



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

COUNCIL MEETING
THURSDAY, 31 JANUARY 2008

AGENDA AND REPORTS

South Cambridgeshire Hall
Cambourne Business Park
Cambourne, Cambridge
CB23 6ES

If the press and public are likely to be excluded from the meeting during consideration of the following item on the grounds that exempt information is to be considered, it will be necessary to pass the following resolution: "That under Section 100(A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in paragraph (quoting relevant paragraph) of Part 1 of Schedule 12A (as amended) of the Act."

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

TO: The Chairman and Members of the
South Cambridgeshire District Council

NOTICE IS HEREBY GIVEN that the next meeting of the **COUNCIL** will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at **2.00 P.M.** on

THURSDAY, 31 JANUARY 2008

and I am, therefore to summon you to attend accordingly for the transaction of the business specified below.

DATED 23 January 2008

GJ HARLOCK
Chief Executive

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

AGENDA

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **MINUTES**
To authorise the Chairman to sign the Minutes of the meeting held on 18 October 2007 as a correct record (**attached**).

(Pages 1 - 10)
4. **CHAIRMAN'S ANNOUNCEMENTS**
5. **QUESTIONS FROM COUNCILLORS AND THE PUBLIC**
- 5 (a) **From Councillor Dr JE Lockwood to the Resources and Housing and Environmental Services Portfolio Holders**
"Would the Portfolio Holder for Resources and the Portfolio Holder for Housing and Environmental Services consider reviving a scheme to provide free rat control for residents on housing benefit and residents in sheltered housing? There has been a recent infestation around sheltered housing in my Ward, which was very distressing for residents who could not afford the £50 fee or get out to buy their own rat poison. It may be that, in the interests of environmental health, and bearing in mind the development of poison resistance in some rat populations, all rat control should be free."
- 5 (b) **From Councillor RT Summerfield to the Staffing and Communication Portfolio Holder**
"I am pleased to see that the Housing and Environmental Services Portfolio Holder is undertaking a consultation over the Christmas recycling and refuse collections for next year. There is no doubt that many people found the gap of up to 3 weeks for a black bin collection or 4 weeks for a green bin collection particularly difficult at this

time of year when people may have exceptional amounts of waste due to relations staying for the holidays.

"My question is about the communication of the Collection Calendar, which compounded the problem this year. Why was the Christmas collection arrangement not printed in the winter edition of the South Cambs Magazine, which came out in December, but only in the autumn edition which most people had disposed of long before the holiday period?"

5 (c) From Councillor MJ Mason to the Growth and Sustainable Communities and Planning Services Portfolio Holders

"With reference to the Cambridgeshire Guided Busway (CGB) contract, I refer to my report to Council on 19 July 2007 (Minute 33) to subsequent meetings of the CGB Liaison Forum, to the Planning Committee on 5 December (Minute 140) and to the public question at Scrutiny Committee on 17 January 2008 from Impington Parish Council (reference to building on Busway land).

"In view of the continuing public anger over the dismissal of duly raised concerns and representations over contract management and road closures, Parish Council objections to junction and lighting designs submitted to discharge the various planning conditions and very real concerns about cost overrun and late delivery, will the Council now make full representation on behalf of the residents and taxpayers of the District to our County Council partners, with a view to full and open disclosure of contract progress, cost to date and final projection? Furthermore will any revision of realistic completion dates and commencement of services now be used in the process of determination of the Northstowe Planning Application?"

5 (d) From Mr D Kelleway to the Housing Options Portfolio Holder

"Given firstly, the Council's well known record of financial misjudgements, which have not only resulted in the council being capped, but also in the spending of millions of pounds on these council offices, much of which could be empty if the housing stock is sold off, and secondly, given that the £600,000 plus of Council tax payers' and tenants' rent money being proposed to spend on working up plans to sell off the council's housing stock will be wasted if tenants do not vote for transfer, do you not agree that it would be totally irresponsible to proceed with this expenditure without first conducting a test of tenants' opinion on the proposals?"

5 (e) From Ms S Barker to the Growth and Sustainable Communities Portfolio Holder

'Following the closure to all vehicular traffic of Park Lane (aka Gatehouse Lane) Histon for 7.5 weeks in February 2007 to create a cycle way, businesses and particularly the traders in Histon & Impington became aware of how severely their trade was affected. In October the same road was again closed by the County Council to construct crossings for the Guided Busway. This was despite petitioning of the County Council (with suggestions from the businesses for methods of maintaining through traffic). The character of Histon & Impington is largely dependent on the balance between residential, industrial and commercial areas.

What actions has South Cambridgeshire District Council taken, and

what does it intend to do, to preserve the commercial businesses of the villages?'

6. PETITIONS

To note all petitions received since the last Council meeting.

7. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

7 (a) Licensing Act 2003 Policy (Cabinet, 13 December 2007) (Key)

Cabinet **RECOMMENDED** to Council that the revised Licensing Policy document be adopted as Council policy.

The revised policy considered by the Cabinet is available to view using the following link from the Council's website, www.scambs.gov.uk/meetings

7 (b) Scrutiny Role Descriptions (Scrutiny and Overview Committee, 17 December 2007)

The Scrutiny and Overview Committee **RECOMMENDED TO COUNCIL** that the scrutiny members' job description and the portfolio monitors' job descriptions be approved for incorporation into Part 5 of the Constitution (Section I – Member Role Descriptions) and the Members' Toolkit.

The draft role descriptions are available to view with the electronic version of this Agenda, available using the following link from the Council's website, www.scambs.gov.uk:

<http://scambs.moderngov.co.uk/ieListDocuments.asp?CId=410&MId=3512&Ver=4>

7 (c) Review of Financial Regulations (Corporate Governance Committee, 20 December 2007)

The Corporate Governance Committee **RECOMMENDED TO COUNCIL** adoption of the revised Financial Regulations for incorporation into Part 4 of the Constitution, subject to the following amendments and minor typographical corrections:

- (a) references to "Chief Accountant" to read "Head of Accountancy";
- (b) the penultimate sentence of paragraph 3.6 read: "No body of the Council nor any officer will commit items of expenditure not provided in their estimates unless, in cases of extreme importance and after opportunities for virement have been exhausted, specifically approved by the Executive up to level 3 and within approved policy or specifically approved by Council if outside approved policy and / or above level 3"; and
- (c) amendments to section 6, Operation of Bank Accounts, to include specific reference to BACS transfers.

*The revised regulations, incorporating the above changes, are **attached**.*

(Pages 11 - 30)

7 (d) Local Code of Governance (Corporate Governance Committee, 20 December 2007) (Key)

The Corporate Governance Committee **RECOMMENDED TO COUNCIL** adoption of a Local Code of Governance.

The Code considered by the Committee is available to view using the following [link from the Council's website](http://www.scambs.gov.uk/meetings). (www.scambs.gov.uk/meetings)

7 (e) Housing Futures (Cabinet, 10 January 2008) (Key)

Cabinet **RECOMMENDED TO COUNCIL**:

- (a) that the Council develop a housing transfer proposal in consultation with its tenants, as it considers transfer to a not for profit housing association to be in the best interests of the Council's tenants, future housing applicants and staff because:
- it would enable improvements to homes and housing services;
 - it would be the most sustainable option for the longer term ownership management and development of affordable homes in the district; and
 - it offered the best prospects for staff in terms of job security.
- Council recognises that housing transfer cannot proceed without the support of its tenants and wishes to involve them fully in developing its proposal.
- (b) that an application be submitted to Communities and Local Government (CLG) for a place on the 2008 housing transfer programme by the deadline of 31 March 2008; and
- (c) that authority be delegated to the Leader and Cabinet to agree a new landlord selection process that involves tenants, elected members and staff, the result of the new landlord selection process being presented to Council for approval.

*The report and appendices submitted to the Cabinet are **attached** by way of supporting information.*

(Pages 31 - 98)

7 (f) Review of Standing Orders (Constitution Review Working Party, 21 January 2008)

The Constitution Review Working Party **RECOMMENDED TO COUNCIL** that the changes to Council Standing Orders set out in the report be approved for incorporation into Part 4 of the Constitution.

The proposed amendments are available to view with the electronic version of this Agenda, available using the following link from the Council's website, www.scambs.gov.uk:

<http://scambs.moderngov.co.uk/ieListDocuments.asp?CId=410&MId=3512&Ver=4>

7 (g) Recognition of Partnership Working (Constitution Review Working Party, 21 January 2008)

The Constitution Review Working Party **RECOMMENDED TO COUNCIL** that proposed revisions to Article 11 (Joint Arrangements) be approved.

The proposed revised Article 11 is available to view with the electronic version of this Agenda, available using the following link from the Council's website, www.scambs.gov.uk:

7 (h) Delegation by the Employment Committee (Constitution Review Working Party, 21 January 2008)

The Constitution Review Working Party **RECOMMENDED TO COUNCIL** that:

- (1) Responsibility for the initial re-grading and re-evaluation of posts and the determination of the scale point applicable following re-evaluation be removed from the Terms of Reference of the Employment Committee and delegated to the Chief Executive for onward delegation as appropriate, and that
- (2) The Employment Committee retain responsibility for appeals functions arising from these processes.

7 (i) Speaking rights at Portfolio Holder meetings (Constitution Review Working Party, 21 January 2008)

The Constitution Review Working Party **RECOMMENDED TO COUNCIL** that the following paragraph be added to the Executive Procedure Rules in Part 4 of the Constitution:

“3.2 Speaking rights at Portfolio Holder Meetings

The following persons shall be entitled to speak once, to ask questions and/or make representations, on each item of business under consideration at a Portfolio Holder meeting:

- Monitors appointed by the Scrutiny and Overview Committee;
- Spokespersons appointed by the Major Opposition Group.
- Other Members of the Council who may be present.

No Member shall speak for longer than three minutes without the Portfolio Holder’s permission; this includes Members who are appointed to both the above positions.

The Portfolio Holder may, at his/her discretion:

- Allow Monitors and/or spokespersons and other Members to speak more than once;
- Allow other persons present at the meeting to speak.”

8. FORMAL REQUEST FOR THE ESTABLISHMENT OF THE CAMBRIDGE FRINGES JOINT POLICY COMMITTEE (Key)

Report and appendices **attached**.

RECOMMENDATION

That:

1. The Council enters a Local Agreement with Cambridgeshire County Council and Cambridge City Council to establish a Section 29 Committee for relevant fringe areas of Cambridge;

2. In consequence of (1) above, the Council makes a formal request to the Secretary of State for Communities and Local Government to publish an Order for the establishment of a Joint Policy Committee for the Cambridge Fringes under Section 29 of the Planning & Compulsory Purchase Act 2004; and
3. The Council notes that final proposals will be referred back to the Council when the Secretary of State consults upon the draft Order, although consideration will be restricted by the terms of the Local Agreement to which the Council will be a signatory.

(Pages 99 - 130)

9. SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF CAMBRIDGE SOUTHERN FRINGE & CAMBRIDGE EAST AREA ACTION PLANS (Key)

The report and recommendations of the Corporate Manager for Planning and Sustainable Communities is **attached**.

RECOMMENDATIONS

Council is recommended to:

- a. **RESOLVE TO ADOPT** the Cambridge Southern Fringe and Cambridge East AAPs, as contained in Appendices 1 and 2, on 21 February 2008 (adoption of Cambridge East AAP being subject to Cambridge City Council adopting the Cambridge East AAP on that day), and proceed in accordance with Regulations 35 and 36 for both plans, subject to incorporation of the changes referred to in the Supplementary note below;
- b. **RESOLVE TO ADOPT** the revisions to the adopted Proposals Map, as contained in Appendices 4 and 5;
- c. **NOTE** the Sustainability Statements as contained in Appendices 6 and 7; and
- d. **NOTE** the Habitats Directive Assessments as contained in Appendices 8 and 9.

The appendices to the report are available to view at the Council Offices and have been published with the electronic version of this Agenda. They are available to view using the following link to the Council's website, www.scambs.gov.uk: <http://scambs.moderngov.co.uk/ieListDocuments.asp?CId=410&MId=3512&Ver=4>

SUPPLEMENTARY NOTE

Attached is an erratum to the version of the Cambridge East Area Action Plan recommended for adoption. One relates to an error in the Inspector's Report and the others are cases where the Inspector's changes have not found their way into the AAP. These changes need to be incorporated into the adopted plan and recommendation (a) above has been altered accordingly.

(Pages 131 - 140)

10. COUNCIL MEETING SCHEDULE 2008-09

Report attached.

RECOMMENDATION

That meetings during the 2008-2009 Civic Year be scheduled as follows:

Date	Type of meeting
17 July 2008	Ordinary
25 September 2008	Ordinary
27 November 2008	Ordinary
29 January 2009	Ordinary
26 February 2009	Budget
23 April 2009	Ordinary
28 May 2009	Annual

(Pages 141 - 144)

11. MEMBERS' ALLOWANCES LEVELS FOR 2008-2009 AND REAPPOINTMENT OF MEMBERS TO THE INDEPENDENT REMUNERATION PANEL

The report and recommendations of the Independent Remuneration Panel and covering report of the Chief Executive are **attached**.

RECOMMENDATIONS

Council is recommended to

- (a) Accept the recommendations contained in the independent Members' Remuneration Panel report attached as appendix A to this report, i.e. that
 - (i) The basic allowance and Special Responsibility Allowance (SRA) be increased by 2.5%.
 - (ii) No SRA be payable for the Chairman of Northstowe JDCC.
 - (iii) The Chairmen of the Corporate Governance and Policy Development Committees receive SRAs of £1775 per annum.
 - (iv) The SRA for the Chair of Licensing Committee be reduced to £1775 per annum.
 - (v) No change be agreed in the allowance for members of the Standards Committee.
 - (vi) The Vice-Chairmen of Council and the Planning and Licensing Committees receive 50% of the Chairman's allowance.
 - (vii) An increase of 2.5% be made to the Dependant's Carer's Allowance
 - (viii) No increase be made to the remaining Travel and Subsistence allowances
 - (ix) The allowance paid to the Panel for expenses be replaced with payment for travelling to the meeting only.

The above allowances to be effective from 1 April 2008 to 31 March 2009

- (b) Re-appoint Valerie Bright and appoint Jonathan Barker, as members of the Remuneration Panel for a three-year period to 31 January 2011.
- (c) Authorise payment of a Financial Loss Allowance of £20.00 per meeting per member to the Independent Remuneration panel when conducting future annual reviews of Members' allowances.

- (d) Advise the Democratic Services Manager of any issues it wishes to be considered as part of the next review.

(Pages 145 - 150)

12. NAMING OR RE-NAMING OF STREETS WITHIN THE DISTRICT

Report attached.

RECOMMENDATION

That Sections 17, 18 and 19 of the Public Health Act 1925 be adopted by the Council.

(Pages 151 - 154)

13. ANTI-THEFT, FRAUD AND CORRUPTION POLICY

The Anti-theft, fraud and corruption policy has been updated. A revised version, endorsed by the Corporate Governance Committee, is **attached**.

The policy requires Council approval as it is included as an appendix to the Officers' Code of Conduct in Part 5, Section G of the Constitution.

RECOMMENDATION

That the revised Anti-theft, Fraud and Corruption Policy be adopted by the Council and incorporated into the Constitution.

(Pages 155 - 162)

14. QUESTIONS ON JOINT MEETINGS

Joint Body	Date of Meeting	Minutes Published in Weekly Bulletin
Local Strategic Partnership (LSP) Board	5 October 2007	31 October 2007
South Cambridgeshire Traffic Management Area Joint Committee	26 November 2007	Available on the County Council's website, www.cambridgeshire.gov.uk
LSP Board	18 December 2007	16 January 2008

15. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

16. NOTICES OF MOTION

16 (a) Standing in the name of Councillors Dr SEK van de Ven and Mrs EM Heazell

"At present, South Cambs District Council policy is to charge a flat fee of £60 for the delivery of new bins (one green bin, one black bin, and a green box) to all new homes in the district. No exceptions of any kind are made, and for health and safety reasons it is not possible for residents to collect bins from our depot.

We believe that while the principle of charging council tax-payers for something so fundamental to environmental health is questionable, it is also impractical for many residents, who simply can't afford it.

We call upon the Executive to waive this fee for all new social rented housing units in the district, at the earliest opportunity."

- 16 (b) Standing in the names of Councillors JD Batchelor and RT Summerfield**
"This Council instructs the relevant portfolio holder to carry out a review of the governance arrangements for the South Cambridgeshire Local Strategic Partnership and, in particular, to call for justification for its recent decision regarding the expenditure of £100,000 of taxpayers' money. The report to be available at the next council meeting."

- 16 (c) Standing in the name of Councillor SGM Kindersley**
"That this Council takes all necessary steps to create a new Parish at Arbury Park as soon as possible."

17. CHAIRMAN AND VICE-CHAIRMAN'S ENGAGEMENTS

To note the Chairman's engagements since the last Council meeting:

Date	Venue / Event
27 October	Opening of children's play area at Landbeach
30 October	Opening of Miller Sands (Solicitors) new offices at Impington
9 November	Civic Reception at South Cambridgeshire Hall
11 November	Laid wreath at War Memorial, Milton Country Park
12 November	Laid wreath at American Military Cemetery, Madingley
16 November	Civic Reception at Cambridge City Council
17 November	Cambridgeshire County Council Reception and concert, University Concert Hall
24 November	British Red Cross, Cambridge Branch, Forum and awards
5 December	Welcomed Beijing Delegation to South Cambridgeshire Hall
7 December	Huntingdonshire District Council Reception at Hinchingbrooke House
9 December	The Farmland Museum and Denny Abbey Christmas Event
11 December	Presentation of staff gifts to representatives of Fulbourn Hospital League of Friends
20 December	Visit to staff at Milton County Park and the Waterbeach Depot with Christmas cheer (Accompanied by the Vice-Chairman)
20 December	Visit to Scotsdales to the Cambridge Cancer Help Centre (Accompanied by the Vice-Chairman)
21 December	Judging the best decorated office area, South Cambridgeshire Hall, and presentation of raffle prizes. (Accompanied by the Vice-Chairman)
19 January	County Royal British Legion Annual Conference to give Civic Welcome address
19 January	Visit to Wysing Arts Centre to open the Open Weekend in the new facilities which were part-financed by South Cambridgeshire District Council
22 January	Opening of the refurbished Sheltered Housing Communal Room at Denson Close, Waterbeach

To note the following engagements, in addition to the above, attended by the Vice-

Chairman since the last meeting:

Date	Venue / Event
25 November	North Hertfordshire District Council, Chairman's Civic Reception at Knebworth
11 December	Staff football tournament prize presentation at Comberton Village College
5 January	Duke of Edinburgh Award Scheme at Hinchingsbrooke

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Whilst the District Council endeavours to ensure that you come to no harm when visiting South Cambridgeshire Hall you also have a responsibility to ensure that you do not risk your own or others' safety.

Security

Visitors should report to the main reception desk where they will be asked to sign a register. Visitors will be given a visitor's pass that must be worn at all times whilst in the building. Please remember to sign out and return your pass before you leave. The visitors' book is used as a register in cases of emergency and building evacuation.

Emergency and Evacuation

In the event of a fire you will hear a continuous alarm. Evacuate the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park.

Do not use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.

Do not re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

If someone feels unwell or needs first aid, please alert a member of staff.

Access for People with Disabilities

All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Hearing loops and earphones are available from reception and can be used in all meeting rooms.

Toilets

Public toilets are available on each floor of the building next to the lift.

Recording of Business

Unless specifically authorised by resolution, no audio and / or visual or photographic recording in any format is allowed at any meeting of the Council, the executive (Cabinet), or any committee or sub-committee of the Council or the executive.

Banners / Placards / Etc.

No member of the public shall be allowed to bring into or display at any Council meeting any banner, placard, poster or other similar item. The Chairman may require any such item to be removed.

Disturbance by Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

Smoking

The Council operates a NO SMOKING policy.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts. There shall be no food and drink in the Council Chamber.

Mobile Phones

Please ensure that your phone is set on silent / vibrate mode during meetings.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Council held on
Thursday, 18 October 2007 at 2.00 p.m.

PRESENT: Councillor JH Stewart – Chairman
Councillor RE Barrett – Vice-Chairman

Councillors: Dr DR Bard, JD Batchelor, Mrs PM Bear, AN Berent, D Bird, EW Bullman, FWM Burkitt, BR Burling, TD Bygott, NN Cathcart, Mrs PS Corney, NS Davies, Miss JA Dipple, SM Edwards, Mrs SM Ellington, Mrs VG Ford, R Hall, Dr SA Harangozo, Mrs SA Hatton, Mrs EM Heazell, JA Hockney, MP Howell, Mrs CA Hunt, PT Johnson, SGM Kindersley, Mrs JE Lockwood, RMA Manning, RB Martlew, MJ Mason, RM Matthews, DC McCraith, DH Morgan, Mrs LA Morgan, CR Nightingale, AG Orgee, A Riley, Mrs DP Roberts, NJ Scarr, Mrs HM Smith, Mrs DSK Spink MBE, RT Summerfield, Mrs VM Trueman, RJ Turner, Dr SEK van de Ven, Mrs BE Waters, JF Williams, TJ Wotherspoon and NIC Wright

Officers:	Catriona Dunnett	Principal Solicitor
	Steve Hampson	Executive Director
	Greg Harlock	Chief Executive
	Richard May	Democratic Services Manager

Apologies for absence were received from Councillor JP Chatfield, NCF Bolitho, Mrs A Elsby, Mrs JM Guest, Mrs SJO Doggett, Mrs CAED Murfitt and JA Quinlan.

36. DECLARATIONS OF INTEREST

Councillor SGM Kindersley declared a personal non-prejudicial interest in Agenda item 9 (Request for support from the Royal Anglian Regiment) as a member of the Gamlingay branch of the Royal British Legion. Notwithstanding this interest he remained in the meeting and took part in the discussions and voting.

Councillor Mrs DP Roberts declared a personal non-prejudicial interest in Agenda item 9 (Request for support from the Royal Anglian Regiment) on the grounds that her father received a war pension. Notwithstanding this interest she remained in the meeting and took part in the discussions and voting.

Councillor Mrs EM Heazell declared a personal non-prejudicial interest in Agenda item 9 (Request for support from the Royal Anglian Regiment) on the grounds that her sister's school fees had been paid by the Army Benevolent Fund. Notwithstanding this interest she remained in the meeting and took part in the discussions and voting.

Members of the Northstowe Joint Development Control Committee (Councillors JD Batchelor, Mrs PS Corney, SM Edwards, SGM Kindersley, A Riley and TJ Wotherspoon) advised that they would leave the room during consideration Agenda item 7(a) (Northstowe: Setting an expectation for carbon reduction and the generation of renewable energy) to enable them to participate fully in the discussion of such matters as part of the determination of planning applications by the joint committee.

Councillor Mrs DP Roberts advised that she would leave the room during discussion of Agenda item 13(b) (Notice of Motion standing in the names of A Riley and NJ Scarr) as

she did not feel able to consider the matter dispassionately.

37. MINUTES

Council **RESOLVED** that the Minutes of the meetings held on 17 (Extraordinary Meeting) and 19 July and 27 September (Extraordinary Meeting) 2007 be approved as correct records and signed by the Chairman, subject to the following amendments:

17 July 2007

- Note apologies for absence received from Councillors TD Bygott and RM Matthews.
- **Minute 2 (Declarations of interest)** Councillor Dr DR Bard advised that his membership was of the Superannuation Scheme for all universities, not specifically that of Cambridge University. This applied also to the interests declared by Councillors EW Bullman, Mrs CAED Murfitt and A Riley.

19 July 2007

- The addition of Councillors RM Matthews, MJ Mason, DC McCraith, RMA Manning and RB Martlew to the list to Members present.
- **Minute 22 (Declarations of Interest)** Councillors RT Summerfield and Mrs HM Smith's personal non-prejudicial interests had been declared as members of the Milton Parish Council as well as the Save Milton Country Park campaign.
- **Minute 22 (Declarations of Interest)** Councillor RE Barrett had not declared an interest in the item concerning Milton Country Park.

In respect of Minute 29 (Future of Milton Country Park), Councillor A Riley advised that, during the discussion on 19 July, the Leader had indicated the Chief Executive Officer of Cambridge Sports Lakes Trust among the public and had mentioned that he had considerable experience of running a Country Park. In the light of him having announced his resignation very shortly after the 19 July Councillor Riley asked whether it was known on 19 July that he was about to resign. The Chief Executive advised that he and the Leader had known about the impending resignation. Councillor VG Ford, Resources Portfolio Holder, advised that a meeting with the new Chief Executive was scheduled to take place during the week beginning 22 October.

38. ANNOUNCEMENTS

The Chairman announced with regret the recent death of Councillor Stan Symonds, a former Chairman of the Council.

Members were advised that places remained on forthcoming Member Development Programme Modules on Scrutiny and Overview and Chairing Skills. Any Member wishing to attend should contact the Democratic Services Manager as soon as possible.

39. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

39 (a) From Councillor JD Batchelor to Councillor MP Howell, Community Services Portfolio Holder

Councillor JD Batchelor asked the Community Services Portfolio Holder the following question:

1. When does the Portfolio Holder intend holding an official portfolio meeting?
2. How was the decision to hold a review of the grants system taken, and by whom?
3. How many meetings has the Portfolio Holder failed to attend in the last six months?

Councillor MP Howell, Community Services Portfolio Holder, answered as follows:

1. A Portfolio Holder meeting was scheduled to take place on 1 November 2007 at 9.30am.
2. This issue was debated thoroughly at the Scrutiny and Overview Committee meeting on 11 October 2007. Councillor Howell advised that the grants review had been his decision.
3. Councillor Howell advised that he had attended four Cabinet meetings out of six, one of which he had had to leave almost immediately due to family illness, two meetings of Council out of two and had attended all meetings of the Local Strategic Partnership and Crime and Disorder Reduction Partnership. He had not attended either of the two Extraordinary Council Meetings.

Councillor JD Batchelor put forward the view that Councillor Howell's overall attendance record of around 65% illustrated the difficulties experienced by Members in full-time employment carrying out their duties as members of the Cabinet without a great deal of flexibility by the employer concerned. Councillor Batchelor went on to draw Council's attention to a recommendation later in the Agenda that Portfolio Holder meetings be made public; whilst this was a positive step, it would be of no benefit if regular meetings were not held. Further concern was expressed at the holding by the Cabinet of weekly Leader's meetings in private, at which important matters were deliberated without proper accountability.

Councillor Howell advised that the need to hold a Portfolio Holder meeting had not arisen until now, and that the Leader's meeting was an opportunity for the Cabinet to undertake forward planning, where necessary with the Chief Executive present. He considered himself fully accountable for the recent grants review.

Councillor RMA Manning, Leader of the Council, advised that he had full confidence in Councillor Howell regardless of the pressures of his career. He added that the Leader's meeting also provided a vital means of communication between Portfolio Holders.

40. PETITIONS

Councillor Mrs EM Heazell notified Council of the receipt of a petition from the residents of Great Shelford regarding local bus services. The petition would be considered as part of the review of bus services in the district being undertaken by the Scrutiny and Overview Committee.

41. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

41 (a) Northstowe: Setting an Expectation for Carbon Reduction and the Generation of Renewable Energy (Climate Change Working Group, 13 September 2007)

Councillor Dr SA Harangozo moved the recommendations of the Climate Change Working Group, with an amendment to refer to a *robust* not *binding* programme in recommendation (6).

Council **RESOLVED** that the following criteria be agreed as a marker of expectation in consideration of the forthcoming Energy Strategy and subsequent outline planning application for Northstowe:

- (1) Code for Sustainable Homes Level 4 should be seen as a baseline from the outset (44% carbon reduction over 2006 Building Regulations);
- (2) A similar level of carbon reduction (44%) should be applied to commercial premises, with zero carbon being the immediate aspiration for all public buildings (as a way of demonstrating leadership);
- (3) A minimum of 20% renewable energy production on-site.
- (4) Inclusion of a concerted effort to bring forward the delivery of a five megawatt (electric) biomass combined heat and power (CHP) option (incorporating district heating) with full consideration being given to how such a facility could secure a strong revenue stream for the proposed Trust for the new settlement.
- (5) Exploration of the inclusion of a small cluster of wind turbines directly associated with the development of Northstowe and in which the community would have a defined stake - probably through the proposed Trust for the new settlement;
- (6) A robust programme to achieve zero carbon for all new build onsite by 2016;
- (7) All show-homes should incorporate full carbon and energy reduction measures and renewable energy technologies to promote carbon neutral living. All such options not included as standard should be available to purchase (or under a 'lend-lease' type arrangement) off-plan at a significant discount over the cost of retro-fitting; and
- (8) Active, transparent and genuine partnership working should be embraced, with full information and option sharing, in order to pursue all potentially achievable opportunities for minimising Northstowe's carbon footprint.

41 (b) Parish Boundary Reviews: Cambridge Northern and Southern Fringes (Electoral Arrangements Committee, 5 October 2007)

Council considered the recommendation of the Electoral Arrangements Committee in respect of parish boundary reviews. It was requested that details of changes to legislation governing boundary reviews be reported to the Committee as soon as they became known and that Local Ward Members be kept fully informed throughout any discussions leading to a boundary review process.

Councillor Mrs DSK Spink MBE proposed and Councillor NJ Scarr seconded the recommendation of the Committee, with an amendment adding a requirement that any discussions should have due regard to the needs of parishes which were likely to be affected.

Council **RESOLVED** that the Chief Executive be authorised to enter discussions with the Cambridge City Council regarding the carrying out of a full district / city boundary review, such discussions to have due regard to the needs of parishes likely to be affected.

41 (c) Review of Polling Districts and Polling Places (Electoral Arrangements Committee, 5 October 2007)

Council **RESOLVED** that the following changes to polling stations be approved:

Ward	Polling District	Letters	Proposal	Reason for Change
Balsham	Carlton	ZC1	Change of Polling Station from St Peters Church, Carlton to Caravan at Pinehawk Kennels, Church Road,	The Church is not considered suitable for use as a Polling Station.

			Carlton	
Fulbourn	Fulbourn Village	RB1	To review the need for a change in Polling Station location in January/February 2008.	It may be necessary to identify a temporary location for a Polling Station, having regard to the likely inclusion of the Community Centre at Haggis Gap in the Windmill Estate project.
Papworth and Elsworth	Conington	NE1	Change of Polling Station from Caravan, The White Swan, Conington to The Leas, Elsworth Road, Conington	To reflect the wishes of the electorate in Conington
Willingham and Over	Willingham	SD1	Change of Polling Station from Salvation Army Hall, Willingham to Ploughman Hall in Willingham	Stopped using the Ploughman Hall due to significant rise in hire charges. Have been able to renegotiated price and therefore Ploughman Hall is more accessible with improved parking provision.

41 (d) Corporate Objectives, Council Values and Service Plans (Cabinet, 8 October 2007)

Council **RESOLVED** to affirm the top five values emerging from the Council voting exercise, as follows:

- Professionalism;
- Customer Service;
- Commitment to improving services;
- Mutual respect;
- Trust.

The voting on this item was recorded as follows:

FOR: (27)

Dr DR Bard
EW Bullman
TD Bygott

RE Barrett
FWM Burkitt
Mrs PS Corney

D Bird
BR Burling
Miss JA Dipple

SM Edwards
R Hall
Mrs CA Hunt
RM Matthews
CR Nightingale
RJ Turner

Mrs SM Ellington
JA Hockney
PT Johnson
DH Morgan
Mrs DSK Spink MBE
Mrs BE Waters

Mrs VG Ford
MP Howell
RMA Manning
Mrs LA Morgan
JH Stewart
NIC Wright

AGAINST: (0)**ABSTAINED:** (18)

JD Batchelor
NN Cathcart
Mrs SA Hatton
Dr JE Lockwood
A Riley
RT Summerfield

Mrs PM Bear
NS Davies
Mrs EM Heazell
RB Martlew
Mrs DP Roberts
Dr SEK van de Ven

AN Berent
Dr SA Harangozo
SGM Kindersley
MJ Mason
Mrs HM Smith
JF Williams

DID NOT VOTE: (2)

Mrs VM Trueman TJ Wotherspoon

41 (e) Joint Planning Arrangements - Plan Making Arrangements (Cabinet, 8 October 2007)

Council **RESOLVED** that the draft terms of reference for a joint plan making committee for specified growth sites (as attached as Appendix A to the report to Cabinet), amended following further member discussion detailed in paragraphs 10-13 of the report, be approved as the basis of negotiation with the Department of Communities and Local Government.

41 (f) Review of Medium Term Financial Strategy (Cabinet, 8 October 2007)

Council **RESOLVED** that, in order to meet projected needs of the growth areas and respond effectively to the needs identified in the development of the Sustainable Community Strategy and the Corporate Objectives, the Council approve the preparation of the Medium Term Financial Strategy on the basis set out in Appendix 1 and Appendix 2 to the report to Cabinet, noting the many uncertainties involved which will be addressed in the following months.

Voting on this Resolution was recorded as follows:

FOR: (30)

Dr DR Bard
EW Bullman
TD Bygott
SM Edwards
R Hall
Mrs CA Hunt
RM Matthews
CR Nightingale
Mrs DSK Spink MBE
Mrs BE Waters

RE Barrett
FWM Burkitt
NS Davies
Mrs SM Ellington
JA Hockney
PT Johnson
DC McCraith
AG Orgee
JH Stewart
TJ Wotherspoon

D Bird
BR Burling
Miss JA Dipple
VG Ford
MP Howell
RMA Manning
Mrs LA Morgan
NJ Scarr
RJ Turner
NIC Wright

AGAINST: (12)

JD Batchelor
Dr SA Harangozo

Mrs PM Bear
Mrs SA Hatton

AN Berent
Mrs EM Heazell

SGM Kindersley
RT Summerfield

RB Martlew
Dr SEK van de Ven

Mrs HM Smith
JF Williams

ABSTAINED: (5)

NN Cathcart
A Riley

Dr JE Lockwood
Mrs DP Roberts

MJ Mason

41 (g) Job Description for the Chairman of the Corporate Governance Committee (Constitution Review Working Party, 9 October 2007)

Council **RESOLVED** that the role description for the Chairman of the Corporate Governance Committee, attached to the Agenda for the Constitution Review Working Party, be approved for incorporation into the Constitution.

41 (h) Procedure for the Election of Chairman (Constitution Review Working Party, 9 October 2007)

Council **RESOLVED**:

(1) That Council Standing Order 7 be amended

(i) By the addition of the following words:

“The Chairman of the Council shall be elected from among the councillors as the first business transacted at the Annual Council Meeting. Where the Chairman of Council is retiring, he/she should preside over the election of his/her successor. Where it is expected that he/she is to continue for a second year, the Chief Executive should preside, and the Chairman should leave the room for the duration of the election.

In all cases, nominees for the Chairmanship shall leave the room prior to voting on the Chairmanship”.

(ii) By the rewording of the following sentence:

“The Chief Executive or an officer nominated by him or her may preside at the election of the Chairman **but shall not be entitled to vote. In the event of a tie, the provisions of Standing Order 16.7 below shall be followed.**”

(2) That Council Standing Order 16.7 be amended to read as follows:

“Where there are three or more candidates for appointment and there is, after balloting, no candidate with a clear majority, meaning in this case the votes of more than 50% of members present and voting, the candidate with the least number of votes shall withdraw and there shall be a fresh ballot of the remaining candidates; and so on as necessary until a candidate has that majority. **Where there are two candidates only, or two candidates remain a vote shall be taken. In the event of a tie, a second vote shall be taken. In the event of a continuing tie, the matter shall be decided by the toss of a coin.**”

41 (i) Employment Committee - Composition of Appointment Panels (Constitution Review Working Party, 9 October 2007)

Council **RESOLVED** that the following changes to the Terms of Reference of the Employment Committee be agreed:

(1) Appointment of Corporate Managers

Ad hoc panel of **three** councillors to include the Staffing and Communications Portfolio Holder **or a** relevant Portfolio Holder.

(2) Recommend to Council appointment of Chief Executive / Head of Paid Service and Executive Director / Monitoring Officer

Ad hoc Panel of five councillors, comprising three Members of the Employment Committee and two Members of the Executive.

(3) That the Constitution Review Working Party be requested to consider whether these panels should be required to be politically proportionate.

