



Public Document Pack

Cambridge City Council

STRATEGY AND RESOURCES SCRUTINY COMMITTEE

To: **Scrutiny Committee Members** - Councillors Pitt (Chair), Cantrill (Vice-Chair), Ashton, Benstead, Boyce, Herbert, Owers and Rosenstiel

Alternates: Councillors Bird and Stuart

Leader of the Council: Councillor Bick

Executive Councillor for Customer Services and Resources:
Councillor Smith

Despatched: Thursday 19 December 2013

Date: Monday, 20 January 2014

Time: 5.00 pm

Venue: Committee Room 1 & 2 - Guildhall

Contact: Glenn Burgess

Direct Dial: 01223 457013

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members are asked to declare at this stage any interests that they may have in an item shown on this agenda. If any member of the Committee is unsure whether or not they should declare an interest on a particular matter, they should seek advice from the Head of Legal Services before the meeting.

3 MINUTES OF THE PREVIOUS MEETING *(Pages 9 - 36)*

To confirm minutes of the meetings held on 30 September 2013 and 14 October 2013.

4 PUBLIC QUESTIONS

See information below

Items for Decision by the Executive Councillor, Without Debate

These Items will already have received approval in principle from the Executive Councillor. The Executive Councillor will be asked to approve the recommendations as set out in the officer's report. There will be no debate on these items, but members of the Scrutiny Committee and members of the public may ask questions or comment on the items if they comply with the Council's rules on Public Speaking set out below.

Items for Debate by the Committee and then Decision by the Executive Councillor

These items will require the Executive Councillor to make a decision after hearing the views of the Scrutiny Committee.

There will be a full debate on these items, and members of the public may ask questions or comment on the items if they comply with the Council's rules on Public Speaking set out below

Decisions of the Leader

Items for debate by the committee and then decision by the Leader of the Council

5 ANNUAL REVIEW OF THE KEY PARTNERSHIPS IN WHICH THE COUNCIL IS INVOLVED (*Pages 37 - 52*)

6 REVIEW OF USE OF THE REGULATION OF INVESTIGATORY POWERS ACT (*Pages 53 - 78*)

Decisions of the Executive Councillor for Customer Services and Resources

Items for debate by the committee and then decision by the Executive Councillor for Customer Services and Resources.

7 CUSTOMER SERVICES & RESOURCES PORTFOLIO REVENUE AND CAPITAL BUDGETS 2013/14 (REVISED), 2014/15 (ESTIMATE) AND 2015/16 (FORECAST)

Report to follow

Decisions of the Leader

Items for debate by the committee and then decision by the Leader of the Council

8 STRATEGY PORTFOLIO REVENUE AND CAPITAL BUDGETS 2013/14 (REVISED), 2014/15 (ESTIMATE) AND 2015/16 (FORECAST)

Report to follow

9 BUDGET SETTING REPORT FEBRUARY 2014

Report to follow

Decisions of the Executive Councillor for Customer Services and Resources

Items for debate by the committee and then decision by the Executive Councillor for Customer Services and Resources.

10 THE FUTURE DELIVERY OF BUILDING CLEANING SERVICES

Report to follow

11 REVIEW OF LIVING WAGE

Report attached separately

12 COUNCIL TAX REDUCTION SCHEME 2014/15 (Pages 79 - 86)

13 IRRECOVERABLE DEBTS FOR WRITE OFF (Pages 87 - 90)

The public is likely to be excluded during any discussion on the confidential appendix by virtue of paragraphs **1, 2 and 3** of Part 1 of Schedule 12A of the Local Government Act 1972.

14 GENERAL DEBTS - BAD DEBTS FOR WRITE-OFF *(Pages 91 - 94)*

The public is likely to be excluded during any discussion on the confidential appendix by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

15 RECORD OF URGENT DECISIONS TAKEN BY THE EXECUTIVE COUNCILLOR FOR CUSTOMER SERVICES AND RESOURCES

To note decisions taken by the Executive Councillor for Customer Services and Resources since the last meeting of the Strategy and Resources Scrutiny Committee.

15a Acquisition of a property

The public is likely to be excluded during any discussion on the attached confidential Report and Record of Decision by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

15b Sale of interest in a property

The public is likely to be excluded during any discussion on the attached confidential Report and Record of Decision by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Information for the Public

Location The meeting is in the Guildhall on the Market Square (CB2 3QJ).

