consequences of their action by the RSL at the time of refusal.
- c. An RSL should be able to refuse to accept a nominee in appropriate circumstances. However this should not be confused with the situation for instance where the RSL would simply prefer not to accept a potentially difficult nominee. Reasonable and valid reasons for refusal could include:
 - The property is too large for the nominee – although planned underletting will be acceptable at Arbury Park.
 - The property is too small for the nominee
 - The property has been significantly adapted for a disabled person/s
 - The nominee's circumstances have changed significantly since the Needs Register application
 - Other acceptable reason (to be provided by the RSL). The RSL completes and returns the nomination result form giving the reason for their refusal, to accept the nominee.

The LA will then consider the reason given for refusal and whether or not it falls within the guidelines of being in the interest of the nominee and in accordance with the RSLs own allocation policy. If the LA consider the refusal to be within these guidelines and therefore acceptable, then a new nomination will be made. If the LA considers the refusal to be outside these guidelines a discussion will take place with the RSL about the possible re-referral of the nominee. However, the RSL will have the final decision on whether the nominee should be accepted or refused. If after further consideration it is still felt that the nominee should be refused the LA will refer a new nominee to the RSL. It is anticipated that such refusals by RSLs will be rare. Any RSL which appears to be refusing a high proportion of nominations will be called in for talks with the local authorities.

- d. Where the LA or other partner LAs are unable to nominate after a third unsuccessful attempt, the RSL can review its own waiting and transfer list.

6) Monitoring Nominations

Nomination results will be monitored on a Quarterly and Annually, with the RSLs providing each local authority with relevant statistics on tenancy commencement dates and the result of nominations. This monitoring will include reference to the steps being taken to create a balanced and sustainable community and the aspirational targets set out at Paragraph 2 “Objectives of the Development”. In the event that the local authority and/or RSL signatories believe that these aspirational targets not being met, the matter will be discussed with the signatories to this agreement either with a view to re-affirming the original targets or to reach an agreement on a revised set of targets.

- a. The partner local authorities will monitor all lettings by RSLs at Arbury Park.
- b. Information will be collated from the standard forms and used to monitor LA and RSL performance. The RSLs commit themselves to providing timely information, including customer service data and resident satisfaction survey data, that will allow this agreement to be monitored effectively.
- c. Information will be used to monitor the ethnic origin of all housing applicants together with nominees rehoused and refused against the details of the type of property offered to ensure that there is no discrimination. This information will assist the LAs and RSLs to assess their performance against agreed targets.

The contents of this document will be reviewed annually, and when circumstances require.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet

8 March 2007

AUTHORS: Chief Executive / Performance Improvement Officer

**9 MONTH PERFORMANCE REPORT – 1 APRIL 2006 to 31 December 2006
MILESTONES FOR 2006/07**

Purpose

1. The 9-month report provides Cabinet with the final opportunity to review progress on achieving the 06/07 corporate milestones (M) prior to the year-end.

2.	Quality, Accessible, Value for Money Services	Achieving the corporate milestones in full would ensure the Council achieved its agreed 2006/07 corporate objectives and priorities.
	Village Life	
	Sustainability	
	Partnership	

General

3. The Council agreed 27 milestones for 06/07 in the Performance Plan (PP) 2006.
4. The 9-month report would normally have been presented in January but has been delayed due to other pressures on services and corporately. The following table summarises the 9-month situation.

Corporate Priority	Priority Description	Completed	On schedule	Non critical delay	Critical delay
Priority 1	Improve Customer Service	3	-	2	-
Priority 2	Northstowe and Growth Areas	3	-	6	-
Priority 3	Affordable Housing	2	-	5	-
Other	Other Major Corporate Projects	1	1	3	-
Totals		9	1	17	-

Overall Position

5. Of the 27 milestones for 06/07:
- 9 have been completed
5 are on schedule and will be completed before March 2007
13 will not be completed in 06/07
6. The remaining 13 milestones (48%), which will not be completed in 06/07 are shown in **Appendix 1**. The following table provides an analysis of the likely periods of delay for these.

	Likely number of Months of Delay				
	None	3	6	9	12
Number per period	2 Note 1	1	4	3	3

Note 1: Two milestones (M14 and M25) were planned to be completed in 2007. Neither of these has yet slipped but both will need to be monitored until their original target date is achieved.

7. These milestones will continue to be monitored in 07/08 through the Service Planning process.
8. Common reasons for the non-achievement of milestones are:
 - a) Delays as a result of partnership working
 - b) Delays for lack of staff resources
 - c) Vacancies as a result of a prolonged recruitment process
 - d) Other reasons out of the control of the authority
9. There are a number of delays relating to the growth area, which the Growth Areas Project Team will need to monitor closely.
10. Progress on the Council's priorities currently falls on certain key staff and progress can be delayed because of the pressure on those staff. The Council is at risk if these staff leave the employ of the Council.

Financial Considerations

13. None.

Summary and Conclusions

14. There are significant slippages on some milestones but none of the delays have been reported as being 'critical' to the overall aim of achieving our key objectives. All the action included in the milestones will be completed. Many of the delays have been caused by external factors, which are out of the control of the authority.
15. A number of milestones (13 or 48%) will not be achieved in 06/07 and these will continue to be monitored through the 07/08 Service Plan process.

Recommendations

16. Cabinet is recommended to:
 - a) Note that 14 (52%) of the 27 06/07 milestones will be completed within the 06/07 period.
 - b) To require the remaining 13 (48%) of 06/07 milestones to be included in the appropriate 07/08 Service Plans and to be monitored in quarterly reports in 07/08.
 - c) Request officers to give high priority to recruitment to posts to avoid prolonged vacancies, where the vacancy will have adverse implications for the achievement of council priorities.

Background Papers:

The 2005 Performance Plan.

Contact Officer: Ian Salter – Performance Improvement Officer (01954 – 713018)

APPENDIX 1

Corporate Priority 1 – Improving Customer Service

M	Milestone Detail	Original Date	Likely Date
2	Contact Centre – completion of Phases 1 and 2 with integration with CRM.	June 2006	June 2007
Works to integrate the CRM with the back office systems continues and both partners (Northgate IS and Cambridgeshire County Council) are working with us to achieve the identified integration. Some back office systems upgrade is required to achieve the full level of integration required but delays in implementing these additional works have been incurred due to lack of resources. Revised timetable now indicates that significant progress to include the integration of the environmental health services is being made, Northgate IS forecast a go-live date for these services of 7 June 2007.			
6	Service First: Approval of a Customer Access Strategy.	Sep 2006	June 2007
Development of the Customer Access Strategy is in progress. Unlikely to obtain approval until Q2 2007.			

Corporate Priority 2 – Northstowe and Growth Areas

M	Milestone Detail	Original Date	Likely Date
10	Medium Term project plan – programme for all growth areas with resource and workforce projections.	Sep 2006	June 2007
The Growth Area Project Manager post will soon be advertised. Plans are being made to enable all service managers to identify future service and resource needs for the growth areas but progress is delayed because of other pressures.			
11	All Community facility and service proposals completed including specifications and developer contributions required.	Dec 2006	Dec 2007
The proposals have been completed. The developer's contributions will only be negotiated once a new application, believed to be due by June 2007, for Northstowe is received and determined. Once the new master plan and application have been drawn up the timescales can be reviewed.			
13	Northstowe: completion of Town Centre strategy.	Dec 2006	Dec 2007
The involvement of English Partnerships has added at least 9 months to the timetable for determination of an application for Northstowe. The Town Centre Strategy is therefore not required to be completed until end 2007. However, the current objective is for it to be completed by June 2007 (Q2 2007) around the time that a new application for Northstowe is anticipated.			
14	LDF - Adoption by Council.	Sep 2007	Sep 2007
The Inspector's binding report on the Core Strategy was received in November 2006. The intention is for the Core Strategy to be adopted by Council in January 2007. However, a European Court of Justice Judgement has required the Government to introduce a new requirement for assessment of sites of European importance for nature conservation. The Council has done this but may now be required to carry out a more complex assessment called "Appropriate Assessment". The introduction of the necessary Regulations has been delayed.			
In the light of legal advice a meeting will be held with Natural England following which a decision will be made whether "Appropriate Assessment" is necessary before adoption of the Core Strategy. The Development Control Policies DPD Examination was complete in November 2006. The Northstowe Examination began on the 5 th December 2006 and was completed on 18 th January 2007. Both binding inspector's reports are expected by April 2007.			
None of these delays are as a result of the Council's actions. Both delays are occasioned by government action i.e. English Partnerships late involvement in the Northstowe project and the government failure to introduce European legislation into UK Planning system.			

15	Northstowe Energy and Utilities: to complete a detailed risk assessment and feasibility study to enable the Northstowe Sustainable Energy Partnership (NSEP) to be progressed.	Mar 2007	June 2007
<p>The departure of the Strategic Development Officer in mid-August has continued to affect the speed of progress. The new Strategic Sustainability Officer (SSO) will be in post from 12th February 2007.</p> <p>A half-day workshop (for partners involved in discussions so far) took place in November to identify the best means of ensuring CHP provision at Northstowe and progressing the NSEP. The matter will now be taken forward by the SSO once he is in post.</p> <p>There remains the need for a risk assessment concerning NSEP itself, which will be one of the first tasks for the new SSO. It is hoped this can be achieved by the target date.</p>			

Corporate Priority 3 – Affordable housing

M	Milestone Detail	Original Date	Likely Date
20	Agree a programme for the use of commuted sums for affordable housing development.	Sep 2006	Jun 2007
No monies as yet received so too early to agree a programme. Unlikely such sums will now be received before April 2007 at the earliest.			
21	Agree split between rented and intermediate tenures and selection of RSLs for affordable housing development for Northstowe.	Dec 2006	Jun 2007
Negotiations are still ongoing with the developers and other partners (e.g. Housing Corporation) around draft heads of terms for the affordable housing provision at Northstowe. The original milestone date will not be achieved but we will have to achieve the milestone, as the S 106 for Northstowe will have to include this detail. A more realistic date is now Q2 2007. The binding Inspectors report on the LDF and the Housing Market Assessment (HMA) should be available in March/April, which should help move on negotiations. We will try to agree everything before then but to do so relies on all parties being willing to agree.			
22	Complete an appraisal of Council held land and property to identify opportunities for the development of affordable housing, working through RSLs.	Mar 2007	Sep 2007
Expressions of interest are being invited with a view to work commencing on this project by no later than April 2007 with a revised completion between June-September 2007.			

Other Major Corporate Projects

M	Milestone Detail	Original Date	Likely Date
24	Transformation Project – appointments to revised first two tiers.	Dec 2006	June 2007
The process to appoint to the remaining second tier posts is in hand. SMT were disappointed in the response to the first advertisement for the two Corporate Managers and the positions were re-advertised in February 2007.			
25	Completion of Business Process Reviews.	June 2007	June 2007
The review of Development Control has been completed and an action plan is being prepared (Q1 2007). The review of Benefits has been completed and in process of obtaining user feedback (Q1 2007).			
27	Publication of second Community Strategy	Mar 2007	Sep 2007
The consultation work was completed in November 2006. The final report, identifying the consultees priorities, was presented to the LSP in January 2007. Work is now underway to prepare the second Community Strategy to a revised target date of July 2007. The target date has slipped slightly due to the implications of the Government White Paper and the current bill.			