41 (j) Review of Cabinet Scheme of Delegation (Cabinet, 8 October 2007, Constitution Review Working Party, 9 October 2007)

Council **RESOLVED**

- (1) That a revised Table 2B of the Constitution, incorporating changes to its scheme of delegation agreed by the Cabinet and attached to the report to the working party, be received.
- (2) That the Chief Executive be authorised to make the consequential changes to the Constitution necessary for consistency following Cabinet agreement of amendments to Table 2B.
- (3) That the changes to the Access to Information and Executive Procedure Rules set out in paragraph 10 of the report be approved, to allow for Portfolio Holder meetings to be held in public and at least on a quarterly basis.
- (4) That the following policies and plans are no longer matters requiring Council approval:
 - Capital Strategy and Asset Management Plan;
 - ICT Strategy;
 - Investment Strategy;
 - Workforce Plan.
- (5) That delegated authority be given to the Cabinet to approve, after opportunities for virement have been exhausted, in-year supplementary revenue and capital estimates up to level 3 (£50,000), subject to this expenditure being within approved policy, and that the relevant sections of the Constitution be amended as necessary.

42. MOVE TO FOUR-YEARLY DISTRICT COUNCIL ELECTIONS

Council **RESOLVED** that, a decision on the future of its electoral arrangements be further **DEFERRED** in light of legislative changes proposed within the Local Government and Public Involvement in Health Bill, and that the matter be brought before Council for further consideration in due course.

43. REQUEST FOR SUPPORT FOR ROYAL ANGLIAN REGIMENT

Council considered a report regarding a request for support to establish a 1st Royal Anglian Regiment Memorial Fund. Councillor VG Ford moved and Councillor RMA Manning seconded the recommendation set out in the report, considering the establishment of a fund to be an important and worthwhile cause which was deserving of the Council's support.

Some Members felt that, whilst the Armed Forces were deserving of the Council's full support, it was not appropriate to provide financial support to an organisation primarily based outside the district. Making an award would set a precedent for similar future requests where the Council had no agreed policy on charitable donations. Moreover, it would be more appropriate to seek individual donations for organisations such as the Royal British Legion which had for a long period worked to support the families of service personnel.

The Chairman requested that the Community Services Portfolio Holder investigate the development of a policy for charitable donations.

Council **RESOLVED** to support, in principle, the establishment of a 1st Royal Anglian Memorial Fund, and to make a sum of up to £5,000 available as a donation to the costs of the project, the precise amount to be determined by the Leader of the Council and Resources Portfolio Holder, following future discussions with neighbouring authorities and the Regiment.

44. APPOINTMENTS TO OUTSIDE ORGANISATIONS

Council **RESOLVED** to appoint Councillor Mrs JM Guest as a Trustee of the Francis John Clear Almshouses, Melbourn until May 2008, subject to her agreement.

Council **RESOLVED** to appoint Councillors SM Edwards (Conservative) and JD Batchelor (Liberal Democrat) as substitute members to the Joint Strategic Growth Implementation Committee.

45. APPOINTMENT OF INDEPENDENT MEMBERS TO THE STANDARDS COMMITTEE 2007-08 TO 2011-12

Council **NOTED** the appointment of Mrs KM English and Mr JG Williams to the Standards Committee as independent members serving four-year terms.

46. APPOINTMENT OF MEMBER TO THE SCRUTINY AND OVERVIEW COMMITTEE

The Chairman agreed to consider this item in order to expedite the Council's business, noting that it had not previously been identified on the Agenda for the meeting.

Council **RECEIVED** the nomination of the Conservative Group to appoint Councillor Mrs LA Morgan to the Scrutiny and Overview Committee in place of Councillor R Hall.

47. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

There were no updates from Members appointed to outside bodies.

48. NOTICES OF MOTION

48 (a) Standing in the name of Councillors VG Ford and RJ Turner

Councillor VG Ford moved and Councillor RJ Turner seconded the Motion set out at Agenda Item 13(a).

Council **RESOLVED:**

That South Cambridgeshire District Council (SCDC) gives its full support to Chief Constable Julie Spence OBE in the campaign for additional police funding to develop the necessary infrastructure to support policing in Cambridgeshire. SCDC will continue to work with the police as a partner.

The Chairman of Council is requested to write to both Mrs Spence and the Home Secretary Jacqui Smith.

48 (b) Standing in the name of Councillor A Riley

Councillor A Riley moved and Councillor NJ Scarr seconded a Motion in the following terms:

“The Leader of this Council, Cllr Ray Manning, was recently found guilty by the Standards Board of England of “failure to show respect” to a councillor by spreading false and profoundly damaging statements about that councillor. Given that “Mutual Respect” has recently been selected by this Council as one of its key Values, it is unacceptable for the Leader’s behaviour to breach this Value so flagrantly. Furthermore, at the Council’s February meeting Cllr Manning declared that this other councillor should actually resign from the Council after being found guilty by the SBE of “failure to show respect”. We are not suggesting that Cllr Manning should resign from the Council, but he demonstrates breathtaking hypocrisy telling one councillor to resign from the council but himself not even resigning as Leader. By his actions Cllr Manning has brought this Council and his office into disrepute.

Council mandates the Chairman to write to the Leader asking him to consider his position.”

Councillor RMA Manning, Leader of the Council, advised that he did not intend to consider his position. He hoped that Members would join him in focussing on improving the Council in the future rather than dwelling on past events which had been thoroughly investigated by the Standards Board for England.

Councillor SM Edwards moved and Councillor DC McCraith seconded a procedural motion under Standing Order 14.11 that Council proceed to the next business. The Motion, on being put, was declared carried. Council therefore **RESOLVED** to proceed to the next business.

49. CHAIRMAN'S ENGAGEMENTS

The Chairman’s engagements since the last meeting were noted.

The Vice-Chairman of the Council advised that he had attended the Chairman’s Reception at Fenland District Council on 20 July and a ceremony at which the first brick of the Cancer Unit at Great Shelford on 11 September 2007.

The Meeting ended at 6.15 p.m.

FINANCIAL REGULATIONS

1. GENERAL

- 1.1 The Chief Finance Officer shall, for the purposes of Section 151 of the Local Government Act 1972, be responsible for the proper administration of the Council's financial affairs under the general direction of the Executive. The Chief Finance Officer will also, therefore, be the Responsible Officer for the purposes of Section 114 of the Local Government Finance Act 1988 (unlawful expenditure etc.) [and to ensure the proper administration of the financial affairs of the Council as required by the Accounts and Audit Regulations 2003 \(amended 2006\).](#) ~~The Chief Finance Officer will also~~ ~~and shall~~ have responsibility for the execution and administration of treasury management decisions. He / she will act in accordance with the Council's Investment Strategy and treasury management practices and CIPFA's Code of Practice for Treasury Management.
- 1.2 In addition Chief Finance Officer shall fulfil the role of Proper Officer for the purposes of directions issued under Section 44(1) of the Audit Commission Act 1998 for the collection, recording and publication of information relating to standards of performance.
- 1.3 Where the Council has delegated powers to Chief Officers, these shall be exercised in accordance with Financial Regulations.
- 1.4 [For the purposes of these Financial Regulations, references to Corporate Managers shall also apply to the Principal Solicitor.](#)

2. ACCOUNTING

- 2.1 The Chief Finance Officer shall be responsible for:
- i. keeping proper accounts of the Council's financial transactions in accordance with current legislation;
 - ii. preparing the annual Statement of Accounts for approval by the Corporate Governance Committee; and
 - iii. preparing and submitting all financial returns, reports and statistics to meet both Council and statutory requirements.
- 2.2 The Chief Finance Officer shall prescribe the form, security and maintenance of financial records kept by any department of the Council.
- 2.3 In order to administer the financial affairs of the Council, the Chief Finance Officer shall have authority to issue such detailed instructions as he / [she](#) may deem appropriate.

- 2.4 The Chief Finance Officer shall be consulted regarding introducing or amending books, forms or procedures relating to cash, income or expenditure and accounts (whether for stores or otherwise). The Chief Finance Officer shall ensure that a satisfactory and, so far as possible, uniform system is adopted across service areas.
- 2.5 The Chief Finance Officer shall review annually the specific financial limits laid down in these Financial Regulations. Any revision in these limits will be reported for approval to the Executive by the Chief Finance Officer.
- 2.6 The following principles shall be observed in the allocation of accounting duties:
- i. the duties of providing information on sums due to or payable by the Council and of calculating, checking and recording these sums shall be separated as far as possible from the duties of collecting or disbursing such sums; and
 - ii. officers charged with the duties of examining and checking accounts of cash transactions shall not themselves be engaged in any of these transactions.

3. FINANCIAL CONTROL

- 3.1 Each Chief Officer [and Corporate Manager](#) is responsible for the security, custody and control of all resources within services reporting to them.
- 3.2 The Chief Finance Officer shall be informed immediately of any decision, course of action, or entry of item of account, actual or proposed which may give rise to a report under Section 114 (2) of the Local Government Finance Act 1988. Where the Chief Finance Officer believes that the Council, the Executive, one of its committees or one of its officers is about to make a decision which would be unlawful then he / [she](#) must, as required by Section 114 of the Local Government Finance Act 1988:
- i. send a report to all members of the Council; and
 - ii. notify the External Auditor.
- 3.3 The Council must hold a meeting within twenty-one days and refrain from the course of action reported until the meeting is held.
- 3.4 The Monitoring Officer shall report on any contravention of law or of a code of conduct and any act of maladministration in accordance with the Local Government and Housing Act 1989.

- 3.5 Each Chief Officer [and Corporate Manager](#) shall ensure that Contract Standing Orders, Financial Regulations and any Accounting Instructions or procedures are observed.
- 3.6 A system of cash limits shall operate within the Authority. The Chief Finance Officer shall be consulted as soon as possible with respect to any matter which is liable to affect substantially the finances of the Council and for which provision is not made in the current budget, before any provision or other commitment is incurred. The Chief Finance Officer shall then report to the Chief Executive in order that the necessary action can be taken. No body of the Council nor any officer will commit items of expenditure not provided in their estimates, ~~except in cases of extreme importance specifically approved by the Executive and Council unless, in cases of extreme importance and after opportunities for virement have been exhausted, specifically approved by the Executive up to level 3 and within approved policy or specifically approved by Council if outside approved policy and/or above level 3.~~ Virement and rollover may be permitted, but only in accordance with the annual cash limits and virement approved by Council (see Budget and Policy Framework Procedure Rule 5 above).
- 3.7 Each body of the Council and every officer shall at all times endeavour to secure the best value for money and shall:
- i. establish wherever possible, cost limits and output measures for its various services and functions; and
 - ii. establish sound arrangements for the planning, appraisal, authorisation and control of all resources and ensure that these are functioning properly in order to achieve economy, efficiency and effectiveness in its operations.
- 3.8 In the case of trading units, the relevant Chief Officer [or Corporate Manager](#), being the ~~Chief Officer~~ in whose service area the trading unit is located, is responsible for exercising control over resources.
- 3.9 The relevant Chief Officer [or Corporate Manager](#) shall prepare such business plans and financial statements as deemed necessary by the Chief Finance Officer for the proper monitoring of the trading position and performance of the trading unit or any part thereof.
- 3.10 Any material change to the commercial operations of a trading unit which may have a financial impact upon its expenditure or income must be reported to the Executive by the relevant Chief Officer [or Corporate Manager](#).

4. LONG TERM PLANNING

- 4.1 The Chief Finance Officer shall ensure that reports are made on all proposals which lead to new financial commitments. Such reports should include the following:
- i. the revenue consequences of the decision over a three-year period and any future year where these are significant;
 - ii. in the case of capital expenditure a cost comparison illustrating the difference between costs of a conventional borrowing route and the chosen financing option; and
 - iii. the implications for the financial strategy.
- 4.2 The Chief Finance Officer shall ensure that a financial strategy is prepared in accordance with approved operational and financial guidelines. Existing proposals rolled forward in the strategy shall be re-examined in the light of changing circumstances and the Council's objectives and priorities, and new proposals shall be added for the succeeding year.

5. ANNUAL ESTIMATES AND BUDGETARY CONTROL

- 5.1 The Chief Finance Officer shall prepare annually in consultation with other Chief Officers [or Corporate Managers](#), estimates of income and expenditure on revenue for the ensuing year and on capital in a three year forecast, consistent with the general directions of the Council. These estimates shall be submitted for approval by the Executive in February of each year.
- 5.2 The Executive shall recommend to the Council:
- i. the amount required from the Collection Fund for District Council purposes; and
 - ii. the Council Tax for District purposes for the coming financial year.
- 5.3 In order that they may exercise proper budgetary control each Chief Officer [or Corporate Manager](#) shall have direct access to financial information contained within the Authority's Financial Management system. In addition, the Chief Finance Officer shall provide each Chief Officer [or Corporate Manager](#) with periodical statements of income received and expenditure incurred, as and when requested.
- 5.4 Each Chief Officer [or Corporate Manager](#) will furnish information regarding outstanding commitments and expected income and expenditure for the remainder of the financial year upon request.

- 5.5 Any report to Council, or any body of the Council which would involve the Council in any expenditure shall indicate the extent to which such expenditure is covered by estimates approved by the Council.

6. OPERATION OF BANK ACCOUNTS

- 6.1 All arrangements with the Council's bankers, including agreement of bank charges and overdraft levels shall be made under arrangements approved by the Chief Finance Officer who shall also be authorised to operate all necessary bank accounts.

- 6.2 All cheques shall be ordered only on the written authority of the Chief Finance Officer who shall also make arrangements for their safe custody upon receipt.

6.3 The normal method of Council payment shall be by cheque, bank automated clearing system (BACS) or clearing house automated payment system (CHAPS), drawn on the authority's bank account.

- 6.34 Any computer printed cheque payment for an amount to be determined from time to time by the Chief Finance Officer, but not exceeding one half of Level 1 ("basic amount") must bear the computer printed signature of the Chief Finance Officer.

- 6.45 Any computer printed cheque payment for more than the basic amount but less than an amount to be determined from time to time by the Chief Finance Officer, but not exceeding one half of Level 2 ("higher amount"), any manually raised cheque and any other order or instruction for an amount not exceeding the higher amount, must bear the signature of any one of the following:

- The Chief Finance Officer
- The Corporate Manager (Finance and Support Services)
- The ~~Chief Accountant~~Head of Accountancy
- The Principal Accountant (General Fund & Costing)

- 6.56 All cheque payments and other orders or instructions for an amount in excess of the higher amount must bear the signatures of any two of the following officers:

- The Chief Finance Officer
- The Corporate Manager (Finance and Support Services)
- The Head of Accountancy
- The Head of Revenues
- ~~The Chief Accountant~~
- The Principal Accountant (General Fund & Costing)

6.7 BACS payments for creditors and rent allowances, not exceeding the higher amount, must be authorised by one of the following officers:

- The Chief Finance Officer
- The Corporate Manager (Finance and Support Services)
- The Head of Accountancy

- The Principal Accountant (General Fund & Costing)

6.8 BACS payments for creditors and rent allowances, in excess of the higher amount, must be authorised by two of the following officers:

- The Chief Finance Officer
- The Corporate Manager (Finance and Support Services)
- The Head of Accountancy
- The Head of Revenues
- The Principal Accountant (General Fund & Costing)

6.9 For all payroll payments (by BACS), the total value of the payment must be reconciled by the Payroll team to the payroll system and authorised by the Human Resources Manager, or, in their absence, one of the authorising officers in paragraph 6.7 above.

6.10 This BACS transmission must then be authorised by one of the following officers, or, in their absence, one of the authorising officers in paragraph 6.8 above:

- Human Resources Manager
- Payroll Officer

6.11 CHAPS payments must be authorised by two of the following officers:

- The Chief Finance Officer
- The Corporate Manager (Finance and Support Services)
- The Head of Accountancy
- The Head of Revenues
- The Principal Accountant (General Fund & Costing)

6.12 BACS receipts (direct debits) must be authorised by one of the following officers:

- The Head of Revenues
- The Business Support Officer
- The Revenues Accounting Officer
- The Senior Revenues Assistant

6.613 The Chief Finance Officer shall make arrangements for all the Council's bank accounts to be independently reconciled and ensure that this is undertaken on a regular basis.

7. INVESTMENT BORROWING AND TRUST FUNDS

7.1 All investments and borrowing undertaken by the Council shall be transacted in the name of the Council.

7.2 The Council has adopted CIPFA's 'Code of Practice for Treasury Management in Local Government', [the Prudential Code](#) and an Investment Strategy setting out its strategy and procedures: thereafter its implementation and monitoring shall be delegated to the Executive.

- 7.3 All money in the hands of the Council shall be aggregated for the purposes of treasury management and shall be under the control of the Chief Finance Officer.
 - 7.4 Executive decisions on borrowing (subject to the exception set out in 7.5), investment and financing shall be delegated to the Chief Finance Officer or through him [/ her](#) to his [/ her](#) staff, who shall all be required to act in accordance with the Code and the Investment Strategy.
 - 7.5 Any decision on borrowing which would terminate the current debt free status of the Council will require the approval of Council.
 - 7.6 The Chief Finance Officer shall present to the Council an Annual Report on Treasury Management by 30 September of the succeeding year.
 - 7.7 All securities being the property of or in the name of the Council shall be held in the custody of the Chief Finance Officer.
 - 7.8 The Chief Finance Officer shall be authorised to borrow short term (364 days or less) such sums as are required to finance the operations of the Council as provided for within the Local Government Act 2003.
 - 7.9 The Chief Finance Officer shall, within the guidelines laid down by the Council, be responsible for all funds for which the Council acts as a Trustee.
- 8. AUTHORISATION FOR EXPENDITURE**
- 8.1 Other than to comply with Court Orders, etc. under Rule 4 of the Legal Proceedings Rules, no expenditure shall be incurred unless it is included in the approved budget. Exceptionally, the Chief Executive in consultation with the Leader can authorise additional expenditure in the case of a local emergency.
 - 8.2 Contracts and purchasing of goods and services shall be in accordance with the Contract Standing Orders.
 - 8.3 Higher value contracts have to be managed according to the provisions of the Public Supplies / Services / Works Contracts Regulations which lay down strict guidelines on the advertising of contracts, selection of tenderers, requirement specification and the evaluation of bids. In addition, contracts must comply with EU contract procedures. It shall be the responsibility of Chief Officers [or Corporate Managers](#) to ensure that their service areas comply with these Directives.
 - 8.4 Any extra or variation to a contract which would result in that contract moving to the next Level specified in the Contract Standing Orders shall be reported to the Executive as soon as practicable by the Chief Officer [or Corporate Manager](#) concerned.

~~8.5~~ ~~8.5~~—Official orders for the purchase of goods of all kinds, subject to paragraph 8.6, or the execution of works on behalf of the Council shall be in writing and in a form previously approved by the Chief Finance Officer and shall be signed only by Chief Officers, Corporate Managers or officers authorised in writing by them subject nevertheless to the relevant provisions of Contract Standing Orders. ~~Electronic orders will be in a form prescribed by the Chief Finance Officer.~~

8.6 Electronic orders will be in a form prescribed by the Chief Finance Officer. Each Chief Officer or Corporate Manager shall have a responsibility to ensure that electronic procurement is implemented in their service areas, replacing hand written or manual orders with electronic ordering that records each transaction. The electronic procurement system must be approved by the Chief Officer or Corporate Manager, in consultation with the Corporate Manager (Finance and Support Services) and must apply appropriate authorisation paths and function correctly.

~~8.76~~ ~~If the Chief Finance Officer requires, o~~Official orders for the purchase of information technology equipment exceeding £500 ~~and for the purchase of all furniture~~ shall be signed by ~~Chief Officers~~ officers authorised by the Chief Finance Officer~~only~~.

~~8.78.8~~ Each order shall conform with the directions of practice of the Council with respect to central purchasing and the standardisation of supplies and materials. Orders shall only be placed for goods and services in respect for which there is provision in the current year's estimate or where prior approval to exceed cash limits has been given by the Council.

9. PAYMENTS

9.1 ~~9.1~~—All payments due by the Council shall be made by the Chief Finance Officer or from petty cash advances authorised by him / her. The normal method of payment of money due from the Council shall be by cheque or other instrument drawn on the Council's appropriate bank account.

9.2 All Chief Officers and Corporate Managers will have responsibility for reducing the number of payments processed in respect of their service areas, by implementing consolidated invoicing in consultation with the Corporate Manager (Finance and Support Services).

9.32 Before any payment is made the invoice shall be certified by the appropriate Chief Officer, Corporate Manager or his / her authorised representative. Before certifying an invoice the certifying officer shall, save to the extent that the Chief Finance Officer may otherwise determine, have satisfied himself / herself that:

- i. the work, goods or services to which the account relates have been received, carried out, examined and approved;
- ii. the prices, extensions, calculations, trade discounts, other allowances, credits and tax are correct;
- iii. the relevant expenditure has been properly incurred and provision made therefore in the financial estimates of the committee concerned;
- iv. appropriate entries have been made on copy orders and in inventories, stores records or stock books as required electronic or otherwise;
- v. the account has not been previously passed for payment and is a proper liability of the Council; and
- vi. the payment is lawful.

9.43 The names of officers authorised to certify such documents shall be notified in advance to the Chief Finance Officer, together with specimen signatures, and any change in such authorisation shall be similarly notified to the Chief Finance Officer.

9.54 Duly certified accounts shall be passed without delay to the Chief Finance Officer who shall examine them to the extent that he / she considers necessary, for which purpose he / she shall be entitled to make such enquiries and to receive such information and explanations as he / she may require.

9.65 Each Chief Officer or Corporate Manager shall, not later than a date to be specified by the Chief Finance Officer, notify him / her of all outstanding expenditure within his / her purview which relates to the previous financial year and which has not already been passed to him / her as duly certified "old year" accounts for payment in April.

10. **CONTRACTS FOR BUILDING CONSTRUCTION OR ENGINEERING WORKS**

10.1 Where contracts provide for payment to be made by instalments, the Chief Finance Officer shall keep a register showing the state of account on each contract between the Council and the contractor, together with any other payments and the related fees.

10.2 Payment to contractors on account of contracts shall be made only on a certificate issued by the appropriate Chief Officer, Corporate Manager, his / her nominated representative, or consultant formally engaged by the Council and certified by an officer authorised under paragraph 9.3.

- 10.3 Subject to the provisions of the contract in each case every extra or variation shall be authorised by the Chief Officer, [Corporate Manager](#) or his / her nominated officer.
- 10.4 Where it appears to the Chief Officer [or Corporate Manager](#) concerned that the cost of the work comprised in any contract (where the contract sum is Level 2 or more) will exceed the contract sum by 5%, he / she shall report the variance to the Chief Finance Officer and the Executive as soon as practicable.
- 10.5 The Chief Finance Officer shall, to such an extent as he / [she](#) considers necessary, examine final accounts for all contracts and shall be entitled to make such enquiries and receive, in a timely manner, such documents explanations and information as he / [she](#) may require in order to satisfy himself / [herself](#) as to the accuracy of such accounts.
- 10.6 Claims by and compensation from contractors in respect of matters not expressly referred to in the terms of any existing contract shall be reviewed by the relevant Chief Officer [or Corporate Manager](#) for technical consideration and by the Chief Executive for consideration of the Council's legal liability, if any, and, where necessary, by the Chief Finance Officer for financial consideration before a settlement is reached.
- 10.7 Where completion of a contract is delayed beyond the agreed period (including any extensions granted), it shall be the duty of the Chief Officer [or Corporate Manager](#) concerned to take appropriate action in respect of any claim for liquidated damages.
- 10.8 Work carried out by any in-house trading unit must conform to the terms of any legislation on competitive tendering. Chief Officers should supervise the work and approve payments to the in-house contractor strictly under the terms of the agreement as they would any external contractor.
- 10.9 Where there is a separation of client and contractor functions, officers should co-operate to obtain value for money and provide an effective service, whilst fully observing Contract Standing Orders and Financial Regulations.

11. SALARIES, WAGES AND OTHER EMOLUMENTS

- 11.1 The Chief Finance Officer shall be responsible for the calculation of all salaries, wages, compensation and other emoluments to officers and the production of other necessary records in connection with pensions, national insurance, income tax, maternity and sick pay.
- 11.2 The Chief Finance Officer shall be responsible for the payment of members' allowances and for the authorisation and payment of salaries, wages and other emoluments. All associated accounting

arrangements shall be approved and controlled by the Chief Finance Officer.

11.3 Each Chief Officer [or Corporate Manager](#) shall notify the Chief Finance Officer as soon as possible, and in a form to be prescribed by him [/ her](#), of all matters affecting the payment of such emoluments and in particular:

- i. appointments, resignations, dismissals, suspensions, secondments and transfers;
- ii. absences from duty for sickness or other reason, apart from approved leave;
- iii. changes in remuneration, other than normal increments and pay awards and agreements of general application; and
- iv. any information which is necessary to maintain records of service for pensions, income tax, national insurance, etc..

11.4 Appointments of all employees of the Council shall be made in accordance with:

- i. the approved Establishment; and
- ii. prescribed procedures.

11.5 ~~Any amendment to the approved Establishment~~[Approval of new posts within budget](#), other than to post titles, shall be agreed by the ~~Council~~[Chief Executive](#).

[11.6 Approval of new posts outside of the agreed budget, other than to post titles, shall be agreed by the Council.](#)

~~11.6~~[11.7](#) All time records or other pay documents shall be in a form prescribed or approved by the Chief Finance Officer and shall be certified in manuscript by an authorised officer. The names of officers authorised to sign such documents shall be sent in advance to the Chief Finance Officer by each Chief Officer [or Corporate Manager](#) together with specimen signatures and any change shall be duly notified to the Chief Finance Officer.

12. TRAVELLING, SUBSISTENCE AND ATTENDANCE ALLOWANCES

12.1 All claims for the payment of car allowances, subsistence, removal and disturbance allowances, travelling and incidental expenses shall be submitted promptly in a form approved by the Chief Finance Officer. After certification by or on behalf of the appropriate Chief Officer [or Corporate Manager](#) details of amounts due shall be submitted to the Chief Finance Officer for payment.

- 12.2 The names of officers authorised to sign such records, together with specimen signatures, shall be sent to the Chief Finance Officer and shall be amended on the occasion of any change. Certification shall be taken to mean that the certifying officer is satisfied that the journeys were authorised, the expenses were properly and necessarily incurred, and that the allowances are properly payable by the Council.
- 12.3 Payments to members, including any co-opted members of the Council or its committees, who are entitled to claim travelling or other allowances, shall be made by the Chief Finance Officer, upon receipt of the prescribed form duly completed.

13. INCOME

- 13.1 Arrangements for the collection of all money due to the Council shall be approved by and under the supervision of the Chief Finance Officer.
- 13.2 Each Chief Officer [or Corporate Manager](#) shall ensure that all money received in his / her service area by an officer on behalf of the Council shall be receipted in a manner specified by the Chief Finance Officer and shall, without delay, be deposited with the Chief Finance Officer or, as he / [she](#) may direct, with the Council's bankers.
- 13.3 No deduction may be made from such money except to the extent that the Chief Finance Officer may specifically authorise it.
- 13.4 Every transfer of official money from one member of staff to another will be evidenced in the records of the departments concerned by the signature of the receiving officer.
- 13.5 Every officer who receives money on behalf of the Council or for which he / she is accountable to the Council, shall keep such records as required by the Chief Finance Officer, and shall produce them for inspection as and when required by the Chief Finance Officer.
- 13.6 Each Chief Officer [or Corporate Manager](#) shall be responsible for the prompt notification to the Chief Finance Officer of particulars of all sums due to the Council.
- 13.7 The Chief Finance Officer shall be responsible for arranging, or supervising arrangements for ordering and maintaining stocks of all receipt books and other numbered accounting documents used by the Council and shall satisfy himself / [herself](#) as to the arrangements for their control.
- 13.8 The Chief Finance Officer shall be authorised to write off any individual debt up to and including Level 2, provided that he / [she](#) is satisfied that all action for recovery of the debt appropriate to the amount has been taken. The Resources Portfolio Holder has executive power to write off

any debt above Level 2 . The Chief Finance Officer and the Resources Portfolio Holder will report annually for information to Council on the number and value of amounts written off under their respective delegated powers.

14. STOCKS, STORES AND OTHER ASSETS

14.1 Each Chief Officer [or Corporate Manager](#) shall be responsible for the care, custody and recording of stocks and stores held by his / her department. The Chief Finance Officer shall agree the form and content of records to be kept for this purpose. Stocks shall not exceed the quantities considered necessary by the Chief Officer [or Corporate Manager](#) concerned to meet the reasonable requirements of the Council.

14.2 Chief Officers [or Corporate Managers](#) responsible for stocks shall arrange for periodical checks of stocks by persons other than those responsible for the stocks and the Chief Finance Officer shall ensure that such checks are made at least once in every financial year.

14.3 The Chief Finance Officer shall be authorised to write-off physical differences or losses (including obsolescence) of stocks, stores or other assets amounting to less than one half of Level 1 in aggregate, by department. Variances in excess of one half of Level 1 shall be reported to the Council for authorisation.

14.4 Chief Officers [or Corporate Managers](#) responsible for stocks and stores shall forward to the Chief Finance Officer as soon as possible after 31 March in each year a certificate as to the value of stocks held at the close of the financial year.

15. INVENTORIES

15.1 Each Chief Officer [or Corporate Manager](#) shall maintain an inventory and this shall record an accurate description of furniture, fittings, equipment, plant and machinery so as to enable identification. The extent to which the property of the Council shall be recorded and the form in which the inventory shall be kept will be specified by the Chief Finance Officer.

15.2 Each Chief Officer [or Corporate Manager](#) shall be responsible for undertaking an annual check of all items on the inventory and annotating the inventory accordingly. A report containing details of any surpluses or deficiencies identified by the annual check should be submitted to the Chief Finance Officer immediately following the 30 September in each year. The Chief Finance Officer shall be authorised to write-off any deficit amounting to less than one half of Level 1 in aggregate, by department. Variances in excess of one half of Level 1 shall be reported to the Council for authorisation.

- 15.3 All property owned or acquired by the Council shall, so far as practicable, be effectively marked as Council property. The Council's property shall only be used in the ordinary course of the Council's business.

16. INSURANCES

- 16.1 The Chief Finance Officer shall effect insurance cover and prescribed procedures for claims, consulting with Chief Officers as appropriate.
- 16.2 Chief Officers [or Corporate Managers](#) shall notify the Chief Finance Officer promptly of all new risks, property or vehicles to be insured and every matter which may affect existing insurances.
- 16.3 Chief Officers [or Corporate Managers](#) shall notify forthwith in writing any loss, liability or damage or any event likely to lead to a claim to the Chief Finance Officer, who will, in turn, notify the Council's Insurers. In appropriate instances, the Chief Finance Officer will inform the Police.
- 16.4 The Chief Finance Officer shall ensure that all relevant employees of the Council are included in a suitable fidelity guarantee insurance.
- 16.5 The Chief Finance Officer shall annually, or at other such periods as he [/she](#) may consider necessary, review all insurances in consultation with Chief Officers [and Corporate Managers](#).
- 16.6 Chief Officers [or Corporate Managers](#) shall consult the Chief Finance Officer with respect to the terms of any indemnity that the Council is requested to give.

17. LAND AND PROPERTY

- 17.1 The Executive Director shall maintain a terrier of all properties owned by the Council showing the statutory purpose or other purpose for which the property is held, the location, extent and plan reference. In addition the terrier should record the purchase price and the nature of the Council's interest, together with particulars of any lease or tenancies granted by the Council.
- 17.2 The Chief Executive shall be responsible for ensuring the custody, under secure arrangements, of all title deeds for properties belonging to or mortgaged to the Council.
- 17.3 Discretionary acquisitions and disposals not otherwise authorised under any delegation shall be submitted for approval by the Council on the recommendation of the Executive.

18. INTERNAL AUDIT

- 18.1 The Chief Finance Officer shall:
- i. maintain an adequate and effective internal audit of all activities of the Council;

- ii. have authority (which may be delegated to his / her authorised representative) to visit all departments and have a right of access at all times to such offices, officers, records, correspondence and other documents relating to any financial and other transactions of the Council and Council property that appear necessary for the purpose of the audit.
 - iii. require and receive such explanations as are necessary concerning any matter under examination; and
 - iv. require any council employee to produce cash, stores or any other council property under that employee's control.
- 18.2 Unless the Chief Finance Officer has already been informed under Regulation 3.2, each Chief Officer or Corporate Manager shall immediately notify him / her of any suspected or apparent fraud or irregularity concerning cash, stores or other property of the Council or the exercise of the functions of the Council. The Chief Finance Officer will arrange, where appropriate, for an internal audit investigation and for the Council's external auditors and the Council's insurers to be informed. The Chief Finance Officer shall consider whether to refer any irregularity to the Police.
- 18.3 The Regulations set out in 18.1 and 18.2 apply equally to any direct service, direct labour organisation or semi-autonomous trading unit of the Council.
- 18.4 The ~~Head of Internal Audit~~ Client Partner and Manager for Internal Audit Services shall report to the Chief Finance Officer who shall refer audit reports to the appropriate officers. Where in exceptional circumstances a report concerns the Chief Finance Officer in person, the ~~Head of Internal Audit~~ Client Partner and Manager for Internal Audit Services shall have access to report direct to the Chief Executive and / or the Leader of the Council.
- 18.5 The Chief Finance Officer shall be responsible for ensuring that the Council's Anti-Theft, -Fraud and -Corruption Policy and Whistle-blowing Policy is subject to periodic review and, where deemed appropriate, he / she shall make recommendations for improvement to the Council. Each Chief Officer or Corporate Manager shall be responsible for ensuring their staff are aware of the existence of the Policy and of its contents.

19. DATA PROTECTION

- 19.1 Prior to the implementation of any new computer application or processing system the Chief Executive shall be consulted in writing as to the implications with respect to the Data Protection Act 1998 and the Freedom of Information Act 2000. No such applications or system shall be used to process live data until the Chief Executive has

confirmed in writing that the requirements in respect of registration and security have been met.

- 19.2 The Chief Executive shall be responsible for ensuring that the Council complies with the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000 and will be responsible for co-ordinating arrangements whereby all members and employees are fully conversant with their duties and responsibilities resulting from this Rule.

20. SECURITY

- 20.1 Each Chief Officer [or Corporate Manager](#) shall be responsible for maintaining proper security at all times for all buildings, stocks, stores, furniture, equipment, cash, etc., under his / her control. The Chief Finance Officer shall satisfy himself [/ herself](#) that such security arrangements are adequate.
- 20.2 Keys to safes and similar receptacles shall at all times be kept securely by those responsible and the loss of any keys must be reported forthwith to the Chief Finance Officer.
- 20.3 Chief Officers [or Corporate Managers](#) shall ensure that cash holdings overnight do not exceed those sums provided for in the Council's insurance arrangements.

21. IMPREST / ADVANCE ACCOUNTS

- 21.1 The Chief Finance Officer shall approve such advance amounts as he [/ she](#) considers appropriate. These shall be operated on an imprest basis and in a manner specified by the Chief Finance Officer.
- 21.2 Where he [/ she](#) considers it appropriate, the Chief Finance Officer shall open an account with the Council's bankers, or such other financial institution as deemed appropriate, for the use by the imprest holder. The arrangements shall provide that under no circumstances is the account to go overdrawn and instances where this would otherwise have arisen should be drawn to the attention of the Chief Finance Officer promptly.
- 21.3 No income received on behalf of the Council may be paid into an imprest / advance account but must be banked or paid to the Council as provided elsewhere in these Regulations.
- 21.4 Payments shall be limited to minor items of expenditure and to such other items as the Chief Finance Officer may approve and shall be supported by a receipt voucher to the extent that the Chief Finance Officer may require.

- 21.5 An officer responsible for an advance amount shall sign a certificate as to the state of the advance on the 31 March in each year.
- 21.6 On leaving the employment of the Council or otherwise ceasing to be entitled to hold the advance, an officer shall account to the Chief Finance Officer for the amount of the advance.