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet 8 March 2007
AUTHORS: Chief Executive / Performance Improvement Officer

**PERFORMANCE INDICATOR REPORT
 THIRD QUARTER 2006/07 (April to December 2006)**

Purpose

1. This performance indicator (PI) report provides the Cabinet with the final opportunity to review progress on achieving the 2006/07 PI targets set out in the 2006 performance Plan.

General

2. The 9-month report would normally have been presented in January but has been delayed due to other pressures on services and corporately.
3. Through PIMMS, PI Owners have reported the following performance position:

Traffic Light Colour	End 06/07 Projection	Number	%
Green	Target will be achieved	63	76 %
Amber/Red	Target may/will not be achieved	20	24 %
Totals		83	

4. The report will focus on the 20 'amber/red' PIs. It is now too late to take remedial action to remedy these potentially missed targets. This report will, where appropriate, identify issues that can be learnt to help guide officers when setting the 07/08 targets.

Corporate Priority 1 – To Improve Customer Service

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
BV109b	% minor planning applications in 8 weeks. Gov't target is 65%.	68 %	73 %	66 %	58 %	65 %	70 %
BV109c	% other planning applications in 8 weeks. Gov't target is 80%.	84 %	85 %	83 %	76 %	80 %	85 %

5. Performance in 06/07 for BV 109b (65 %) and BV 109c (80 %) is estimated to satisfy government targets but will not meet the Council's targets. The Council's 06/07 performance is also below the 05/06 national lower quartiles of 69 % and 84 %. The 05/06 upper quartile figures are 80 % and 92 %.

6. The current levels of performance will achieve current requirements for the Planning Delivery Grant (PDG), but there are other considerations, which include the importance to the Council's priorities in providing a high level of customer service and low levels of customer satisfaction as recorded by applicants in the recent surveys (e.g. Para: 33 refers).

Issue for 07/08: Cabinet is recommended to indicate whether targets for 07/08 should remain at the level of government minimum standards or should be at a higher level, to improve quartile position or customer service.

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
SE203	% of Env: Health complaints responded to within 3 working days	88 %	75 %	75 %	84 %	85 %	93 %

7. Staff shortages, caused by difficulties in recruitment, will result in this target not being achieved. This situation was reported in the 6-month report for this corporately important PI, which gave time for consideration of remedial action but in this case nothing could be done. .

Issue for 07/08: Where circumstances arise, which may lead to an important target not being met, officers should bring this to the attention of Cabinet to ensure that there is time to consider the possibility of remedial action.

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
SF731	% Contact Centre calls abandoned by the caller	2 %	1.8 %	1.9 %	Not supplied	Not supplied	< 5 %

8. The information for the 3rd quarter could not be obtained from the external source i.e. the County Council.

Issue for 07/08: External partnership arrangements need to be robust enough to ensure quality performance information is provided to agreed timescales. Where the agreed arrangements are seen not to be working then these should be reviewed.

Corporate Priority 2 – To achieve successful, sustainable new communities at Northstowe & other major new developments

9. There are still no performance indicators with which monitor of progress on these new community projects. One of the key roles for the Growth Areas Project Manager's post will be to help the Council identify realistic performance measures.

Issue for 07/08: One of the key roles for the Growth Areas Project Team will be to identify realistic performance measures.

Corporate Priority 3 – To increase the Supply of Affordable Housing

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
SH311	Number of affordable housing of all types and tenures completed	291	17	105	162	200	300
SH320	Affordable housing planning permissions as a % of all residential permissions	Not known	Not known	Not known	Not known	Para: 12 refers	Para: 12 refers

10. External factors influence the number of completions (SH311) but it is anticipated that the shortfall will be made up in 2007/08.

Issue for 07/08: External partnership working and other external factors mean that there will be times when we do not have full control over the delivery of our locally set targets, which means that we must work to influence those arrangements as much as possible.

11. The new PI (SH320) will provide a more realistic means of measuring our internal performance. Development Control are working with the PFH to identify the methodology for this PI and will be setting an 07/08 target to provide an effective means of monitoring this area in 07/08.

Issue for 07/08: Cabinet will have a means of monitoring the impact of Development Control activity on the volume of affordable housing agreed for development.

Other Important Corporate PIs**Performance Management and Corporate Health**

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
BV12	Working days/shifts lost to sickness absence	10.75	2.03	5.21	8.08	10.77	10.5
SF713	Average spending on training per employee	£ 250	£40	£105	£230	£306	£450

12. Sickness absence (BV12) is basically on target, although the winter period can produce a late surge, which is not allowed for in the extrapolated end-of-year figure.

13. However the 05/06 national upper quarter figure is 8.29 and the lowest quartile is 10.92 and our corporate performance in recent years has been:

2003/04	11.70 = 3 rd Quartile
2004/05	13.10 = 4 th Quartile
2005/06	10.75 = 3 rd Quartile

14. Thus our 06/07 performance looks like it will again fall into the 3rd or 4th quartile. If our comparative performance is to improve then further action will need to be taken to bring that improvement about.

Issue for 07/08: When setting targets, past trend performance information should be considered to identify repeated low comparative performance with a view to taking positive action to improve performance.

15. The training budget (SF713) was deliberately cut back as a consequence of capping.

Income, Finance and Efficiency

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
BV66a	% of rent collected	97.3%	89.6%	94.6%	96.8%	97.5%	98%
BV76c	The number of fraud investigations per 1,000 caseload	44	9	15	20	27	44
BV79a	% of cases for which the calculation of the amount of benefit due was correct.	98%	96%	96.8%	97.3%	97.6%	99%

16. The BV66a target will be not met. Using this PI as an illustrative example only, it may be felt that the implication of not reaching some targets (e.g. financial income targets) may be particularly damaging or undesirable. This could be borne in mind when setting future targets, where a system of 'weighting' may prove valuable. The software package, which will be purchased as a replacement for PIMMS, will be required to enable 'weighting' of information (para: 39/40 refers).
17. The number of fraud investigations (BV76c) will not be on target but this is directly related to a deliberate increase in publicity (i.e. raising of public awareness) and the provision of fraud awareness training for non benefit staff. This has resulted in an improvement in the quality of referrals received and sanctions imposed do compare favourably with 05/06, which indicates there is now more effective prioritisation. This situation would appear to demonstrate a much more cost-effective use of capacity and available resources i.e. quality over quantity.

18. For BV79a, 10 of 375 cases were found to have extremely minor errors in the amount of benefit awarded. However this has resulted in our not being able to achieve the end of year target. Whilst this PI is important (i.e. accuracy of calculations) it is clear that the impact of some targets not being achieved is higher or lower than others). This, degree of impact, should be borne in mind when setting future targets, where a system of weighting the importance of different targets may prove valuable, with targets for some PIs receiving a lower rating than others (e.g. BV66a).

Issue for 07/08: The impact of not achieving some targets will be more damaging or undesirable than others, which indicates that we might want to consider 'weighting' some PI targets higher than others.

Satisfaction with Services and Service Delivery

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
BV212	Average calendar days to re-let local authority dwellings	29	39	42	41	40	21
SH301	% of non-urgent repairs completed in time	83 %	79 %	77 %	80 %	80 %	93 %

19. The results for BV212 are partially due to the 06/07 re-organisation which made changes to responsibilities. There have also been a number of "Difficult to Let (DTL)" properties. The whole void process is currently under active review and it is anticipated that there will be a more robust process for 07/08.
20. It has been found that SH301 was not being measured in line with government guidance, which has resulted in the performance being presented lower than it actually should be. The PI is to be replaced by a revised PI from April 07, which for the 06/07 3rd Qtr gives a figure of 93% (i.e. on target).

Issue for 07/08: The importance of ensuring data quality and compliance with national or local PI definition guidance needs to be fully understood by all PI Owners.

Cleaner Villages and Environmental Quality

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
BV199b	% of land/highways with visible graffiti	6 %	Not known	6 %	8 %	8 %	6 %
BV199c	% land/highways with visible fly posting	3 %	Not known	8 %	4 %	7 %	3 %

21. These were new PIs in 05/06 and the 06/07 target was set on initial surveys carried out in 05/06. However more comprehensive 06/07 surveys, based on our experience from 05/06, is producing more realistic performance information. End of year estimates represent more accurate baseline figures, which will be used to set future targets.
22. There have also been delays in the ability of the Probation Service to start a graffiti clearance project (BV199b), which may affect achievement of the annual target. Thus external partnership factors, which are outside of our complete control, can also impact on our ability to achieve our targets.

Issue for 07/08: New PIs, especially ones with complicated or difficult methodologies, will require more time before meaningful and realistic targets can be set.

Community Safety and Community Services

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
BV218b	% abandoned vehicles removed within 24 hours	85 %	83 %	83 %	82 %	80 %	85 %
SX15	% dual use strategy work completed	66 %	66 %	66 %	66 %	77 %	88 %

23. As a result of other work priorities and staff vacancies; officers with responsibility for this area (BV218b) are currently providing cover for other service areas, which is resulting in the target not being achieved.
24. There are 9 Dual Use Strategy (SX15) projects and it was planned to complete 8 in 06/07 (88%). However 7 will be completed (77%) with the remaining 2 by September 07 (100%). Whilst the 06/07 target will not be achieved; the performance is an improvement on previous years.

Housing Provision

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
BV183b	Average weeks in hostel accommodation of households, which include dependent children or a pregnant woman and which are unintentionally homeless and in priority need.	29	32.4	43.3	36.5	35	24

25. Recognising that the performance was not as positive as initially hoped; a report was presented to the December Cabinet to suggest amendments to the lettings policy. These letting policy amendments are designed to improve performance but this will have minimal impact in 06/07.

Issue for 07/08: Where targets are not being met, officers should monitor the situation and advise Cabinet of action that could be taken to bring about desired improvements

A Better Future through Partnerships

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
SX16	Number of Villages with completed Parish plans	16	14	14	15	18	20

26. Due to the voluntary nature of this ongoing annual exercise and depending on the time taken, it is difficult to gauge how many PC's will be completed in each year. The overall progress on Parish Plans is very good and there are a number of plans in preparation. Of the 15 villages currently producing a plan it is anticipated that 3 will be completed by the end of March, which will mean that the set 06/07 target will be just missed.

Issue for 07/08: With some PIs it is difficult to be certain of the final target e.g. when the actual work is carried out by external agencies and for some PIs it would therefore be useful to agree a 'target range' or/and 'low weighting' rather a fixed target.

A sustainable future for South Cambridgeshire

PI	Description	05/06	06/07 Performance				06/07 Target
		Actual	3 month	6 month	9 month		
			Actual	Actual	Actual	Year end estimate	
BV82ai	% waste sent for recycling	18.1%	15.9%	16.9%	17.2%	18%	19%
BV82aii	Tonnage (000's) of waste sent for recycling	10.62	2.65	5.24	7.86	10.5	10.7

27. During the first 6 months of the year there were staff shortages, which was partly caused by a lack of applicants for the employment package offered. This staff shortage resulted in our being unable to provide the planned amount of officer resource to carry out recycling promotional work. This has now been rectified but it is likely that the two targets will be slightly missed.

Financial Implications

28. None.

Other Performance Management Developments

29. **Three-Yearly Best Value Surveys.** There are four national 3-yearly surveys and the national comparative results will not be known for some months. Thus we will not be able to judge whether any movement (up or down) in our own satisfaction figures is following a national trend or not. The current situation with the surveys is as follows.
30. Planning Survey – The final report has been received and presented to Planning Managers. Copies of the report were also sent to the PFH and the Chairman/Deputy Chairman of Planning Committee.
31. We were required to obtain a minimum of 400 responses but only 363 were returned, which represents an overall response rate of 53%. However no problems are anticipated with this lower than 400 target as 53% represents an improved response on that achieved in 2003, when no adverse comment was received from the Audit Commission.
32. The results are generally disappointing, despite the improvements that have taken place in recent times. The Transformation team is assisting in the formulation of the 07/08 Service Plan and the 3-yearly consultation results will be used to help in that process.
33. Planning survey questions 5 and 6 are used for national comparison purposes although only question 6 is allocated a national BV PI number (BV111). A comparison of our 2003 and 2006 results shows a fall in all areas of satisfaction as illustrated in the following table.

Question Number	Question Detail	Strongly agree/Agree		
		2003	2006	Direction of Travel
5a	I was given the advice and help I needed to submit my application correctly.	70 %	63 %	☹
5b	The Council kept me informed about the progress of my application.	49 %	40 %	☹
5c	The Council dealt promptly with my queries.	53 %	44 %	☹
5d	I understand the reasons for the decision made on my application (s).	73 %	70 %	☹
5e	I felt I was treated fairly and that my viewpoint was listened to.	59 %	51 %	☹
6 BV111	How satisfied or dissatisfied are you with the service provided by the Council in processing your application?	63 %	56 %	☹

34. **BV111** – There have now been three 3-yearly surveys and this authority was in the bottom quartile in both of the previous one (i.e. 2000 and 2003). The 2006 national comparative data will not be available for some months but as our performance has dropped from 63% to 56% it would appear reasonable to assume that our quartile position will not have improved.
35. General Survey – The survey is complete and the report will be available in early March.
36. Tenants Survey – The survey deadline is February 23rd and the draft report will be available in mid March. The response rate is very high at around 70%.
37. Benefit Survey – This survey is divided into 2 survey windows. The first window was completed before Christmas and the second one is currently taking place. The combined responses from both survey windows will form the final report, which will be available in early April.
38. The results from the four 3-yearly survey will be reported individually to Cabinet.

Issue for 07/08:

- i) **The results will be used to develop the various Service Plans, with targets for 3 years time.**
- ii) **It is recommended that PFH's use PFH meetings to monitor implementation of the improvement measures in the various Service Plans.**
- iii) **It is recommended that the Scrutiny and Overview Committee monitor progress, at least annually, to ensure that the 3-year targets are achieved.**

39. **Replacement for PIMMS.** A specification for the new Business Management System (BMS) has been drafted. It will now be considered by EMT in March 2007 to ensure that the implications of introducing a comprehensive management system are fully understood and owned.
40. Provision has been made in the 07/08 MTFS to purchase the new package, which it is hoped can be in place in mid 2007.

41. **Service Plans and Appraisals.** Service plans have been issued to managers who are now actively developing their 07/08 plans. Managers have been encouraged to consult their staff and to work with their PFH during that development stage. The plans form an important role in the overall performance management process and are designed to include:
- a) Link Policy and service delivery
 - b) Enable services and individuals to contribute to Council priorities and policies
 - c) Improve performance and Value for Money
 - d) Build team working, staff involvement, motivation and capacity
 - e) Plan for the future (including finance and workforce)
 - f) Minimise risk

Issue for 07/08: It is recommended that PFH's work with the service planning managers to ensure that plans are robust and clearly set out to help achieve the Council's 07/08 priorities.

42. **Corporate Governance Inspection.** The CGI improvement plan is now being developed will be ready for submission to the Audit Commission by the end of April 2007.

Conclusion

43. Good progress has been made on achieving the targets for the corporately important performance indicators with 76% being on target. The remaining 24% of PIs are expected to fail to achieve their target.
44. There are numerous issues for 07/08 that can be learnt from our experience from 06/07, which should assist us to create a more robust and focussed continually improving performance agenda. These are as follows:
- a. Where circumstances arise, which may lead to an important target not being met, officers should bring this to the attention of Cabinet to ensure that there is time to consider the possibility of remedial action (Para: 7 refers).
 - b. External partnership arrangements need to be robust enough to ensure quality performance information is provided to agreed timescales. Where the agreed arrangements are seen not to be working then these should be reviewed (Para: 8 refers).
 - c. One of the key roles for the Growth Areas Project Team will be to identify realistic performance measures (Para: 9 refers).
 - d. External partnership working and other external factors mean that there will be times when we do not have full control over the delivery of our locally set targets, which means that we must work to influence those arrangement as much as possible (Para: 10 refers).
 - e. Cabinet will have a means of monitoring the impact of Development Control activity on the volume of affordable housing agreed for development (Para: 11 refers).

- f. When setting targets, past trend performance information should be considered to identify repeated low comparative performance with a view to taking positive action to improve performance (Para: 14 refers).
- g. The impact of not achieving some targets will be more damaging or undesirable than others, which indicates that we might want to consider 'weighting' some PI targets higher than others (Para: 16-18 refer).
- h. The importance of ensuring data quality and compliance with national or local PI definition guidance needs to be fully understood by all PI Owners (Para: 20 refers)..
- i. New PIs, especially ones with complicated or difficult methodologies, will require more time before meaningful and realistic targets can be set (Para: 21-22 refers).
- j. Where targets are not being met, officers should monitor the situation and advise Cabinet of action that could be taken to bring about desired improvements (Para: 25 refers).
- k. With some PIs it is difficult to be certain of the final target e.g. when the actual work is carried out by external agencies and for some PIs it would therefore be useful to agree a 'target range' or/and 'low weighting' rather a fixed target (Para: 26 refers).
- l. The results will be used to develop the various Service Plans, with targets for 3 years time (Para: 29-37 refer).

Recommendations

45. Cabinet is recommended to: -
- (a) Note the progress on performance indicators after the first 9 months of 06/07 e.g. that 76% are projected to be on target (Para: 3 refers).
 - (b) Cabinet is recommended to indicate whether targets for 07/08 should remain at the level of government minimum standards or should be at a higher level, to improve quartile position or customer service (Para: 6 refers).
 - (c) It is recommended that PFH's use PFH meetings to monitor implementation of the improvement measures in the various Service Plans (Para: 29-37 refer).
 - (d) It is recommended that the Scrutiny and Overview Committee monitor progress, at least annually, to ensure that the 3-year targets are achieved (Para: 29-37 refer).
 - (e) It is recommended that PFH's work with the service planning managers to ensure that plans are robust and clearly set out to help achieve the Council's 07/08 priorities (Para: 41 refers).
 - (f) Accept the lessons learnt as a means of helping ensure that appropriate plans are set and successfully implemented for 07/08 (para: 44 refers).

Background Papers: Performance Plan 2006.

Contact Officer: Ian Salter – Performance Improvement Officer (01954 – 713018)

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet 8 March 2007
AUTHORS: Executive Director / Corporate Manager - Policy, Performance and Partnerships

SUSTAINABLE COMMUNITY STRATEGY (SCS) FOR SOUTH CAMBRIDGESHIRE 2007 TO 2010**Purpose**

1. To update Members on progress on the review of the Community Strategy.

Background

2. South Cambridgeshire Strategic Partnership (LSP) currently has a Community Strategy covering the period 2003-2006.
3. The recent White Paper, *Strong and Prosperous Communities*, and the current Local Government and Involvement in Health Bill include new requirements and an central role for community strategies - now to be called Sustainable Community Strategies (SCSs)
4. Accordingly, the LSP is reviewing and revising the current strategy to cover the period 2007-2010 in accordance with the new requirements.
5. The current strategy has the following six aims:-
 - a) Active, Safe and Healthy Communities
 - b) Good Access to services
 - c) Successful new communities
 - d) A prosperous district
 - e) A good environment
 - f) Quality homes for all

Consultation and Research

6. Over the last few months the LSP has undertaken a programme of consultation and research – consisting of:-
 - a) Analysing existing consultation results and parish plans
 - b) Carrying out the Quality of Life survey and a Community Strategy postal survey
 - c) Holding discussion groups with residents from different parts of the district and at different life stages
 - d) Holding stakeholder workshops which have attended by Members of this Council, representatives of parish councils and voluntary/community groups and LSP partners.
 - e) Carrying out other statistical research
7. The results of this work was reported to the LSP Board on 9th January 2007 – some of the key results arising from the research are:-

(a) The priorities arising from public consultation were:

- transport and traffic
- housing and development
- preservation of the environment

(b) Other important issues identified for the SCS were:

- facilities for young people
- health needs of older people
- provision of sport, recreation and culture
- addressing climate change (in particular the means to enable residents to recycle)

(c) It was generally felt that the current six aims of the community strategy reflect the needs the SCS needs to address. However, some change may be necessary to reflect changes in needs or circumstances since 2003. For example, climate change, traffic and transport and community cohesion issues surrounding the traveller community are now stronger themes than three years ago.

(d) Discussions at the stakeholder groups tended to reflect broader and longer term issues – for example, the future change towards a district of a more urban character as a result of the growth areas; the growing importance of tackling climate change; and the impact of demographic changes.

(e) It was recognised as important to prioritise. All major public sector partners are experiencing acute resource difficulties and there are major issues which the district must address. In this context it may be appropriate to pursue some of the six aims more vigorously than others in the next three-year period.

(f) There was a strong view from parish council and voluntary sector representatives that there should be greater involvement of parish councils and the voluntary sector in the development and delivery of the strategy.

8. A full copy of the consultation results can be obtained from Paul Swift - contact details are given at the end of the report.

Current Activity

9. The current stage in the development of the SCS is the involvement of partners in the more detailed development of priorities and actions for strategy. The views of partners are being particularly sought through current partnership meetings of the Voluntary Sector Forum, Improving Health Partnership, Crime and Disorder Reduction Partnership, Transport and Access Group, Children and Young People's partnership etc.

10. As part of this phase, it is intended to involve Members and officers of this Council in further work to develop the strategy – probably by way of workshops.

Overall Timetable and Links with the Local Area Agreement (LAA)

11. All the five local strategic partnerships in Cambridgeshire are currently preparing their sustainable community strategies in line with the requirements in the recent White Paper and the legislation currently going through Parliament. It is expected that the

legislation will receive royal assent by autumn at which time final guidance will be issued by the government. However, local authorities and LSPs are advised not to delay the revision of their SCSs, as the guidance is not expected to make significant changes to the White Paper and previous guidance. However, there is a risk of amendments in the legislative process.