22. INFORMATION TECHNOLOGY

- 22.1 The Chief Executive [is the Council's e-champion and](#) shall be responsible for maintaining overall security and privacy of information held on all computers operating on Council premises.
- 22.2 Chief Officers [or Corporate Managers](#) shall satisfy themselves that any new systems or amendments to existing systems are developed in a controlled manner and thoroughly tested prior to implementation.
- 22.3 The Chief Executive shall ensure that computer audit reviews are carried out at regular intervals and immediately in the event of a situation that demands such action.
- 22.4 The Chief Executive shall ensure that all information technology initiatives are compatible with the official strategy adopted by the Council. An annual review of the strategy will be undertaken in order to accommodate technical advances and to keep it in line with the Council's perceived needs.
- 22.5 The technical specifications and purchasing arrangements for IT-related items should conform to the guidelines as from time to time adopted by the [Senior](#) Management Team.

23. RISK MANAGEMENT

- ~~23.1 The Chief Executive will convene meetings of an officer Risk Management Group at regular intervals to consider the corporate strategic risks facing the Council and the achievement of its corporate objectives and annual priorities. The Group will report to the Resources Portfolio Holder and to Cabinet and Corporate Governance Committee as necessary on strategic risk management matters. The Chief Executive is the senior manager responsible for risk management and will ensure that the Council's risk management strategy and process is reviewed at least annually and that the Council's strategic risk register is reviewed quarterly.~~
- 23.2 The risk management strategy and process and the strategic risk register will be reported to Members in accordance with the above frequencies.
- ~~23.23 Directors will consider risk management as an inherent element of project planning and will identify risk management implications in all~~

committee reports. Service managers will review service area risk registers as part of the service plan process, for approval by Portfolio Holders, and at quarterly intervals. These will be reviewed by the Corporate Managers to ensure that risks identified are adequately addressed. Significant corporate or common risks arising from service area risk registers may be included in the strategic risk register.

23.34 Service managers will include risk management in their consideration of matters affecting their services as part of the Service Plan process. These will be reviewed by the Chief Executive to ensure that risks identified are adequately addressed. Project managers will carry out risk management as an integral element of project management. Lead officers will monitor risk management arrangements in partnerships. Report writers will identify risk management implications in all reports to Members.

23.45 Risk management will be incorporated in the preparation of the Council's Performance Plan.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet 10 January 2008
AUTHOR/S: Executive Director/Corporate Project Manager – Housing Futures

HOUSING FUTURES: SUMMARY AND KEY FINDINGS**Purpose**

1. To provide the Leader and Cabinet with a summary of, and the key findings from, the Housing Futures process to inform the recommendation to be made to Full Council on the way forward in terms of the future ownership and management of council housing in South Cambridgeshire.
2. This is a key decision because:
 - it is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates;
 - it is likely to be significant in terms of its effects on communities living or working across the entire district;
 - it requires the acquisition or disposal of any land or interest in land with a value in excess of Level 4 (£120,000);
 - it is of such significance to a locality, the Council or the services which it provides that the decision-taker is of the opinion that it should be treated as a key decision.

and it was first published in the May 2007 Forward Plan.

Executive Summary

3. The Housing Futures Working Group (HFWG) was set up following a Cabinet decision in April 2007 to undertake a new housing options appraisal – *Housing Futures* - in view of the most recent financial forecasts in respect of both the capital and revenue position of the Housing Revenue Account (HRA).
4. The role of the HFWG has been to oversee the Housing Futures process to ensure that the objectives agreed by Cabinet were achieved within the agreed timeframe. Its membership has been drawn from elected members and tenants, in equal numbers, supported by senior officers and a corporate project team.
5. The Housing Futures process has followed on from the previous options appraisal signed off by the Government Office for East of England (GOEE) in July 2005. That process was conducted in accordance with national requirements placed on all stock owning local authorities to identify an option for the future of its housing that would enable delivery of the Decent Homes target by 2010. The government guidance on options appraisal has been used as a framework for the Housing Futures process and the GOEE have been fully briefed on progress and invited to the HFWG meetings.
6. The Housing Futures process has explored the following two options in terms of how far they can deliver on both the council's statutory and other obligations as a

responsible social landlord, including meeting the Decent Homes Standard (DHS), and tenant priorities and aspirations for their homes and the housing service:

- retention of the housing by the council
 - transfer to a not for profit housing association
7. The significant area of work within the Housing Futures process has centred on the gathering and dissemination of relevant information through an effective communications programme, linked to a tenant empowerment strategy, with all key stakeholders including tenants, members and staff.
8. There has also been an examination of current and proposed national housing policy in so far as it relates to local authorities as housing providers both now and in the future. This has included a review of the housing green paper published by the Communities & Local Government (CLG) Department in July 2007 *Homes for the future: more affordable, more sustainable*. It is clear that the focus of the green paper is on increasing new supply of affordable housing and the investment to be provided through the latest Comprehensive Spending Review (CSR) for housing purposes will be targeted accordingly. Whilst there is reference to a review of the housing subsidy system in the longer term there is no timescale for such reform or any indication that this would improve the council's current financial position in the short, medium or longer term.
9. Having received key information on the condition of the housing and the investment requirements of the housing over the next thirty years the headline messages are as follows:
- the stock condition survey (SCS) completed by Savills in November 2006 identified that the stock is generally in a reasonable condition. However, the stock has not received the level of major capital investment necessary to maintain all the homes to the recommended 'industry standard' condition;
 - the SCS report provides a total forecast expenditure of £323.3m to improve and maintain the stock and related assets over the next 30 years which equates to £56,963 per dwelling or £1,899 per dwelling per annum. This total expenditure over the 30-year horizon falls within expected benchmarks of housing of this type and location;
 - approximately 24% of the housing is currently 'non-decent' and the work required to meet the DHS by 2010 is achievable within current financial forecasts;
 - on the basis of the recommended industry standard, and the other assumptions set out in the Tribal financial analysis report, the HRA cannot afford the required capital programme now, and needs to make revenue savings no later than 2009/10. The estimated shortfall on the capital programme over 30 years is in excess of £200m;

- as would be expected, when the absolute minimum standard is modelled the capital shortfall is lower, at £118m over the 30 year period. The year of first shortfall does not occur until 2010/11. There is no change to the revenue position, however, which will still require savings from 2009/10, although in practice, the impact on demand for revenue repairs may be higher than described for the base position;
 - the financial appraisal has shown that a housing association landlord would have more money to spend on homes and services than the council. This is primarily due to central government policy in relation to negative housing subsidy which results in around 50p of every £1 of rental income and, similarly, 75% of all capital receipts from Right to Buy (and a proportion of the receipts from equity share sales) being redistributed to other areas.
10. The communications programme has provided a range of opportunities for tenants (including leaseholders), members and staff to get involved with and/or receive information on the Housing Futures process. The communication methods were informed by questionnaires that were sent out to all stakeholders in June 2007.
 11. The feedback from the events held for tenants (and leaseholders) during the period August to November 2007 indicate that tenants would like to know more about housing transfer as an option and in particular who the housing association would be and what they could offer. They also want to know what the council could deliver if it retained the housing. Other comments centred on service delivery issues particularly in relation to sheltered housing but also other areas including grounds maintenance. Many tenants have recognised the uneven financial playing field given the level of negative housing subsidy payable by the council and have expressed their dissatisfaction with this position. As a result tenants do seem to understand why the council is now looking again at the options for the future of its housing.
 12. For staff there has been regular communication through team meetings/briefings, newsletters, Frequently Asked Questions (FAQs sheets) and presentations on the key information, including the stock condition survey and financial modelling work, and the work of the Independent Tenant Advisor.
 13. For elected members there have been opportunities provided through Group briefings as well as copies of newsletters, fact-sheets and presentations on the key information, including the financial modelling work and by the Independent Tenant Advisor.
 14. Other stakeholders including Parish Council's and local MP's have been asked how they would like to be involved and/or receive information and the Local Strategic Partnership has been briefed on the Housing Futures process.
 15. An evaluation of the options has been undertaken as part of the Housing Futures process based on the following criteria:
 - Investment needs of the housing
 - Viability of the HRA
 - Tenant priorities
 - Impact on corporate and wider community objectives
 - Impact on the council's housing objectives
 - Consultation with tenants and leaseholders
 - Deliverability

- Staffing implications
 - Value for money
16. It is evident from the evaluation matrix that a housing transfer is the option that would be best placed to meet the future investment needs of the housing and improve housing services in line with tenant priorities and aspirations. This is because the new landlord would not be subject to the HRA subsidy system.
 17. However, this option could only be delivered if the majority of tenants who vote in a ballot support it. Further significant investment will be required 'at risk' in order to set up a new landlord and undertake a thorough consultation process with tenants (and leaseholders) on housing transfer proposal.
 18. The Housing Options Portfolio Holder Councillor Simon Edwards considered a summary of and key findings from the Housing Futures process alongside comments made by the HFWG at their meeting of 11th December at his portfolio holder meeting held on 14th December. Having considered in detail all the relevant issues and comments his recommendation to Cabinet is that a housing transfer would be in the best interests of tenants as it would enable improvements to homes and services and would offer the most protection for staff in terms of job security.
 19. Should the council decide to look in more detail at a housing transfer option then one of the key next steps will be to consider and agree a new landlord selection process that has tenants at the heart of the decision-making process but also fully involves elected member and staff representatives.
 20. Whatever the decision on the way forward the new HRA Business Plan will need to be agreed and implemented from April 2008. This will ensure that the council is best prepared to deliver a retention option through early identification and implementation of the required savings. A draft version of the new business plan is considered elsewhere on this agenda.

Background

21. The 2005 housing options appraisal was carried out in accordance with *Delivering Decent Homes – Option Appraisal: Guidance for Local Authorities* issued by the Office of the Deputy Prime Minister (ODPM) - now Communities and Local Government (CLG) - in June 2003. A full copy of the guidance can be found at <http://www.communities.gov.uk/housing/decenthomes/publicationsaboutdecent/optionappraisal/>.
22. Whilst the guidance on housing options appraisals was primarily to assist local authorities to determine how they would be able to deliver the Decent Homes agenda by the deadline of July 2005 it has been used as a framework for the Housing Futures process. An overview of the guidance and how this would be taken into consideration was reported to the HFWG at their meeting on 11 October 2007.
23. However, Housing Futures was seen as very much a review and refresh of the work carried out two years ago rather than a completely new process. The government guidance has been helpful in structuring the process but it has been applied in an appropriate rather than in any strict sense with views sought from GO-East throughout on the process and on its outcome once the Council has agreed on the way forward.

24. A summary of the key requirements of the relevant government guidance is detailed below:
- early contact with usual Government Office contact to discuss process and timetable;
 - robust information on the condition of the housing and on demand and supply on which to base the appraisal;
 - tenants/leaseholders involved from the outset with a central role in decision making and access to good independent advice from the start. The first stage of the option appraisal to involve developing their capacity to engage in the process and exploring their aspirations;
 - consideration given to mixed-model solutions within a clear overarching strategy for the whole stock particularly for authorities with large or mixed housing e.g. general needs and sheltered;
 - a preliminary assessment of issues around choice of landlord, including community-based models, under a housing transfer;
 - consideration of the potential for improvements to service delivery as well as capital investment as part of the option appraisal.
25. Of the four options considered as part of the 2005 stock options appraisal only Large Scale Voluntary Transfer (LSVT) offered a potential alternative to retention for delivering a sustainable solution for the future of the housing stock.
26. The financial modelling, based on the stock condition survey of 2002, carried out as part of that earlier options appraisal suggested that the Housing Revenue Account (HRA) was viable in the medium term as long as savings in the order of £437,000 per annum could be achieved within 18 months and sustained thereafter. In terms of meeting the basic requirement of the DHS the financial modelling indicated that the investment needs of the stock could be met until 2013/2014.
27. The overwhelming majority of tenants (82%) who responded to the test of opinion in 2005 indicated that they wished to retain the Council as their landlord. However, the response rate was low with only 23.5% of tenants expressing an opinion and the result, therefore, may not necessarily be representative of the views of the majority of tenants at that time.
28. On 28 July 2005 Full Council voted in favour of stock retention as the preferred option for the future of the housing stock and the Council's stock options appraisal was subsequently 'signed off' by GO-East.
29. Since the completion and 'sign off' of the housing stock options appraisal in 2005 a number of financial issues have emerged which have lead the Council to review the viability of retaining its housing.
30. The principal reasons behind the financial pressures faced by this, and other councils, who have retained their housing are the impact of the current housing subsidy system and capital receipts pooling requirements on the finance available to maintain and improve homes and provide housing services. The council currently has to pay around 50p in every £1 of rental income in negative housing subsidy and from April 2007 now has to pay a full 75% of all receipts from the Right to Buy (and also unless or until the current capital finance regulations are changed some of the receipts from equity share sales) into a national pool for redistribution to those areas that the government considers to be in greater need of those resources.

31. These and the other key financial pressures on both the HRA capital and revenue accounts were summarised in the report to Cabinet in April 2007 when it was agreed that a further options appraisal be carried out in full consultation and with the involvement of tenants (and leaseholders).
32. In order to oversee the project it was agreed that a joint member and tenant working group be established with the following aims and objectives:
- A. To assess the investment needs of the Council's housing into the medium/long term and to project the resources available to meet those needs with particular reference to the Council's ability to achieve and sustain the Decent Homes Standard for its homes.
 - B. To assess the viability of the Housing Revenue Account in the short, medium and long term.
 - C. To gather information about tenants' views on the current housing service and their priorities for future investment/development.
 - D. To set out the Council's Sustainable Community Strategy (and LAA) implications of the stock retention and stock transfer options to deliver against these priorities.
 - E. To ensure that all tenants have the opportunity to express their views on the options available for the housing service.
 - F. To ensure that all the Council's staff are well informed and involved in the housing options project and able to answer questions or signpost people to appropriate sources of information.
 - G. To present to the Housing Portfolio Holder by December 2007 a sound and robust evaluation for decision, based on the above objectives, and the relevant guidance on Option Appraisals and/or updated advice from the Government Office for the East of England (GO-East)
33. The membership of the Housing Futures Working Group (HFWG) was established as follows:
- (a) Elected members were nominated by each of the political groups in accordance with the proportionality rules as follows:

<u>Conservative</u> Cllr Edwards Cllr Manning Cllr Spink	<u>Lib Democrat</u> Cllr Harangozo	<u>Independent</u> Cllr Scarr
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 - (b) The tenant representatives were elected from those persons who expressed an interest in joining the Tenant Participation Group (TPG) and the HFWG on the questionnaire sent to all tenants (and leaseholders) in June 2007. In total there were fifteen candidates and those who took up places on the HFWG were as follows:

David Champion
Janice Curtis
Peter Jolly

Dave Kelleway
Helen Kember

34. It should be noted that two of the candidates with the highest number of votes either did not accept their place or resigned before any meetings of the HFWG had taken place and it was agreed, in consultation with the Housing Options Portfolio Holder, that those places should be offered to the candidates with the next highest number of votes.
35. The role of the HFWG was not to determine which housing future is most appropriate for the district but to oversee delivery of the project objectives as agreed by Cabinet in April. This is consistent with the terms of reference agreed for the Housing Options Working Group (HOWG) which was set up to oversee the previous options appraisal completed in 2005.
36. At the first meeting of the HFWG it was agreed that the meetings should be open to the general public and copies of all the agenda papers and minutes can be found on the council's website at:
<http://scams.moderngov.co.uk/ieListMeetings.asp?CId=843&Year=2007&J=2>
37. The HFWG will have met five times between September 2007 and January 2008 and has met on additional occasions to receive presentations from external advisors on the stock condition survey and financial modelling of the investment needs of council housing in the district.
38. At the HFWG meeting held in September 2007 it was proposed and agreed that at least three organisations should be visited as part of the Housing Futures process, one from each of following groups:
 - a) local authority landlords who have retained their housing either as a direct result of their housing options appraisal in 2005 or as a result of a negative ballot for a housing transfer;
 - b) housing associations who have been set up to take the housing from a local authority (Large Scale Voluntary Transfer – LSVT) landlord either as standalone organisations or to form part of an existing or new group of housing associations;
 - c) local authorities/new RSL who have recently secured a housing transfer as a result of a positive ballot.
39. The Housing Futures process was effectively managed through a dedicated support team led by a senior officer and a corporate project team both of which were established to ensure that the project objectives were delivered within the agreed timescale. The project was resourced through existing budgets by utilising the budgetary provision within the Housing Revenue Account (HRA) for unanticipated expenditure.
40. An independent tenant advisor (ITA) was appointed in August 2007 following a selection process that involved the tenant representatives on the HFWG. The successful organisation PS Consulting was also the ITA for the 2005 options appraisal process. They were selected from a strong field of short listed organisations invited to tender following receipt of thirteen expressions of interest.
41. The work undertaken to deliver the Housing Futures project has focussed on the project objectives and these have been reflected in the items included on the agenda for the HFWG meetings held over the last few months. There has been regular

monitoring of the project plan with progress reports considered by the Housing Futures Project Team (HFPT) and received for review and comment by the HFWG. The latest version of the project plan progress report is attached as **Appendix A** together with the project management infrastructure diagram for information purposes.

Considerations

National Housing Policy Framework

42. As part of the Housing Futures process a watching brief has been kept on any possible developments and/or changes to national housing policy that may impact on the council as a landlord. It is important that any proposals are fully taken into account before an outcome is determined for the Housing Futures process.
43. In July 2007 a Housing Green Paper outlined government plans for delivering their target of 3 million new homes by 2020. The overall vision is for everyone to have access to a decent home at a price they can afford, in a place where they want to live and work including provision of good quality, affordable housing. It sets out proposals to work with partners to provide:
 - more homes to meet growing demand
 - well-designed and greener homes, linked to good schools, transport and healthcare
 - more affordable homes to buy or rent
44. A copy of the Green Paper and all the supporting documents can be viewed at: <http://www.communities.gov.uk/index.asp?id=1511890>. The government intends to publish a summary of the responses received in respect of the Green Paper by 29 February 2008. The deadline for receipt of responses to the consultation was 15 October 2007.
45. The Green paper says relatively little about existing housing with the exception of references to empty homes and energy efficiency measures. In particular there is little said about the future role of councils as landlords and their continued ownership of housing. Chapter 12 – *Implementation – a shared endeavour* concentrates on the strategic housing role of local authorities to address shortages in supply, deal with poor quality housing, and bring land forward for development but has no references to their mainstream role as landlords where they have decided to retain their housing stock following options appraisals carried out in 2005.
46. The council submitted a response to the Housing Green Paper as agreed by Cabinet at its meeting on 8 October 2007. The Housing Options Portfolio Holder also wrote to the Housing Minister Rt Honorable Yvette Cooper in September to seek clarification on government policy in respect of future investment in existing housing and the role of local authorities as landlords. No response has been received to date although the Government Office are progress-chasing and it is expected that there will be further news to report on this at the meeting.
47. The Housing & Regeneration Bill published in November 2007 will take forward a number of the ideas set out in the Housing Green Paper but there are no new proposals in respect of the role of local authorities as providers of council housing that suggest that there will be any major change in the current housing finance regime and/or additional investment in existing housing in the foreseeable future.

48. In the Housing Green Paper there are references to reform of the HRA subsidy system in the longer term but at the same time there is caution expressed about dismantling this redistributive mechanism.
49. The outcome of the modelling work in respect of a 'self-funding' HRA is not yet known but the Housing & Regeneration Bill does enable this to be taken forward although it is expected that this will initially involve pilots through a small number of select local authorities in the current Comprehensive Spending Review period covering the next three years. The success of the pilots will then need to be evaluated before it could be made available to other local authorities. However, based on the advice of external consultants this may not offer a solution to the council based on how the model is expected to work.

The Investment needs of the Council's Housing

50. One of the key requirements of a robust options appraisal is that it is underpinned by up to date information on the condition of the housing as this will inform the investment requirements in the short, medium and longer term.
51. The maintenance information held on the Council's housing stock had not been refreshed since a stock condition survey carried out in 2002. In order to have up-to-date information on the condition and future maintenance liability of its housing stock the Council duly prepared and commissioned a stock condition survey employing Ridge Consultancy (who are recognised experts in the social housing asset management field) to provide expert commissioning advice and support.
52. In September 2006 Savills, a leading surveying practice, was awarded the contract, and the survey was carried out between October and November 2006.
53. The survey was commissioned to assess the Council's current and future housing repairs and maintenance liability. Savills surveyed a representative sample of 24% of the Council's housing stock based on the different property types and locations to ensure statistical accuracy, and the results were extrapolated across the entire housing stock.
54. A sample survey was carried on 24.5% of the Council's housing stock in the autumn of 2006 to assess the condition and future maintenance liabilities. The survey's findings suggest the stock is generally in reasonable condition but a lack of capital investment has meant the properties could not be maintained to a recommended condition. Approximately 24% of the stock is currently 'non-decent' and the survey has identified all of the works required to meet the Government's decent homes target, this is achievable on current financial forecasts.
55. The report provides a total forecast expenditure to improve and maintain the stock and related assets over 30-years, which is £323.3m. This falls within expected benchmarks of a stock of this type and location. These results have formed the basis of the financial analysis and modelling conducted by Tribal Consultancy the results of which are considered in the financial implications section of this report.
56. The full report produced by Savill's was considered and signed off by the Housing & Environmental Services Portfolio Holder in November 2007. A copy of the full report can be found on the website at:
<http://www.scams.gov.uk/Housing/Futures/housingStockCondition.htm>

Future Demand for Affordable Housing

57. Information on the likely future demand for the housing is essential to ensure that it would be worth investing in the housing. Any assessment of demand should identify the extent to which there are any particular areas and/or types of property which are, or could become difficult to let.
58. The HFWG received reports on the recently completed Cambridge Sub-regional Strategic Housing Market Assessment (SHMA) in November 2007 and an analysis of the current demand for council housing based on applications registered with the council in December.
59. In general terms, the findings from the SHMA confirm the evidence from a number of different sources, and show that there is an acute shortage of affordable housing in the district with many working households unable to buy or rent in the private sector. There is a continuing need for both rented affordable housing and low cost home ownership options.
60. The available evidence from the Council's Housing Register which is based on real applicant choices (rather than projected demand based on research) suggests that in general the locations of existing affordable housing is appropriate and should be sustainable in lettings terms for the foreseeable future.
61. Overall, the evidence from the up to date information about the demand for, and supply of, affordable housing, suggests that the current affordable housing in the district is sustainable long term and falls short of the amount that is needed to help applicants on the Housing Register.

Tenant Aspirations for their Homes and Housing Service

62. Another key component of an options appraisal process is the consideration of tenant aspirations for homes and the housing service and the available options can meet these aspirations.
63. In 2005 as part of the options appraisal the *South Cambridgeshire Standard* was developed in consultation with tenants and this has been revisited as part of the Housing Futures process to understand whether tenant's aspirations have changed – this work has been led by the ITA.
64. As in 2005 this work has involved a questionnaire being sent to all tenants (and leaseholders) asking for their views about services and their priorities followed by focus groups with respondents who expressed an interest in participating in such an event on their completed questionnaire. The results of the survey and feedback from the focus groups are included within the ITA report attached as **Appendix B** to this report. This report was considered by the HFWG at their meeting on 11 December 2007.
65. It is also important for the options appraisal to take account of information on the current performance of the housing service. A report was presented to the HFWG at their December 2007 meeting on the performance against key national and local performance indicators which demonstrates that the housing service is generally within the middle to bottom quartiles. One of the exceptions is the number of homes that are non-decent but the recent stock condition survey suggests that 24% and not 10% of the housing was non-decent at the time the survey was completed in November 2006.

66. The results from the most recent STATUS tenants survey in 2006 which is carried out by all social landlords every three years are as follows:

Question	2006	2003
Overall satisfaction with the council as a landlord	81%	81%
Tenant satisfaction with opportunities for participation in management/decision making	53%	62%

67. The council has not had an Audit Commission (AC) inspection of its overall housing service and in order to identify areas for improvement the current service plan includes an action to carry out self assessments for each of the key service areas against the AC Key Lines of Enquiry (KLOEs). However, the level of service improvements that can be achieved will be largely dependent on the level of resources available.
68. A retention option suggests that there will be limited scope for enhancement of services given that savings will need to be made in both revenue and capital expenditure in the next few years. However, the new HRA Business Plan will consider how the savings requirements can be balanced against improvements to service delivery in line with its statutory and other obligations as a responsible social landlord.
69. A housing transfer has the potential to deliver more significant service improvements and a number of key areas could be incorporated into a formal offer to tenants and, if this is supported through a tenant ballot, would become legally binding promises upon completion of a transfer of council homes to a new not for profit housing association landlord.

Visits to other Landlord Organisations

70. It was intended that visits to other organisations should provide an opportunity for tenant, staff and elected member representatives to meet with peers within those organisations and ask questions in both a structured and formal setting as well as through more informal sessions for the same groups to share views and experiences.
71. Each of the host organisations were provided with a list of core questions that would be helpful in structuring the information collected on and an objective evaluation of the visits. However, the main criteria for measuring the success of the visits was more subjective and dependent on the added value of the direct face to face contact with peer groups within the host organisations.
72. The reference sites visits agreed by the HFWG were to the following organisations:
- Babergh DC
 - Luminus Group
 - Watford Community Housing
73. The key message provided by Babergh was that whilst their financial position was more healthy than that of this council at the time of their option appraisal in 2005 their position is changing and they do not believe they will have such a clear case for retention of their housing when they undertake their next planned full option appraisal in 2010. The affect of the negative housing subsidy is less secure – with 30 p in the pound of rental income being lost to the HRA.

74. The transfer of housing from Huntingdonshire District Council to Luminus (formerly Huntingdonshire Housing Partnership) took place in 2000. The background issues to their decision to pursue a housing transfer in 1998 were as follows:

- £60M shortfall in maintenance budgets
- homes well below minimum standards
- 17% and 12.5% rent increases agreed by the council in the preceding years
- service cutbacks
- redundancies

75. The key messages they provided about life after transfer are summarised below:

- all promises made have been kept and in some cases they have outperformed those promises
- new services have been developed and enhanced, for example, tenancy support, anti-social behaviour and neighbourhood services teams have been established
- customer satisfaction with overall services and opportunities for tenants to get involved is high at 94% and 85% respectively
- positive independent assessment by the Audit Commission through inspection process
- the number of staff employed by the organisation has grown significantly over the seven years since transfer and has provided opportunities for existing as well as new staff

76. The decision to consider a housing transfer in Watford was the outcome of their options appraisal completed in November 2004. They chose this option even though they could afford to meet the Decent Homes Standard by 2010 because of their serious concerns about the Council's ability to meet the costs of providing the housing service into the future. They also took this decision in the knowledge that many tenants had expressed concerns about the other options, including a housing transfer and that the Test of Opinion indicated that nearly 60% of those who responded supported retention of the housing by the council although their response rate was relatively low - 1,209 tenants returned forms (19.5%).

Options

77. In 2005 there were four options that were considered for the future ownership and management of council housing in South Cambridgeshire:

- retention of the housing by the council;
- transfer to a housing association;
- Arms Length Management Organisation (ALMO);
- Private Finance Initiative (PFI).

78. The Housing Futures process has explored only retention or transfer of the housing stock to see how far either can deliver on tenant priorities and aspirations for their homes and the housing service:

This is because the ALMO option is no longer available with the final round of bids having closed in 2006 and PFI lends itself more to smaller schemes rather than whole stock solutions, and is in any case complex and time-consuming to implement even if a bid was successful. The focus of PFI schemes has shifted more towards on-HRA

rather than HRA initiatives as government priorities have moved towards new supply of rather than improvement of existing affordable housing.

79. The available models for a prospective new landlord include:
- 1) an existing housing association;
 - 2) a newly established subsidiary of an existing housing association (either part of an existing or through creation of a new Group structure);
 - 3) a newly established free-standing housing association.
80. The majority, if not all, housing transfers that have taken place since the late 1980's have either set up their own new stand-alone housing association or, more recently have set these up either as subsidiaries of or as part of an existing or newly formed Group of housing associations.
81. The option of transfer to an existing housing association is generally considered the least attractive model for a whole stock housing transfer given that it will result in loss of a local identity for the housing and is, therefore, generally less popular with tenants. Further it is likely that many tenants will have had direct or indirect experience, both good and bad, of any individual existing housing association that could influence their opinion about a housing transfer to an existing organisation.
82. Should the council decide to look in more detail at a housing transfer option then one of the key next steps will be to consider and agree a new landlord selection process that has tenants at the heart of the decision-making process but also fully involves elected member and staff representatives.
83. There has been no detailed consideration of partial and/or mixed model solutions as part of the Housing Futures process as this was addressed as part of the 2005 options appraisal when it was concluded that no benefit would accrue from such an approach in South Cambridgeshire. This is because the issues faced by the council as a landlord affect all its housing and that solutions have already been identified, working in partnership with housing associations, for properties that have the most significant investment needs such as the Windmill Estate at Fulbourn, Airey homes and sheltered bedsits.
84. The two available options have, therefore, been evaluated in respect of the housing stock as a whole according to the following criteria that was developed through the 2005 option appraisal process:
- Investment needs of the housing
 - Viability of the HRA
 - Tenant priorities
 - Impact on corporate and wider community objectives
 - Impact on the council's housing objectives
 - Consultation with tenants and leaseholders
 - Deliverability
 - Staffing implications
 - Value for money

The application of the same criteria is helpful in so far as it enables a direct comparison with and consistent approach to the previous process that Housing Futures seeks to build on and refresh rather than duplicate.

85. The government guidance states that the output of an options appraisal should be an option that delivers sustainable decent homes, is value for money, separates landlord and strategic functions, improves services and is deliverable. The evaluation matrix attached as **Appendix C** to this report provides a summary of an assessment of how far each of the two options meets these criteria.
86. It is evident from this summary that a housing transfer is the option that would be best placed to meet the future investment needs of the housing and improve housing services in line with tenant priorities and aspirations. This is because the new landlord would not be subject to the HRA subsidy system. However, this option could only be delivered if the majority of tenants who vote in a secret ballot support it.
87. Further significant investment will be required 'at risk' in order to set up a new landlord and undertake a thorough consultation process with tenants (and leaseholders) on a housing transfer proposal. The estimated pre-ballot costs as provided by Tribal consulting in their financial analysis report are around £643,000 of which around £535,000 are attributable to the council and £108,000 to the new landlord. All of these costs would be defrayed against the capital receipt and/or paid for by the new landlord in the event of tenants supporting a transfer at a ballot.
88. The Housing Options Portfolio Holder Councillor Simon Edwards considered a summary of, and key findings from, the Housing Futures process alongside comments made by the HFWG at their meeting of 11 December at his portfolio holder meeting held on 14 December. Having considered in detail all the relevant issues and comments his recommendation to Cabinet is that a housing transfer would be in the best interests of tenants as it would enable improvements to homes and services and would offer the most protection for staff in terms of job security.
89. Should the council decide to look in more detail at a housing transfer option then one of the key next steps will be to consider and agree a new landlord selection process that has tenants at the heart of the decision-making process but also fully involves elected member and staff representatives.
90. Another essential requirement will be to secure a place on a government sponsored housing transfer programme. On 12 December 2007 the CLG invited applications from local authorities for inclusion on a 2008 programme. This is likely to be the last to be managed by the CLG as this role will be taken over by the new Homes and Communities Agency (HCA), subject to the Housing and Regeneration Bill. Expressions of interest have been requested by 18 January with a deadline for submission of an application of 31 March 2008. It is anticipated that an announcement on the outcome will be made in July 2008.

Financial Implications

91. The council's Medium Term Financial Strategy (MTFS) as reported to Cabinet in October 2007 indicates that capital expenditure will need to reduce by around £2.2m in 2009/10 and by £5m in 2010/11 and 2011/12 after taking into account required efficiency savings over that same three year period.
92. The HRA capital expenditure represents £10.5m within the overall capital programme of around £13m. Approximately £3m of the HRA capital programme is allocated for equity share buy-backs leaving around £7.2m for planned works and improvements to homes. Given that HRA capital expenditure is the major element of the council's overall capital programme it is expected that it will have to accommodate the reductions in expenditure needed to provide a balanced MTFS.

93. The financial position could be worsened should the government not make the requested changes to the capital finance regulations to exclude equity share sales from capital receipts pooling which currently results in a loss of some of the monies from such sales. It is assumed for the purpose of the MTFs that this change will take effect from April 2008.
94. The independent financial analysis report provided by Tribal Consulting examines the current Housing Revenue Account (HRA) and future financial projections including the housing investment requirements over the next 30 years. This is underpinned by the results from the Stock Condition Survey completed in November 2006 by Savills.
95. It sets out the Council's financial planning assumptions for 2007/08 and future years and highlights some of the key assumptions which have been used to build the financial model which has been used to assess the viability of the HRA. The Communities and Local Government (CLG) Department HRA Business Plan financial model has been used to undertake this analysis.
96. The financial modelling work suggests that on the basis of the recommended industry standard used as the baseline for the Stock Condition Survey, and the other assumptions set out in the report, the HRA cannot afford the required capital programme now, and needs to make revenue savings no later than 2009/10.
97. The modelling also suggests that the HRA will be running at a deficit with effect from 2008/09 and that savings are needed from 2009/10 in order to avoid the working balance falling below the minimum required level. Further, the HRA would eventually go into overall deficit (2025/26). This would be unlawful, and the Council would have to prevent this by increasing its income or reducing its expenditure. Notwithstanding this, the model projects a revenue deficit at year 30 (including interest on the notional overdrawn balances) of £33m.
98. The Major Repairs and Improvements Financing Report (MRIF) shows the expenditure and resourcing of the investment programme. This shows that Savills' recommended level of expenditure cannot be afforded in any year with deficits from next year 2008/09.
99. It is probable that the failure to undertake necessary planned works would result in additional responsive repairs becoming necessary, but the impact of this has not been calculated.
100. The absolute minimum standard is that which meets, and in some respects exceeds, the Decent Homes Standard, but falls below the standard most Social Landlords work to. As would be expected, when this standard is modelled the capital shortfall is lower, at £118m over the 30 year period. The year of first shortfall does not occur until 2010/11. There is no change to the revenue position, however, which will still require savings from 2009/10, although in practice, the impact on demand for revenue repairs may be higher than described for the base position.
101. Overall, the sensitivity analysis demonstrates that changing the key assumptions highlighted makes little difference to the overall position outlined on the HRA.
102. Another of the conclusions of the Tribal report is that the Housing Green Paper issued by the CLG in July 2007 does not offer any alternative solutions.

103. The report then goes on to consider the potential alternative options and looks in more detail at the most comprehensive but also the most far reaching alternative which is a large scale voluntary transfer (LSVT).
104. In terms of alternative options Arms Length Management Organisation (ALMO) available in 2005 is no longer available as a source of additional funding. The Private Finance Initiative is complex, does not lend itself to whole stock solutions, and is not recommended for the Council.
105. The indicative set up costs associated with a housing transfer process up to and including a ballot will be in the region of £643,000. These would be paid for from the capital receipt along with a CLG levy in the event that tenants support the proposal at a ballot. If tenants do not support the proposal then the costs would need to be written off to the HRA and General Fund with the exact split to be agreed by the council in consultation with its external auditor.
106. A significant proportion of the set up costs, especially post-ballot, would be incurred by the new landlord. These may vary according to whether the new landlord is to be linked to or part of an established housing association or a new standalone organisation.
107. An indicative transfer valuation provided by Tribal suggests that the gross capital receipt of around £54.5m of which the council could expect to net around £37m after deductions are made for set up costs, CLG levy and pension fund contributions. However, this calculation is based on a set of assumptions and any actual receipt may be more or less than this depending on how far the base assumptions need to be revised through a negotiation process with the new landlord.
108. In the event of a housing transfer, some costs currently charged to the Housing Revenue Account (HRA) could not be saved, and, in the absence of the HRA would fall on the General Fund. This would include some costs, such as the Corporate and Democratic Core, whose costs would be entirely unaltered by a transfer. However, subject to the final valuation, and the assumptions made about residual costs, a housing transfer affords the possibility of a small benefit for the General Fund.
109. A full copy of the Tribal report was included on the HFWG agenda for the meeting held on 6th November 2007 and can be found on the intranet at: http://insite/documents/retrieve.htm?pk_document=906143 .