12. The Local Government and Involvement in Health Bill also includes proposals to formalise the requirement for local authorities to enter into Local Area Agreements (LAAs). LAAs will include central and local targets. It is expected that Sustainable Community Strategies will exert a considerable influence on the contents of LAAs. In fact LAAs are seen as the “delivery vehicle” for sustainable community strategies.
13. In this situation the five Cambridgeshire LSPs are working to the following timetable:-
 - a) to substantially approve their new SCSs by September or October.
 - b) to hold an LAA Board and LAA Reference Group workshop in November to identify priorities for the new LAA based on the priorities in sustainable community strategies
 - c) to prepare the new Cambridgeshire LAA (for April 2008 onwards) for submission in accordance with the required timetable in early 2008
14. To achieve this timetable we will need to complete our Sustainable Community Strategy by September/October 2007, which will therefore require the following steps:-
 - (a) Completion of the current stage of involvement of partners, Members and officers
 - (b) Draw up draft plan, action plan and targets for further discussion with partners
 - (c) Prepare final plan for consultation and approval of the LSP, Council and partners

Links with the Council’s Objectives and Priorities

15. The Council has had the same Corporate Objectives for six years and the current priorities for three years. It has been agreed for some time that the Council needs to review and revise those objectives and bring them more into line with the Community Strategy.
16. It is therefore important for the Council to be fully engaged in the development of the Sustainable Community Strategy and for the process of setting clear priorities for this Council to reflect the emerging priorities for the Sustainable Community Strategy.

Financial and Staffing Implications

17. It will be important for the review of the Medium Term Financial Strategy and the Workforce Plan next September-November to take into account the plans in the Sustainable Community Strategy and also (as mentioned above) for the Sustainable Community Strategy to be realistic and focused, in view of the resource position of all the major partners.
18. Staffing resources for the development of the Sustainable Community Strategy are very stretched as a result of capping and the need to respond to other pressing needs such as the CGI report. Supporting the LSP and the Sustainable Community Strategy will be a high priority to be met from the £300,000 approved by the Council to respond to the CGI.

Recommendations

19. Cabinet is recommended to:-
- (a) note the progress on the development of the Sustainable Community Strategy and the timetable to complete the strategy in time to influence the Local Area Agreement from April 2008.
 - (b) request all Members to take advantage of opportunities to take part in the development of the Sustainable Community Strategy.
 - (c) take account of the emerging priorities for the Sustainable Community Strategy in developing new priorities for the Council.

Background Papers:-

- Existing community strategy
- Consultation and research report
- LAA Reference Group papers

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Leader and Cabinet	8 March 2007
AUTHORS:	Executive Director / Corporate Manager Policy, Performance and Partnerships	

LAND OWNERSHIP AT MILTON COUNTRY PARK**Purpose**

1. This report sets out the position on the current land ownership at the park and seeks approval, in principle, for releasing the Council's land to another agency, in order for a new manager to run the park.

Background

2. In December 2006 the Cabinet decided that a new body to manage the country park must be found by 31 August 2007, otherwise the park faced closure. This decision was taken after a process during 2006 to seek alternative management, which had not proved successful.
3. At the Council meeting in January 2007, Council agreed to support the aims of the Save the Park campaign and to work with all parties to ensure that the park could continue to remain open, under new management.
4. An officer project team has been established and work is underway to achieve the aim of agreeing a new manager by the deadline, working with the Portfolio Holder for Community Development. The project team will be reporting progress on the various aspects of their work, and a timetable for the process, at the Cabinet meeting in April.

Considerations

5. There are a number of organisations that are very interested in considering taking on the management of the park, and ongoing discussions have been taking place with the Portfolio Holder and officers. An information pack, with operational, financial and legal information has been sent out to all these organisations, as a first step towards a competitive process to consider offers.
6. A workshop has been arranged with Cambridge Preservation Society and Cambridgeshire Horizons, for 29 March, to enable all those agencies interested to come together and consider the position. The main aim of the workshop is to provide guidance on a sustainable future for Milton Country Park under new management arrangements, with three sub aims:
 - a) Scrutinise and advise on the options being pursued - setting up a community Trust and/or a competitive process to seek a new management agency
 - b) Review ways in which other agencies and the public can help support the park's future
 - c) Promote a wider understanding of the issues and options
7. However, there is one key issue that needs a decision at this stage, in order to provide some clarity for the workshop, and allow officers to make progress. This

concerns the land ownership position at the park, and the willingness of this Council and the County Council to consider releasing their land to a new management agency. This Council own the areas of the park around the two main lakes, while the County owns the central area of the park with is licensed to SCDC, on a licence that can be terminated at six months notice on either side.

8. The current ownership pattern does not provide a secure basis for managing the park, and would be likely to prove an insurmountable problem for a new organisation to take the park on. There is also a need for some security for a new body, so they can plan their operation and any investment over an acceptable time period.
9. The land could be released through either selling it, or more likely leasing it to a new organisation on a 'peppercorn' basis, with conditions in the lease about maintaining the use as a country park. The appropriate period of such a lease can be explored at the workshop at the end of March, to inform the basis of a final decision. The findings of the workshop will be reported back to Cabinet.
10. Once this Council has made a decision in principle about its land, officers will be in a better position to negotiate with the County Council concerning their land. An initial exchange of letters has taken place with the County, and they are seeking further clarification before a decision about their land can be considered.

Options

11. There are three options:
 - (a) Cabinet could agree in principle to release our land to a new managing agency, with further consideration of the details to be brought back to a future meeting, with the findings from the forthcoming workshop. The option clarifies the Council's intentions, and will allow for further consultation to inform the final decision. It will also give a basis for negotiations with the County Council.
 - (b) A decision to grant a lease, or to sell the land, could be taken. However, the basis for such a decision, and the relative merits for leasing or selling, would not have been able to be properly considered.
 - (c) Cabinet could decide not to consider releasing the land. The consequence of such is decision would be to create uncertainty for agencies that are currently interested in considering managing the park, and significantly reduce the likelihood of agreement of a new management agency within the set deadline.

Implications

12.	Financial	Securing a new managing agency will enable the Council to reduce its financial commitment to running the park. The details of the financial consequences of a sale or lease will need to be considered in a subsequent report.
	Legal	Leasing or selling the land in the park would reduce the Council's legal liabilities arising from the current operation. Lease conditions could be considered which match those for the area of land at the southern end of the park, which the council holds on a long lease, requiring that the land is used as a country park.
	Staffing	None specific to this report. Staffing issues will be considered in future reports.

Risk Management	Facilitating the transfer will enable the Council to reduce the risks arising from managing the park, as well as the effects on the Council's reputation if the park has to be closed.
Equal Opportunities	Securing the future of the park will enable access for all sections of the community to be maintained.

Consultations

13. Informal discussions have taken place with a range of organisations. Formal consultation will take place through requests the forthcoming workshop and the process for seeking formal 'expressions of interest' from interested agencies.

Effect on Annual Priorities and Corporate Objectives

14. Affordable Homes	None.
Customer Service	Local management may provide more scope for varied services, responding to customers' wishes
Northstowe and other growth areas	Country parks play an important role in providing access to open space, recreational opportunities and the countryside, including for the growth developments. Milton Country Park is likely to be the most accessible such space for the growth in the Cambridge northern fringe.
Quality, Accessible Services	Keeping the park open and enabling a transfer to a new agency will allow the current service to be maintained and hopefully enhanced.
Village Life	The park plays an important recreational role for local villages, especially Milton.
Sustainability	Maintaining the natural environment of the park contributes to sustainability objectives.
Partnership	Establishing a new managing agency will be undertaken through partnership with other organisations.

Conclusions/Summary

15. A decision in principle on the Council's willingness to release its land in the park will enable officers to move forward discussions with other land owners, and with agencies interested in the park.

Recommendation

16. It is recommended that Cabinet agrees to the principle of releasing the Council's land within the park to a new agency, to enable it to take on the park's management, subject to full consideration of the nature of such a disposal being brought to a future Cabinet for decision, taking into account the views of other agencies.

Background Papers: the following background papers were used in the preparation of this report:

Proposal for workshop on 29 March 2007 with Cambridge Preservation Society

Contact Officer: Simon McIntosh – Corporate Manager, Policy Performance and Partnerships, Telephone: (01954) 713350

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Leader and Cabinet	8 March 2007
AUTHOR/S:	Executive Director/ Corporate Manager Health & Environmental Services	

**STAFF TO IMPLEMENT THE HEALTH ACT 2006
(SMOKE FREE REGULATIONS)****Purpose**

1. To seek agreement to temporarily increase the staffing establishment by employing two additional members of staff (1½ FTE) to implement the requirements of the Health Act 2006 (Smoke Free legislation).

Background

2. The Health Act 2006 enacts smoke free legislation applying to England only (Scotland and Ireland have already adopted smoke free legislation). The regulations mean new enforcement responsibilities for the Council, which becomes the enforcing authority for smoke free legislation in:
 - All substantially enclosed workplaces and public places, including those enforced for health and safety by the Health & Safety Executive.
 - All public transport, including private hire vehicles and taxis
 - All communal areas in housing, e.g. stairs and lifts in blocks of flats, both Council owned and private.
 - All vehicles used as a workplace e.g. delivery vehicles, lease cars, and private cars used for work.
3. The smoke free regulations introduce three main requirements/offences:
 - A requirement to display the correct no smoking signs at all public entrances to the building
 - A prohibition of smoking in any enclosed or substantially enclosed workplace or public place
 - A requirement on the management of the workplace/public space not to allow smoking

Considerations

4. The regulations made under the Health Act provide important details on the law to be applied. These have been slow to materialise and even now formal publication of the complete set of Smoke Free Regulations and the associated guidance is awaited.
5. In addition, until recently, it was unclear as to how much funding the Government would be providing to support Local Authorities implement the smoke free legislation. It has therefore not been possible to bring a report to Members regarding the staffing requirements until this time, which in turn has shortened the timescale for approval of these posts and their subsequent recruitment. The Department of Health (DoH) has now confirmed that South Cambridgeshire D.C. will be receiving (as a special formula grant) £11,159 for 2006/07 and £55,035 for 2007/08.

6. Learning from the experience in Scotland, the Government has indicated that it expects the approach to enforcement to be non-confrontational, focusing on raising awareness and understanding to ensure compliance and enforcement officers are expected to work closely with businesses to build compliance through education, advice and support before and shortly after the legislation comes into force. Initially legal enforcement would be a measure of last resort. This expectation fits with the stance being adopted in Cambridgeshire.
7. It is likely that the amount of media scrutiny and public interest in the regulation of this new piece of legislation will continue to build. This is especially true of the period immediately after the provisions come into force, when inconsistencies and anomalies in enforcement will be highlighted.
8. The regulations are due to come into force on the 1 July 2007 and it will be necessary to support the very many affected business in the district on the run up to the 1 July to give the educational/awareness arising message. The experience from Scotland, which went smoke free in March 2006, is there needs to be upfront education with little enforcement, as after the initial 6 months the legislation becomes almost self-enforcing.
9. In order to implement these new legal responsibilities additional capacity within Health and Environmental Services is needed. It is therefore proposed to employ 2 additional members of staff: 1 FTE for 12 months and 1 FTE for 6 months using the funding in paragraph 5. These posts will need to commence employment as soon as possible before the 1 July 2007.