Other Implications

110.	Legal	<p>A housing transfer can only go ahead if approved by the CLG. An application for inclusion on a future CLG disposals programme would be the first step in the process of seeking CLG support for a housing transfer proposal.</p> <p>A housing transfer proposal will only be approved by the CLG if the majority of tenants who vote in a secret ballot support it.</p>
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Staffing	<p>In the event of a housing transfer all staff that spend 50% or more of their time on the housing landlord service would be subject to the Transfer of Undertakings Protection of Employment Regulations (TUPE). Other staff that spend a proportion, but less than 50%, of their time on the housing landlord service may also be affected.</p> <p>A housing transfer proposal will also require commitment from staff at all levels across the organisation, not just within the housing service. Housing staff, with some additional resources will be required to make a significant input during the consultation period.</p> <p>The delivery of a housing retention option will not result in 'no change' given the financial pressures faced by the council from 2008/09. The new HRA Business Plan, the first draft of which will be considered by Cabinet and Full Council in January alongside the outcome of the Housing Futures process, will set out the future objectives and priorities for the service based on the anticipated level of resources, the obligations to meet statutory and national priorities such as Decent Homes and, where possible tenants' aspirations for homes and housing services. This will then inform future staffing levels and any future review of organisational structures and service delivery models for the housing service.</p>
Risk Management	<p>The main risk for the council in terms of delivering a housing retention option is whether this is sustainable in the medium, and longer term given the financial pressures to be faced in future years. Even delivering the minimum Decent Homes Standard will be challenging and there will be little, if any, scope to provide new and/or improved services.</p> <p>The key risk for the delivery of a housing transfer option is that it cannot go ahead unless a majority of tenants who vote in a ballot support it.</p> <p>The evidence from the consultation carried out as part of the Housing Futures process over recent months with the wider tenant population suggests that tenants would like to know more about this option before they are asked to decide on the future of their homes. This suggests that there has been some shift in the views of tenants since the last options appraisal which could be attributed to the significant changes that have taken place, particularly in the sheltered housing service, in order to make the savings of around £437k per annum that were identified as required to make retention a viable option at that time. However, even though tenants are more open to learning more about alternatives to retention it remains to be seen if they will be convinced of the potential benefits in any ballot</p>
Equal Opportunities	<p>As part of taking forward a housing transfer proposal the consultation process and methods will need to ensure that all groups can be effectively engaged. An equality impact assessment will need to be carried out as part of the development and implementation of communications and resident involvement strategies.</p>

Consultations

111. At the outset it was important to ensure that all the key stakeholders could be effectively engaged in the Housing Futures process. The key stakeholder groups were identified as tenants (and leaseholders), staff and elected members.
112. To help develop a communications strategy that would address the needs of all stakeholders questionnaires were sent out to all tenants, housing staff and elected members in June 2007. The questionnaire sought to provide a menu of involvement options that would help identify the preferred methods of communication about the Housing Futures process.
113. The responses and comments received were used to inform the development of a communications strategy with a focus on delivering the following objectives:
- to ensure effective communications about housing futures and the process with key internal and external stakeholders;
 - to inform all residents and other stakeholders about the issues involved in a clear and accessible way;
 - to offer information in a fair and balanced way through a range of methods;
 - to enable feedback from residents and other key stakeholders which can help shape and inform the views of the Council in respect of the future of housing in the district;
 - to publicize the ways that residents and others can become more involved in future housing services decision making;
 - to engage tenants and leaseholders in a review of the South Cambridgeshire Standard for homes;
 - to communicate what each of the housing futures can deliver in terms of improvements to homes (and their surroundings within local communities) and housing services in a way that is clearly understood;
 - to ensure all stakeholders have adequate and quality, robust and up to date information to determine the housing future that will best deliver tenant aspirations;
 - to ensure that tenants and leaseholders are sufficiently well informed and engaged to support the preferred housing future.
114. The TPG and the HFWG were consulted on the communications strategy and as far as possible their comments were taken on board before a final version was approved by the Housing Options PFH in September 2007. A copy of the Communications Strategy can be found on the council's website at:
http://www.scambs.gov.uk/documents/retrieve.htm?pk_document=905957
115. A Tenant Empowerment Strategy was also developed in consultation with tenant representatives on the HFWG and the TPG and approved by the Housing Options Portfolio Holder in September 2007. A copy of the Tenant Empowerment Strategy can be found on the council's website at:
http://www.scambs.gov.uk/documents/retrieve.htm?pk_document=905958
116. The aim of the Tenant Empowerment Strategy was to ensure that tenants and leaseholders could access the support they needed to gain increased confidence and capacity during the Housing Futures project, and well into the future, so they can actively participate in the management and maintenance of their homes.

117. As part of the Housing Futures process two newsletters were produced by the council with the first of these having been distributed to tenants at the end of September and the second at the end of November. The council will produce a third Housing Futures newsletter for tenants during early February 2008 in order to advise of the decision on the way forward.
118. A Tenant Sounding Board was encouraged to advise on the style and presentation of information in newsletters and other material, such as fact sheets and FAQs to ensure that information was presented in a clear and accessible format for the intended audience. The Housing Futures newsletters were also reviewed by the HFWG and ideas for items to be included in the newsletters were invited from all the groups linked to the Housing Futures project.
119. The ITA has produced its own newsletter that was received by tenants in early November and it is anticipated that the ITA will circulate another newsletter during January 2008.
120. Copies of all the newsletters produced as part of the Housing Futures process can be found on the website at: <http://www.scambs.gov.uk/Housing/Futures/Newsletters.htm>
121. For staff there have been opportunities provided through team meetings/briefings as well as newsletters, Frequently Asked Questions (FAQs) and presentations on the key information, including those on the stock condition and financial modelling work and by the Independent Tenant Advisor.
122. A staff Communications Group was also set up with membership drawn from across housing and related services within the council with the following terms of reference:
 1. Feed back information to their teams;
 2. Proactively talk to team members about issues and bring them back to the communications group for discussion;
 3. Suggest information/items for newsletters;
 4. Work to deliver the communications programme.
123. The housing services staff have also been directly involved in delivering the communications programme to tenants and leaseholders including attendance at the drop-in sessions and sheltered housing coffee mornings.
124. For elected members there have been opportunities provided through Group briefings as well as copies of newsletters, fact-sheets and presentations on the key information, including the financial modelling work and by the Independent Tenant Advisor.
125. Other stakeholders including Parish Council's and local MP's have been asked about how they would like to be involved and/or receive information and the Local Strategic Partnership have been briefed on the Housing Futures process.
126. The council has also used its intranet and website to provide up to date and comprehensive information about the Housing Futures project in order to demonstrate its commitment to an open, transparent and inclusive process.
127. The HFWG has received progress reports on the communications plan that accompanies the strategy and monthly reports on the consultation work carried out specifically with tenants (and leaseholders).

128. Attached as **Appendix D** to this report is the latest version of the communications plan, and as **Appendix E**, the Tenant Empowerment Strategy Action Plan as considered by the HFWG at their meeting on 11 December 2007.

Tenant Consultation Summary

129. In addition to newsletters the main methods of communication with tenants has been through council staff and /or the ITA:

- attending coffee mornings within all the sheltered housing schemes over the period between August and November;
- facilitating 24 drop-in sessions across the district during October that were publicised in the first Housing Futures newsletter. These included 2 sessions specifically for leaseholders/equity share residents who each received a personalised invitation to these events;
- home visits;
- housing surgeries;
- tenant and resident groups;
- monthly meetings of the Tenant Participation Group (TPG).

130. Three further drop in sessions were arranged during November at Duxford, Dry Drayton and Steeple Morden at the request of tenants in living in those areas and letters of invitation were sent to the tenants in those villages and their surrounding villages.

131. Two focus groups were also held in December and these looked at what tenants believe is a good housing service as well as discuss the options for the future for homes and services. Non-sheltered housing tenants who expressed an interest in becoming more involved either through a resident group or as a village voice on their summer questionnaire were specifically invited to attend as they had been under represented in the drop-in sessions held during October and November.

132. A feedback form has been used to enable the council to have a more structured and tangible record of tenants' feedback. These forms have been completed at the drop in sessions and sheltered housing coffee mornings attended by council staff and they have been made available to staff within the housing service that may talk to tenants about the housing futures process as part of their day to day roles. At the drop in sessions about 260 tenants, including leaseholders, have received information and have had the opportunity to ask questions and complete feedback forms. The total number of tenants consulted through direct contact with staff since August is around 600.

133. A summary of the 247 feedback forms completed as at the end of November 2007 is detailed below. The numbers quoted are the number of tenants requesting further information on their forms:

I would like more information on the following:	With the Council	With an HA
What would happen to rents and service charges?	120	179
My right to stay in my home	94	154
What would happen in sheltered housing?	98	159
What would happen to the repairs service?	110	172

How would tenants be involved in decision-making?	87	132
Would my home be improved?	90	154
Would fences and paths be repaired?	92	153
<p>Any other concerns, please state:</p> <p>If we do want to look more at transfer, who would the new housing association be?</p> <p>101 responses – issues included rents and service charges, who the housing association would be – local, independent housing association, staff job security, improvements to grounds maintenance, improvements to properties particularly gas central heating and walk in showers, warden service.</p>		

134. The feedback provided to council officers has informed some key messages from tenants. These are as follows;
- a) Tenants want and need to know more about who a housing association would be and what they could offer if the council decided to look at transfer as an option. They also want to know what the council could deliver through a housing retention option. They want the information to be clear, balanced and in plain English. A lot of tenants expressed the importance and satisfaction of being able to talk to someone face to face about the process.
 - b) If transfer was to be considered tenants expressed a desire for a local housing association for South Cambridgeshire run by local staff with local knowledge. Tenants expressed a lot of concern about the future of staff and their job security.
 - c) Tenants in sheltered schemes believe that there has been deterioration in the service they have received over the last couple of years and they felt that they did not see enough of their sheltered housing officer.
 - d) Tenants felt that the current grounds maintenance service did not meet their requirements particularly with regards to hedge and tree cutting.
 - e) Tenants expressed concern at the amount of money that is paid to the housing subsidy system and felt the council should be tackling central government to address this issue.
 - f) Equity share leaseholders were concerned that, under government rules, they would be consulted but that only the votes of tenants would be counted if a housing transfer goes to a ballot. They would like a formal method, like a vote, for recording their views if looking in more detail at a housing transfer is chosen as the way forward in January.
135. In addition the ITA has provided a detailed report on their work programme and the results of a survey of tenants to review the 'South Cambridgeshire Standard' that was developed in consultation with tenants, through a similar survey and focus group approach to that adopted in 2005. The South Cambridgeshire Standard represents

tenant aspirations for the future of homes and the housing service in the district. A copy of the ITA report is attached as Appendix B for ease of reference.

- 136. The HFWG considered a summary of and key findings from the Housing Futures process on the 11 December 2007 and their detailed comments were recorded for consideration by the Housing Options Portfolio Holder when this report was considered at his portfolio holder meeting on 14 December.
- 137. A proposal by one of the tenant representatives that the recommendation to Cabinet and Full Council should be not to look in more detail at a housing transfer option was not supported with 4 votes in favour and 5 against with one abstention.

Effect on Service Priorities and Corporate Objectives for 2008/09

132.	Work in partnership to manage growth	The transfer of its housing would enable the council to make a more effective contribution to delivery of a new Sustainable Community Strategy and the growth agenda and increasing the supply of affordable housing.
	Deliver high quality, value for money and accessible services	<p>The council's housing service carries out many thousands of transactions with tenants, leaseholders and those seeking housing every week and is therefore one of the most significant front line services.</p> <p>Identifying aspirations of tenants and leaseholders for the future of the housing service and delivering them through a housing transfer proposal will help meet the aim to provide excellent services.</p> <p>In a housing retention scenario, as a responsible landlord, the council would have to prioritise its statutory obligations towards the homes and residents, which would potentially put at risk any services which are discretionary. Some of these would no doubt affect the council's ability to undertake partnership work with other agencies.</p>

<p>Enhance quality of life and build a sustainable South Cambridgeshire</p>	<p>The Council owns and manages housing within 94 of its 102 villages in the district and so makes a major contribution to village life.</p> <p>The promotion of energy efficiency and the procurement of sustainable materials in relation to maintenance and improvement of its housing is dependent on the availability of adequate resources into the future which a housing transfer could deliver as opposed to retention when cuts would be required to existing planned works and improvements as well as services within the next few years.</p> <p>A housing transfer could help ensure the sustainability and affordability of our homes and services in the longer term through investment in energy efficiency measures and improvements above the DHS. Additional services could be delivered in line with tenant aspirations and priorities that could benefit the wider community.</p> <p>The council will need to consult with tenants, residents and partner organisations regarding a housing transfer proposal to ensure it will be able to contribute to the achievement of common objectives and priorities as set out in the Sustainable Community Strategy (SCS) and Local Area Agreement (LAA).</p> <p>The council would seek to protect the rights of existing tenants, as set out in their current secure tenancy agreement, as part of any housing transfer proposal.</p> <p>A housing retention option may not be sustainable into the future given the serious financial constraints that will be faced by the council. It is likely that services and homes will deteriorate despite the council's best efforts because of the lack of investment that can be made within available resources. This will impact on local neighbourhoods and communities as well as tenants (and leaseholders).</p>
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Recommendations

133. To agree the following **RECOMMENDATIONS TO FULL COUNCIL:**

- (a) that the Council develops a housing transfer proposal in consultation with its tenants, as it considers transfer to a not for profit housing association to be in the best interests of the Council's tenants, future housing applicants and staff because:
 - it would enable improvements to homes and housing services;
 - it is the most sustainable option for the longer term ownership, management and development of affordable homes in the district;
 - it offers the best prospects for staff in terms of job security;

Council recognises that housing transfer cannot proceed without the support of its tenants and wishes to involve them fully in developing its proposal.

- (b) that an application be submitted to Communities and Local Government (CLG) for a place on the 2008 housing transfer programme by the deadline of 31 March 2008
- (c) that delegated authority be given to the Leader and Cabinet to agree a new landlord selection process that involves tenants, elected members and staff. The result of the new landlord selection process will be presented to Council for approval.

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

Housing Options Appraisal Report to Cabinet 12 April 2007

Response to Consultation on the Housing Green Paper: Homes for the future: more affordable, more sustainable – Report to Cabinet 8 July 2007

General Fund Medium Term Financial Strategy/Service Plans – Report to Cabinet 8 October 2007

Delivering Decent Homes – Option Appraisal: Guidance for local authorities
ODPM (now CLG) June 2003

Housing Green Paper: *Homes for the Future: more affordable, more sustainable*
CLG July 2007

Housing & Regeneration Bill CLG November 2007

Stock Condition Survey Report Savills January 2007

Housing Futures Financial Analysis Report Tribal October 2007

Housing Futures Communications Strategy September 2007


Housing Futures Tenant Empowerment Strategy September 2007

Affordable Homes Service Plan 2007-08

Contact Officer: Denise Lewis - Corporate Project Manager – Housing Futures
Telephone: (01954) 713351

Housing Futures Progress Report: 10 January 2008

Project Manager: Denise Lewis
Overall comments/issues: No further slippage in timetable and actions delivered on time with the report to the Housing Options Portfolio Holder in December and then Cabinet/Full Council in January 2008.
Note: bold text indicates that milestone finish date has been updated.

Overall Status: 

Project Plan

	Actions (SMART)	Start	Finish	Progress	Comments/Actions to address delays
1	Appointment of Project Manager		April 2007	✓	Denise Lewis formerly Head of Housing Strategic Services.
2	Appointments to project team	May 2007	June 2007	✓	Recruitment through an Agency for post of Resident Involvement Officer, Sally Harbey and internal secondment for post of Project Officer, Kirsty Human. Gina Manderson recruited in October to offer additional support to the team.
3	Appointment of Housing PFH	May 2007	May 2007	✓	Councillor Simon Edwards appointed as Housing Futures Portfolio Holder.
4	Establish Communications Sub-group to meet on monthly basis	June 2007	November 2007	✓	First meeting held on 31 st July with monthly meetings agreed thereafter – reps attended from relevant teams across the Council. Reps from the Tenant Participation Group formed a small group to comment on draft publications for residents.
5	Stock Condition Survey		Early 2007	✓	Survey work completed November 2007 with results available to commence financial modelling from March 2007.
6	Financial modelling of investment needs of the housing stock	April 2007	September 2007	✓	Progress delayed further whilst stock numbers and types were reconciled between various databases. Briefings for project team members held with Tribal on 1 th June and 5 th July to consider preliminary outputs from the financial modelling work. A presentation of the outputs was held on 11 September with relevant Officers/Members ahead of results being presented to the Housing Futures Working Group and more widely to staff.

					members and the Tenant Participation Group (TPG) at the end of September/early October. The final report by Tribal was presented to the HFWG on 6 November.
7	Set up Housing Futures (Member/Tenant) Working Group (HFWG)	June 2007	December 2007	▼	Election process completed and results available 7 August. Due to resignations there were two changes to tenant membership since the election with Helen Kember and Janice Curtis replacing Gordon Teversham and Roy Wescombe. Member nominations confirmed from the political groups in July, although Cllr Harangozo replaced Cllr Heazell on 10 September. First meeting of HFWG held on 11 th September. Future meetings arranged monthly through period September to January 2008. However, additional sessions were required outside formal meetings, particularly with the tenant reps in order to provide training and capacity building as part of the Tenant Empowerment Strategy.
8	Set up Corporate Project Team to meet fortnightly	June 2007	January 2008	▼	14 meetings of project team held since June with future meetings scheduled in diaries at fortnightly intervals until February.
9	Assessment of strategic context: <ul style="list-style-type: none"> - housing needs - national and local housing strategy - sustainable community strategy (SCS) 	July 2007	October 2007	▼	Delays with Sub-regional Housing Market Assessment outside SDCDC control but preliminary results were reported to the HFWG on 6 th November. Housing Strategy signed off by Full Council in July 2007. A briefing paper and a draft response on the Housing Green Paper: homes for the future: more affordable, more sustainable was considered by the HFWG on 11 th October and the council's formal response was sent to the CLG on 15 October having been agreed by Cabinet on 8 th October.
10	Appointment of an ITA	June 2007	September 2007	▼	13 Expressions of interest were received and five of the six short-listed organisations submitted a tender with four of those invited for interview attending. Tenants on the HFWG interviewed the four ITAs on 3 September and PS Consultants were appointed on that date.
11	Development of a Communications Strategy	June 2007	September 2007	▼	Draft developed during June 2007 and considered by project team on 3 rd July and 9 th August having been reviewed with input from the Comms Advisor. The ITA and the GOEE made

					<p>comments along with the HFWG throughout September. It was approved by the Housing Futures PFH at the formal PFH meeting on 17th September and reported as a decision. The original timetable has slipped only because of the delay in setting up the HFWG and appointment of the ITA due to the election for the tenant reps.</p> <p>Draft developed for consideration by project team on 17th July by the Resident Involvement Officer and was presented to the first meeting of the HFWG for review and comment in September. Advice was also sought from the ITA and the GOEE.</p> <p>It was approved by the Housing Futures PFH at the formal PFH meeting on 17th September and reported as a decision. The original timetable has slipped only because of the delay in setting up the HFWG and appointment of the ITA due to the election for the tenant reps.</p>
12	Development of a Tenant Empowerment Strategy	June 2007	September 2007	▼	
13	Development and implementation of a new Tenant Participation Agreement	June 2007	January 2008	▼	<p>New Tenant Participation Agreement signed off by Housing & Environmental Services PFH 7th June and TPG on 18th June. Consultation with members and the TPG took place during September and October on the draft action plan ahead of its sign-off by the TPG and Housing & Environmental Services PFH at the TPG meeting in November. The resident involvement officer and housing services staff are leading on this area of work through implementation of the action plan.</p>
14	Produce an updated HRA Business Plan	June 2007	January 2008	▼	<p>New draft HRA Business Plan to be presented to HFWG and reviewed by Cabinet and Council in January alongside the outcome of the Housing Futures process before being finalised for implementation from April 2008.</p>
15	Communication Programme	July 2007	November 2007	▼	<p>Dates reviewed to reflect delays with set up of HFWG. Programme developed in consultation with staff and the Comms Advisor and reviewed monthly to track progress on the actions identified.</p>
16	Production of bi-monthly newsletters	September November January		☺	<p>Housing Futures newsletters reduced from four to three due to delays with set up of HFWG. Communications Advisor appointed on 10th July - The Seymour Cotton Partnership who have provided support and advice in production of newsletters</p>

						and other communication material and mechanisms with all stakeholders. On target to issue the final newsletter in February following the Council decision in January.
17	Review of South Cambridgeshire Standard	September 2007	December 2007	▼		This area of work was led by the ITA and informed by the work done on the South Cambs Standard as part of the OA in 2005. A questionnaire was sent out with the first ITA newsletter in November with the results reported to the HFWG in December.
18	Site visits to other local authorities and LSVT landlords	September 2007	November 2007	▼		<i>New Milestone</i> – options for site visits explored in consultation with the HFWG, staff, and Members at meetings during September finalised in October and took place in November and December. First visit to Babergh took place on 16 November, second to Luminous on 27 November and final visit to Watford on 5 December.
19	Evaluation of options by the Member/tenant Working Group	November 2007	December 2007	▼		An evaluation matrix was produced and considered by the HFWG at its December meeting along with the draft report for the Housing Options portfolio holder (HOPFH).
20	Report to Housing Options Portfolio Holder	November 2007	December 2007	▼		Report considered by the HOPFH on 14 December. His recommendation for Cabinet is that the council should look in more detail at a housing transfer option before tenants are asked to decide was to proceed to phase two giving tenants the opportunity to find out what a transfer could offer them as opposed to remaining with the council.
21	Housing Options Portfolio Holder report to Cabinet	January 2008		▼		Following the HFWG meeting on 14 December the recommendation and comments were written into the Cabinet report for 10 January.
22	Cabinet recommendation to Full Council	January 2008		☺		On schedule following the Cabinet decision.
23	Post project review	January 2008		☺		On schedule to take place within the project team.
24	Implementation of preferred option – new project initiation	January 2008		☺		On schedule with indicative draft project plan and associated documents/briefs and resources identified.

HOUSING FUTURES BUDGET POSITION STATEMENT 21 December 2007

Budget Heading	Original Estimate	Revised Estimate	Expenditure to date
Staffing Costs:		£	£
Salaries/agency staff	42,000	42,000	19,966
Travelling expenses	1,000	1,000	
Professional and Consultancy:			63,347
Independent Tenant Advisor	30,000	30,000	
Communications	19,000	19,000	
Other	18,500	22,000	
Communications:			17,316
Newsletters	9,400	15,000	
Postage	6,300	5,000	
Election of tenant representatives	8,000	8,000	
Contingency	2,800	0	0
TOTALS	137,000	142,000	100,629

Note: staffing costs do not currently include recharges for staff seconded onto the Housing Futures project as but these will be separated out from the budgets to which they are usually recharged and incorporated into the Housing Futures budget through the Revised Estimates process. Any identified potential under or over spend at that time will be addressed as necessary in consultation with the Housing & Environmental Services Portfolio Holder

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Housing Options Appraisal in South Cambridgeshire District Council

**Report of the Independent
Tenant Adviser
PS Consultants**

December 2007

**Contact
Dr Steve Sharples**

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Housing Options Appraisal in South Cambridgeshire District Council

1. Introduction

This report summarises the Independent Tenant Adviser (ITA) work carried out by PS Consultants from the time of our appointment (early September 2007) until the end of November 2007.

Our appointment as ITA was to advise and support South Cambridgeshire DC tenants and leaseholders to engage with the options appraisal process currently being carried out by the council in respect of the future investment needs of SCDC homes.

2. The Work Programme

This has consisted of;

◆ SCDC Drop-in sessions

Giving advice at 21 of the 24 drop-in meetings that had already been arranged SCDC officers prior to our appointment. As previously reported to HFWG (meeting of November 6th 2007 - Agenda item 9) approximately 180 residents attended those drop-ins. However, when taken with informal events such as attendance at informal events such as coffee mornings, the total number of tenants involved in this phase of the process was approximately 500.

◆ Meetings with Sheltered Scheme Residents

Meetings with residents in 42 of the 43 sheltered schemes (one scheme in Girton did not get a visit in this phase because of a timetabling clash – but will be rearranged for a later date in December). A note summarising the issues raised in these meetings is in **Appendix 1**

So in the period between mid-September and late November 2007 we attended a total of 63 meetings with SCDC tenants and leaseholders.

◆ Training / Briefing Sessions for tenant members of the HFWG

We have done training sessions for tenant members of HFWG on :

Housing Finance

Secure and Assured Tenancies

a further session will be held later in December on **transfer models**

◆ Meetings with the SCDC Tenant Participation Group

We have also attended two meetings of the TPG to brief them on the issues

Housing Options Appraisal in South Cambridgeshire District Council

◆ Newsletter

An ITA newsletter was produced and distributed in early November – copies of which have already been made available to HFWG members, all elected members, and housing staff

◆ Focus Groups

6 Focus Groups were arranged at the end of November drawing together respondents to the survey who expressed an interest to explore the key issues raised in the tenant survey (see below).

A Summary of the feedback is in **Appendix 2**

◆ Staff and Member Briefings

We did two staff briefings for housing staff at Cambourne plus a separate briefing for elected members.

The presentation for these briefings is attached as **Appendix 3**

◆ A Postal Questionnaire

We produced and distributed a questionnaire to all SCDC households – with a pre-paid return envelope. The results of that survey are reported below.

3. Comparison Of The Survey Findings in 2004 and November 2007

In this section of the Report, we compare the responses that we received to the first postal survey that we carried out in 2004 to the views we have now received in response to a similar postal survey in November 2007.

In 2004 the council had asked us to seek tenant opinion and aspirations on the elements a modern council home should contain. Tenant opinion on this has clear and obvious implications for any assessment of future council housing investment needs.

With the aim finding out whether, and to what extent, opinion had changed since 2004, the 2007 survey, used an almost identical format to the 2004 version. However, and following discussion at the HFWG, we took the opportunity to ask one additional question not in the original survey (question 7)

For ease of comparison we have brought together the response to each question as received in 2004 and 2007, and we comment on the findings, and how views have either remained consistent, or have changed during this period.

Housing Options Appraisal in South Cambridgeshire District Council

3.1 The response rates

In 2004, PS Consultants received a total of 2075 completed surveys, which represented a response rate of approximately 36% of tenanted households in the District. In 2007, we received a total of 1,568 completed surveys, which represents a response rate of approximately 26% of tenanted households. Although the response rate is not as high in 2007, the sample size is sufficient to enable us reliably to draw comparisons between the two sets of survey results. In both cases, response rate compares very well with other similar consultation exercises that have been conducted by ITAs and other consultants during the first phase of consultation in the course of Housing Options Appraisal exercises (where response rates have been under the 10% government guideline. For each variable assessed, the response received is presented in descending order, from the majority to the least supported.

3.2 Who responded?

Both of the surveys sought first to identify the type of people who were responding to us by asking: -

- The area in which they lived?
- What type of property they lived in?
- How long they had been a tenant?
- How old they were?

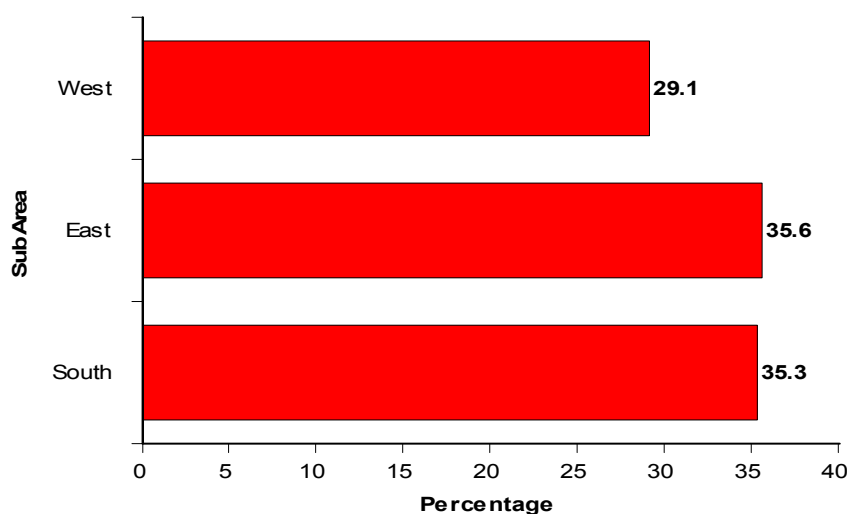
This information could then be considered in order to determine how representative the sample obtained was of the tenant population in general.

Housing Options Appraisal in South Cambridgeshire District Council

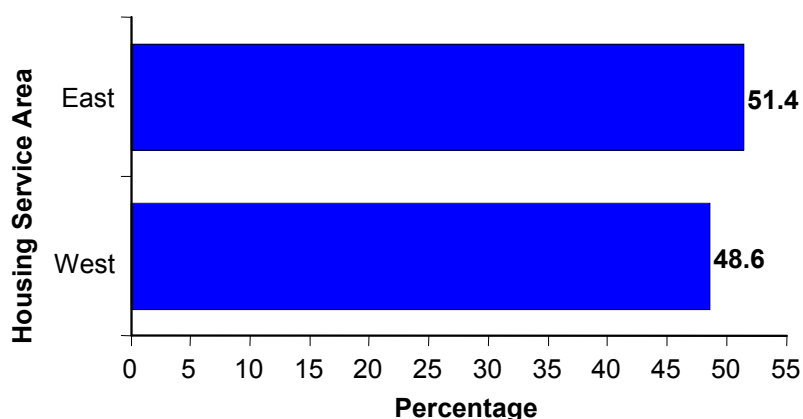
➤ Area

In 2004, the District was divided into three housing management areas: West, East and South. By 2007, the housing management areas had been redefined, into two main areas or patches: West and East. The tables below shows the percentage of responses that were received from the management areas within the District and demonstrates that the sample obtained is reasonably representative of the overall distribution of the Council's homes in the District. The response from 2004 is presented first shown in red and the 2007 response is shown below in blue.

2004 Survey Results



2007 Survey Results

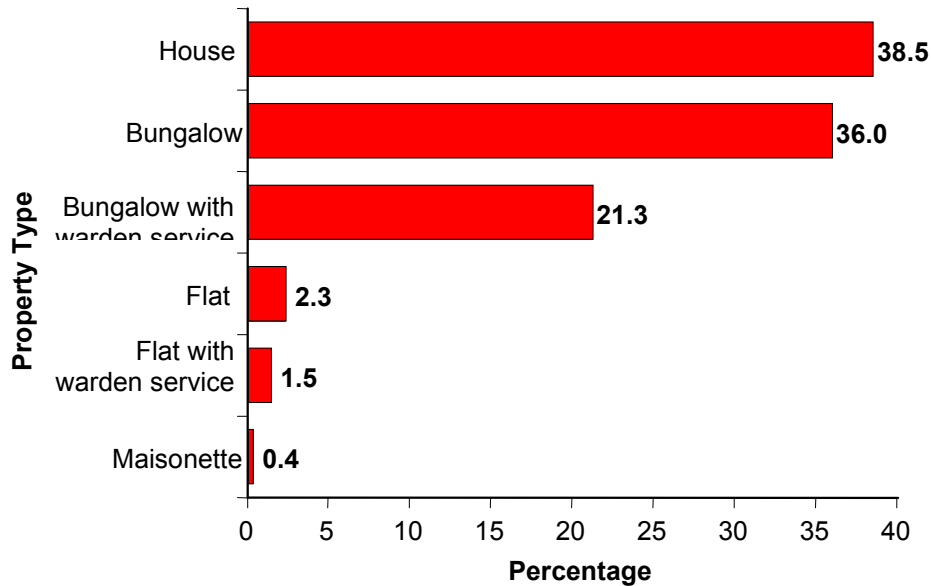


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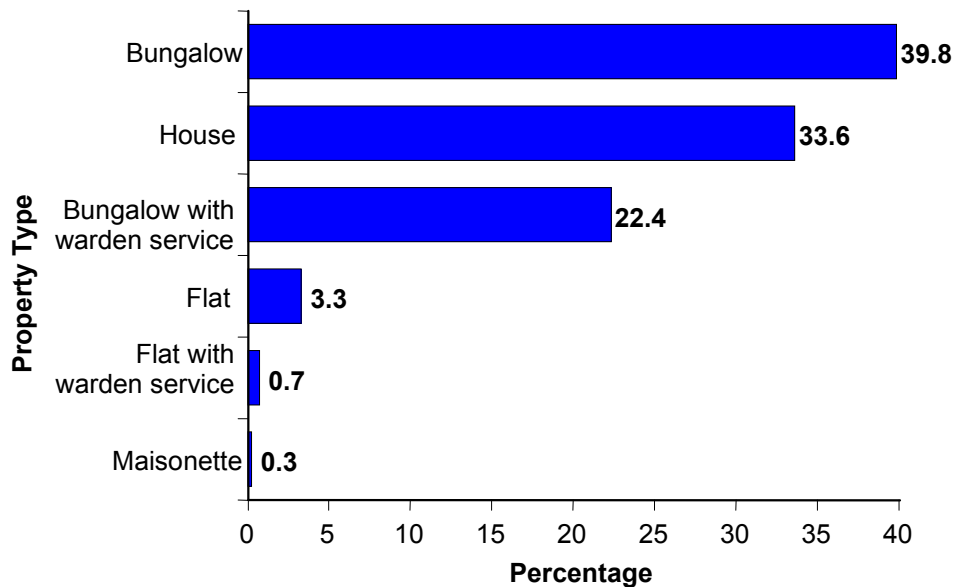
➤ Property Type

The graph below demonstrates the type of property of the respondents to the survey respectively in 2004 and in 2007.

2004 Survey Results

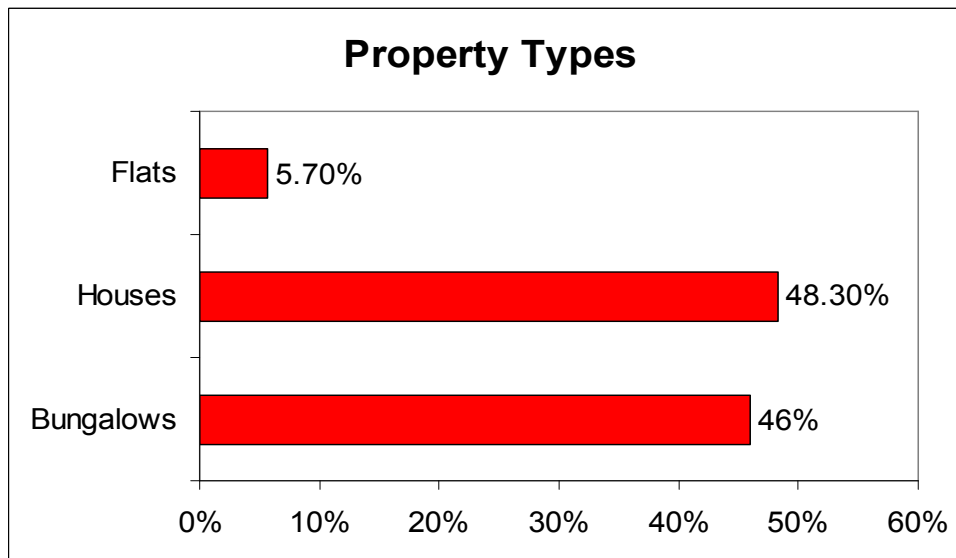


2007 Survey Results



Housing Options Appraisal in South Cambridgeshire District Council

The graph overleaf illustrates the percentage of each property type within the Council's housing stock and demonstrates that the sample obtained was broadly representative in this regard. In 2004, the largest proportion of responses of 38.5% came from residents of houses, which at 48.3% formed the largest property type. In the 2007 survey, respondents who live in houses are under-represented in the sample received, at 33.6%. However, in both 2004 and 2007, at 57% and 62% respectively, the highest overall response rate was received from people living in bungalows (with or without the warden service). This also reflects the high percentage of responses from the older age groups, who are more likely to reside in this type of accommodation.

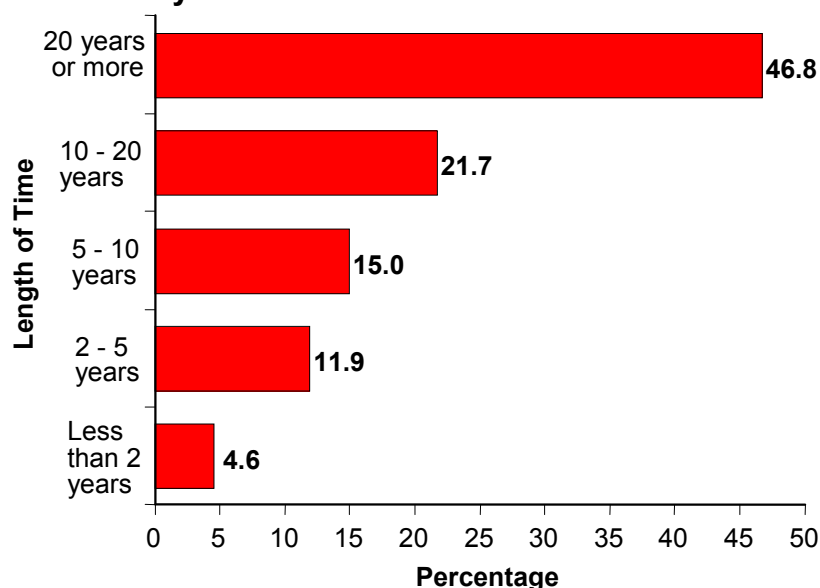


Source: 2004/5 Business Plan

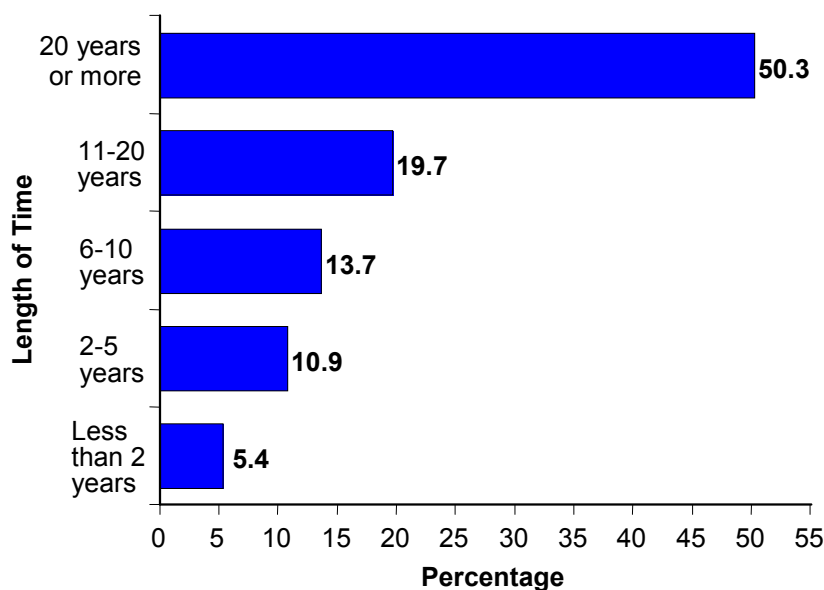
Housing Options Appraisal in South Cambridgeshire District Council

➤ Length of Tenancy of Respondents

2004 Survey Results



2007 Survey Results

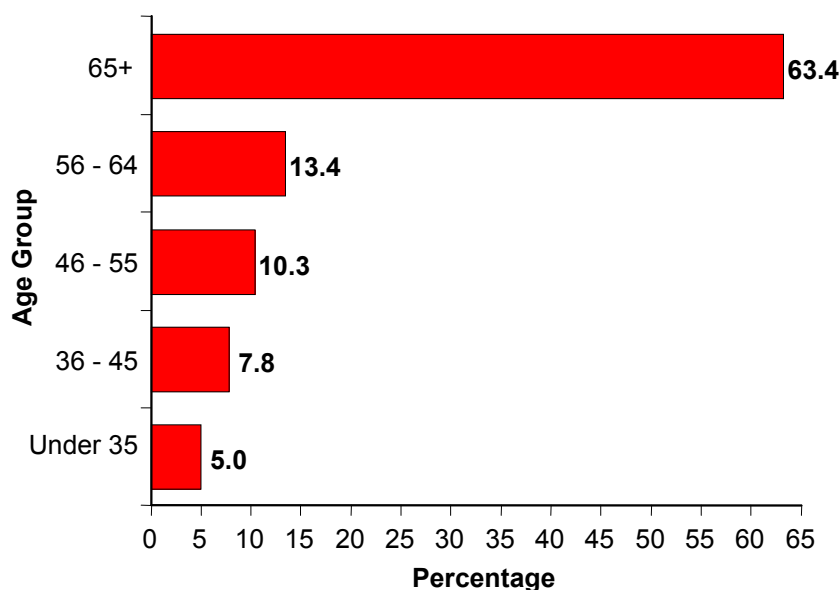


The two graphs overleaf demonstrate the length of tenancy of the respondents to both surveys respectively. In 2004, 46.8 % of respondents had lived been a tenant of the Council for 20 years or more, and a combined response of 68.5% had been tenants for 10 years or more. Only 4.6 % of respondents in 2004 had been Council tenants for less than 2 years. By comparison, the 2007 survey drew a slightly larger response from each of these three groups of tenants: of 50.3% for those who had been a tenant of the Council for 20 years or more, a combined total of 70% for those who had been a tenant for 10 years or more, and 5.4% from respondents who had been a tenant of the Council for less than 2 years.

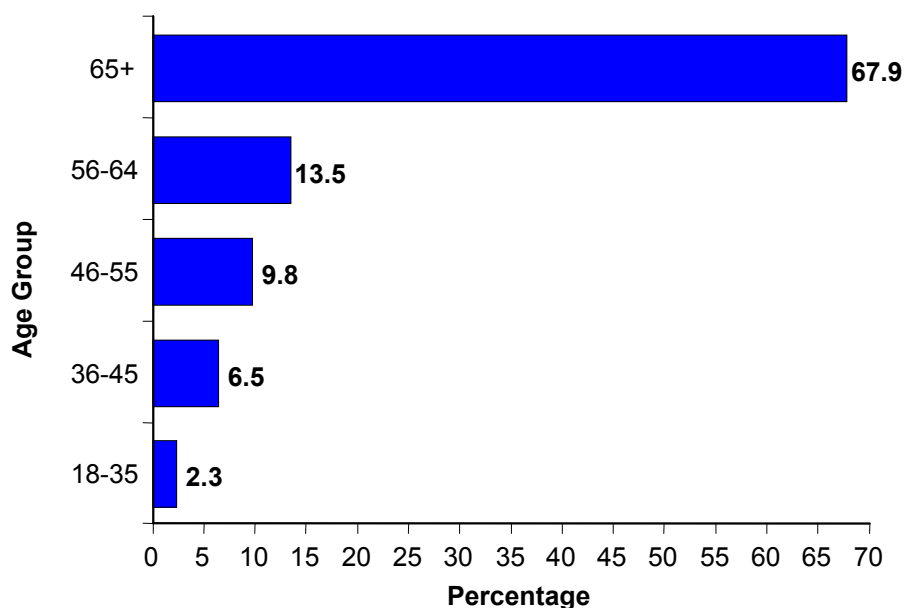
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➤ Age of Respondents

2004 Survey Results



2007 Survey Results



These graphs show the age of respondents to both of the surveys, and they reinforce the conclusions made above that respondents to the survey tended to be from older age groups, certainly over 56 years of age: 76.8% in 2004 and an even higher proportion of 81.4% in 2007. In both surveys, the majority of respondents 63.4% in 2004 and 67.9% in 2007 were aged 65 and over. Consequently the 2007 survey produced an even lower response from the 18 to 35 age group, of 2.3% as opposed to 5% in 2004

Housing Options Appraisal in South Cambridgeshire District Council

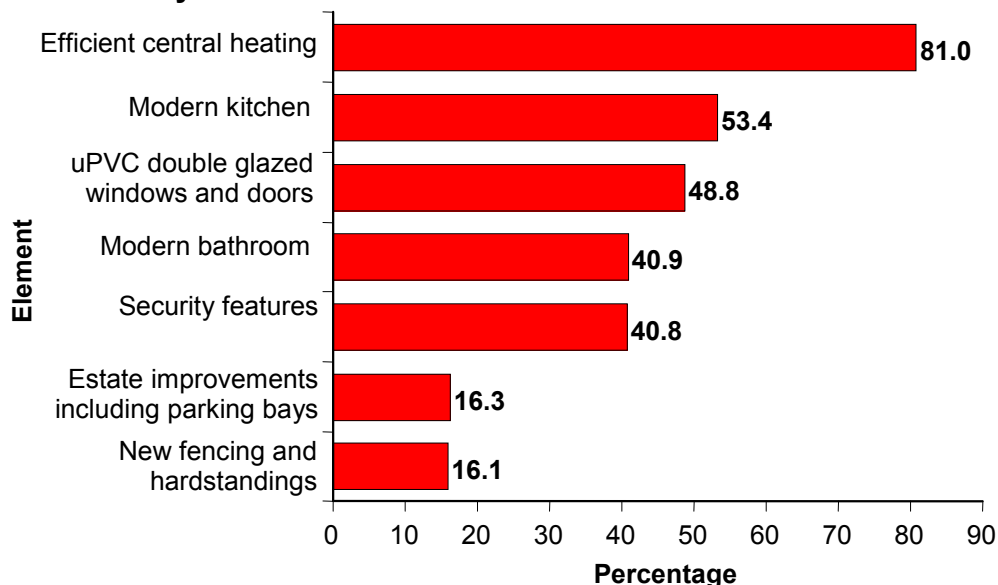
Without accurate information from the Council in respect of the ages of its tenants it is impossible to give a direct comparison between the two response rate and actual figures. However, a Best Value Performance Indicator survey carried out by the Council in 2003 had a response rate of 57% from the 65 and over age group. The response rate, in terms of the age of respondents, is similar to that obtained in other surveys that have been undertaken by PS Consultants and demonstrates the extent to which older and more longstanding tenants are prepared, and have the time to , engage in consultation regarding their homes and housing services.

Housing Options Appraisal in South Cambridgeshire District Council

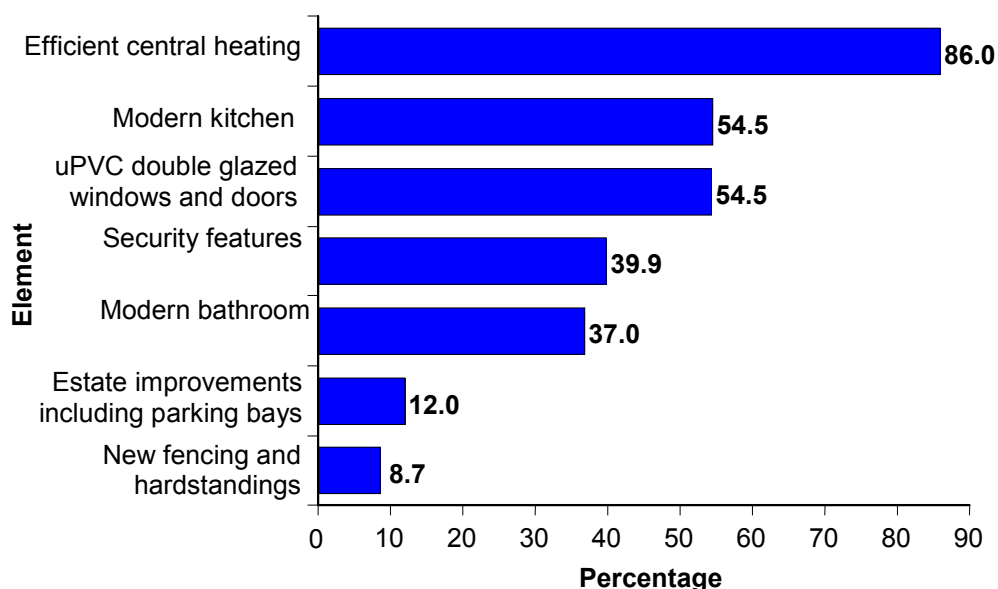
3.3 Most Important Elements of a Modern Homes

Tenants were asked to select the three elements of a modern home that they felt were of most importance to them. The graph below shows the response.

2004 Survey Results



2007 Survey Results



In both surveys, by far the most important element of a modern home was deemed to be an efficient central heating system, by 81% and 86% of all respondents to the survey in 2004 and 2007 respectively. This high response may well be in response to concern about rising energy bills.

Over half of the respondents 53.4% in 2004 and 54.5% in 2007 indicated that a modern kitchen was their second most important priority, with an equivalent

Housing Options Appraisal in South Cambridgeshire District Council

54.5 % in 2007 confirming that uPVC double glazed windows and doors to be their third most popular item (an increase from 48.8% in 2004). This might reflect, again, an element of both the rising costs of fuel for heating , but also a greater awareness of energy conservation issues between 2004 and 2007.

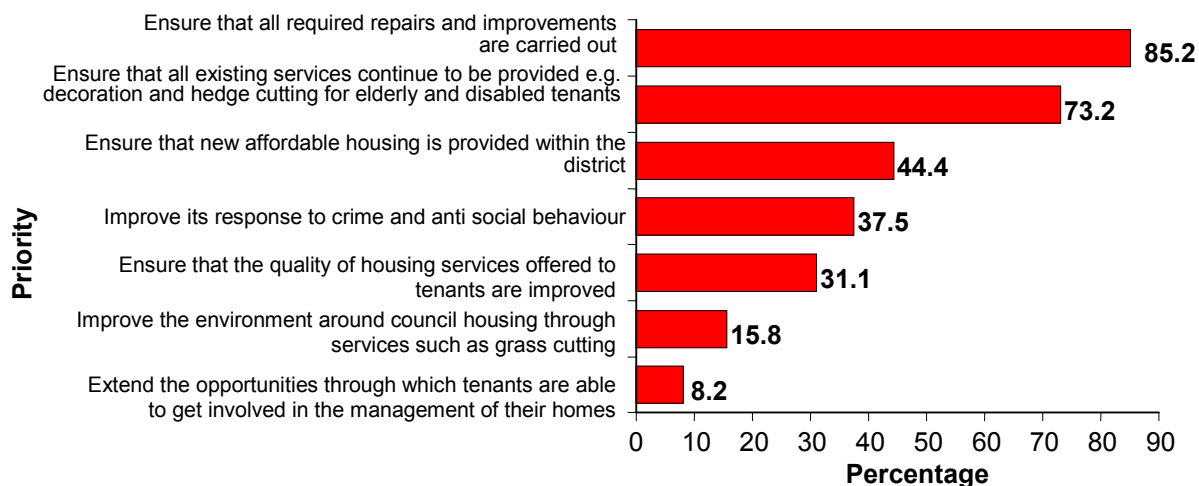
Modern bathrooms and security features in both surveys were placed as a fourth and fifth priority by respondents, with a slightly higher proportion of respondents in 2007 favouring security features (39.9%) over a modern bathroom (37%) as their fourth priority, and as both being significantly more important than either of the external improvements that were suggested as estate improvements including parking bays or new fencing and hardstandings. None of these are an essential requirement of an individual property meeting the Decent Homes Standard. So the implication is that tenants' expectations are above this minimum standard set by the Government.

Housing Options Appraisal in South Cambridgeshire District Council

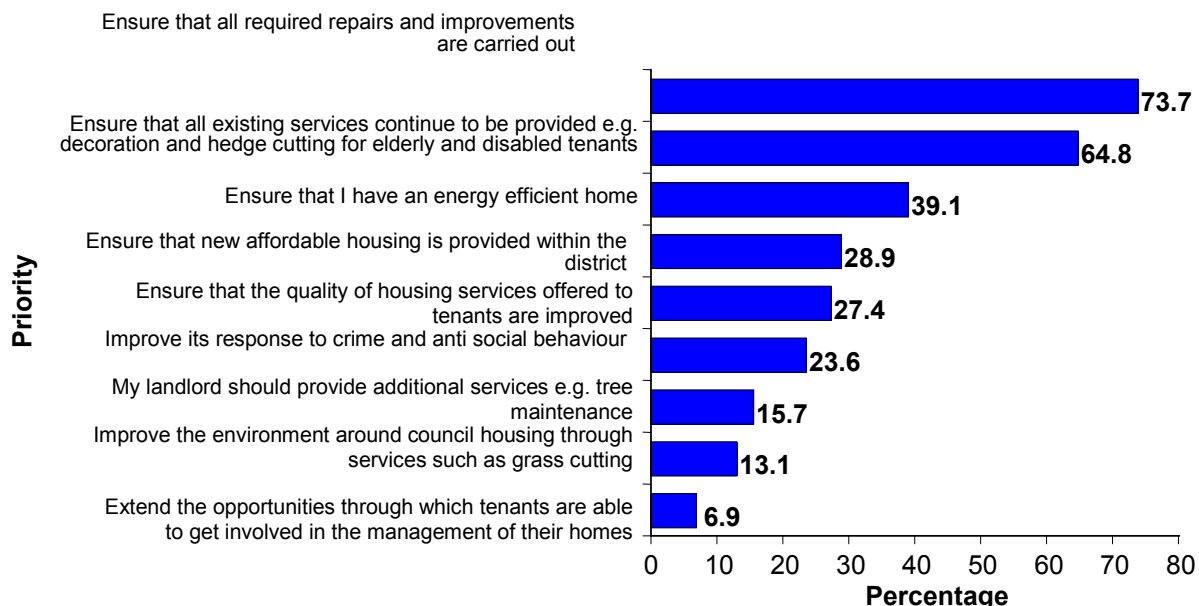
3.4 Improvements to the Housing Service

Tenants were asked to select their 3 most important priorities for improvements to the housing service. The graphs on the below show their responses in 2004 and 2007.

2004 Survey Results The Council Should...



2007 Survey Results The Council Should



This question contained one new response compared to the 2004 version (ensure that I have an energy efficient home ') but in all other respects was identical .

In both 2004 and 2007, the overwhelming priority for tenants from the Council is to ensure that required repairs and home improvements are carried out. This was stated by 85.2% of respondents in 2004, and by 73.7 % of

Housing Options Appraisal in South Cambridgeshire District Council

respondents on 2007. In both 2004 and 2007 the second highest priority, stated by 73.2% and 64.8% of respondents respectively was for the Council to continue with existing services such as decorating and hedge cutting for elderly and disabled tenants. In both surveys, this could inevitably reflect the high response rate from the older age groups.

Interestingly in 2004 it was the provision of new affordable housing in the District that was the third issue for 44.4% of tenants (but this is placed fourth by some 28.9% of respondents in 2007). The third priority for 39% of respondents in 2007 is to ensure that their home is energy efficient. In 2004 an improved response to anti-social behaviour and improvements to the existing housing service were important as fourth and fifth priorities to some 37.5% and 31% respectively. In 2007, these were reversed in priority and are supported by some 27.4 and 23.6% of respondents only.

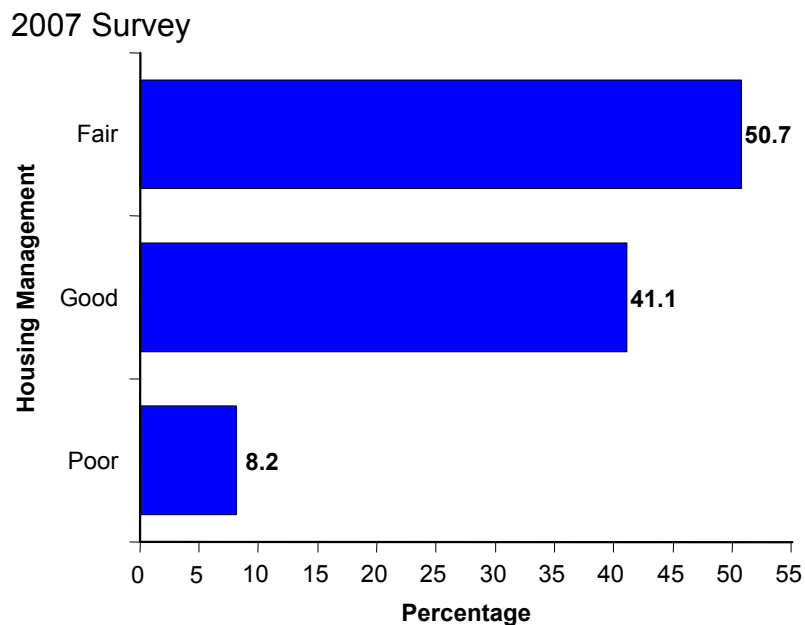
Housing Options Appraisal in South Cambridgeshire District Council

3.5 How you rate current Council services?

In the 2007 survey, PS Consultants added an extra question to ask respondents to rate their view of six different aspects of the current service they receive from the Council. These factors are:

- Housing management
- Housing repairs
- Housing improvements
- Services for older people
- Grounds maintenance e.g. grass cutting
- Environmental work e.g. fencing, paths

➤ Housing Management

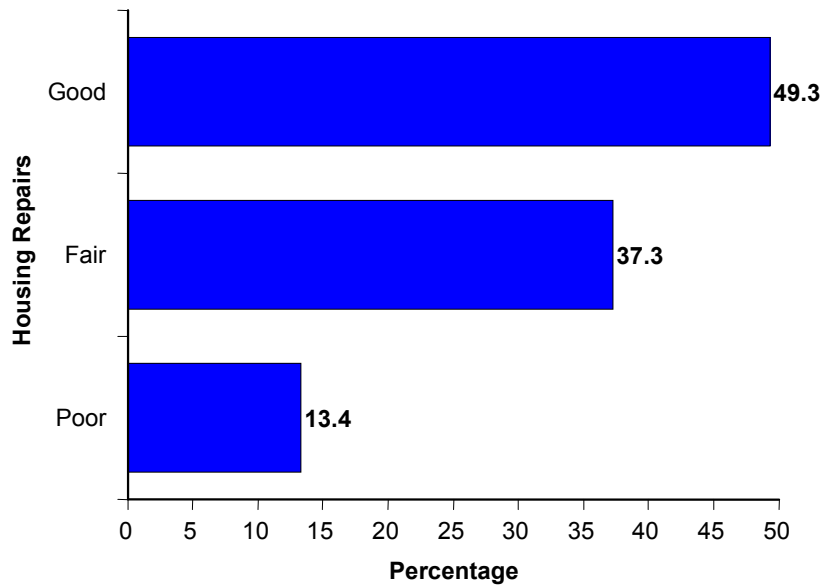


A majority of respondents, just over almost 51% considered the housing management service as 'fair', and some 41% as 'good', with 8% rating it as 'poor'.

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➤ Housing Repairs

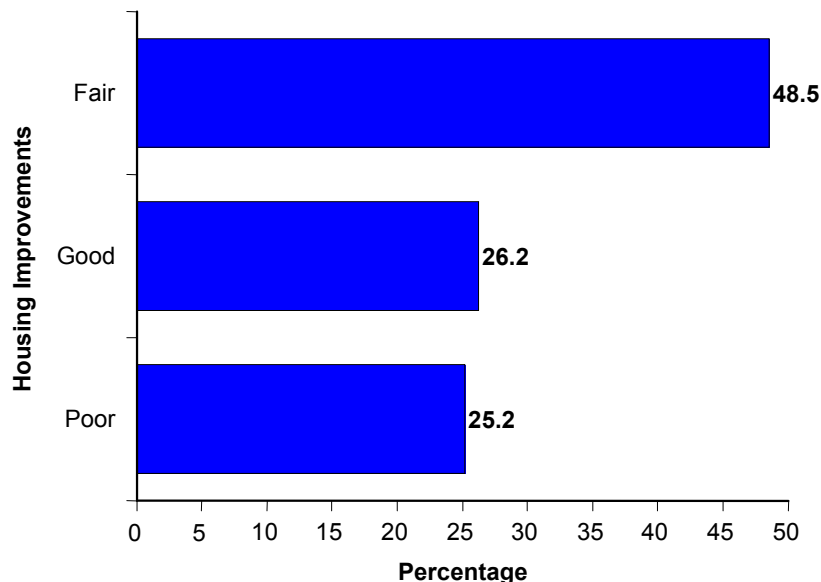
2007 Survey Results



Almost half of respondents (49.3%) rated the housing repairs service as 'good', with some 37.3% rating it as 'fair', and 13.4% of respondents as 'poor'.

➤ Housing Improvements

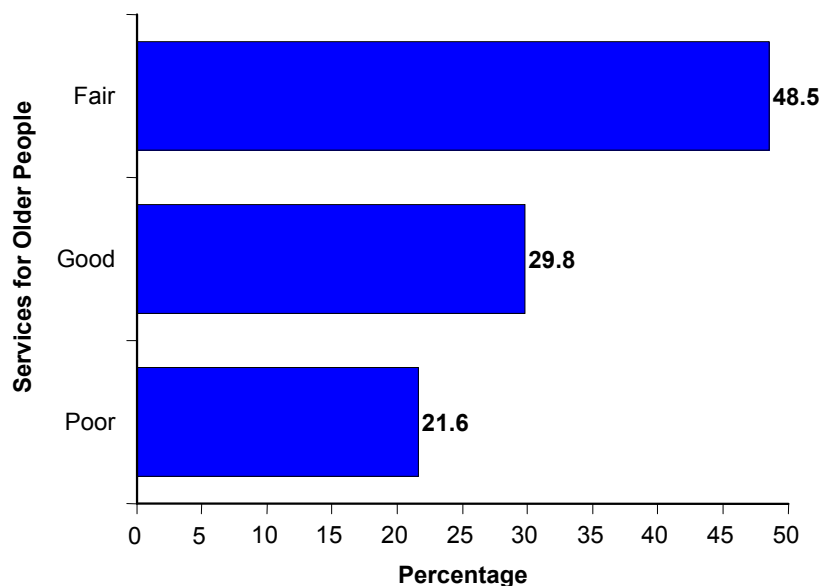
2007 Survey Results



From the response received, the majority, 48.5% of respondents consider that the housing improvement service is 'fair', with similar percentages considering that the service is either 'good' (26.2%) or 'poor' (25.2%)

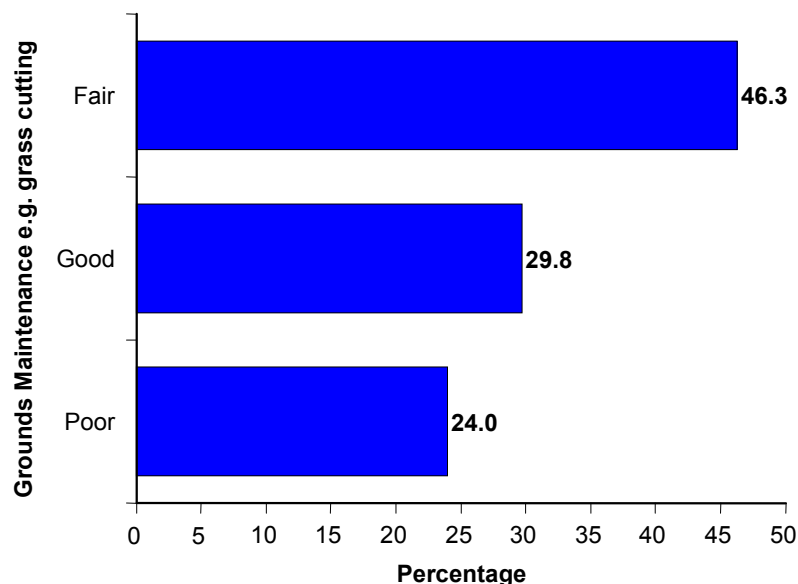
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Services for Older People



48.5% of respondents rated the Council's services for older people as 'fair' and 29.8% as 'good', with some 21.6% rating them as 'poor'.

Grounds Maintenance

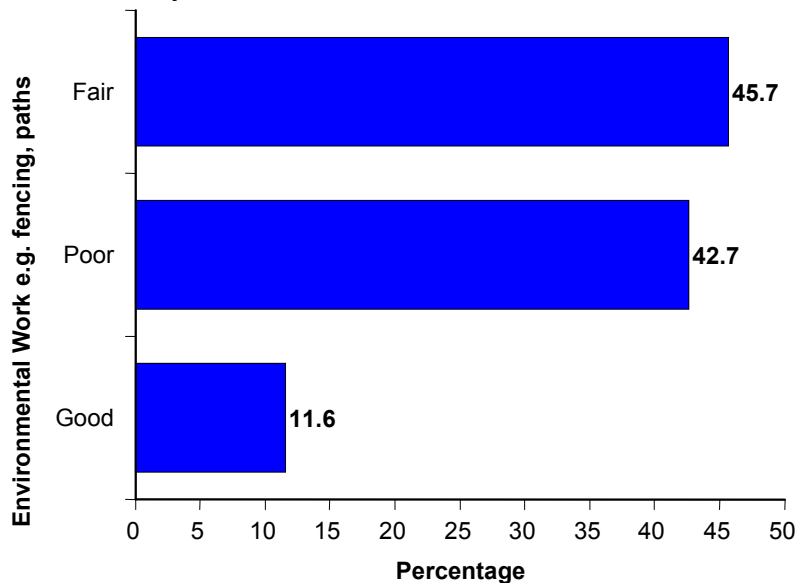


46.3% of respondents believe that the Council's grounds maintenance service, including the cutting of grass is 'fair', a further 29.8% describe it as 'good', and some 24% consider it as being 'poor'.

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➤ Environmental Work

2007 Survey Results



In respect of environmental works, which include the provision and repair of fencing and path maintenance, opinion is split between some 45.7% who consider it to be 'fair' and almost as many who regard it to be 'poor'. Only 11.6% deem it to be a 'good' service.

4. Observations and Conclusions

4.1 Survey Results

In terms of the elements of a modern home, and as discussed above, tenant opinion has not shifted significantly since 2004. The main priority is still efficient central heating (and this has strengthened), followed some way behind by a modern kitchen and bathroom. Security features, which figure very strongly as priorities for many tenants particularly on large estates, are not as high as one might expect from a sample containing as many older tenants.

The results of the question on improvements to the housing service still confirm the importance of repairs and improvements as a key tenant priority. The new response on energy efficiency, rated as the third most important (at almost 40 %), whilst undoubtedly prompted by concerns about fuel bills, almost certainly also reflects growing concerns about environmental sustainability issues

The responses to the one entirely new question, that on how people rate council services. One interesting finding is that respondents were, on the whole, positive about both the quality of the housing management service

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generally, and about repairs. The weakest area by far (with over 45% rating it as 'poor') was environmental work.

4.2 General observations

Putting together the evidence from all the work we have done, our principal observations are these.

4.2.1 An understanding of, and realism about, the council's financial position

We were surprised by the extent to which residents had picked up on the fact that the council loses up to 50% of its rental income via the government's council housing finance system. There is undoubtedly great resentment about this.

People also seemed realistic, perhaps fatalistic, about the prospects for a significant change in government policy. Although there is also a wish that the council continues to press for this to happen.

4.2.2 Sheltered Schemes

There is a very high level of concern within the sheltered schemes about the effects of the reorganisation of the warden service. The loss of resident scheme managers specific to each scheme is a source of strong concern and a sense of promises being broken.

Whatever the merits of the argument, and whilst we understand that the charge that the council has reneged on a legal obligation is almost certainly unfounded, council needs to be aware that the *perception* amongst many sheltered scheme residents is that they are being short changed by the new system. Those concerns need to be addressed by either a retention or a transfer option.

It is also clear to us that there is dissatisfaction within the sheltered housing service by some staff, which goes beyond the usual employment grumbles. Although staff recognise that they have been asked for their views on the future of the service, there is a strongly articulated view that these have not yet been acted upon.

Here again, this needs to be addressed by, and within, whichever option the council chooses.

4.2.3 Lack of knowledge of RSLs

There is a generally low level of understanding of RSLs. Many people really don't know what they are or how they work. Interestingly, amongst the small number of residents who had either experienced stock transfer in other authorities or who had with friends or family with that experience, the comments were generally favourable

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4.2.4 Transfer to whom?

Residents generally had little knowledge about the various models of transfer that might be on offer. Most people thought transfer invariably involved simply becoming tenants of an existing RSL.

Where we had the opportunity to explain the possible models, the reaction we got can be summarised as follows:

- ◆ There was no support at all for the idea of a transfer to an existing RSL. From what we have heard over the last two months or so, it seems to us likely that were this proposition be put to a ballot, it would fail
- ◆ The idea of the housing service becoming an RSL landlord organisation, but as part of a larger RSL group, is very hard for people to grasp. Clearly it is an option that, were it to be adopted, would require real effort on the council's part to make it comprehensible and attractive.
- ◆ Amongst those willing to give further consideration to transfer as the future option, by far the most popular model is the creation of a local 'stand-alone' RSL initially developed by the council itself. But even where people are attracted to this option there is concern expressed that such an RSL may become part of a larger one over time and, therefore, that promises made prior to transfer may not be respected by the acquiring RSL or RSL group

4.2.5 Attitudes to Change

What is different for us between our role as ITA in 2004 and in 2007, is that there is a much greater willingness now to enter into discussion about change than there was then.

Some of that is the product of a fatalism about the long term prospects for council housing in the UK in the light of continuing government policy

Some comes from a greater open-mindedness about housing options based on better information on what change might entail.

One component of this is the worry many have of how much access their children and grandchildren will have to affordable housing in the district in the next 10 or 20 years, under the present council housing finance system.

None of this means that tenants would be likely vote for transfer if that proposition was put to them at some point in the future. Support for transfer would only come, in our view, if it could be demonstrated beyond reasonable doubt to be the best way to deal with the issues discussed throughout this report .

Appendix 1

Summary of The Feedback from the Sheltered Scheme Visits

Methodology

Around 200 people, a mix of mainly tenants, but also leaseholders and wardens attended one of these 42 meetings, which were arranged by SCDC and led by PS Consultants. At each meeting, PS Consultants gave a brief introduction to the process and the key issues, but the main purpose of these sessions was to answer the questions and concerns of those attending.

Summary of Key Issues Raised

These relate to:

1. There was a pragmatism and understanding of the situation that SCDC finds itself in, a recognition of the need to pursue the best option under these circumstances to maintain quality and standards, but some concern was expressed about change.
2. Dissatisfaction with the current level of service was expressed by both tenants and leaseholders, and linked to this was concern at what is perceived as a decline in the warden service.
3. Concern was expressed about the poor heating through reliance on the use of electric storage heaters.
4. There was some suggestion that the design and location of some properties are not appropriate to meeting the needs of older residents, with more walk-in showers being required to replace baths that tenants could no longer use, the lack of bus services, and the steepness of the steps at the station being cited as concerns, (although the latter two are beyond the scope of the Council to address).
5. Clarification and reassurance about future rent levels was requested.
6. Some tenants said that they preferred more face-to-face contact than to rely of written information.

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Appendix 2

Focus Groups

Focus Group Methodology

In addition to the wider consultation that was undertaken an additional six Focus Group type meetings were held in different locations across the district in order to identify, in greater detail, tenants views' in respect of various issues relating to the Options Appraisal exercise and the two options for the future ownership and management of homes that are under consideration.

The Focus Groups comprised tenants who had participated in the postal survey and who had indicated a desire / willingness to participate in a Focus Group. The table below demonstrates where the Focus Groups were held and the number of participants at each. Two tenants who were disappointed at not being able to attend one of the six focus groups emailed their thoughts to PS Consultants, around the key issues which were to form the basis of the focus group discussion. Their views are also incorporated, giving the views of 23 respondents in total.

Location	Number Attending
29 November 2007	
Chalklands, Linton	3
Chaplins Close, Fulbourn	2
Franklin Gardens, Cottenham	4
Cheston Road, Great Shelford	6
30 November 2007	
Village Hall, Comberton	3
Vicarage Close, Melbourn	3

The Focus Groups began with a brief presentation from the ITA outlining the background to the Options Appraisal exercise and the decision making process that the Council would be undertaking. The main body of each meeting involved a structured discussion that was led by the ITA in order to identify individual tenants views with regard to: -

- The Decent Homes Standard and the elements of a 'modern home'
- The elements of a 'good' housing service in the 21st Century; and
- Concerns about each of the options for the future ownership and management of council housing in South Cambridgeshire, i.e. continued stock retention by the Council or Stock Transfer to a RSL.

The ITA emphasised within each meeting that the objective was to identify the views of individual tenants and not to seek to either achieve a consensus

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about each of the issues or to persuade attendees as to the merits of either of the options.

The Focus Groups did, however, provide attendees with opportunities to ask questions about elements of the process and to seek clarification with regard to the possible consequences of both options, for example with regard to the implications for rents and security of tenure.

The ITA also sought to identify whether any of the attendees' views altered as a result of their attendance at the Focus Groups.