Implications

10.	Financial	<p>The implementation of the Health Act 2006 (smoke free regulations) has been included within the 2007-08 Environmental Health Portfolio estimates as being cost neutral – with the cost borne by the Council being offset by Government Grant.</p> <p>Members will be aware that the latest updated Medium Term Financial Strategy (MTFS) is based on the 2007-08 base budget as set out in the General Fund Summary reported to Cabinet on 8th February 2007. The cost neutrality of implementing the new Act has therefore meant that the inclusion of these two temporary post onto the staffing establishment for a period of up to twelve months will not have any effect on the overall financial position of the Council as set out in the MTFS</p>
	Legal	As detailed in the report. As South Cambridgeshire District Council is the enforcing authority for the Health Act 2006, the additional staff will require authorisations under the Health Act to act as officers of the Council.
	Staffing	As per report

Risk Management	There is a risk of negative press coverage regarding how the Council enforces the legislation particularly regarding consistency across Cambridgeshire. The Council is part of a Countywide group (Cambridgeshire and Peterborough Tobacco Control Alliance) coordinating our enforcement strategies to aid consistency. There have already been enquires from the press on how the Council is spending its grant from the Department Of Health
Equal Opportunities	There are diversity implications for the Council when enforcing the regulations. Smoking is endemic in some cultures and account will need to be taken of the best method to ensure compliance. The Department of Health has produced information in other languages, which the Council is free to and will use.

Consultations

11. The Council is part of the Cambridgeshire and Peterborough Tobacco Control Alliance and as such has been part of countywide discussions on the approach to be taken to enforcement and the recruiting of staff.

Effect on Annual Priorities and Corporate Objectives

12.

Affordable Homes	None, although the Council will become the enforcing authority for the common parts in any affordable homes which are built
Customer Service	By taking an educative rather than enforcement approach the council can deliver a customer orientated service in the implementation of the Act
Northstowe and other growth areas	None
Quality, Accessible Services	As Customer Service above
Village Life	The implementation of the Health Act will help achieve a better quality of life for residents of, workers in, and visitors to South Cambs through a better quality smoke free environment.
Sustainability	Health and sustainability go "hand in hand" and educating business and the public on the importance of second hand smoke and by enforcing the Health Act, not only can we help to improve the quality of peoples health but it will also lead to a quality of life which is supportable and sustainable
Partnership	The Council is a full participant in the Local Strategic Partnership and works with a range of organisations to set and achieve a vision for a better future. The Community strategy already contains several aims on smoking reduction, including a Countywide Local Public Service Agreement (LPSA) on smoking in the workplace. This is in addition to the work of the Cambridgeshire and Peterborough Tobacco Control Alliance, whose membership consists of: officers from each local authority including the County Council (Trading Standards and Education), NHS via the Cambridgeshire Primary Care Trust,

Conclusions/Summary

13. On the 1 July 2007 the Smoke Free Regulations under the Health Act 2006 come into force. The Council will become responsible for enforcing the regulations and as such further resources in the form of 2 additional posts (1½ FTE) are needed. These posts are to be financed from monies received from the Department of Health for the implementation of the Health Act 2006.

Recommendations

14. It is recommended that Cabinet agrees
- (a) to an increase in the Staffing Establishment by one FTE for a 12 month period and one FTE for a six month period, and
 - (b) that in order that appointments are not delayed, delegated approval be given to Senior Management Team to agree the salary scale and post titles to be applied with the Human Resources Manager following the outcome of job evaluations.

Background Papers: the following background papers were used in the preparation of this report:

Health Act 2006, Smoke Free (General) Regulations 2007

Contact Officers: Iain Green – Environmental Health Officer (Public Health Specialist),
Telephone: (01954) 713209
Dale Robinson, Corporate Manager Health & Environmental Services

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

PROPOSED VEHICLE LICENCE CONDITIONS
PRIVATE HIRE VEHICLES AND HACKNEY CARRIAGES
2007 edition (1)

These conditions apply to both hackney carriages and private hire vehicles except where stated. The proprietor of the vehicle must ensure that the vehicle complies with the following conditions at all times and that the other requirements set out below are strictly complied with:-

1. TYPE OF VEHICLE

The vehicle must be safe, comfortable and suitable in type, size and design for use as a private hire vehicle and must be:-

- (a) Private Hire Vehicle: not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage; or

Hackney Carriage: a "London" type taxi cab finished in the manufacturer's standard colour; or

- (b) a standard vehicle finished in the manufacturer's standard colour with a minimum of four doors not including the tailgate (unless specifically adapted to be used as an access or egress point) ; or
- (c) a vehicle specially adapted to carry disabled persons and approved by the Council; and
- (d) have an engine, the nominal cubic capacity of which is not less than 1300ccs; (1500cc for diesel cars) Environmentally friendly vehicles such as hybrid vehicles, electric or LPG vehicles will be considered on their individual merits
- (e) no more than five years old from the date of its first registration when first presented for licensing. Luxury executive vehicles used for chauffeuring work may at the discretion of the licensing officer be given an exemption to this condition, subject to no vehicle being more than seven years of age from the date of its first registration; and
- (f) in a condition so as to comply at all times with all relevant statutory requirements. (Testing by the Council does not avoid the need for MOT certificates for all vehicles more than one year old. The MOT certificate must be produced on the Council's inspection and must have at least 3 months unexpired then).
- (g) Where, by the removal of seats a vehicles original seating capacity is reduced to the maximum capacity of eight passenger seats, the redundant seat mountings must be rendered unusable. This must be done in such a way as to prevent the easy refitment of seats.

2. MAINTENANCE OF VEHICLE

(a) LIGHTING EQUIPMENT

All front and rear lamps including headlamps, stop lamps, directional indicators, hazard lamps and fog lamps shall be fully operational. Also lamp lenses shall be

clean and free from any chips or cracks which affect the beam pattern or allow moisture to enter the light casing. Reflectors should be free of corrosion or similar defects.

(b) STEERING AND SUSPENSION

The steering shall be fully operational and comply with VOSA inspection regulations. The suspension shall be fully operational, free from any leaks and with no excessive bounce. All components to be in good working order.

(c) BRAKES

All brakes including the foot and handbrakes shall be in good working order and pull evenly in accordance with VOSA inspection regulations. All vehicles shall be fitted with a high level brake light

(d) TYRES AND WHEELS

All vehicles shall carry in accordance with manufacturers recommendations a correct fitting spare wheel and tyre and all necessary tools for wheel changing. All tyres including the spare tyre should be in a roadworthy condition and comply with all relevant statutory requirements. Tyres shall be of all radial or all crossply design

(e) SEATBELTS

All vehicles shall have fully operational seatbelts in the front and rear to accommodate all passengers. Seatbelts should be in good condition and not be frayed or torn. All seatbelts shall be mounted to the vehicle body (not to vehicle seats unless specifically designed to do so) and adequately secured.

(f) HORN

The vehicles horn shall be fully operational and be adequately audible.

(g) HEATER

The vehicle shall be fitted with a fully operational heater, which can be adjusted according to the needs of the passengers

(h) WIPERS AND WASHERS

The correct size wiper blades shall be fitted and shall not be torn or frayed. The windscreen washers should operate correctly and fully.

3. COACHWORK

Vehicles must comply with the following:-

- (a) the width of the rear part of the body, measured from internal armrest to internal armrest 1.28m, this measurement to be made with both rear doors closed;
- (b) the minimum leg room for passengers using the rear seats shall be 22cms, the measurement to be taken from the rear door pillar to the nearest point of the rear seat squab;
- (c) all doors shall be capable of being opened from both the inside and the outside and to an angle of at least 60 degrees. Two windows capable of being adjusted and secured in any open or partly open position shall be fitted;

- (d) all glass fitted shall be safety glass, i.e. glass that if fractured does not fly into fragments capable of causing severe cuts;
- (e) Glass, either in the window, windscreen or other part of the vehicle shall not be broken or discoloured and shall be free from cracks in accordance with VOSA regulations;
- (f) All coachwork shall be maintained in a clean condition and in proper state of repair; and
- (g) if the vehicle is an estate or hatchback type car it must be fitted with a guard rail or other device of a type approved by the Council to separate the rear loading area from the passengers.

4. GENERAL

- a) The vehicle must be fitted with an internal rear view mirror and on both sides with external rear view mirrors;
- b) Two way radio equipment may not be installed without the prior approval of the Council's inspecting officer who may specify the position of the equipment to ensure safe operation;
- c) All parts of the vehicle, its fittings and equipment both internal and external must be kept in an efficient, safe and clean condition and comply at all times with all relevant statutory requirements; and
- d) The vehicle must at all times be insured to the satisfaction of the Council for fare paying passengers.
- e) The vehicle shall ensure that at all times whilst the vehicle is used on public roads there is a current vehicle excise licence in force for the vehicle
- f) Hackney Carriages vehicles shall at all times have a fare table issued by South Cambridgeshire District Council displayed within the vehicle in a clear and prominent manner.

5. SAFETY EQUIPMENT

The proprietor shall provide and maintain in good order in the vehicle:-

- (a) an efficient fire extinguisher (minimum capacity 0.6 kg) carried in a position so as to be readily available for use; with the identification number issued by the Council indelibly marked upon it and
- (b) a suitable first aid kit containing appropriate first aid dressings and appliances.

6. EXTERIOR SIGNS

The proprietor shall ensure that:-

- (a) Except where authorised in writing by the Licensing Officer under Section 75(3) Local Government (Miscellaneous Provisions) Act 1976, at all times the vehicle current licence plate provided by the Council is displayed; and

- (b) Private Hire Vehicle: No roof sign shall be displayed at any time Hackney Carriage: The vehicle is fitted with a roof sign not exceeding 500mm in length and 120mm in height and bearing the word "TAXI" illuminated in yellow on a black background and no other lettering to the front and the word "TAXI" or the proprietors' name, trading name and/or telephone number illuminated in red on a black background and no other lettering to the rear. Any alternative sign may not be displayed except with the written authority of the Licensing Officer and must in any event bear the words mentioned above and no others;
- (c) Hackney Carriage: The roof sign is maintained in good order and displayed at all times on the roof of the vehicle except:-
- (i) when the vehicle is on hire for a wedding;
 - (ii) when it is necessary to accommodate passengers luggage by the use of a roof rack;
 - (iii) when the vehicle is being used for the proprietor or a person authorised by the proprietor for social, domestic or pleasure purposes;
 - (iv) otherwise with the prior approval in writing of the Licensing Officer.
- (d) Hackney Carriage: The roof sign is illuminated during the hours of darkness except when the vehicle is under hire.
- (e) Private Hire Vehicle: The vehicle shall not be licensed or be deemed to be licensed at any time if no current vehicle licence plate provided by the Council is displayed on the vehicle or is subject to condition 16.
- (f) In certain circumstances the Council may authorise or require alternative or additional exterior signs subject to such further or substituted conditions as the Council may determine.

7. ADVERTISEMENT

Subject always to the Council's right to disallow any advertisement, no advertisement shall be displayed on the exterior of the vehicle except on advertisement panels with an area not exceeding 0.56sqm on the side doors.