Focus Group Findings

The main purpose of the Focus Groups was to identify tenants views with regard to: -

- The Decent Homes Standard and the elements of a 'modern home'
- The elements of a 'good' housing service in the 21st Century; and
- Concerns about each of the options for the future ownership and management of council housing in South Cambridgeshire, i.e. continued stock retention by the Council or Stock Transfer to a RSL.

The views of attendees with regard to these areas are summarised in the sections below.

Within each meeting, however, the discussion extended beyond the specific areas under consideration prompted by the ITA's summary of the Options Appraisal process and the consultation that was being undertaken.

A number of those attending questioned why the Council had undertaken to retain its housing stock following the previous Options Appraisal exercise and viewed the requirement to undertake a second Options Appraisal as being an inevitable consequence of that decision.

Five of those who attended advised that they held 'Equity Shares' in their properties and, therefore, sought to discuss this issue in detail.

At one meeting those who attended asked about the Council's intentions for the use of any capital receipt that it may receive, specifically asking whether it would be used to provide additional affordable housing.

The following summarises views in respect of the subjects listed above: -

- **The Decent Homes Standard and the elements of a 'Modern Home'.**

All of those who attended the Focus Groups acknowledged the restraints placed on the Council's ability to invest in wide scale property improvements and made their comments within that context.

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Furthermore, it was acknowledged that the Council had undertaken modernisation programmes to a good standard. This was best summarised by the comment 'I am satisfied with what I've got but not everybody has got the same'.

One person did, however, raise concerns about the extent to which external contractors were supervised by the Council, and the time that was taken for subsequent repairs to be carried out under the terms of warranties.

The majority of people who attended the Focus Group meetings, however, did not consider that the Decent Homes Standard provided a sufficiently high standard for improvements to homes in the modern era. A minority of those who attended did consider that the Decent Homes Standard was a reasonable standard.

Those who did not consider that the Decent Homes Standard provided a sufficiently high standard considered that there should be a district-wide standard that included elements such as: -

- A modern, good quality, kitchen designed to meet the needs of modern usage
- A modern bathroom
- Investment in environmental improvements, including fencing, paths within gardens, parking provision and improvements to communal areas in blocks of flats
- Heating systems that are 'affordable', (oil powered heating systems were not considered to be appropriate)
- Double glazed windows and appropriate insulation measures
- Security measures, such as external lighting.

There was a perception within a number of the Focus Groups that new tenants were the only people to benefit from improvement works (as a result of works undertaken in void properties), and that this was to the detriment of existing and longstanding tenants.

A separate, but related, issue raised was that of adaptations for people with disabilities with a number of respondents identifying the need for greater investment to reduce the requirement to wait for essential adaptations. Even within a relatively small sample of tenants 3 had paid for works to their own homes.

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- **The Elements of a 'Good' Housing Service for the 21st Century**

Again, all of those who attended were aware of the restrictions that exist on the Council's ability to invest in the provision of its housing service and, in particular, the impact of the Government's housing subsidy system of the Council's Housing Revenue Account.

The dominant view amongst respondents was that the Council is a good landlord, and that the staff are good and polite, but that the financial restrictions that it faces prevent it from providing a better service. This was best summarised by the comments, 'on the whole the Council is a good landlord, but it doesn't have enough money', and, 'the Council is in a muddle, it is good willed but is not clear as to where it is going because of a lack of money'.

All of those who attended considered that the Council should provide more clarity about the extent and quality of the housing services that it provides, through, for example, the provision of a tenants' handbook. It was considered that tenants do not know what to expect. (In particular, people did not understand whether the Council provided a decoration scheme). One tenant also suggested that SCDC should provide reasonably priced, decent housing, and that the tenants themselves should provide the extras like fencing and paving themselves if they wanted it.

The repairs service was generally considered to be good (although a small number had examples of poor service that they had experienced) but complaints were voiced about the quality of the materials and fittings used for the purpose of repairs. One person reported that he had had four new taps in a relatively short space of time, all of poor quality.

It was considered, however, that the service was not sufficiently 'customer focussed' in that it could not respond to the needs of individual tenants. A number of people considered that there should be a 'handyperson' scheme that could undertake decoration and/or gardening works for vulnerable tenants.

Concerns were also raised about the warden service and, in particular, about recent cuts to the service which many people would have liked to see reversed.

A majority of those who attended considered that the service should be more accountable to tenants through measures such as more, and better, communication with tenants and more opportunities for resident involvement. This includes greater transparency about how the money is spent as concern was expressed that resources are mismanaged. One respondent did not consider that the existing opportunities for involvement were either easily accessible or welcoming to new people.

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A number of respondents also identified the need to invest increased resources in the enforcement of tenancy conditions, including anti-social behaviour and untidy gardens.

- **Concerns about each of the options for the future ownership and management of council housing in South Cambridgeshire, i.e. continued stock retention by the Council or Stock Transfer to a RSL.**

At the conclusion of each Focus Group respondents were asked to identify their concerns in respect of each option that is under consideration for the future ownership and management of the Council's housing stock. These can be summarised as follows: -

- **Stock Retention**

All of those who attended expressed concern about the Council's continued ability to fund an adequate housing service in the event that it opted to continue to retain its housing stock.

This was best summarised by the comment, 'there would be a minimal service getting worse'.

One group expressed a desire to lobby the government to change the rules that govern the Council's ability to borrow and the housing subsidy system.

Concern was expressed that not enough affordable homes are being built in and around Cambridge and its environs. Households are concerned for the future of their children who will find it very hard to access affordable housing in the future.

- **Stock Transfer**

The issues of concern that were raised in respect of the stock transfer option were relatively consistent across the various focus groups and included the following issues: -

- The identity and nature (i.e. would it be locally based) of the Housing Association to whom the housing stock would transfer.
- In the event that transfer did happen, what guarantees would tenants have that all of the promises that were made would be kept?
- How would rents be affected?
- How would tenants' security of tenure be affected by the change to an Assured Tenancy? Would this make tenants less secure in their homes?
- How would leaseholders and those with Equity Shares be affected? This concern also included the question about whether the Housing Association

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would continue to offer Equity Shares.

- Would the Association be accountable to tenants, and how?

In addition one group identified the need for better strategic and financial management than it perceived currently exists within the Council.

Views About the Preferred Option.

A majority of those who attended the Focus Groups (15 people) concluded that Stock Transfer was their preferred option. The dominant view of these respondents was that this was a 'reluctant' decision reflecting the situation that the Council faces.

Seven of these respondents had initially not been in favour of transfer but, having discussed their concerns, had changed their view.

Four people who attended indicated that they were not able to identify their preferred option at this stage but would like to receive further information but making their decision. One of these, however, indicated that they expected that they would support a Stock Transfer proposal, particularly if it were to be to a newly established local organisation.

Three of those who attended indicated that, despite the financial restrictions, it was their belief that the Council should not transfer its homes to a Housing Association.

HOUSING FUTURES EVALUATION MATRIX

1. Investment Needs of the Stock-Decent Homes+medium/long term needs	
STAYING WITH THE COUNCIL	TRANSFER TO A HOUSING ASSOCIATION
<i>Both options would meet the immediate 2010 Decent Homes target</i>	
<p>Even though the Decent Homes short term target of 2010 can be met, the council cannot afford the <u>recommended minimum</u> level of expenditure that homes need even in the short term. Compared with amount of work that is needed, deficits are expected in the Major Repairs and Improvement Budget from 2008/9 onwards and total £217m over a 30 year period. Even to achieve a minimal standard the council would be in excess of £100m short of the funding requirements over the same 30 year period.</p> <p>Capital resources in 2009/10 are likely to be £2m less than the current capital programme and £6.5m less than the recommended programme.(Tribal)</p> <p>The new HRA Business Plan will need to include details of what this will mean in terms of planned works to homes in the future.</p>	<p>After meeting the immediate government deadline for Decent Homes this option would maintain this standard in the longer term, provide for all investment needs from the stock condition survey and fund improvements within a 30 year business plan, including contingencies and external works.</p>
2. Viability of the HRA-medium/long term	
STAYING WITH THE COUNCIL	TRANSFER TO A HOUSING ASSOCIATION
<p>Based on an up to date assessment of all relevant factors the HRA needs to make revenue savings from 2010 onwards since it will be running at a deficit from 2008/9.</p> <p>The new HRA Business Plan will need to include details of what this will mean in terms of future housing services.</p>	<p>The new landlord would have a revenue account that was viable over at least a 30 year period and able to afford all of the work and services that would be promised to tenants in their formal pre ballot offer.</p>
3. Tenant priorities-investment and development	
STAYING WITH THE COUNCIL	TRANSFER TO A HOUSING ASSOCIATION
<p>None of the tenants expressed improvements to services (above existing service levels) would be possible and the HRA would have to be cut thus reducing existing services. Maintaining the Decent Homes standard could not be guaranteed beyond 2010, even with no investment in new affordable housing.</p>	<p>The exact package of services that would be offered to tenants would be developed through consultation and set out in a formal pre ballot offer document. Initial consultation results indicate the priorities for investment should include energy efficiency and central heating plus good quality kitchens and bathrooms.</p>

	<p>Areas for improvement include environmental and external works, as well as repairs and improvement programmes. There was also support for more affordable homes to be provided.</p>
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4. Impact on Corporate Objectives and Community Strategy

STAYING WITH THE COUNCIL	TRANSFER TO A HOUSING ASSOCIATION
<p>Within available resources, the council would retain control of the housing service and align it with Corporate Objectives as closely as possible. However, the reductions in services needed to balance the capital and revenue shortfalls would adversely affect local tenants and would work against enhancing quality of life and providing best value services.</p>	<p>Councillors and tenants would together control the housing association via their combined majority on its board - assumes a stand alone model and could shape its activities. As a regulated social landlord it would be obliged to pursue objectives similar to local authorities eg Sustainable Communities, dealing with anti-social behaviour, housing the homeless etc. Safeguarding the future of existing council housing would contribute to both Corporate Objectives and the Sustainable Community Strategy, particularly partnership working, enhancing the quality of life, inclusive local communities and promoting high quality best value services. The capital receipt to the council would offer a small benefit to the council's General Fund hat could be allocated to council priorities.</p>

5. Impact on the Councils' Housing Objectives

STAYING WITH THE COUNCIL	TRANSFER TO A HOUSING ASSOCIATION
<p>The council would not be able to maintain services at a level that it considers appropriate and this would lead to deterioration in both the condition of homes and services supplied to residents.</p>	<p>A transfer would protect existing services and allow for improvements above current service levels. The net benefits of the councils' capital receipt could be used for housing purposes if that is a priority. The separation of strategic and landlord functions would become complete and the council would need to include arrangements in the transfer agreement to enable it to carry out remaining duties-eg rehousing the homeless.</p>

6. Results from Resident Consultation	
STAYING WITH THE COUNCIL	TRANSFER TO A HOUSING ASSOCIATION
Residents have been exploring a wide range of issues relevant to both the options being considered. This includes rent levels, tenancy rights, the nature and identity of a potential new landlord, leaseholders rights, future repairs and improvement programmes, services to sheltered housing etc In general, those who have provided feedback as part of the consultation have shown an interest in having more detailed information about the likely outcomes under both retention and transfer scenarios.	

7. Deliverability	
STAYING WITH THE COUNCIL	TRANSFER TO A HOUSING ASSOCIATION
The government target of achieving Decent Homes by 2010 is likely to be met. However, it would be illogical of the government to set this target and not follow it with a new requirement to maintain standards after 2010. Under retention the Decent Homes standard could not be maintained long term. It is likely there would be sanctions for failure to meet required standards with potentially little local control over the actions required by government resulting from failure to maintain standards.	Completing a transfer requires government approval and a positive tenant ballot. Initial findings from tenant consultation suggest that a significant number of tenants would like more details of this option before they are asked to make up their minds. Sufficient resources- staffing, financial, specialist advice/support and member involvement - would need to be committed to the development of a viable transfer option if that route were chosen.

8. Implications for employees	
STAYING WITH THE COUNCIL	TRANSFER TO A HOUSING ASSOCIATION
Housing staff would continue to be employed directly by the council unless future reviews concluded that alternatives were appropriate. The impact of cuts in the HRA and reduced capital programmes would almost certainly have implications for job security. The impact of reducing services would lead to lower levels of job satisfaction.	Staff spending 50% or more of their time on landlord activities would transfer to the housing association under TUPE. New jobs created by the housing association would customarily be ring fenced for other housing related staff but the full implications for staff would be finalised in the run up to transfer. The housing staff are more likely to experience greater job satisfaction working for an organisation that can deliver improved services.

9. Value for money issues	
STAYING WITH THE COUNCIL	TRANSFER TO A HOUSING ASSOCIATION
<i>With Rent Convergence there would be no value for money issues concerning rent levels for transferring tenants because rent levels would be similar under both options. Transferring tenants would also have the right to buy with both options.</i>	
Under retention half of tenants rent payments have to be given to the government. Financial pressures would make achieving value for money more difficult	For tenants, all of their rent payments would be available to the new association to buy the homes, carry out repairs, modernisation and improvement and provide services.

with the balance between capital and revenue spending driven by the need to reduce both, rather than prudent, long term property related decisions. The council would have to pursue government efficiency savings. Procurement strategies are more difficult to pursue with less concentration on planned programmes of work and uncertainty about government subsidy regimes year to year. The needs of the stock would be in competition with other council objectives for scarce capital resources.

The new housing association would have fully funded revenue and capital budgets, vetted by risk averse lenders. Programmes could therefore be constructed on the basis of best practice, including value for money. The new landlord would have to pursue government efficiency savings. Value for money would be maximised with a long term, funded procurement strategy for all goods and services. A group structure or other partnership could potentially offer economies of scale and access to a wider range of activities than might be achievable with a completely "stand alone" organisation. The council would have a capital receipt which it could spend or invest depending on its view at the time, including value for money issues.

Communications Work Plan

#	Actions	Start	Finish	Progress	Comments/Actions
1	Appoint a Communications consultant	June 07	July 07	✓	Seymour Cotton appointed in July
2	Produce and distribute an involvement questionnaire to tenants, staff and members	June 07	July 07	✓	Questionnaires sent out in June to residents and staff and in July to members
3	Map out and attend internal staff meetings for face-to-face discussions and capacity building	June 07	Jan 08	😊	Dates mapped out and regular attendance at team meetings has taken place. A final round of briefings for this phase will take place after the Council decision in Jan
4	Write copy for the South Cambs Magazine to ensure all residents are kept up to date on the project	June 07	Jan 08	😊	Articles in the summer and winter editions. The Council decision in January will be published in the Spring edition
5	Ensure agendas and minutes for the HFPT and HFCG are available for staff and members on the intranet	June 07	Jan 08	✓	Specific pages set up on the intranet for the Housing futures project and agendas and minutes are added when appropriate
6	Attend monthly TPG meetings on the HF Project	June 07	Jan 08	✓	DL attending TPG monthly to update on the project along with tenant reps on HFWG
7	Attend and update key meetings with stakeholders e.g. GOEE, South Cambs Strategic Partnership, LAA Board	June 07	Jan 08	✓	Updating stakeholders as meetings are arranged
8	Analyse and develop a database of the results of the involvement questionnaires to inform the communications plan	July 07	July 07	✓	Database of responses set up following consultation
9	Respond to and clarify points raised from any of the questionnaires	July 07	Aug 07	✓	Over 415 acknowledgement letters sent out and questions answered
10	Attend coffee mornings at sheltered housing schemes	July 07	Sept 07	✓	Every sheltered housing scheme visited between July and November. Some revisited in December where requested
11	Ensure staff are equipped to answer questions on the project especially at	July 07	Sept 07	✓	Staff trained and a number of surgeries attended by the RIO

	Housing Surgeries					
12	Arrange home visits where necessary	July 07	Sept 07	✓	All tenants requesting a home visit have received one	
13	Arrange and service monthly Communications Group meetings	July 07	Jan 08	✓	Comms group was well attended and very participative	
14	Keep councillors informed with advance copies of newsletters, leaflets and special briefings	July 07	Jan 08	✓	Councillors have been kept informed and invited to briefings	
15	Keep the MPs informed with emails and copies of newsletters etc.	July 07	Jan 08	✓	MPs sent all correspondence to keep them up to date	
16	Produce a series of fact sheets for all stakeholders	Aug 07	Sept 07	✓	Seven were produced for this phase and all are on the intranet and internet	
17	Produce a frequently asked questions booklet for internal and external use	Aug 07	Sept 07	✓	Completed and available on the intranet and internet	
18	Establish a free phone telephone advice line	Aug 07	Jan 08	✓	Available via the ITA	
19	Organise and administer financial briefing sessions from Tribal consulting to SMT, staff, tenants, the HFWG and the TPG	Sept 07	Sept 07	✓	Series of briefings carried out through September	
20	Arrange training on Housing Finance for tenants on the HFWG	Sept 07	Sept 07	✓	Training conducted by the ITA in September	
21	Develop a feed back form to use at Drop ins and other consultation events	Sept 07	Sept 07	✓	Form produced and used to gather tenants views which were include in the final report to Council	
22	Plan and publicise a series of drop ins throughout October for all tenants and leaseholders to attend and brief housing staff that will attend	Sept 07	Oct 07	✓	Diary of events published in the first newsletter at the end of September	
23	Produce contact cards with ITA and South Cambs contact details for staff particularly DLO to hand out	Sept 07	Oct 07	✓	Cards printed and given to staff to hand out at the end of October	

24	Write to all parish councils to invite them to participate in the process and ask if they would like information in their parish magazines	Sept 07	Oct 07	✓	Letter sent out giving parish councils time to respond. Only one response was received stating they did not want to be involved. Newsletters and relevant information was still posted to the PC's for information
25	Produce a monthly update for staff either through the Housing Services News or a separate publication depending on timing and space available	Sept 07	Jan 08	✓	Briefings sent out in September and November – set to continue monthly via the Housing services news
26	Ensure agendas and minutes for the HFWG are available for all to see on the intranet and website	Sept 07	Jan 08	✓	All publicly available via modern.gov on the internet with links to the Housing Futures pages
27	Arrange pre and post HFWG meetings with the local media to inform them of the project	Sept 07	Jan 08	✓	GH and Comms team arranged in accordance with agreed dates of HFWG meetings
28	Produce and distribute three Housing Futures Newsletters to all stakeholders including large print and audio versions involving the HFWG, tenants sounding board and TPG in its content	Sept 07	Jan 08	☺	First newsletter sent out at the end of September, second newsletter sent out week ending 23 November. Final newsletter due to be posted early February following the Council decision
29	Arrange training on the Decent Homes Standard for tenants on the HFWG	Oct 07	Oct 07	✓	Training given by BOH early October
30	Organise and administer briefing sessions on the stock condition survey from Savill's to staff, tenants, the HFWG and the TPG	Oct 07	Oct 07	✓	HFWG received briefing from Savill's ahead of their November meeting. Staff to receive the same presentation from BOH on 26 November
31	Publish up to date information via the Councils website and provide links to the ITA and DCLG	July 07	Jan 08	✓	Updated regularly
32	Proactively develop news releases and respond to mis/disinformation	July 07	Jan 08	✓	Ongoing via the comms team and Comms advisor

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Tenant Empowerment Strategy Action Plan

Activity	Lead person/s	Completion date	Progress
Tenants to elect 5 representatives for the Housing Futures Working Group (HFWG)	Tenants	August 2007	✓
Independent Tenant Advisor (ITA) – Selection Panel <ul style="list-style-type: none"> • Training on short-listing • Training on interviewing techniques • Agree questions and answers for interview • Interviews 	Tenant HFWG members/ Resident Involvement Officer	August 2007	✓
Tenant HFWG members to appoint an Independent Tenant advisor	Tenant HFWG members	August 2007	✓
Initiate Communications Group	Corporate Project Manager/Communications Advisor	August 2007	✓
Establish Tenant Sounding Board	TPG/Resident Involvement Officer	August 2007	✓
Review and comment on the Tenant Empowerment Strategy	HFWG	September 2007	✓
Review and comment on Communications Strategy	HFWG	September 2007	✓
All housing staff to receive updates and information on Housing Futures, including presentations by ITA.	Corporate Project Manager/ITA	September 2007	✓
Publish 1 st edition of Housing Futures newsletter	HFWG/Communications Advisor	September 2007	✓
Agree date, venues and publicity for drop-in events	Resident Involvement Officer/ HFWG	September 2007	✓
Results of financial modelling	HFWG/Corporate Project Manager/ ITA/Consultants	September 2007	✓
Results of Stock Condition Survey	HFWG/Corporate Project	November 2007	✓

Consultation events to be held across the district	Manager/ ITA/Consultants Resident Involvement Officer/ ITA	November 2007	✓
Tenants and Resident association meetings; ITA to attend meetings on request	ITA	November 2007	✓
Publish 2 nd edition of Housing Futures newsletter	HFVG/Communications Advisor	November 2007	✓
Organise site visits to other councils that have completed the process with differing outcomes.	Corporate Project Manager	November 2007	✓
Evaluation of options	HFVG	December 2007	✓
Report to Housing Options Portfolio Holder	HFVG	December 2007	✓
Agree recommendation to Cabinet and Full Council	Portfolio Holder Housing Futures	January 2008	☺
Publish 3 rd edition of Housing Futures newsletter	HFVG/Communications Advisor	February 2008	☺

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council 31 January 2008
AUTHOR/S: Executive Director / Planning Policy Manager

**FORMAL REQUEST FOR THE ESTABLISHMENT OF
THE CAMBRIDGE FRINGES JOINT POLICY COMMITTEE****Purpose**

1. To agree to request formally the Secretary of State to place an Order before Parliament to establish a Joint Planning Policy Committee for specified cross-boundary locations on the edge of Cambridge City.
2. This a key decision because:
 - It requires Council to cede those of its plan-making powers as are specified in the Order to the Joint Committee
 - It is likely to be significant in terms of its effects on communities living or working in an area of the District comprising two or more wards:
 - (i) Girton
 - (ii) Milton
 - (iii) Fen Ditton
 - (iv) Teversham.
 - It raises new issues of policy, or is made in the course of developing proposals to amend the policy framework, or is a decision taken under powers delegated by the Council to amend an aspect of the policy framework.
 - It is of such significance to a locality, the Council or the services which it provides that the decision-taker is of the opinion that it should be treated as a key decision.
3. It has not been published in the Forward Plan because the Secretary of State has only recently clarified that Council resolutions from each of the authorities which would have membership of the Joint Committee will be required at an earlier stage in the process than was previously anticipated.

Executive Summary

4. The Department of Communities and Local Government (DCLG) has proposed that the County Council, Cambridge City Council and South Cambridgeshire District Council set up a joint policy committee for the planning of growth in the Cambridge area. The Joint Committee would become the local planning authority for the plan-making matters to be specified in an Order made pursuant to Section 29 of the Planning & Compulsory Purchase Act 2004. A Joint Committee is seen as an integral part of the joint working arrangements for growth in the area as agreed by the three authorities and Cambridgeshire Horizons with DCLG in 2007. This report considers the next steps required to set up a joint policy committee for the future planning of Cambridge Fringe Areas where plan-making will be progressed jointly with Cambridge City Council and Cambridgeshire County Council. The Joint Committee would become the local planning authority for the plan-making matters specified in the Order.

Background

5. The Department of Communities and Local Government has previously indicated an expectation that the County Council, Cambridge City Council and South Cambridgeshire District Council will work towards the creation of a joint policy committee for the planning of growth on the edge of Cambridge. The Joint Committee is seen as an integral part of the joint working arrangements for growth in the area as agreed by the three authorities and Cambridgeshire Horizons with DCLG in 2007.
6. Future Government funding for the joint planning arrangements already in place is dependent on the establishment of this "Section 29" Committee, as is the rolling fund needed to enable early implementation of infrastructure.
7. Council agreed on 18 October 2007 to draft terms of reference for the joint plan making Committee as the basis of joint negotiation with DCLG. Working with the Portfolio Holder and his equivalents at the City and County Council, officers from the three authorities have drafted more detailed proposals, which have been the subject of initial discussions with GO-East and DCLG.
8. Government officials have now clarified their views on the process and timetable, which envisage the setting up of the Committee at the earliest opportunity.

Proposed Process for the Establishment of the Section 29 Committee

9. A draft Local Agreement between the three authorities is being taken formally for Council resolutions on the following dates:
 - Cambridge City Council 24th January 2008
 - South Cambridgeshire District Council 31st January 2008
 - Cambridgeshire County Council 19th February 2008
10. The Agreement will include a formal request to the Secretary of State to place an Order before Parliament to establish the Joint Section 29 Committee. It is important that the process for the agreement follows the timetable above in order to release essential delivery funding in the near future.
11. The Secretary of State will consult on the draft Order before consideration by Parliament. It is envisaged that the Committee could be established by the summer of 2008.

Content of the Agreement

12. The Joint Committee will be responsible for plan-making for specified major development sites around Cambridge:
 - (a) Cambridge East Area Action Plan;
 - (b) Cambridge North West Area Action Plan; and
 - (c) Cambridge Northern Fringe East Policy Area.
13. The North West Area Action Plan has progressed to the Preferred Options stage. There are significant policy issues remaining to be determined in the Cambridge Northern Fringe and considerable additional planning work needs to be undertaken for Cambridge East, which will provide around 12,000 homes.

14. The draft Local Agreement is **attached** and includes as appendices:
- (1) Terms of Reference;
 - (2) The Designated Area; and
 - (3) A first draft of the Order.

15. Key features of the agreement to note include:

Powers

- A. The Committee will have responsibility for development planning (including minerals and waste) of the local authorities within the designated area for the matters specified in the Order;
- B. The local authorities may jointly add or remove areas for joint planning by agreement as appropriate.

Membership

- C. The Committee to consist of nine members, three from each authority;
- D. Each member to be entitled to a vote;
- E. Named substitutes to be appointed by each authority;
- F. Chairmanship and vice-chairmanship to be shared by Cambridge City Council and South Cambridgeshire District Council (as the principal local planning authorities). The chairman will not have a casting vote;
- G. A quorum of 6 members, 2 from each authority;
- H. The Committee may invite other bodies to nominate co-opted members but they would not be entitled to vote.

Administration, Staffing and Costs

- I. Administration of the Committee to be alternated annually between Cambridge City Council and South Cambridgeshire District Council;
- J. Staff will be made available to discharge the functions of the Committee from within the existing resources of the three authorities (and by agreement from any bodies with co-opted membership);
- K. If additional consultancy assistance is required by the Committee it will be funded by Cambridgeshire Horizons;
- L. Joint working arrangements will be on the basis already successfully employed in cross boundary plan-making but will be kept under review;
- M. The planning policy managers of the City and District Councils will generally manage the work programme of the Joint Committee (or the County Council in the case of minerals and waste planning).

Termination of the Joint Committee

- N. The Committee may be terminated at the request of any of the three authorities with the agreement of the Secretary of State.

Considerations

16. The Council has been working by agreement with Cambridge City Council and in consultation with Cambridgeshire County Council to produce Joint Area Action Plans since 2004. Cambridge East Area Action Plan which has been prepared jointly with Cambridge City Council is recommended for adoption at this Council meeting and is proposed to be adopted by the City Council at its meeting on 21st February. The Council is currently working with Cambridge City Council on a Joint Area Action Plan for University land at North West Cambridge.
17. Involving the County Council in plan-making for which it only has powers for minerals and waste is seen by the Secretary of State as important to assisting with wider planning of the new developments which will result in improvements in the delivery of key services, facilities and infrastructure.
18. The plans that will be prepared by the Joint Committee will be required to be in conformity with the Core Strategies of the three Councils and relevant District-Wide policies will also apply. As with joint plans already prepared with Cambridge City Council, the presumption will be that urban standards for car parking etc will apply to ensure consistent and appropriate levels of provision with the rest of the urban area of Cambridge.

Options

19. South Cambridgeshire and Cambridge City Council could continue to produce joint plans by agreement. However, agreeing to the formation of a Joint Committee will make available to Cambridgeshire Horizons an additional £700,000 of growth area funds and a rolling fund for development related infrastructure within South Cambridgeshire and Cambridge City. The rolling fund will first be used to advance fund the second phase of the Addenbrookes Access Road (to cross the mainline railway and which is time critical in order to secure the rail possession).

Implications

20.	Financial	The Local Development Schemes of South Cambridgeshire and Cambridge City Councils already include provision for the plans which will become the responsibility of the Joint Committee and therefore additional costs are unlikely to be incurred.
	Legal	The Council would cede those of its plan-making powers to the Joint Committee as are specified in the Order.
	Staffing	The Local Development Schemes of South Cambridgeshire and Cambridge City Councils already include provision for the plans which will become the responsibility of the Joint Committee and therefore additional staff are unlikely to be required.
	Risk Management	The Joint Committee will be the sole decision-making body. An additional £700,000 of growth area funds and a rolling fund will be made available to Cambridgeshire Horizons for development within South Cambridgeshire and Cambridge City.
	Equal Opportunities	No additional implications.

Consultations

21. Consultation has taken place with the Department for Communities and Local Government, Cambridge City Council and Cambridgeshire County Council.

Effect on Annual Priorities and Corporate Objectives

22. Affordable Homes	40% of the dwellings that will be provided will be affordable.
Customer Service	The three Councils will provide the same high levels of customer service as they do for all their plan-making services.
Northstowe and other growth areas	Whilst only those growth areas specified in the Order will come within the purview of the Joint Committee, all growth areas within South Cambridgeshire could potentially benefit from the additional growth area funds and the rolling fund.
Quality, Accessible Services	No additional implications.
Village Life	Indirect benefits of additional government funding improving the services, facilities and infrastructure of the two Districts e.g. Addenbrookes Access Road.
Sustainability	The Joint Committee will oversee the preparation of Joint Plans which will have sustainable development as one of their primary objectives.
Partnership	The Joint Committee will formalise existing partnership working.

Conclusions/Summary

23. The Department of Communities and Local Government (CLG) has proposed that the County Council, Cambridge City Council and South Cambridgeshire District Council set up a joint policy committee for the planning of growth in the Cambridge area. The Joint Committee would become the local planning authority for the plan-making matters specified in the Order. A Joint Committee is seen as an integral part of the joint working arrangements for growth in the area as agreed by the three authorities and Cambridgeshire Horizons with CLG in 2007.
24. Establishing the Section 29 Committee will formalise existing partnership working. The plans that the Committee will oversee are already included within the forward plans of the two District Councils and establishing the Joint Committee should not add to costs but will secure additional government funding for implementation.

Recommendations

25. It is recommended that:
1. The Council enters a Local Agreement with Cambridgeshire County Council and Cambridge City Council to establish a Section 29 Committee for relevant fringe areas of Cambridge;
 2. In consequence of (1) above, the Council makes a formal request to the Secretary of State for Communities and Local Government to publish an Order for the establishment of a Joint Policy Committee for the Cambridge Fringes under Section 29 of the Planning & Compulsory Purchase Act 2004; and
 3. The Council notes that final proposals will be referred back to the Council when the Secretary of State consults upon the draft Order, although consideration will be

restricted by the terms of the Local Agreement to which the Council will be a signatory

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

Planning and Compulsory Purchase Act 2004

The Luton and South Bedfordshire Joint Committee Order 2007

The North Northamptonshire Joint Committee Order 2005

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CAMBRIDGE CITY FRINGES

**ESTABLISHMENT OF A JOINT COMMITTEE TO FACILITATE JOINT
WORKING IN RELATION TO PLAN MAKING**

LOCAL AGREEMENT

Local Agreement - Principles

1. This Local Agreement to establish a Joint Committees under Section 29 of the Planning & Compulsory Purchase Act 2004 (“the Section 29 Committee”) is made between:
 - Cambridge City Council
 - South Cambridgeshire District Council
 - Cambridgeshire County Council(“the local authorities”).
2. The local authorities have decided to formalise their informal joint working arrangements for the preparation of cross-boundary Local Development Documents and other planning policy guidance.
3. To comply with Regulation 12 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000, the members of the Section 29 Committee will be appointed from the whole membership of the local authorities.
4. The Section 29 Committee will have responsibility for all development planning (including minerals and waste) of the local authorities to be discharged within the designated area. District or County wide policies of the local authorities will apply within the designated area and the local development documents and other planning policy guidance prepared by the Section 29 Committee will add local policies and proposals specific to the designated area. Local Development Documents prepared by the Section 29 Committee will be required to be in conformity with the Core Strategies of the local authorities.

12. The local authorities have agreed that the chair of the Section 29 Committee shall alternate on an annual basis between Cambridge City Council and South Cambridgeshire District Council.
13. Where the Chairman of the Committee is a member of Cambridge City Council the Vice Chairman shall be a member of South Cambridgeshire District Council and vice versa.
14. Any casual vacancy in the post of Chairman or Vice-Chairman shall be filled by the Section 29 Committee electing a voting member of the Committee to serve as Chairman, or, as the case may be, Vice Chairman until the next Annual Meeting of the Section 29 Committee and, so far as is possible any voting member so elected shall be a member of the same local authority as the immediately preceding Chairman or Vice Chairman.

Tenure of Office

15. Each member of the Section 29 Committee shall serve on the Section 29 Committee for as long as he or she is appointed to the Section 29 Committee by the relevant local authority but a member shall cease to be a member of the Section 29 Committee if he or she ceases to be a member of the local authority which appointed him or her or is disqualified or suspended from being a member of any of the local authorities.

Meetings and Proceedings

16. The Section 29 Committee shall meet as frequently as necessary to prepare and adopt Development Plan Documents, Supplementary Planning Documents and such other informal planning policy guidance as are set out in a Local Development Scheme agreed by the Section 29 Committee.
17. Meetings of the Section 29 Committee shall be held within the designated area or alternated between locations in Cambridge and South Cambridgeshire.
18. A meeting of the Section 29 Committee shall require a quorum of 6 members, including at least 2 members from each of the local authorities.
19. If the Chairman and Vice-Chairman are absent, a Chairman shall be appointed for the duration of the meeting by election by the members present.
20. Each member of the Section 29 Committee shall have one vote.
22. A named substitute who attends a whole meeting of the Section 29 Committee as a substitute for an absent member in accordance with paragraph 9 shall have full voting powers.
23. Subject to the provisions of any enactment, all questions coming or arising before the Section 29 Committee shall be decided by a majority of the members of the Section 29 Committee present and voting. Subject to the provisions of any enactment, in the case of an equality of votes the Chairman shall not exercise a casting vote.

24. The role of administering the Section 29 Committee shall be alternated annually between Cambridge City Council and South Cambridgeshire District Council.
25. Meetings shall be called by the administering authority, providing at least 5 clear days' notice to members of the Section 29 Committee. Notice and agenda papers will at the same time be made publicly available by posting on the local authorities' and the Section 29 Committee's websites.
26. Meetings of the Section 29 Committee will be open to the public except to the extent that they are excluded under paragraph 27.
27. The public will be excluded from a meeting of the Section 29 Committee during an item of business whenever it is likely that confidential information as defined in Section 100A(3) of the Local Government Act 1972 would be disclosed to them. The public may be excluded from a meeting of the Section 29 Committee during an item of business whenever it is likely that exempt information as defined in Section 100I of and Schedule 12A to the Local Government Act 1972 would be disclosed to them if in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
28. The Section 29 Committee will keep its procedures under review and will introduce new rules and/or procedures when necessary.

Co-opted Membership of the Joint Committee

29. The Section 29 Committee may invite other local authorities and organisations to be Co-opted Members of the Section 29 Committee.
30. Each of these bodies shall be entitled to appoint one person as a Co-opted Member of the Section 29 Committee.
31. Co-opted Members shall have no right to vote on questions coming or arising before the Section 29 Committee.
32. The Section 29 Committee shall have the right to exclude Co-opted Members from any meeting or part of a meeting from which the public is excluded.

Sub-Committees

33. The Section 29 Committee may appoint a Member Steering Group comprising the Chairman, Vice-Chairman and a representative of Cambridgeshire County Council for the purposes of providing advice to the officers on the Section 29 Committee's work and of more detailed examination of particular issues.
34. The Section 29 Committee may appoint sub-committees comprising members and Co-opted Members for the purpose of more detailed examination of particular issues.
35. The work and decisions of Sub-Committees shall be reported to the Section 29 Committee for information or approval as appropriate.