8. INSPECTION

The proprietor shall submit the vehicle to the Council or its appointed agents for inspection:-

- (a) annually when the licence is due for renewal;
- (b) after any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers and the proprietor shall notify the Licensing Officer of any such accident within 72 hours; and
- (c) at any other time if so requested by the Licensing Officer.

9. CONVICTIONS

The proprietor shall, within seven days disclose to the Licensing Officer, in writing, details of any conviction arising from Court action imposed on him or, if the proprietor is a company, on any of its directors during the period of the licence.

10. CHANGE OF ADDRESS

The proprietor shall notify the Licensing Officer in writing of any change of address during the period of licence within seven days of such change taking place.

11. TRANSFER OF LICENCE

If an owner/proprietor/co-Owner of a vehicle in respect of which the Council has granted a licence, transfers his/her interest in the vehicle, he/she shall within 14 days after the transfer give written notice of the transfer to the Council. That notice must contain the name and address of the person to whom the licensed vehicle has been transferred and the written consent to the transfer from the previous proprietor(s)/owner(s).

12. SURRENDER OF LICENCE

Except in situations to which Section 49 Local Government (Miscellaneous Provisions) Act 1976 applies (transfer of vehicles with licence), if the proprietor ceases to use the vehicle for the purpose for which it is licensed he shall surrender the licence and return the plate, which remains the property of South Cambridgeshire District Council, to the Licensing Officer.

13. DEPOSIT OF DRIVERS' LICENCES

If the proprietor permits or employs any other person to drive the vehicle as a hackney carriage or private hire vehicle he shall, before that person commences to drive the vehicle, cause that person to deliver to him his hackney carriage or private hire vehicle driver's licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.

14. HACKNEY CARRIAGE: TAXIMETER

- (a) The vehicle shall be fitted with a taximeter visibly recording the passenger fare payable in conformity with such table of fares as may from time to time be approved by the Council;
- (b) The position of the taximeter shall be agreed by the Council's inspecting officer and shall be maintained at all times so that fare displayed can readily be seen by the passenger; and
- (c) The operation of the taximeter shall accord with any byelaws made by the Council.

15. HACKNEY CARRIAGE: BYELAWS

The vehicle must comply with the relevant provisions of the hackney carriage byelaws or be taken out of service as a hackney carriage until such time as the vehicle complies with the byelaws.

16. DISC CONDITIONS (PRIVATE HIRE VEHICLES)

The following condition applies ONLY if the Council has allowed in writing a disc to be used instead of a plate.

The Council has determined that under your Private Hire Vehicle Licence condition 6(f) (Exterior Signs) you may affix a Council approved and supplied disc to the front windscreen (instead of a plate at the rear) for all uses of the vehicle as a private hire vehicle where the driver is acting as a uniformed chauffeur under a written contract for one or more journeys. If any use of the vehicle as a private hire vehicle is made where there is no written contract or where the driver is not in uniform a plate shall be used at the rear of the vehicle. If neither plate nor disc is affixed or if there is any contravention of this provision the vehicle shall not be deemed to be licensed.

[NB: In Cambridge City certain Road Traffic Regulation advantages given to licensed vehicles in use as such may not be available unless a plate is used. You will need to observe the relevant requirements if you wish to claim those advantages.]

17. FAILURE TO COMPLY WITH CONDITIONS

Failure to comply with any of these conditions may result in the Council suspending, revoking or refusing to renew the licence and in certain circumstances, in prosecution. There is a right of appeal to the Magistrates Court.

These conditions consolidate, amend and update previous vehicle licence conditions and will be effective upon renewals after 1 April 2007.

Minor traffic offences

Where a period of disqualification has been imposed due to the accrual of DVLA penalty points or for a single infringement, an application should not be considered until the DVLA driving licence has been restored for a period of 12 months. Should the DVLA demonstrate a further conviction since the disqualification period then a 12 month period should elapse from the date of the last conviction on the DVLA licence before an application is approved.

Offences covered under this section include:-

- MS10 Leaving a vehicle in a dangerous position
- MS20 Unlawful pillion riding
- MS60 Offences not covered by other codes as appropriate
- SP10 Exceeding goods vehicle speed limit
- SP20 Exceeding speed limit for type of vehicle excluding goods or passenger vehicles
- SP30 Exceeding statutory speed limit on a public road
- SP40 Exceeding passenger vehicle speed limit
- SP50 Exceeding speed limit on a motorway
- SP60 Undefined speed limit offence
- PL10 Driving without "L" plates
- PL20 Not accompanied by a qualified person
- PL30 Carrying a person not qualified
- PL40 Drawing an unauthorized trailer
- PL50 Undefined failure to comply with conditions of a provisional licence

Major traffic offences

Where a period of disqualification has been imposed an application should not be considered until the DVLA driving licence has been restored for a period of 12 months and no further motoring conviction has been endorsed on it in that period. Should the DVLA demonstrate a further conviction since the disqualification period then a 12 month period should elapse from the date of the last conviction on the DVLA licence before an application is approved.

- CD10 Driving without due care and attention
- CD20 Driving without reasonable consideration to other road users
- CD30 Driving without due care and attention or without reasonable consideration for other road users
- IN10 Using a vehicle uninsured against third party risk
- BA10 Driving while disqualified by order of court
- BA20 Driving while disqualified under age

An application received which details one of the following offences on the DVLA driving licence (DD30, DD60, DD70, MS50) will normally be refused or a current licence suspended or revoked. The endorsement for these offences remains on the DVLA licence for a period of 11 years. An application will not normally be approved until the endorsement period has expired and it is shown that no further motoring convictions have been endorsed on it in that period.

- DD30 Reckless driving
- DD60 Manslaughter or culpable homicide while driving a vehicle
- DD70 Causing death by reckless driving
- MS50 Motor racing on the highway

Other offences covered as major offences:

UT10 Taking or driving away a vehicle without consent or an attempt there at

UT20 Stealing or attempting to steal a vehicle

UT30 Going equipped to steal a vehicle

UT40 Taking or attempting to take a vehicle without consent, driving or attempting to drive a vehicle knowing it to have been taken without consent. Allowing oneself to be carried in or on a vehicle knowing it to have been taken without consent.

UT50 Aggravated taking of a vehicle

The above offences will be treated under the dishonesty and violence categories.

Driving whilst under the Influence of Alcohol

With a motor vehicle:-

An application with one conviction on the DVLA driving licence under this category should not be considered until a period of 36 months has elapsed since the restoration of the DVLA driving licence. More than one conviction of this type and the application should be refused until such time as only one of the convictions remains on the DVLA licence and a period of 36 months has elapsed since the restoration of the licence.

Offences under this section include:

DR10 Driving or attempting to drive with alcohol level above limit

DR20 Driving or attempting to drive while unfit through drink or drugs

DR30 Driving or attempting to drive then failing to supply a specimen for analysis

DR40 In charge of a vehicle while alcohol level above limit

DR50 In charge of a vehicle while unfit through drink and drugs

DR60 Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive.

DR70 failing to provide specimen for breath test.

Not in a motor vehicle

An isolated conviction/caution for drunkenness need not debar an applicant from gaining a licence. However a number of convictions/cautions for drunkenness could indicate a medical problem necessitating critical examination. In some cases a warning may be sufficient or the application may be refused until a period of 36 months has elapsed since the last conviction/caution.

Drugs

An application should not be considered until three years from the end of the period of any sentence awarded by a court, whether the sentence has been served in full or not or 5 years after detoxification treatment if he/she was an addict.

Offences in this category will include:-

1. Possessing controlled drug
2. Possessing controlled drug with intent to supply
3. Producing controlled drug
4. Importing drugs

Indecency Offences

An application should not be considered until three years from the end of the period of any sentence awarded by a court, whether the sentence has been served in full or not, or if the applicant has been placed on the sex offender's register until that period of time has elapsed.

Offences within this category will include:-

1. Indecent exposure
2. Indecent exposure to the annoyance of residents
3. Indecent exposure with intent to insult a female
4. Unlawful sexual intercourse
5. Importuning
6. Gross indecency with a female
7. Gross indecency with a male
8. Indecent assault on a female
9. Indecent assault on a child under 16 years of age
10. Living off immoral earnings
11. Prostitution
12. Possessing or distributing obscene material
13. Buggery
14. Rape
15. Indecent or nuisance telephone calls.

Violence

An application should not normally be considered until three years from the end of the period of any sentence awarded by a court, whether the sentence has been served in full or not, with the exception of 8,9 & 10 below when 2 years for a single offence will be the appropriate period.

Offences in this category will include:-

1. Common assault
2. Assault
3. Grievous bodily harm
4. Actual bodily harm
5. Assault Police
6. Affray
7. Riot
8. Using threatening words or behaviour
9. Breach of the peace
10. Drunk & Disorderly
11. Common assault
12. Obstruction
13. Robbery
14. Possess offensive weapon/s
15. Possess firearm/s
16. Possess firearm with intent to use
17. Criminal damage
18. Violent disorder
19. Resist arrest
20. Arson

Dishonesty

It should be considered that it is comparatively easy for dishonest drivers to defraud the public by demanding more than the legal fare; it should also be noted that the Private Hire is not bound by a set fare structure and therefore is open to potential abuse by unscrupulous drivers. Customers often use the trade for going to airports and drivers are privy to the knowledge that premises are empty for periods of time. In addition overseas visitors can be confused by the change in currency and become "fair game" for an unscrupulous driver. For these reasons a serious view should be taken of any conviction/caution involving dishonesty. In general a period of not less than three years from the end of the period of any sentence awarded by a court, whether the sentence has been served in full or not should be requested before consideration of an application.

Offences in this category will include:

1. Theft
2. Theft - shoplifting
3. Theft - employee
4. Theft - from a vehicle
5. Burglary and theft - from a dwelling
6. Burglary and theft - non dwelling
7. Burglary - aggravated
8. Fraudulent use
9. Handling
10. Receiving
11. Forgery
12. Conspiracy to defraud
13. Obtain money by deception
14. Obtain money by forged instrument
15. Deception
16. False accounting
17. False statement
18. Going equipped
19. Taking/driving or attempt to steal a vehicle
20. Allow to be carried in a stolen vehicle
21. Touting for hire car services
22. Perverting the course of justice
23. Plying for hire

Nothing in this criteria would remove an applicants right of appeal to the Licensing Review Panel or a Magistrates Court subject to the normal rules currently in place. Additionally the Council must still determine each application on individual merit.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Proposed LICENCE CONDITIONS – DRIVERS' LICENCES

It is important that you read these conditions.

As a South Cambridgeshire Private Hire or Hackney Carriage Driver you are **NOT** permitted to ply for hire in the Cambridge City Boundary or at any of the taxi ranks within that area, which includes the Railway Station. Any person caught doing so will be subject to investigation for breach of licence conditions with the possibility of suspension or revocation of their licence.

1. TOUTING OR SOLICITING

The driver shall not while driving or in charge of a Private Hire Vehicle

- a) Tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle
- b) Cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle; or
- c) Accept an offer for the immediate hire of that vehicle while the driver of that vehicle is on a road or other public place except where such offer is first communicated to the driver by telephone or similar device (ie radio) fitted to that vehicle.