Staffing the work of the Section 29 Committee

36. The Section 29 Committee will be operated on the basis of informal sharing of the administrative burden between Cambridge City Council and South Cambridgeshire District Council – alternate clerking and venues with a nominated officer team to liaise and ensure continuity. References in this Agreement to the Secretary to the Section 29 Committee shall be construed as references to the local authority responsible for the administrative arrangements in relation to any particular meeting of the Section 29 Committee.
37. The local authorities and any bodies invited to nominate Co-opted Members to the Section 29 Committee will each allocate staff resources to undertake the Section 29 Committee's work programme, as defined in the Joint Local Development Scheme and to respond to consultation on any matters related to the work programme. The level of staff provision will be identified having regard to the work programme of the Section 29 Committee and will be reviewed on an annual basis by the local authorities to ensure an equitable provision from the local authorities.
38. Existing planning and other relevant policy staff of the local authorities will be made available, in accordance with this Agreement, as necessary to enable the Section 29 Committee to discharge its functions. The Section 29 Committee may make arrangements with any of the authorities for the services of any officer of that local authority to be placed at the disposal of the Section 29 Committee for such period as may be agreed between the Section 29 Committee and that local authority. Joint technical working will be by electronic exchange of working documents, telephone and e-mail contact, and regular meetings. These working arrangements have previously been employed successfully for the preparation and adoption of Joint Area Action Plans and other cross-boundary plan-making but will be kept under review.
39. The Planning Policy Managers of the 2 District Councils will manage the Section 29 Committee's work programme and co-ordinate the resources made available by the local authorities and those bodies invited to nominate Co-opted Members. In the case on minerals and waste planning his function will be undertaken by an appropriate officer from the County Council.
40. Consultants may be retained by the Section 29 Committee to assist with its work programme where adequate staff resource is not available from the local authorities or where specialist skills are required.
41. Staff, accommodation and administrative costs will be borne by the local authorities from within existing and future budgets except the costs of any necessary consultants which will be borne by Cambridgeshire Horizons or any successor local delivery vehicle. These costs will be reviewed each year by the Section 29 Committee and by the local authorities and the local delivery vehicle to ensure that adequate budget provision is made by the local authorities to meet the full cost of the Section 29 Committee's annual work programme.

Termination of the Local Agreement

42. In the event that any one of the local authorities requests the Secretary of State to revoke the order constituting the Section 29 Committee and the Secretary of State agrees to that request:

- The powers of the Section 29 Committee will revert to the local authorities.
- Any retained consultancy assistance will be terminated

The local authorities formally request the Secretary of State to place on Order before Parliament to establish a Section 29 Committee for the purposes and terms set out in this local agreement.

Cllr I. Nimmo-Smith
Leader
Cambridge
City Council

Cllr R. Manning
Leader
South Cambridgeshire
District Council

Cllr K. Walters
Leader
Cambridgeshire
County Council

Appendix 1

Terms of Reference of the Section 29 Committee

1. The Section 29 Committee will act on behalf of the local authorities with full delegation of powers in the following matters within the designated area.
2. Preparation, approval/adoption and maintenance of a Local Development Scheme and Local Development Documents for specified City fringe sites. Once adopted the Local Development Documents will become the formal policy of the local authorities.
3. To oversee the consultation and liaison arrangements needed in respect of the Section 29 Committee's functions and to co ordinate with Local Strategic Partnership and Community planning activities.
4. To oversee the resources, budget and work programme for all joint technical work, including appointment of consultants and the establishment, and steering of the officer working arrangement established by the local authorities.
5. The initial work programme of the Section 29 Committee is to be based on the existing programmes in the Local Development Schemes of the local planning authorities, except where it is agreed that other additional plans could be beneficial.
6. District-wide planning policy which would apply within the area covered by the Committee will continue to be exercised by the Constituent County and District Councils
7. The normal presumption for development which are urban extensions is that standards of provision for car parking, public open space, recreation etc will be taken from this District-Wide policies for Cambridge City both to ensure consistent provision across the developments and in recognition that they will be urban developments. (This has been the approach with the Joint Area Action Plans and other fringe Area Action Plans produced before the establishment of the Section 29 Committee).

APPENDIX 2

THE DESIGNATED AREA

A4 plans to be inserted in hard copy.

APPENDIX 3

The local authorities have prepared the following draft order to give effect to the terms of the local agreement.

[DCLG xxxx]

STATUTORY INSTRUMENTS

2008 No. xxxx

TOWN AND COUNTRY PLANNING, ENGLAND

The Cambridge and South Cambridgeshire Joint Committee Order 2007

Made - - - - day month 2008

Laid before Parliament day month 2008

Coming into force - - day month 2008

The Secretary of State, in exercise of the powers conferred by section 29 of the Planning and Compulsory Purchase Act 2004(a), makes the following Order:

Citation and commencement

1. This Order may be cited as the Cambridge and South Cambridgeshire Joint Committee Order 2008 and shall come into force on day month 2008.

Interpretation

2. In this Order—

“the 1972 Act” means the Local Government Act 1972;

“the 2004 Act” means the Planning and Compulsory Purchase Act 2004;

“the Agreement” means the Agreement dated day month 2007 between the constituent authorities;

“the constituent authorities” means the authorities specified in article 3(2);

“co-opted member” means a member of the joint committee appointed in accordance with article 5(5);

“the joint committee” means Cambridge Fringes Joint Policy Committee; and

“sub-committee” means a sub-committee appointed in accordance with article 8(1).

Establishment of the joint committee

3.—(1) A joint committee, to be known as the Cambridge Fringes Joint Policy Committee, is constituted as the local planning authority for the purposes of Part 2 (local development) of the 2004 Act for those parts of the administrative areas of Districts of Cambridge City and South Cambridgeshire where cross-boundary planning of urban fringe sites requires the preparation of Local Development Documents covering:

- (a) North West Cambridge;
- (b) Cambridge Northern Fringe East; and
- (c) Cambridge East

in respect of the matters specified in article 4(1) (being matters specified in the Agreement).

(2) The following authorities are specified as those which are to constitute the joint committee—

- (a) Cambridgeshire County Council;
- (b) Cambridge City Council; and
- (c) South Cambridgeshire District Council.

Functions of the joint committee

4.—(1) The matters referred to in article 3(1) are the exercise of all functions conferred on a local planning authority by or under Part 2 of the 2004 Act except those functions conferred by or under the following provisions of the 2004 Act—

- (a) section 13 (survey of area);

(b) section 14 (survey of area: county councils);

(2) The Joint Committee will be the local planning authority only for those planning policies, proposals or policy guidance which are specific to the areas of cross-boundary planning. The Core Strategies and District/County-Wide planning policies, proposals or policy guidance of the relevant local planning authority will continue to have effect in the areas of cross-boundary planning.

(3) Section 15 (local development scheme) of the 2004 Act shall apply in relation to the joint committee and the matters specified in paragraph (1) as if—

(a) for paragraph (b) of subsection (3) there were substituted—

“(b) submit their local development scheme to the Secretary of State not later than DAY MONTH 2008;” and

(b) for paragraph (c) of subsection (3) there were substituted—

“(c) at that time send a copy of their scheme to the RPB(a).”.

Membership of the joint committee and voting rights

5.—(1) The joint committee shall consist of—

(a) 3 members appointed by Cambridgeshire County Council;

(b) 3 members appointed by Cambridge City Council;

(c) 3 members appointed by South Cambridgeshire District Council; and

(d) such number of co-opted members as may be appointed pursuant to paragraph (5).

(2) The members appointed by the constituent authorities shall be entitled to vote at a meeting of the joint committee on any question that falls to be decided at that meeting; and the members so appointed are referred to in the following provisions of this Order as voting members.

(3) Each constituent authority shall appoint a substitute for each voting member it appoints; and where paragraph 1(6)(c) of the Schedule applies, a substitute shall be entitled to vote at the meeting of the joint committee as regards which he/she is deemed to be a voting member, on any question which falls to be decided at that meeting.

(4) A constituent authority shall not appoint as a voting member or substitute a person who is not a member of that authority.

(5) The joint committee may invite other bodies to participate in proceedings of the joint committee, and each body that accepts such an invitation shall appoint one member of the joint committee (a “co-opted member”).

(6) A co-opted member shall not be entitled to vote at any meeting of the joint committee on any question which falls to be decided at that meeting.

(7) Voting members and substitutes shall be entitled to recover from the constituent authority by which they are appointed any expense they incur in connection with the discharge of the joint committee’s functions.

Disqualification for membership of the joint committee

6.—(1) A person who is disqualified under Part 5 (general provisions as to members and proceedings of local authorities) of the 1972 Act for being elected or being a member of a local authority shall be disqualified from being a member of the joint committee.

(2) Section 92(a) (proceedings for disqualification) of the 1972 Act, with the exception of subsections (7) and (8), shall apply with respect to membership of, or claims to be entitled to act as a member of, the joint committee as it applies to membership of, or claims to be entitled to act as a member of, a local authority.

Tenure of office

7.—(1) A voting member of the joint committee shall hold office until one of the following occurs—

(a) he/she resigns in accordance with paragraph (4);

(b) he/she is removed or replaced by the constituent authority which appointed him/her;

or

(c) he/she ceases to be a member of a constituent authority (and does not on the same day again become a member of that or any other constituent authority).

(2) A co-opted member of the joint committee shall hold office until one of the following occurs—

(a) he/she resigns in accordance with paragraph (4);

(b) he/she is removed or replaced by the body which appointed him/her; or

(d) the joint committee decides that the body which appointed him/her may no longer participate in proceedings of the joint committee.

(3) A person who ceases to be a voting member of the joint committee shall be eligible for reappointment.

(4) Any member of the joint committee may resign his membership by sending written notice delivered—

(a) in the case of a member appointed by a local authority, to the proper officer of the local authority which appointed him/her;

(b) in any other case, to the body which appointed him/her.

(5) Any casual vacancy shall be filled as soon as practicable by the body which appointed the member of the joint committee whose membership has ceased.

Sub-committees

8.—(1) The joint committee may, in accordance with paragraphs (2) and (3), appoint one or more sub-committees.

(2) Each person appointed as a member of a sub-committee must be a member of the joint committee.

(3) Subject to paragraph (2), the persons appointed to a sub-committee and its terms of reference shall be determined by the joint committee.

Meetings and proceedings

9.—(1) The meetings and proceedings of the joint committee shall be conducted in accordance with the rules set out in the Schedule to this Order.

(2) Sub-paragraphs (5) and (6) of paragraph 1 of the Schedule (meetings) and sub-paragraph (1) of paragraph 6 of the Schedule (proceedings of meetings) shall apply with respect to meetings of a sub-committee as if references to the joint committee were references to the sub-committee.

Secondments

10.—(1) The constituent authorities shall make secondments, in accordance with the Agreement, of such officers as they think necessary to enable the joint committee and sub-committees to discharge their functions.

(2) The joint committee may make arrangements with a constituent authority for the services of any officer of that authority or other person engaged by that authority to be placed at the disposal of the joint committee or a sub-committee for such period as may be agreed between the joint committee and the constituent authority.

(3) The joint committee may make arrangements for the services of any person employed by a body which has appointed a co-opted member to be placed at the disposal of the joint committee or a sub-committee for such period as may be agreed between the joint committee and the body.

Expenses of joint committee

11.— Any additional expenses incurred by the joint committee and sub-committees shall be defrayed by Cambridgeshire Horizons or any successor local delivery vehicle.

Signed by authority of the Secretary of State for Communities and Local Government

Parliamentary Under Secretary of State

day month 2008 Department for Communities and Local Government

SCHEDULE

Article 9

RULES FOR THE CONDUCT OF MEETINGS AND PROCEEDINGS OF THE JOINT COMMITTEE

Meetings

- 1.—(1) The joint committee shall in every year hold an annual meeting.
- (2) The first meeting held after 31st May in any year shall be the annual meeting.
- (3) The joint committee may in every year hold, in addition to the annual meeting, such other meetings as they may determine.
- (4) At least five clear days before a meeting of the joint committee—
 - (a) a summons to attend the meeting, specifying the agenda for that meeting, and signed by the proper officer of a constituent authority shall be left at or sent by post to the usual place of residence of every member of the joint committee with a copy to the proper officer of each of the other constituent authorities; and
 - (b) notice of the time and place of the intended meeting shall be published—
 - (i) at the offices of each constituent authority; and
 - (ii) on the websites of the joint committee and each constituent authority.
- (5) If a voting member is unable to attend any meeting of the joint committee he shall inform the chair of the joint committee in writing as soon as practicable and in any event not later than 24 hours before the meeting is due to take place.
- (6) Where the chair receives notification in accordance with sub-paragraph (5)—
 - (a) the voting member giving the notification shall be deemed not to be a member of the joint committee for the whole of the meeting to which the notification relates;
 - (b) the voting member's substitute may attend the meeting in his place; and

- (c) the voting member's substitute shall be deemed to be a voting member of the joint committee for the whole of that meeting.

Appointment of chair and vice-chair

2.—(1) Subject to sub-paragraphs (4) and (5), the joint committee shall at their annual meeting appoint a chair and a vice-chair from among the voting members of the joint committee.

(2) The chair and vice-chair shall, unless they resign their office or cease to be members of the joint committee, continue in office until their successors become entitled to act.

(3) In the case of an equality of votes in respect of the appointment of a chair or the appointment of a vice-chair, the person presiding at the meeting shall give a casting vote in addition to any other vote he may have.

(4) The chair and vice-chair shall not be members of—

(a) Cambridgeshire County Council; or

(b) the same constituent authority.

(5) A member of a constituent authority may not be appointed as chair if any other member of that authority has held that office (otherwise than to fill a casual vacancy) in the previous 12 months.

Casual vacancies

3.—(1) This paragraph applies if a casual vacancy occurs in the office of chair or vice-chair of the joint committee.

(2) The vacancy shall be filled by the appointment by the joint committee of one of their voting members at the next meeting.

(3) The person so appointed shall hold office until the next annual meeting.

(4) The person so appointed shall be a member of the same constituent authority as the person in whose place he/she is appointed.

Conduct of meetings

4.—(1) At a meeting of the joint committee the chair if present shall preside.

(2) If the chair is absent from a meeting of the joint committee the vice-chair shall preside.

(3) If both the chair and vice-chair are absent, another voting member of the joint committee, chosen by the voting members of the joint committee present at the meeting, shall preside.

Quorum

5. No business shall be transacted at a meeting of the joint committee unless at least two voting members from each of the District Councils and the County Council are present.

Proceedings of meetings

6.—(1) All questions coming or arising before a meeting of the joint committee shall be decided by a majority of the voting members of the joint committee present and voting at that meeting.

(2) The minutes of the proceedings of each meeting of the joint committee shall be drawn up and shall be signed at the next ensuing meeting of the joint committee by the person presiding at that next meeting.

(3) A copy of the minutes of the proceedings of each meeting of the joint committee shall be sent to the proper officer of each constituent authority within 14 days after the date of the meeting at which they were signed.

(4) The names of the members present at each meeting of the joint committee shall be recorded in the minutes of the proceedings of that meeting.

Admission to meetings

7.—(1) The following provisions of the 1972 Act shall apply with respect to meetings of the joint committee as though references to a principal council were references to the joint committee:

(a) section 100A (admission to meetings of principal councils), with the exception of subsections (6), (7) and (8);

(b) section 100I(1) (exempt information); and

(c) paragraphs 1 to 11 of Schedule 12A (access to information: exempt information).

(2) Where the public have been excluded from the whole or part of a meeting of the joint committee in accordance with the provisions referred to in sub-paragraph (1), the joint committee may exclude co-opted members from that meeting or (as the case may be) the relevant part of that meeting.

Standing orders

8. Subject to the provisions of this Order the joint committee may make standing orders for the regulation of their proceedings and may vary or revoke any such orders.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on **day month year**, establishes a joint committee for planning cross-administrative boundary sites in Cambridge and South Cambridgeshire. The constituent authorities are Cambridgeshire County Council, Cambridge City Council and South Cambridgeshire District Council.

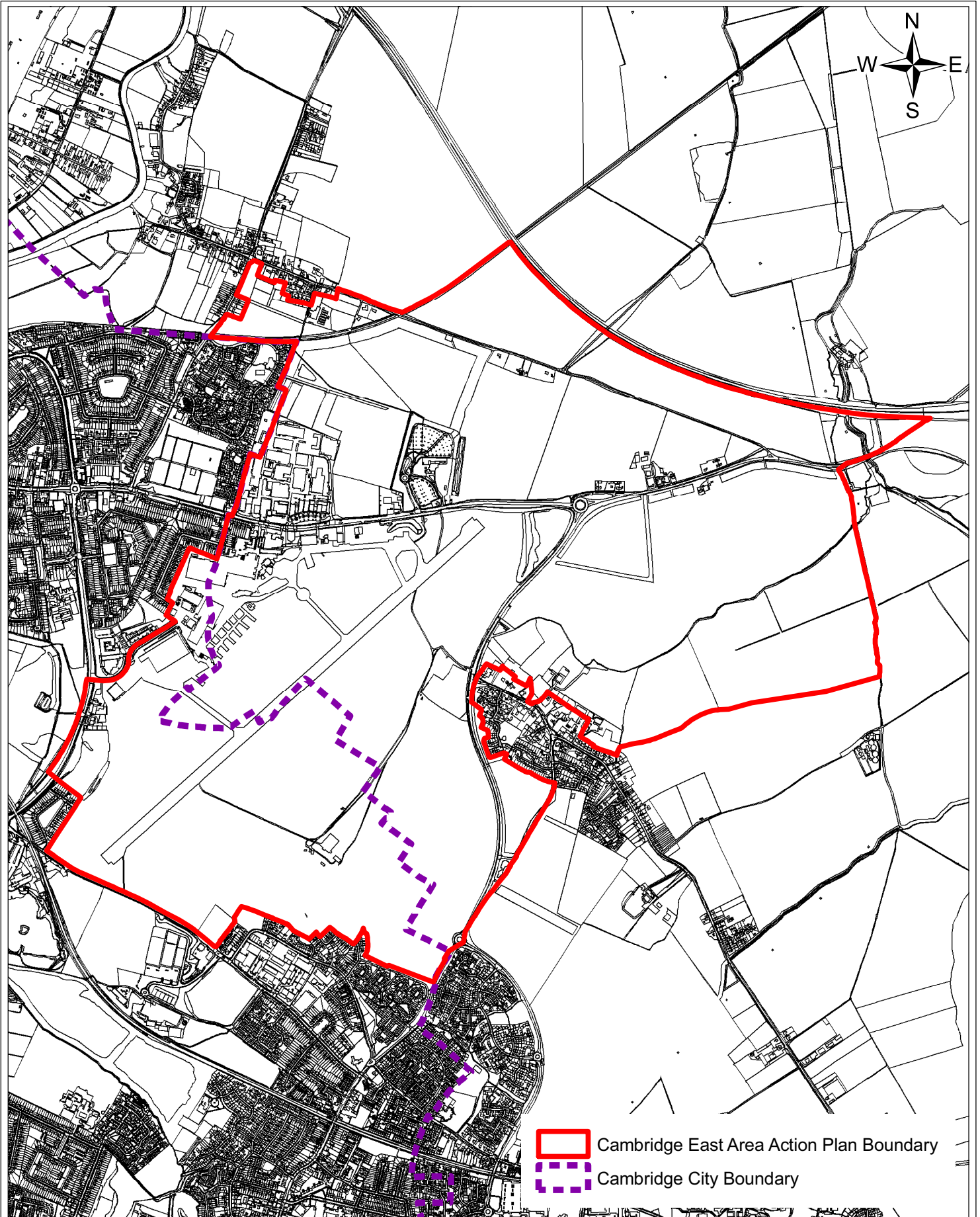
Article 3 of the Order constitutes the joint committee as the local planning authority for the areas where Cambridge City Council and South Cambridgeshire District Council agree that joint cross-administrative boundary Local Development Documents should be prepared. It and article 4 provide for the joint committee to exercise the functions of a local planning authority under Part 2 of the Planning and Compulsory Purchase Act 2004 with the exception of functions relating to minerals and waste development planning. Article 4(2) modifies section 15 of that Act so as to require the joint committee to submit their local development scheme to the Secretary of State not later than day month 2008, and to send a copy of it to the Regional Planning Board.

Articles 5 to 11 deal with membership and disqualification, tenure of office, sub-committees, meetings and proceedings, secondments and expenses.

The Schedule to the Order makes further provision as to meetings and proceedings of the joint committee and enables the joint committee to make standing orders for the regulation of their proceedings.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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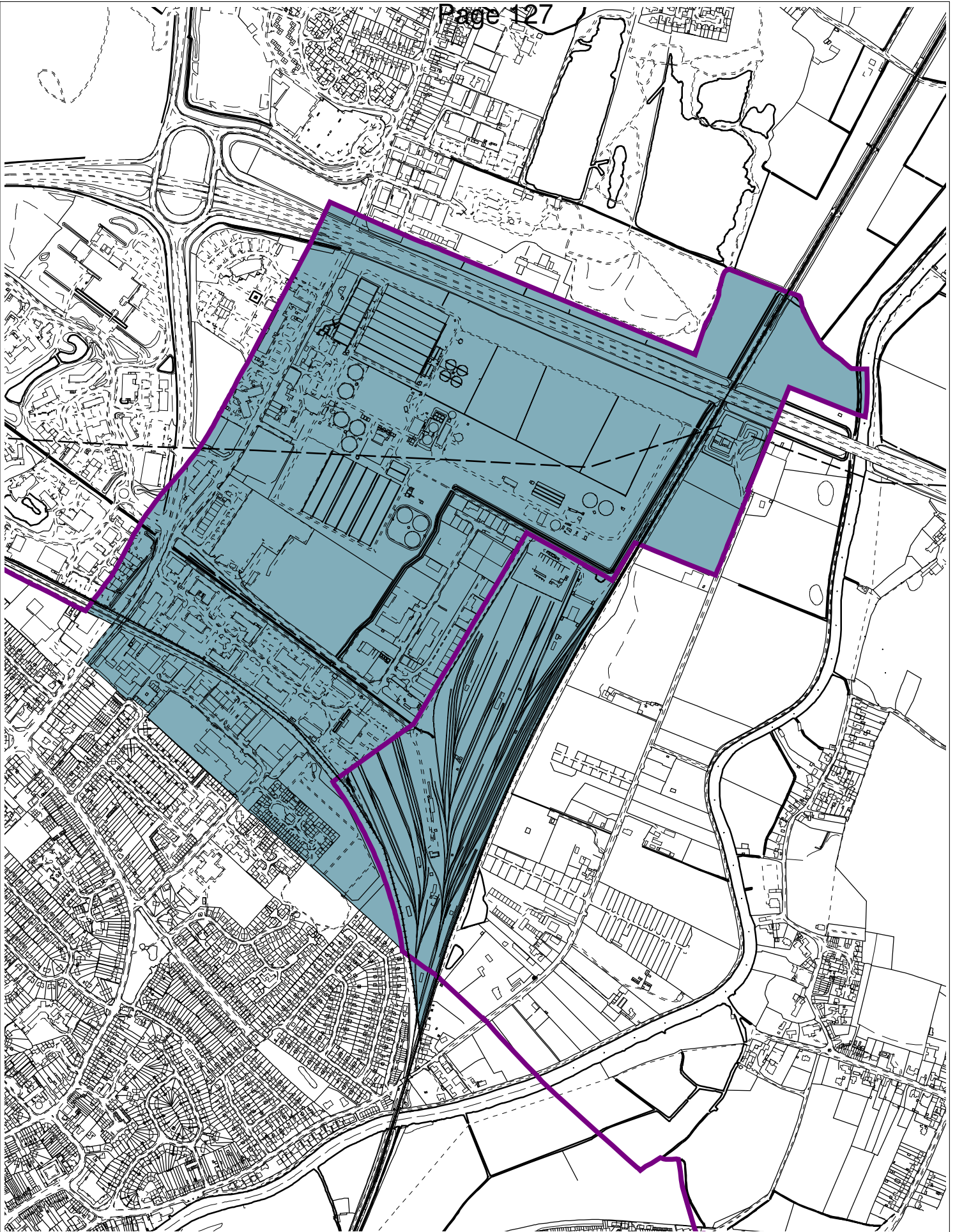


Cambridge East Area Action Plan Boundary

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Date:	17th January 2008
Produced by:	Matthew Merry
Section/Department:	Policy & Projects, Environment & Planning
Scale:	1:19,500

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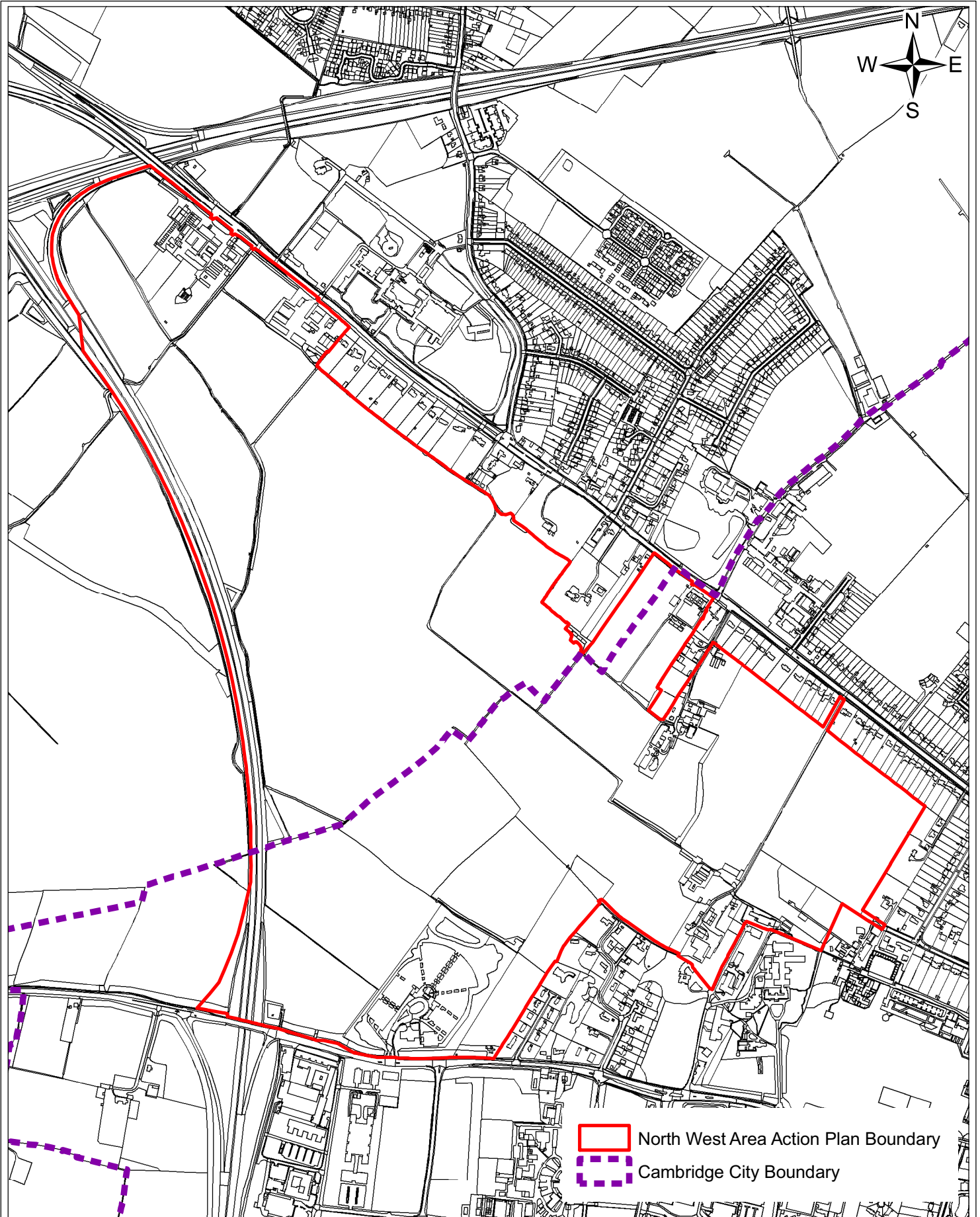
Cambridge Northern Fringe East Study Area

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Date:	02/05/03
Drawn By:	James Wilson
Section / Department:	Policy & Projects, Environment & Planning
Scale:	1:10,000



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North West Area Action Plan Boundary

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Date:	17th January 2008
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Section/Department:	Policy & Projects, Environment & Planning
Scale:	1:11,000

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Council	31 January 2008
AUTHOR/S:	Corporate Manager (Planning & Sustainable Communities)	

**SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK:
ADOPTION OF CAMBRIDGE SOUTHERN FRINGE & CAMBRIDGE EAST
AREA ACTION PLANS**

Purpose

1. The Cambridge Southern Fringe and Cambridge East Area Action Plans, key documents of the South Cambridgeshire Local Development Framework, are now at the end of the plan making process, the binding reports of the independent Inspectors having been received. This report recommends the Cambridge Southern Fringe and Cambridge East Area Action Plans now be adopted.

Background

2. The Council Submitted the Cambridge Southern Fringe and Cambridge East Area Action Plans (AAP) to the Secretary of State in January 2006, alongside four other DPDs; Core Strategy DPD, Development Control Policies DPD, Site Specific Policies DPD, and Northstowe AAP. This marked the start of a statutory six-week period of public consultation during which representations could be made. Following this, further six-week periods of public consultation were held in March – April 2006 and June – July 2006 on ‘Objection Sites’ and ‘Site Allocation Policies Representations’, in accordance with planning regulations. A public Examination into the “soundness” of the plans followed, conducted by independent Inspectors, with hearings held for the Cambridge Southern Fringe AAP in June 2007 and Cambridge East AAP in July 2007, during which the Inspectors considered representations made on the Submission plans and Objection Sites. The Council received its binding Inspector’s Reports in October 2007 and December 2007 respectively. Subject to a number of recommendations from the Inspectors both plans were found to be “sound”.

Binding Inspector’s Report for Cambridge Southern Fringe AAP

3. The Inspector’s overall conclusion is that the Cambridge Southern Fringe AAP is sound with the relatively modest changes he recommends. He comments that it is one of the first DPDs to have reached this stage under the new system of plan making and recognises that the Council has had to interpret the legislation and initial Government and other advice during the preparation of this and other DPDs. Although the inspector comments that it would not normally be expected that the consequence of an examination would be so many detailed changes to a plan he recommends relatively few changes of significance. The Inspector also comments that much has emerged during the preparation for and during the examination and that he has no doubt that if the Council were starting the process afresh, the document may well have looked rather differently.

4. The main features of the Inspector's Report include:

- *Coverage of the AAP* - The AAP included proposals for development on adjoining land within Cambridge to contribute to mitigating measures within South Cambridgeshire. The Inspector has concluded that the AAP cannot control development in the area of another local planning authority, although it can set out the proposals which it is intended to implement to meet the needs and mitigate effects of development, with the inclusion in the reasoned justification of wording to show how resources would be secured.
- *The Setting of The Cambridge Southern Fringe* - The Inspector supports the revision to the Cambridge Green Belt boundary to allow for development at Trumpington West, accepting there are exceptional circumstances to justify alteration to the boundary.
- However, the Inspector does not consider there to be exceptional circumstances for altering the Green Belt boundary to exclude sites from the Green Belt on the edge of Great Shelford, the Inspector felt some of the potential housing sites elsewhere are much better placed in the sequential approach to be used in the allocation of land if additional development land is needed.
- *Trumpington Country Park* – A small part of the north eastern part of the country park is deleted as the Inspector considers there to be sufficient land to provide mounding and landscaping for visual relief and noise attenuation, and the open space content of the planning application for the Trumpington development is greater than required to serve the population.
- *The Structure of Trumpington West* - The Inspector proposes that the section of the policy dealing with the treatment of the edges of the development be retained and renamed “The Design of the Edge of Trumpington West” in order to guide the design of important boundaries between the new development and the Green Belt, the River Cam Valley, and the southern approaches to the City.
- With regards the issue of building height of development fronting the River Cam, whilst recognising the sensitivity of the location, the Inspector considers the reference to 2 storey development to be unsound in that it prejudices the outcome of what should be a design process.
- *Housing* – The Inspector considers the approach to affordable housing should be consistent the Northstowe AAP. The Development Control Policies DPD requires that 40% or more of the dwellings should be affordable, and is the starting point for negotiations, then the circumstances affecting the site can be taken into account. The Inspector considers the policy should state this, and the indicative mix in the reasoned justification deleted.
- The Development Control Policies DPD also contains a policy on Housing Mix for market housing, which is flexible enough to allow the circumstances at Trumpington West to be taken into account when deciding a housing mix.

However, the Inspector feels there are specific circumstances at Trumpington West which should be referred to in the reasoned justification to provide clarity and to reflect local circumstances.

- *Transport* - The Inspector considers there to be an inadequate evidence base to justify restricting the occupation of any dwellings until the completion of the Addenbrooke's Access Road, and this clause is deleted. Part 1 of the policy better expresses the objective of preventing a material worsening of conditions on Hauxton Road, to which Trumpington West would have access, and is amended to make it clear that the development will be phased to ensure the test is met.
- The Inspector supports the plan's approach to water conservation, and proposes a target for reduction in water use be included, as in the Northstowe AAP, in order to achieve consistency with national policy and between the DPDs. The target is for a 25% reduction in mains water use compared with conventional housing.
- *Exemplar in Sustainability* - The Inspector endorses the principle that Trumpington West should be an Exemplar in Sustainability.
- *Delivering The Cambridge Southern Fringe* - Given the sensitivity of the open countryside and availability of alternative routes, the Inspector endorses the plan's requirement that haul roads serving development at sites within the city will not be permitted in the countryside within South Cambridgeshire.

Binding Inspector's Report for Cambridge East AAP

5. The Cambridge East Area Action Plan (AAP) Inspector's Report again concludes that the plan can be made sound with relatively modest changes to the document.
6. The main features of the Inspector's Report include:
 - *Development Principles* – The Inspector considers the AAP provides the basis for the grant of planning permission for the first phases of development ahead of the airport relocation, with a general policy framework to provide an overall context for the planning and eventual development of the remainder of the urban extension. It is realistic in approach to development and its general timing, containing a policy basis for avoiding the isolation of early development and securing integration of development.
 - The Inspector broadly agrees the overarching Development Principles for the new urban extension, although with revisions in the interests of concision and to remove repetition.
 - *The Site, The Green Belt and The Green Corridor* - The Inspector considers there are exceptional circumstances to justify alteration to the Green Belt boundary; it accords with the Structure Plan, the development is needed to meet the sub-region's challenging housing requirement and it is a suitable location for a housing allocation as it is near the top of the sequence of types

of sites to be chosen for development. The Inspector finds the AAP sound in respect of the Green Belt boundaries and site of the urban extension.

- The Inspector considers the plan too prescriptive in determining the width of the green corridor as a minimum of 300m, and there is no technical analysis or guidance to support it. Instead it should be 'about 300m' and only significantly narrower if a particular justification is provided and the green corridor function is not inhibited. It will be led by design to reflect the uses within and near each section of corridor, and the ultimate form of the green corridor, and the Green Belt boundary, will be determined by masterplanning and formally set in their final configuration by the review of the AAP.
- The Inspector also considered the description of the green corridor as having an informal countryside character is too restrictive as the opportunity exists to create a multi-functional open space which could link the development areas to the north and south, and increase the biodiversity of the land. This is more likely to use land efficiently, in line with PPS3. Potential dominance of the green corridor by formal features such as playing fields can be avoided by careful masterplanning, and this can be noted in the supporting text.
- *Green Separation* - the Green Belt is an adequate means of achieving the objective. Given the strong and clear set of purposes for the Green Belt, the Inspector concludes Policy CE/6 is superfluous and should be deleted. Its effect would be to duplicate Green Belt policy, but it would also be substantially more restrictive than the latter policy.
- The Inspector considers the separation on the Proposals Map to be sufficient to maintain the identity of Teversham. However, there is not robust evidence that a minimum of 200m is justified and the precise Green Belt boundary and form of urban edge can be refined in masterplanning.
- The Inspector agreed with the Council's representation to the Green Separation Public Consultation that the protection of the tree belt near Fen Ditton is important although it is not in the Green Belt. Therefore, with the deletion of Policy CE/6, the Inspector considered Policy CE/16 should make it plain that a function of the tree belt is the separation of the new development from Fen Ditton.
- *District and Local Centres* – The Inspector considers there is no evidence that third parties will be in a position to commence the development of the district centre within a specific period, or to deliver key facilities at particular stages in the house building programme, therefore these elements of policy are premature, inflexible, and too prescriptive, and should be deleted.
- *Housing* – The Inspector considered the proportion of affordable housing would need to be 40% or more, rather than approximately 50%, to be consistent with the Development Control Policies DPD and Cambridge Local Plan, and the plan should include a reference to relocation costs, to inform negotiations at planning application stage.