2. CONDUCT OF DRIVER

The driver shall:-

- (a) afford all reasonable assistance with passengers' luggage;
- (b) at all times be clean and respectable in his dress and person and behave in a polite and orderly manner;
- (c) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
- (d) not without the express consent of the passengers smoke, drink or eat in the vehicle during the course of a hiring; (the word `smoke' will be deleted from 1 July 2007 when government regulations regarding smoking come into force)
- (e) not without the express consent of the passengers play any radio or sound reproducing instruments or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle; and
- (f) at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

3. PASSENGERS

- a) The driver shall not convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed in the licence for the vehicle, provided however, for this purpose.
- b) The driver shall not allow there to be conveyed in the front of any licensed vehicle beside him:-
 - i. any child below the age of ten years; or
 - ii. more than one person;and at all times the driver shall ensure compliance with any relevant regulations regarding seat belt and restraints.
- c) The driver shall not without the consent of the passengers convey or permit to be conveyed any other person in that vehicle.
- d) It is the driver's responsibility to ensure that for every journey there is appropriate third party insurance cover in the event of all passengers' personal injury.
- e) *Unless further authorised by the Council in WRITING, this licence does NOT permit there to be conveyed in the vehicle in the course of business at any time any child under the age of 16, or under the age of 18 who has special needs or under the age of 18 who is looked after by a local authority (for residential care only) if the journey is on behalf of a local authority or a self-governing (grant maintained) school or independent school or further education establishment, whether the journey is under contract directly by them or through volunteer or voluntary body directly engaged by them (including foster parents, adoptive parents or childminders) UNLESS in all of such cases there is another accompanying responsible adult in the vehicle at all relevant times.

4. LOST PROPERTY

- a) The driver shall immediately after the end of any journey, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.
- b) If any property accidentally left in a licensed vehicle by any person who may have been conveyed therein is found by or handed in to the driver, he shall take it as soon as possible and in any event within twenty-four hours if no sooner claimed by or on behalf of its owner to the Chief Executive officer or to the nearest Police Station and leave it in the custody of the Chief Executive or the Officer in charge of the Police Station on their giving a receipt for it.

5. WRITTEN RECEIPTS

The driver shall if requested by the hirer or passenger of a licensed vehicle provide him with a written receipt for the fare paid.

6. FARE TO BE DEMANDED

The driver of a Private Hire vehicle shall not demand from any hirer of a licensed vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a meter and there has been no previous

agreement as to the fare, any fare greater than that shown on the face of the taxi meter.

The driver of a Hackney Carriage shall not demand from any hirer of a licensed vehicle any fare greater than that shown on the face of the taxi meter.

7. ANIMALS

The driver shall not convey in any licensed vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle and he shall ensure that any animal belonging to or in the custody of any passenger is adequately restrained and kept in such a position so as not to distract the driver or otherwise be a cause of danger or nuisance. In the case of hackney carriages guide dogs accompanied by their owners shall be carried free of charge.

The Disability Discrimination Act 1995 – Carriage of Guide, Hearing and other assistance Dogs in Taxis and Private Hire Vehicles came into effect on the 1st April 2001. This act means that no Taxi or Private Hire vehicle in this District may refuse to carry an assistance dog of a passenger, unless they hold a valid medical exemption notice. This exemption order is only issued if you have a medical condition that prevents you from the carriage of animals. Further details can be obtained from The Department of Environment Transport Regions, Zone 1/18, Great Minister House, 76 Marsham Street, London. SW1P 4DR.

7. PROMPT ATTENDANCE (PRIVATE HIRE VEHICLES ONLY)

The driver of a Private Hire Vehicle shall, if he is aware that the vehicle has been hired to be in attendance at an appointed time and place or he has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that appointed time and place, unless unavoidably delayed or prevented.

8. COPY OF CONDITION

The driver shall at all times when driving any licensed vehicle carry with him a copy of these conditions and shall make it available for inspection by the hirer or any other passenger on request.

9. DEPOSIT OF LICENCE (PRIVATE HIRE VEHICLES ONLY)

If the driver is permitted or employed to drive a Private Hire Vehicle of which the proprietor is someone other than himself, he shall before commencing to drive that vehicle deposit his licence with that proprietor for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.

10. CHANGE OF ADDRESS

The licensee driver shall notify the Licensing Officer in writing of any change of his address during the period of the licence within seven days of such change taking place.

11. CONVICTIONS

Any licensed driver shall within seven days disclose to the Licensing Officer in writing details of any conviction arising from Court action imposed on him during the period of the licence.

12. RENEWAL/NEW APPLICATIONS

The driver shall, prior to the date of the licence expiry (see guidance notes for process times for applications, make application to the Authority for a renewal. If an application for renewal is not received by the renewal date the licence will lapse. Where operations continue after a failure to renew, prosecutions are likely to be authorised without notice. In most cases of non-renewal especially with regard to vehicle licensing the third party insurances are placed in jeopardy.

All new drivers to undertake the DSA (Driving Standards Agency) test before being granted a licence. Existing drivers will be exempt from this requirement unless in individual cases where complaints of bad driving or serious driving offences are committed by existing drivers it is felt appropriate for a driver to take the test to prove they are fit and proper to hold such a licence. A serious driving offence may include persons who have accrued 9 points for totting up offences within a 12 month period.

Any driver obtaining a Private Hire or Hackney Carriage drivers licence with a foreign EU or exchangeable licence as permitted under the Local Government (Miscellaneous Provisions) Act 1976 part II will only be granted a licence for one year. Any subsequent application must be made using a full GB licence.

Applicants from the European Union with permissions to undertake Private Hire or Hackney Carriage type work will be required to submit a certificate of good conduct signed and stamped by the relative embassy. The certificate must be translated into English and delivered as part of the application in an envelope with an untampered seal by the issuing embassy. The certificate must be less than six months old. This will only apply to applicants who cannot provide a full and continuous 5yr residency in the UK.

13. DRIVERS BADGE

The driver shall, when hired display any badge provided by the Council in such a manner as to be plainly visible to customers using the vehicle.

The driver shall upon the expiry (without immediate renewal), revocation or suspension of his licence forthwith return to the Council the driver's badge issued to him by the Council when granting the licence. The badge shall remain the property of the Council.

14. VEHICLE LICENCE DISC

- a) The driver shall not drive for hire or reward any unlicensed vehicle, nor any licensed vehicle that is not displaying in the front windscreen or rear of the vehicle a current licence disc for that vehicle.
- b) The driver, unless he is a holder of a Private Hire Vehicle Operator's Licence, shall upon the expiry (without immediate renewal), revocation or suspension of his licence forthwith return to the Council all vehicle licence discs issued to him by the Council.

c) The licence discs shall remain the property of the Council.

15. CONVEYANCE OF DEAD BODY

If the driver shall knowingly convey in the vehicle the dead body of any person he shall, immediately thereafter, notify the fact to the Corporate Manager – Health & Environmental Services of the Council.

16. HEALTH AND MEDICAL CONDITIONS

The driver hereby licensed shall within 7 days or as soon as practicable thereafter disclose to the Council in writing any medical condition which he would likely to adversely affect his/her ability to drive during the period of the licence.

17. FAILURE TO COMPLY WITH CONDITIONS

Failure to comply with any of these conditions may result in the Council suspending, revoking or refusing to renew the licence and in certain circumstances prosecution.

18. RIGHT OF APPEAL

Anyone with a licence under Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847 and aggrieved by any of the conditions attached to the licence may appeal to a Magistrates' Court within twenty-one days of the grant of the licence.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet 8 March 2007
AUTHORS: Chief Executive / Principal Accountant (Housing)

CAPITAL RECEIPTS POOLING - UPDATE**Purpose**

1. To update Members on the situation regarding the “pooling” of receipts from equity share sales.
2. To illustrate to Members the consequences of a notified and anticipated reduction in the allocation of housing capital grant from 2007/08 onwards.
3. To alert Members to the consequential impact on the funding available for the approved capital programme.

Background

4. From April 2004 Authorities have been required to send part of the receipts from the sale of Housing Revenue Account (HRA) assets to the Department for Communities and Local Government (DCLG); these funds are then redistributed for housing purposes on the basis of need. This process is known as “pooling”. Locally, South Cambridgeshire District Council has not and is not expected to benefit directly from any of the redistributed resources.
5. Prior to the implementation of the Pooling Scheme, guidance and correspondence in relation to the Scheme were received from the government all indicating that, whilst pooling would be unavoidable in relation to receipts from Right to Buy (RTB) sales, it could be avoided for most other receipts provided there was a formal resolution in place to use them for housing purposes.
6. The situation with our own equity share scheme was queried with the Office of the Deputy Prime Minister (the predecessor to the DCLG) on several occasions prior to the implementation of the pooling arrangements; with all the responses being to the effect that receipts from equity share sales could be retained locally and recycled. However, it later came to light that a reference in the actual legislation was in contradiction to these assurances.
7. Officers from the DCLG visited the Council last May and agreed to propose a change in the Regulations in order to allow the pooling of the receipts from equity share sales to be avoided. At the meeting it was suggested that, hopefully, the change would be in place by October 2006. Consequently, although no alteration to the legislation had been made by October, the estimates were produced on the assumption that, after the end of the current financial year, 100% of equity share sale proceeds would be reusable.
8. Following consultation on draft amendments to the regulations in relation to equity share receipts, an email has been received from Stephen McAllister of the DCLC in which he states that:

“The Department is aware that a number of local authorities operate their own shared equity schemes and wanted, as a result of the consultation process, to

arrive at amendments that would incorporate the features of those schemes, but in the inclusion of the features of one scheme not exclude another.

The responses to the consultation have demonstrated that, if those objectives are possible at all, they are going to result in a set of amendments far more complex than the Department had originally envisaged.

The result of this is that shared equity amendments will not be in place for 1 April 2007. I realise that this will be a disappointment but consider that it is important that if the capital finance regulations are amended, the robust nature of the pooling regime is maintained and that changes to the regulations are fully informed. “

9. At the meeting held in May, Mr McAllister intimated that he would only be prepared to consider altering the legislation once. Whilst therefore it is disappointing that no relevant changes will be made before April 2007, it would seem preferable to suffer a delay, rather than revised regulations be issued which do not satisfactorily resolve the situation.
10. The government has recently announced the housing capital grant allocations for 2007/08. This is an annual allocation, which from the current financial year, comes in the form of a capital grant. The grant for 2006/07 was £356,220 and, on the assumption that SCDC's grant would reduce year on year, £250,000 has been included in the estimates. In the event, the amount allocated for 2007/08 is only £180,818, a shortfall of around £70,000. By implication the figures included for this grant 2008/09 and 2009/10 estimates, are also likely to be in excess of the allocations.
11. Consideration is given below to the impact on the level of usable capital receipts included in the approved Capital Programme of a delay in revising the Pooling Scheme to allow the Council to wholly recycle any receipts from equity share sales and the lower than anticipated housing capital grant allocation.

Considerations

12. The Capital Programme (for the period to the end of March 2010) approved by Full Council on 22nd February 2007 (**Appendix A**) was produced on the assumption that from 1st April 2007 100% of equity share sale proceeds would be reusable and that the housing capital grant allocations would be £250,000, in 2007/08, £185,000, in 2008/09 and £120,000, in 2009/10. The shortfall in funding in 2009/10 under this scenario is estimated to be £1.7 million.
13. **Appendix B** shows the summary of the approved Programme, adjusted to illustrate the impact of the continuation of pooling and updated by information on the actual 2007/08 allocation of housing capital grant. This allocation is only about half of the current years figure and it has been assumed, for the purpose of the adjusted programme, that (as shown below) the allocation will also halve in each of the following years.

Estimate of Housing Capital Grant allocation included in the:	Year		
	2007/08 £	2008/09 £	2009/10 £
Approved Capital Programme	250,000	185,000	120,000
Adjusted Capital Programme	180,820	90,000	45,000

14. The estimated effect of the continuation of the pooling of equity share sales is shown in the table below.

Estimate of transfer to the DCLG pool included in the:	Year		
	2007/08 £	2008/09 £	2009/10 £
Approved Capital Programme	1,650,000	1,650,000	1,650,000
Adjusted Capital Programme	2,280,000	2,350,000	2,350,000
Difference	630	700	700

15. The shortfall in funding in 2009/10 under the scenario used for **Appendix B** is estimated to be £4.0 million.
16. **Appendix C** shows the summary of the approved Programme, with the same adjustments in relation to the housing capital grant allocations that have been used in Appendix B but with the pooling of receipts from equity share sales only continuing for 2007/08. It has been assumed that revised legislation, which enables the Council to recycle 100% of equity share receipts, will be in place before 1 April 2008. The shortfall in funding in 2009/10 under this scenario is estimated to be £2.6 million.

Implications

17. Financial	The financial implications are contained in the body of the report
Legal	At present, the Authority is legally obliged to pay a part of any capital receipts from equity share sales to the DCLG. There is a legal obligation to repurchase the majority of equity share properties whenever a leaseholder wishes to surrender.
Staffing	There do not appear to be any immediate staffing implications, however, a reduction in the Capital Programme would be likely to impact on staffing levels in the longer term.
Risk Management	Around 85% of the programme relates to expenditure on HRA property and it is likely, therefore, that most of any shortfall will fall on the HRA. Any significant reduction in major repairs to homes and infrastructure, such as paths, could result in an increase in the need for revenue expenditure and have safety and insurance implications for the Council. The decent homes standard may not be fully maintained if there is a substantial shortfall in funding for the HRA part of the capital programme.
Equal Opportunities	There do not appear to be any equal opportunities implications

Effect on Annual Priorities and Corporate Objectives

18. Affordable Homes	Any significant reduction in resources is likely to have an adverse effect on the Authority's ability to achieve its corporate objectives in the longer term.
Customer Service	
Quality, Accessible Services	
Village Life	
Sustainability	
Partnership	

Conclusions/Summary

19. Information regarding the housing capital grant allocation and the situation regarding the pooling of capital receipts has recently been received from the government. The Capital Programme, approved by Members at the Council meeting held on 22

February has, therefore, been re-examined and two possible alternative scenarios (discussed in the considerations section above) illustrated at **Appendix B** and **Appendix C**.

20. The two developments place additional pressure on the Council's Capital Programme. A report will be presented to April's Cabinet that sets out a process by which pressures on the Capital Programme could be mitigated through further consideration of future housing options.
21. Without the ability to reuse equity share receipts, the Council's equity share scheme is unsustainable in the longer term. The amendment will now not be made in time for this April. However, as Officers at the DCLG have indicated that they are only prepared to consider revising the legislation once, to enable the Council to avoid the need to pool receipts from equity share receipts, a delay is far preferable to any amended legislation being passed, which would not satisfactorily resolve the situation.
22. In view of the fact that amendments to legislation would not be retrospective, the Chief Executive has asked the DCLG to consider writing off the amount owing in relation to the pooling of receipts from equity share sales back to 2004/05 (estimated at £2.2 million).
23. Amendments to the pooling legislation are still under consideration and it is to be hoped, therefore, that the recycling of receipts from equity share sales will soon be permissible. As a consequence, the adjusted Capital Programme shown in **Appendix C** (where pooling is avoidable from April 2008 and the funding shortfall in 2009/10 is £2.6 million) is felt to illustrate the most likely scenario.

Recommendation

24. It is recommended that Cabinet note the content of this report.

Background Papers: the following background papers were used in the preparation of this report:

Capital and Revenue Estimates, Council Tax and Prudential Indicators 2007 - Item 3 of the 8 February 2007 Cabinet Agenda

Local Authority Housing Capital Grant Allocations 2007-08 – Letter of 19 February 2007 from Solma Ahemed of GO-East

Local Authorities (Capital Finance and Accounting) (Amendment) (England) Regulations 2007 – An informal note on changes to the proposed regulations - DCLG

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APPROVED CAPITAL PROGRAMME - SUMMARY

Actual 2005/2006 £	Estimate 2006/2007 £	Revised 2006/2007 £	Estimate 2007/2008 £	Estimate 2008/2009 £	Estimate 2009/2010 £
	2,419,110	2,783,130	2,098,500	2,134,600	2,764,600
General Fund	10,459,270	10,397,260	10,308,840	10,405,000	10,428,000
Housing Revenue Account	0	0	0	0	(1,696,760)
Reduction in Programme or Additional Funding	12,878,380	13,180,390	12,407,340	12,539,600	11,495,840
Total Capital Expenditure					
	(8,772,560)	(9,200,700)	(8,324,580)	(8,192,600)	(7,450,840)
Capital Receipts	(3,987,687)	(3,946,040)	(4,082,760)	(4,347,000)	(4,045,000)
Grants & Contributions	(169,973)	(33,650)	0	0	0
Reserves	(186,934)	0	0	0	0
Financing Adjustment					
Total Capital Financing	(12,943,256)	(13,180,390)	(12,407,340)	(12,539,600)	(11,495,840)
Capital Receipts	(25,754,710)	(20,138,720)	(14,818,020)	(9,543,440)	(4,400,840)
brought forward	(2,553,504)	(3,200,000)	(2,300,000)	(2,300,000)	(2,300,000)
received in year from	(1,925,446)	(3,600,000)	(2,400,000)	(2,400,000)	(2,400,000)
RTB sales	(115,155)	(230,000)	0	0	0
Equity Share Sales	1,387,008	3,150,000	1,650,000	1,650,000	1,650,000
Other	8,598,662	9,200,700	8,324,580	8,192,600	7,450,840
transferred to ODPM/DCLG pool	224,423	0	0	0	0
used in year to finance expenditure	(20,138,722)	(14,818,020)	(9,543,440)	(4,400,840)	0
transfer to reserve					
Capital Receipts Year End Balance					

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**CAPITAL PROGRAMME - SUMMARY
ADJUSTED FOR REDUCED LEVELS OF HOUSING CAPITAL GRANT & THE CONTINUED POOLING OF EQUITY SHARE RECEIPTS**

Actual 2005/2006 £	Estimate 2006/2007 £	Revised 2006/2007 £	Estimate 2007/2008 £	Estimate 2008/2009 £	Estimate 2009/2010 £
2,716,617	2,419,110	2,783,130	2,098,500	2,134,600	2,764,600
10,226,639	10,459,270	10,397,260	10,308,840	10,405,000	10,428,000
0	0	0	0	0	(3,955,940)
<u>12,943,256</u>	<u>12,878,380</u>	<u>13,180,390</u>	<u>12,407,340</u>	<u>12,539,600</u>	<u>9,236,660</u>
(8,598,662)	(8,772,560)	(9,200,700)	(8,393,760)	(8,277,600)	(5,266,660)
(3,987,687)	(4,065,820)	(3,946,040)	(4,013,580)	(4,262,000)	(3,970,000)
(169,973)	(40,000)	(33,650)	0	0	0
(186,934)	0	0	0	0	0
<u>(12,943,256)</u>	<u>(12,878,380)</u>	<u>(13,180,390)</u>	<u>(12,407,340)</u>	<u>(12,539,600)</u>	<u>(9,236,660)</u>
(25,754,710)	(19,479,440)	(20,138,720)	(14,818,020)	(8,844,260)	(2,916,660)
(2,553,504)	(2,300,000)	(3,200,000)	(2,300,000)	(2,300,000)	(2,300,000)
(1,925,446)	(2,400,000)	(3,600,000)	(2,400,000)	(2,400,000)	(2,400,000)
(115,155)	0	(230,000)	0	0	0
1,387,008	1,822,800	3,150,000	2,280,000	2,350,000	2,350,000
8,598,662	8,772,560	9,200,700	8,393,760	8,277,600	5,266,660
224,423	0	0	0	0	0
<u>(20,138,722)</u>	<u>(13,584,080)</u>	<u>(14,818,020)</u>	<u>(8,844,260)</u>	<u>(2,916,660)</u>	<u>0</u>

Capital Receipts

brought forward
received in year from
RTB sales
Equity Share Sales
Other
transferred to ODPM/DCLG pool
used in year to finance expenditure
transfer to reserve

Capital Receipts Year End Balance

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**CAPITAL PROGRAMME - SUMMARY
ADJUSTED FOR REDUCED LEVELS OF HOUSING CAPITAL GRANT & THE CONTINUED POOLING OF EQUITY SHARE RECEIPTS UNTIL 31 MARCH 2008**

Actual 2005/2006 £	Estimate 2006/2007 £	Revised 2006/2007 £	Estimate 2007/2008 £	Estimate 2008/2009 £	Estimate 2009/2010 £
	2,419,110	2,783,130	2,098,500	2,134,600	2,764,600
General Fund	10,459,270	10,397,260	10,308,840	10,405,000	10,428,000
Housing Revenue Account	0	0	0	0	(2,555,940)
Reduction in Programme or Additional Funding	12,878,380	13,180,390	12,407,340	12,539,600	10,636,660
Total Capital Expenditure					
	(8,772,560)	(9,200,700)	(8,393,760)	(8,277,600)	(6,666,660)
Financed by :	(4,065,820)	(3,946,040)	(4,013,580)	(4,262,000)	(3,970,000)
Capital Receipts	(40,000)	(33,650)	0	0	0
GraAPP	0	0	0	0	0
Reserves	0	0	0	0	0
Financing Adjustment					
Total Capital Financing	(12,878,380)	(13,180,390)	(12,407,340)	(12,539,600)	(10,636,660)
	(19,479,440)	(20,138,720)	(14,818,020)	(8,844,260)	(3,616,660)
Capital Receipts	(2,300,000)	(3,200,000)	(2,300,000)	(2,300,000)	(2,300,000)
brought forward	(2,400,000)	(3,600,000)	(2,400,000)	(2,400,000)	(2,400,000)
received in year from	0	(230,000)	0	0	0
RTB sales	1,822,800	3,150,000	2,280,000	1,650,000	1,650,000
Equity Share Sales	8,772,560	9,200,700	8,393,760	8,277,600	6,666,660
Other	0	0	0	0	0
transferred to ODPM/DCLG pool					
used in year to finance expenditure					
transfer to reserve					
Capital Receipts Year End Balance	(20,138,722)	(14,818,020)	(8,844,260)	(3,616,660)	0

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