- The Inspector supports the wording of the policy on housing density, being clear without being over-prescriptive, and considers it will be for the Masterplan to achieve good designs, including a well designed urban edge, within the density guidelines. Higher densities and good design can go hand in hand.
- *Transport* - The Inspector noted the urban extension had been the subject of several transport studies, using nationally recognised modelling methodologies, and that one would not expect finalised transport schemes for every phase to be available at this stage. The studies provide clear advice on what is required, and set out options for achieving the requirements and the policies require that adequate measures be in place to serve all stages of development.
- However, the Inspector considers Policy CE/13 to be over-prescriptive in setting out junction locations and requiring contributions towards improving the capacity of orbital routes when there is no evidence, at least not yet, that such capacity improvements will be required. There is also too much detail on the types of bus priority improvement measures. These issues are more appropriately addressed in the Masterplan.
- *Recreation* - The Inspector considers the country park provision is realistic but the Strategic Open Space requirement and standard are not, and should be deleted.
- *Water Strategy* - The Inspector considers substantial elements of Part 2 of Policy CE/26 to be unsound as unenforceable and they appear to duplicate other statutory duties. Some provision for waste water will be off-site and it might not be possible for developers to provide this infrastructure directly. Therefore the policy is reworded to express in a more general form and allow flexibility to overcome foul drainage problems.
- The Inspector supports the plan's approach to water conservation, and proposes a target for reduction in water use of ½ to ¼ reduction in mains water use compared with conventional housing.
- *Natural Environment and Sustainability* - The Inspector endorses the principle that Cambridge East should be an Exemplar in Sustainability.
- The Inspector did not support the statement at paragraph D14.12 that the grass runway would have to close before development north of Cherry Hinton. The Policy effectively requires an assessment of the noise impact and it may be possible to find solutions to any noise problems, therefore this statement should be deleted.
- *Delivery* - The Inspector considers Policy CE/34 Construction Strategy wording should allow for a scheme to be submitted which achieves the objectives of preventing traffic from causing disruption to the surrounding area, which can be required through planning conditions, rather than referring to a Considerate Contractors Scheme.

Next Step

7. The conclusions reached by the Inspectors are binding and the Council must incorporate the changes required by the Inspectors. Whilst it is Government policy as set out in Planning Policy Statement 12 that the Council must adopt its DPDs as soon as practicable following the receipt of the Inspector's binding report neither the Act nor Regulations which cover the adoption of DPDs contain such a requirement. The Secretary of State does however have default powers "if the Secretary of State thinks that a local planning authority are failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a development plan document." These default powers include approval of a document as a local development document (Planning and Compulsory Purchase Act 2004, Section 27(4)(i)).
8. The Cambridge Southern Fringe and Cambridge East AAPs have been prepared in compliance with the legislative and regulatory requirements for the preparation of Development Plan Documents and are now ready for adoption. These two plans are amongst the first Area Action Plans in England to have reached the examination and adoption stages. The changes that the Inspector made to Cambridge Southern Fringe AAP mainly remove references to controlling development outside its remit, and remove duplication and make the plan more concise. The changes to the Cambridge East AAP remove the Green Separation policy, relax the affordable housing requirement, reduce repetition and introduce greater flexibility through the masterplanning process.
9. Members are recommended to adopt the Cambridge Southern Fringe and Cambridge East AAP as amended in accordance with the Inspector's binding report received on 11 October 2007 and 20 December 2007 respectively (as contained in Appendices 1 and 2).
10. Once adopted, the Cambridge Southern Fringe and Cambridge East AAPs will become part of the statutory development plan for South Cambridgeshire (and Cambridge City in respect of the Cambridge East AAP). Parts of the Local Plan 2004 will remain as "saved policies" under transitional arrangements until superseded by policies in the Site Specific Policies DPD (or later with the agreement of the Secretary of State). A schedule setting out the position in relation to the policies of the Local Plan 2004 and the adopted DPDs is attached at Appendix 3.
11. On adopting the DPDs the Council is required to make the necessary changes to the adopted Proposals Map. The main features of the Inspector's Reports relating to the Proposals Map include:
 - Revised Inset Map C: Cambridge East, remove the Green Separation (land will remain in the Green Belt).
 - Revised Inset Map D: Trumpington West, slightly amend the extent of the country park
12. The revised Inset Maps are attached in Appendices 4 and 5 and will form part of the adopted Proposals Map.

13. The Council must also publish Final Sustainability Appraisal Reports and to have carried out a further process known as a Habitats Directive Assessment (HDA).
14. HDA Screening Reports have been prepared for the Cambridge Southern Fringe and Cambridge East AAP, consistent with EU guidance, and having regard to other relevant guidance. These conclude that there will be no likely significant impacts of the Plans on relevant European sites in or close to the district. These Screening Reports have been prepared in consultation with Natural England who confirmed by letter dated 2 May 2007 that they “*consider the screening matrix and accompanying documentation has been well prepared*” and that “*Natural England support the conclusion that policies in the Development Control Policies are unlikely to have significant impacts upon the European Sites located within and in the vicinity of the District, and that an Appropriate Assessment is therefore not required for this DPD*”. The same confirmation was received for the Cambridge East AAP in a letter dated 23 May 2007.
15. As with the former plan making process, the new system allows for a legal challenge to be made to the High Court. Any person aggrieved by the Cambridge Southern fringe or Cambridge East AAP may make an application under Section 113 of the Planning and Compulsory Purchase Act 2004 to the High Court on the grounds that the document is not within the appropriate powers and / or a procedural requirement has not been complied with. Any such application must be made not later than the end of the period of six weeks starting on the date on which the DPDs were adopted.

Joint Adoption of Cambridge East AAP with Cambridge City Council

16. The Cambridge East AAP is a joint plan produced with Cambridge City Council. As the legislation allows for a six-week period following the date of adoption during which any legal challenges may be made to the High Court it is necessary for the two Councils to adopt the Cambridge East AAP on the same day. Cambridge City Council will be reporting to Council on 21 February. Therefore, it is recommended that Council resolve to adopt the Cambridge East AAP on 21 February, subject to Cambridge City Council adopting on that day.
17. As a result, it is recommended that Council also defer adoption of the Cambridge Southern Fringe AAP to the same day, 21 February. This would allow the procedures under Regulations 35 and 36 to be carried out for both plans together, making more prudent use of the Council’s resources.

Options

18. There are no acceptable options to put before Members at this stage.

Implications

19.	Financial	Within existing budget.
	Legal	None, subject to there being no High Court challenge.
	Staffing	Within existing resources.

Risk Management	The effect of any slippage to the timetable could be significant to meeting the Structure Plan development strategy for the Cambridge area.
Equal Opportunities	None.

Consultations

20. There were no consultations at this stage in the plan making process, other than with Natural England on the Habitats Directive Assessment.

Effect on Annual Priorities and Corporate Objectives

21. Affordable Homes	<ul style="list-style-type: none"> • Assist the Council's objectives to deliver quality accessible development in the district. • Include the provision of affordable housing and the effective delivery of sustainable development at Northstowe and other major developments on the edge of Cambridge and development of sustainable communities. • Assist the delivery of the Community Strategy. • Be used by Cambridgeshire Horizons to help the early and sustained development of the necessary services and infrastructure.
Customer Service	
Northstowe and other growth areas	
Quality, Accessible Services	
Village Life	
Sustainability	
Partnership	

Conclusions/Summary

22. The Cambridge Southern Fringe and Cambridge East AAP are now at the end of the plan making process and can now be adopted. Following submission to the Secretary of State in January 2006, the plans have been consulted on and independently examined. The Council has received the binding Inspectors' reports that found the plans to be "sound". The next step is to formally adopt the plans when they will become part of the statutory development plan for South Cambridgeshire.

Recommendations

23. Members are invited to:
- a. **RESOLVE TO ADOPT** the Cambridge Southern Fringe and Cambridge East AAPs, as contained in Appendices 1 and 2, on 21 February 2008 (adoption of Cambridge East AAP being subject to Cambridge City Council adopting the Cambridge East AAP on that day), and proceed in accordance with Regulations 35 and 36 for both plans;
 - b. **RESOLVE TO ADOPT** the revisions to the adopted Proposals Map, as contained in Appendices 4 and 5;
 - c. **NOTE** the Sustainability Statements as contained in Appendices 6 and 7; and
 - d. **NOTE** the Habitats Directive Assessments as contained in Appendices 8 and 9.

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

Submission Cambridge Southern Fringe AAP, January 2006

Submission Cambridge East AAP, January 2006

Inspector's Report of the Examination into the South Cambridgeshire Cambridge
Southern Fringe AAP, 11 October 2007

Inspector's Report of the Examination into the South Cambridgeshire Cambridge East
AAP, 20 December 2007

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council

31 January 2008

AUTHOR/S: Chief Executive / Democratic Services Manager

CALENDAR OF COUNCIL MEETINGS FOR THE 2008-2009 CIVIC YEAR

Purpose

1. To recommend a programme of meetings for the 2008-2009 Civic Year (May-May) for consideration and agreement by Council in accordance with Standing Order 2.1.

Options

2. It is proposed that five ordinary meetings be scheduled during the 2008-2009 Civic Year, plus an Annual Meeting in May 2009 and a meeting to set the budget in February 2009.

Date	Type of meeting
17 July 2008	Ordinary
25 September 2008	Ordinary
27 November 2008	Ordinary
29 January 2009	Ordinary
26 February 2009	Budget
23 April 2009	Ordinary
21 May 2009	Annual

3. The proposal above is considered to provide the 'best fit', given that the Council is obliged to hold meetings in February each year and May, in years in which elections take place. The proposal provides for an increase of one ordinary meeting on the schedule for 2007-2008 - the addition of a meeting at the end of January 2009. Whilst this meeting will overcome the long gap which otherwise would have arisen between meetings (November to February) and will relieve pressure on the Agenda at the subsequent budget meeting, Council should be mindful that the agreement of additional meetings is contrary to previous commitments to reduce the number of meetings, places heavy additional demands on Chief Officers' time and incurs substantial printing and associated costs.

Implications

4.

Financial	The cost of Members' travelling expenses is around £375 per meeting. The cost of paper and postage is around £100 per meeting. The agreement of additional Council meetings would result in these costs rising proportionally.
Legal	There is a legal requirement for the whole Council to meet at certain times to carry out functions only it can perform such as appointing the executive and committees, deciding the budget and approving the Performance Plan. There is no laid-down number of other ordinary meetings. In years where elections are held the Annual Meeting must be held within 21 days of the retirement of the outgoing councillors (Standing Order 1.1 and the Local Government Act 1972).

Staffing	Fewer meetings during 2007-2008 have released staff, Chief Officers in particular, to carry out other of their duties in pursuance of the Council's Improvement Plan and corporate objectives.
Risk Management	None specific
Equal Opportunities	None specific

Consultations

5. The draft report has been circulated to group leaders prior to its submission to Council for consideration and approval. The meeting dates proposed take into account meetings of the County Council and school term dates for 2008-2009.
6. The Convenor of the Independent Group has advised that he wishes to put the following proposal to the Council:

“The Council claims that “enhancing the contribution and role of members” is a major priority. However, the past six months has seen the contribution and role of members considerably reduced. One contributory factor is that we have gaps of two to three months between council meetings. Council hereby resolves that we should in general restore the previous arrangements for meetings every month.”

It is not considered that monthly meetings will allow the efficient and effective conduct of the Council's business, therefore this is not an option which officers are able to recommend.

Effect on Annual Priorities and Corporate Objectives

7. The scheduling of an appropriate number of Council meetings at which the policy and budgetary frameworks are agreed (and amended where necessary) and other business dealt with in accordance with Article 4 of the Constitution, is essential to the efficient and effective operation of the whole organisation. The agreement of a schedule of seven Council meetings per year will continue to allow Senior Management Team to concentrate on the strategic and operational challenges facing the Council and to allow it to meet its corporate objectives. As explained in paragraph 3 above, this schedule represents an increase of one ordinary meeting on the current schedule; any further increases may jeopardise the achievement of these aims.

Recommendations

8. Council is asked to resolve that meetings during the 2008-2009 Civic Year be scheduled as follows:

Date	Type of meeting
17 July 2008	Ordinary
25 September 2008	Ordinary
27 November 2008	Ordinary
29 January 2009	Ordinary
26 February 2009	Budget
23 April 2009	Ordinary
28 May 2009	Annual

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

The Council's Constitution

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Council	31 January 2008
AUTHOR/S:	Corporate Manager, Finance & Support Services / Democratic Services Officer	

MEMBERS' ALLOWANCES SCHEME**Purpose**

1. The purpose of this report is to:
 - (a) consider the recommendations of the independent panel on Members' remuneration for allowances for the period from 1 April 2008 to 31 March 2009, and
 - (b) confirm membership of the independent panel effective for consideration of the 2009/10 allowances.

This is not a key decision, however, Council is required under Article 2.05 to adopt a Members' allowances scheme and review it annually. The item was first published in the November 2007 Forward Plan.

Background

2. An independent Members' remuneration panel, comprising Ruth Rogers, Valerie Bright and John Bridge, has undertaken an annual review of Members' Allowances levels. The panel met on 14 December 2007.

Considerations

3. The Panel's report with recommendations is attached at **Appendix A**.
4. Ruth Rogers was re-appointed by Council on 23 November 2006 as a member of the Panel for 3 years to 23 November 2009. Valerie Bright's term of office expires following this current review of the scheme, however she has indicated that she would be willing to continue for a further term. John Bridge has resigned from the panel, effective immediately, however Jonathan Barker, Company Secretary of Marshalls has indicated he would be willing to re-join the Panel, effective for consideration of the 2009/10 allowances.

Options

5. Council, before it makes any amendment to the allowances scheme, must have regard to the recommendations made to it by the independent remuneration panel. It is not bound to accept those recommendations.
6. The options are:
 - a. To accept in full the Panel's recommendations
 - b. To reject the recommendations and retain the existing level of allowances
 - c. To make variations to specific elements of the recommendations

Implications

7. Financial	2.5% has been included in the provisional 2008-09 estimates in order to implement the Panel's recommendations
Legal	The Council, in setting its Members' Allowances levels, is obliged to have regard to the recommendations of an Independent Remuneration Panel established for this purpose.
Staffing	None
Risk Management	None
Equal Opportunities	Members' Allowances levels should reflect the public service element associated with the role of District Councillor, but should not discourage individuals from standing as a Councillors because of unmitigated financial loss and reduced career advancement opportunities.

Consultations

8. As required by regulation, a notice of receipt of the report from the Panel will be published in the press.

Effect on Annual Priorities and Corporate Objectives

9. Affordable Homes	N/A
Customer Service	N/A
Northstowe and other growth areas	N/A
Quality, Accessible Services	N/A
Village Life	N/A
Sustainability	N/A
Partnership	N/A

Conclusions/Summary

10. Council is the only body that can decide on the Members' Allowances Scheme. The recommendations of the Panel are set out in the appendix, however they may be varied if Members so wish.

Recommendations

11. Council is recommended to
- (a) Accept the recommendations contained in the independent Members' Remuneration Panel report attached as appendix A to this report, i.e. that
- (i) The basic allowance and Special Responsibility Allowance (SRA) be increased by 2.5%.
 - (ii) No SRA be payable for the Chairman of Northstowe JDCC.
 - (iii) The Chairmen of the Corporate Governance and Policy Development Committees receive SRAs of £1775 per annum.
 - (iv) The SRA for the Chair of Licensing Committee be reduced to £1775 per annum.

- (v) No change be agreed in the allowance for members of the Standards Committee.
- (vi) The Vice-Chairmen of Council and the Planning and Licensing Committees receive 50% of the Chairman's allowance.
- (vii) An increase of 2.5% be made to the Dependant's Carer's Allowance
- (viii) No increase be made to the remaining Travel and Subsistence allowances
- (ix) The allowance paid to the Panel for expenses be replaced with payment for travelling to the meeting only.

The above allowances to be effective from 1 April 2008 to 31 March 2009

- (b) Re-appoint Valerie Bright and appoint Jonathan Barker, as members of the Remuneration Panel for a three-year period to 31 January 2011.
- (c) Authorise payment of a Financial Loss Allowance of £20.00 per meeting per member to the Independent Remuneration panel when conducting future annual reviews of Members' allowances.
- (d) Advise the Democratic Services Manager of any issues it wishes to be considered as part of the next review.

Background Papers: the following background papers were used in the preparation of this report: None

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**REPORT OF THE MEMBERS' REMUNERATION PANEL
TO SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

The Panel, consisting of John Bridge, Valerie Bright and Ruth Rogers met on 14 December 2007 to review various aspects of Members' allowances. Ruth Rogers was appointed as Chairman for the meeting.

Basic Allowance

The Panel expressed its gratitude for the enormous amount of work undertaken by each of the district councillors for their individual wards and, having taken into account the financial situation of the district council and the rate of inflation, **recommend** that the basic allowance be increased by 2.5% from 1 April 2008.

This would result in a basic allowance of £3981, plus expenses of £646, making a total of £4627.

Special Responsibility Allowances (SRA)

The Panel was requested to consider allowances for Chairs of the newly created Corporate Governance, Policy Development and Northstowe Joint Development Control (JDCC) Committees.

Councillor TJ Wotherspoon addressed the Panel as Chair of two of the committees and explained that the Corporate Governance Committee did not take up too much of his time, however, he was spending time each day on matters arising from the Northstowe JDCC. He also informed the Panel that he had not taken the position of Chair in order to receive remuneration. Cllr Wotherspoon then left the room.

The Panel, although taking into consideration the comments of Cllr Wotherspoon, did not wish to set a precedent for the other local authorities involved in the Northstowe JDCC and **recommended** that no additional allowance be payable to the Chairman of that committee.

Consideration was then given to the possibility of an allowance for the chairs of Corporate Governance and Policy Development Committees and, following discussion, it was recognised that both committees would play an important role in the future development of the Council. The Panel **recommended** an allowance of £1775 to the Chairmen of those committees.

It was noted that hearings in respect of the Licensing 2003 Act had considerably reduced during the past year and it was felt that the Licensing Committee Chairman should take a reduction in allowance in order to reflect those changes and to this end, **recommended** the allowance be brought in line with the Chairs of Corporate Governance and Policy Development committees.

The Panel's attention was drawn to the possibility of increasing the allowance for the members of Standards Committee as new legislation affecting their role would be introduced from 1 April 2008. As it was unclear how the changes would affect Member involvement, it was **recommended** that the allowance remain unchanged; however, the Panel would re-consider the issue next year and if appropriate would look at retrospective payment.

The Panel took the opportunity to review the remainder of SRAs and in so doing, was keen to regularise the allowances payable. To this end, the Panel **recommended** that a 2.5% increase in all other SRAs be awarded. For consistency, the Panel **recommended** that the

Vice-Chairmen of Council and the Planning and Licensing Committees receive 50% of the Chairman's allowance for those bodies.

The revised rates for allowances would be as follows:

Basic Allowance	£ 4,627
Chairman of the Council	£ 3,884
Vice-Chairman of Council	£ 1,942
Leader	£10,300
Deputy Leader	£ 7,726
Cabinet Members	£ 6, 868
Leader of the Main Opposition Group	£ 3,495
Scrutiny Committee Chairman	£ 3,328
Scrutiny Committee Vice-Chairman	£ 1.664
Planning Chairman	£ 4,437
Planning Vice-Chairman	£ 2,219
Licensing Committee Chairman	£ 1,775
Corporate Governance Committee Chairman	£ 1,775
Policy Development Committee Chairman	£ 1,775
Standards Committee Chairman	£ 443
Independent member of Standards Committee	£ 276
Parish member of Standards Committee	£ 220
Employment Committee Chairman	£ 431

Dependants' Carer's Allowance

The Panel **recommended** that the present rate be increased by 2.5% from £14.51 to £14.87.

Travel and Subsistence Allowances

The Panel **recommended** no increase in the above allowances.

The Panel expressed its thanks for the representations received from Councillors TJ Wotherspoon, RE Barrett and A Riley.

In conclusion, the Panel raised the issue of the allowance paid to them by the Council for attending the annual meeting to discuss Member remuneration, **recommending** that the current allowance of £200 each be replaced with a per-meeting payment at a level to be agreed by the Council.

Ruth Rogers
Chairman

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council
AUTHOR/S: Chief Executive / Principal Solicitor

Date: 31 January 2008

THE NAMING OR RE-NAMING OF STREETS WITHIN THE DISTRICT**1 Purpose**

The purpose of this Report is to ask Members to confirm adoption of the provisions of Sections 17, 18 and 19 of the Public Health Act 1925 to allow the Authority to name or re-name streets within the District Council area.

2 Executive Summary

Following Local Government reorganisation in 1972 the provisions in this Act were automatically transferred to District Councils if it could be shown that predecessor Authorities had operated these provisions, or alternatively the provisions had to be formally adopted. It has not been possible to confirm that prior to 1972 these provisions were in use and although this Authority appears to have utilised Section 18 of the Act a resolution to adopt these provisions cannot be found.

It seems likely that some time in the past the Council has indeed adopted these provisions but an extensive search of the records held at the Council offices has not been able to locate such a resolution. A formal Committee resolution will remedy any problem which may exist.

3 Background

Sections 17, 18 and 19 of the Public Health Act 1925 provide for the following:-

- (a) Section 17 makes it a requirement for a Notice to be given to a Local Authority before, or at a time when a street name is proposed, for example from Developers. The Local Authority can object to a street name and the Magistrates' Court will determine any dispute.
- (b) Section 18 allows the Local Authority to alter the name of a street or give a name to a street which does not have a name.
- (c) Section 19 allows the Local Authority to place name signs for a street and to renew them as and when they become illegible.

If the provisions of this Act are adopted then under Section 93 of the Local Government Act 2003 the District Council could charge for anything done for the provision of such a service, provided the person to whom the service is given has agreed to its provision.

4 Considerations

If the Council decides to adopt the provisions of the 1925 Act then the requisite notice needs to be given before such a resolution is made. The notice of the Council's intention to pass such a resolution has been advertised on two consecutive weeks in a local newspaper and served on every parish council/meeting in South Cambridgeshire. We have not had any objections to the proposals. The resolution will take effect not earlier than a month from the date of the Council decision.

5 Options

Although other options are available in other Acts of Parliament the provisions in the 1925 Act cover all other provisions and are therefore recommended for adoption.

6 Implications

There do not appear to be any major considerations in adopting the provisions of the 1925 Act and in summary the implications can be described as follows:-

Financial	If the Council of its own volition decides to take action to alter the names of streets, or give a street a name which does not have one then the cost could fall to the District Council. However, if a third party asks us to assist such as a resident in a particular street then at least there is the option of charging for the service on the basis that we have adopted the Local Government Act 2003 which would then allow us to charge provided the person/organisation agrees to the charge.
Legal	Set out in the main body of the report.
Staffing	Additional hours are likely to be needed to cover this work, however these can be met from within existing resources.
Risk Management	None specific.
Equal Opportunities	None specific.

7 Consultation

Consultation has been carried out as part of the process and is explained in paragraph 4 above.

8 Effect on Annual Priorities and Corporate Objectives

The report recommends that, for consistency and to prevent further ambiguity, Council take action to adopt formally legislative provisions allowing it to continue to provide a street naming and re-naming service. As such there are no direct effects on annual priorities or corporate objectives.

9 Conclusions/Summary

The District Council is asked to adopt the provisions of Sections 17, 18 and 19 of the Public Health Act 1925.

10. Recommendation

That Sections 17, 18 and 19 of the Public Health Act 1925 be adopted by the Council.

Background Papers: the following background papers have been used in compiling the Report:-

The legislative provisions in:-

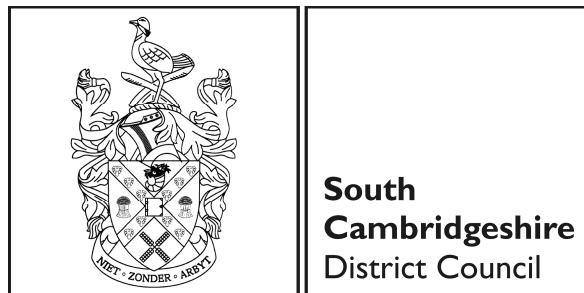
The Public Health Act 1925, Sections 17, 18 and 19.

This document is available for public inspection in the Legal Department.

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Anti-Theft, Fraud and Corruption Policy



1. Introduction

- 1.1 South Cambridgeshire District Council (the Council) is committed to dealing with theft, fraud and corruption both inside and outside the Council (the latter in so far as it relates to the business of the Council). This document formalises the Council's approach to acts of theft, fraud and corruption, recognising the good practice guidelines produced by the Audit Commission (Appendix A) and the Nolan Committee's 'Seven Principles of Public Life' (Appendix B).
- 1.2 This document sets out the Council's anti-theft fraud and corruption policy as it relates to:
- the culture of the Council;
 - Members;
 - officers;
 - systems;
 - prevention, detection and investigation;
 - punishment and sanction.

2. Summary

- 2.1 Overall responsibility for dealing with theft, fraud and corruption rests with the Chief Finance Officer through statutory, "section 151", responsibilities. Members and officers are encouraged to express concerns to the Chief Executive and Chief Finance Officer, Internal Audit, the Monitoring Officer (Executive Director) or any Corporate Manager in the knowledge that any statements will be treated seriously and in confidence.
- 2.2 It is the Council's intention to pursue all individuals or organisations who are suspected of having defrauded or committed corrupt acts and to report them to the Police if appropriate.
- 2.3 The Council's Members and staff will lead by example and ensure that they comply with all Council rules, regulations, instructions and policies.
- 2.4 The Council's commitment to dealing with theft, fraud and corruption is demonstrated by having in place systems and procedures designed to limit, as far as possible, the opportunities to commit fraudulent acts and to enable any such acts to be detected at an early stage. The Council also has a Whistleblowing Policy to encourage people to raise concerns and enable the Council to take appropriate action.

2.5 Allegations of theft, fraud and corruption will be investigated in a prompt, thorough and professional manner.

2.6 Housing or council tax benefit is potentially the most likely area for attempted fraud by people outside the Council. Section 10 below sets out the Council's particular provisions relating to this.

3. **Culture**

3.1 The Council wishes it to be known that the culture and tone of the authority is one of honesty and openness in all of its dealings with wholehearted opposition to theft, fraud and corruption in any form. The Council's Members and staff play an important part in creating and maintaining this culture.

3.2 The Council expects all of the suppliers, contractors, organisations and individuals that it deals with to act at all times with honesty and integrity and with no thoughts of committing theft, fraudulent or corrupt acts. The Council will in turn endeavour to ensure that all of its dealings will be on the same basis.

3.3 Officers will be encouraged to participate in local and national professional groups in order to exchange information, initiatives and ideas, some of which will have fraud and corruption implications. Liaison with other local authorities and relevant Government departments and agencies is also encouraged.

3.4 The Council's external auditors examine annually the Council's arrangements for the prevention, detection and investigation of theft, fraud and corruption and will report major deficiencies and concerns.

4. **Raising concerns**

4.1 Staff are encouraged to raise any matters that concern them relating to the Council's method of operation. Concerns can be raised in the certainty that they will be treated seriously and properly investigated in a confidential manner. Where staff feel unable to raise concerns with their immediate supervisor they may deal with another departmental manager. Failing this, they should raise concerns with:

- The Chief Executive and Chief Finance Officer;
- The Executive Director; or
- Any Corporate Manager.

4.2 Members may wish to raise concerns with:

- The Chairman of the Council;
- The Chairman of the Corporate Governance Committee
- The Leader of the Council
- The Chairman of the Scrutiny and Overview Committee.

4.3 When raising concerns, staff and Members can be assured that confidences will be respected. Any allegation of theft, fraud and corruption will be dealt with in a thorough, prompt, professional and impartial manner.

4.4 Members of the public, organisations, Council suppliers and contractors are also encouraged to raise any issues that concern them through the channels listed above.

5. Staff

- 5.1 The recruitment and retention of high calibre staff is vital if it is to deliver quality services. The Council will take steps at the recruitment stage to establish, as far as possible, the honesty and integrity of potential staff.
- 5.2 Staff recruitment will be in accordance with the Council's Recruitment and Selection procedures and Criminal Records Bureau (CRB) policy.
- 5.3 Officers are bound by Contract Standing Orders and Financial Regulations, Council wide codes of conduct, conditions of service and departmental codes of conduct. Particular note should be taken of the Council's position on the giving or receipt of gifts and/or hospitality. Officers are also bound by codes issued by relevant professional bodies of which they are members where these are relevant to the officer's role within the Council. Copies of codes issued by professional bodies can be made available if Members wish to see them.
- 5.4 The Council's formal Disciplinary Policy and Procedure is to be followed whenever staff are suspected of committing a theft, fraudulent or corrupt act.
- 5.5 The role of staff in the Council's systems will be as laid down in Contract Standing Orders and Financial Regulations, job descriptions, departmental instructions and any applicable procedural manuals.
- 5.6 The Council recognises the importance of training in the delivery of high quality services.
- 5.7 The contents of this and other relevant documents should be presented to all staff through management group and staff meetings.
- 5.8 All new staff will receive training on fraud identification and reporting, particularly with regard to housing and council tax benefit fraud, as part of their induction process. Regular refresher training will be provided to key groups of staff who are likely to come across evidence of housing and council tax benefit fraud during their day to day work.

6. Members

- 6.1 Members are required to operate within:
 - Government legislation;
 - the local Code of Conduct;
 - the Protocol on Member-Officer Relations;
 - the Council's Contract Standing Orders/Financial Regulations;
 - the Procedural Guidance for Planning and Licensing.
- 6.2 The above matters are specifically addressed in the Member Toolkit. Members are required to provide the Chief Executive with specified information concerning their direct and indirect pecuniary interests and to keep that information up to date.
- 6.3 These matters listed above are supported by briefings received by new Members after election.

7. Systems

- 7.1 The Council has in place Contract Standing Orders and Financial Regulations that give Members and officers clear instructions, or guidance as the case may be, as to carrying out the Council's functions and responsibilities. The contents of these documents should be brought to the attention of all staff.
- 7.2 The Chief Finance Officer has a statutory duty under Section 151 of the Local Government Act 1972 to ensure that there are proper arrangements in place to administer the Council's financial affairs.
- 7.3 The Internal Audit planning process incorporates a risk assessment approach to planning audits, which will assist in determining the frequency of audits and the particular areas to focus attention on. The risk assessment process is subject to an ongoing review.
- 7.4 All of the Council's systems will incorporate, as far as is practicable, efficient and effective internal controls. The adequacy, appropriateness and effectiveness of internal controls will be independently monitored by the Internal Audit as part of their programme of work. Any weaknesses identified in internal control will be reported to management whose duty it will be to address and respond to all the issues raised.

8. Prevention, detection and investigation

- 8.1 The Council's systems should all incorporate internal control features and are designed such that theft, fraud and corruption should not be possible without collusion. Despite this, dishonest acts can be committed and agreed procedures can be disregarded.
- 8.2 The Council's Financial Regulations place a responsibility on certain officers to notify the Chief Finance Officer immediately of any irregularity or suspected irregularity.
- 8.3 Depending upon the nature of any irregularity, Internal Audit will work closely with management and other agencies, such as the Police, to ensure that all matters are investigated thoroughly and reported upon.
- 8.4 To enable a consistent approach to be applied to any investigation following the discovery of a financial irregularity, a protocol exists between the Chief Finance Officer and Internal Audit which sets out the steps to be followed from the initial discovery of a fraud through to investigation, and where appropriate, police involvement.
- 8.5 The Council will participate in the Audit Commission's National Fraud Initiative to exchange data for the purposes of detecting fraud.

9. Punishment and sanction

- 9.1 If the investigation indicates improper behaviour by an officer, the Council's Disciplinary Policy and Procedure will be followed. The Council may involve the Police where fraudulent or corrupt acts are discovered. This will be a matter for the Chief Finance Officer to decide in consultation with other relevant parties.

9.2 If the investigation suggests improper behaviour by a Member, the procedures of the Council's Constitution, including relevant Codes or Protocols, will be followed.

9.3 If the investigation reveals theft, fraud or corruption by another person or organisation, the Council will take whatever remedial action it considers relevant to the circumstances, including instigating criminal or civil legal proceedings where appropriate.

10. **Housing Benefit and Council Tax Benefit Fraud**

10.1 The Council shall make particular provisions to prevent, detect and punish instances of Housing Benefit and Council Tax Benefit Fraud.

10.2 A robust verification process will be operated in accordance with national guidelines to verify the identity of claimants and eligibility to benefits.

10.3 The Council will operate and publicise a free and confidential telephone hotline so that members of the public can report concerns about benefit or other frauds. The facility to report suspicions of fraud will also be made available through the Council's website.

10.4 The Council will maintain a suitably resourced benefits fraud investigation team to detect and investigate housing and council tax benefit fraud. Procedures will be put in place to ensure that team members are fully trained in the law relating to fraud investigation, national guidelines, good practice and internal procedures. The team may undertake investigation of other types of fraud if requested to do so.

10.5 The investigation team will include an officer authorised under s110 of the Social Security Administration Act.

10.6 Any employee with concerns about a potential benefit fraud may speak in confidence to the Fraud Manager or Head of Revenues.

10.7 An interview room meeting the standards required by the Police and Criminal Evidence Act shall be made available to conduct formal tape recorded interviews held under caution.

10.8 Where the law allows and it is considered both proportionate to the alleged crime and an effective use of resources covert surveillance will be used to detect crimes and compile evidence. Sound and image recording equipment may be used to gather evidence during such surveillance. Covert surveillance will only be conducted when authorised by a suitably trained authorising officer following a risk assessment of safety and collateral intrusion.

10.9 Proper records will be kept of all surveillance and authorisations and will be made available to the Surveillance Commissioner on request.

10.10 The Council will enter into a Fraud Partnership Agreement with the Department for Works and Pensions, and work jointly with other local authorities, the police and other agencies to investigate and prevent fraud.

10.11 The Council will agree a prosecutions and sanctions policy in respect of housing and council tax benefit fraud, which will ensure sanctions are imposed proportionate to the crime and reflecting the public interest. (The policy is attached as Appendix C; it

is currently being reviewed and the updated version will be attached to the anti-theft fraud and corruption policy in due course.)

- 10.12 The names and address of those individuals convicted in the courts of housing and council tax benefit fraud will be publicised where it is considered to be in the public interest. In particular where the publication will serve as a deterrent to others either engaged in or considering a similar course of conduct, or where it will raise public awareness of fraud and the mechanisms for reporting suspicions.
- 10.13 The Head of Revenues will make regular reports of the Council's performance in respect of Housing and Council Tax Benefit Fraud to the Resources Portfolio Holder.
- 10.14 The Council will participate in data matching through the Housing Benefit Matching Service and National Fraud Initiative and will subscribe to the National Anti-Fraud Network.

Approved by the Corporate Governance Committee, September 2007

Appendix A - Audit Commission recommendations

As a result of the growing anxiety among the public and the media about the alleged levels of fraud and corruption in Local Government, the Audit Commission in 1993 issued a document entitled *Protecting the Public Purse*. This was followed up in 1995 by an Audit Commission bulletin *Ensuring Probity in Local Government – 1995 Update* which recommended that local government should:

- incorporate the Nolan Committee's *Seven Principles of Public Life* into Codes of Conduct (see Appendix B).
- introduce codes of conduct where not issued;
- define what gifts and hospitality may be accepted by employees and members;
- establish audit committees;
- develop fraud strategy statements which emphasise the importance of probity;
- improve risk assessment by internal audit;
- create formal arrangements for employees to express concerns about suspected fraud and corruption;
- develop explicit investigatory protocols;
- continue developing relationships and effective liaison arrangements with other authorities and agencies; and
- develop data-matching initiatives and the fraud audit liaison network.

Appendix B - Nolan Committee

The Seven Principles of Public Life

Selflessness – Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity – Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity – In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards or benefits, holders of public office should make choices on merit.

Accountability – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness – Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty – Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership – Holders of public office should promote and support these principles by leadership and example.