Between 9 a.m. and 5 p.m. the building is accessible via Peas Hill, Guildhall Street and the Market Square entrances.

After 5 p.m. access is via the Peas Hill entrance.

All the meeting rooms (Committee Room 1, Committee 2 and the Council Chamber) are on the first floor, and are accessible via lifts or stairs.

Public Participation Some meetings may have parts that will be closed to the public, but the reasons for excluding the press and public will be given.

Most meetings have an opportunity for members of the public to ask questions or make statements.

To ask a question or make a statement please notify the Committee Manager (details listed on the front of the agenda) prior to the deadline.

- For questions and/or statements regarding items on the published agenda, the deadline is the start of the meeting.
- For questions and/or statements regarding items NOT on the published agenda, the deadline is 10 a.m. the day before the meeting.

Speaking on Planning or Licensing Applications is subject to other rules. Guidance for speaking on these issues can be obtained from Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

Further information about speaking at a City Council meeting can be found at;

<https://www.cambridge.gov.uk/speaking-at-committee-meetings>

Cambridge City Council would value your assistance in improving the public speaking process of committee meetings. If you have any feedback please contact Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

Filming, recording and photography

The Council is committed to being open and transparent in the way it conducts its decision-making. Recording is permitted at council meetings, which are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chair of the meeting will facilitate by ensuring that any such request not to be recorded is respected by those doing the recording.

Full details of the City Council's protocol on audio/visual recording and photography at meetings can be accessed via:

<http://democracy.cambridge.gov.uk/ecSDDisplay.aspx?NAME=SD1057&ID=1057&RPID=42096147&sch=doc&cat=13203&path=13020%2c13203>

Fire Alarm

In the event of the fire alarm sounding please follow the instructions of Cambridge City Council staff.

Facilities for disabled people

Level access to the Guildhall is via Peas Hill.

A loop system is available in Committee Room 1, Committee Room 2 and the Council Chamber.

Accessible toilets are available on the ground and first floor.

Meeting papers are available in large print and other formats on request prior to the meeting.

For further assistance please contact Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

Queries on reports If you have a question or query regarding a committee report please contact the officer listed at the end of relevant report or Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

General Information Information regarding committees, councilors and the democratic process is available at <http://democracy.cambridge.gov.uk/>

This page is intentionally left blank

STRATEGY AND RESOURCES SCRUTINY COMMITTEE

30 September 2013

6.00pm - 7.05 pm

Present: Councillors Pitt (Chair), Cantrill (Vice-Chair), Ashton, Benstead, Boyce, Herbert, O'Reilly and Rosenstiel

Leader of the Council: Councillor Bick

Executive Councillor for Customer Services & Resources: Councillor Smith

Other Councillors Present:

Executive Councillor for Housing: Councillor Smart

Executive Councillor for Public Places: Councillor Reiner

Executive Councillor for Planning and Climate Change: Councillor Ward

Executive Councillor for Community Wellbeing: Councillor Brown

Executive Councillor for Environmental and Waste Services: Councillor Swanson

Officers Present:

Chief Executive: Antoinette Jackson

Director of Resources: David Horspool

Director of Environment: Simon Payne

Director of Customer and Community Services: Liz Bisset

Head of Legal: Simon Pugh

Committee Manager: Glenn Burgess

FOR THE INFORMATION OF THE COUNCIL

13/55/SR Apologies for absence

No apologies were received.

13/56/SR Declarations of interest

No declarations of interest were made.

13/57/SR Public Questions

None were received.

13/58/SR Mid-Year Financial Review (MFR) September 2013**Matter for Decision**

The report recommended the budget strategy for the 2014/15 budget cycle and specific implications, as outlined in the Mid-Year Financial Review (MFR) September 2013 document. The report also recommended the approval of new capital items and changes to phasing and funding proposals of the Council's Revenue and Capital Projects Plan.

Decision of the Leader of the Council

Resolved to recommend the Council:

General Fund Revenue

- i. To agree the budget strategy, process and timetable for the 2014/15 budget cycle as outlined in Section 7 [pages 27 to 32 refer] and Appendix A of the MFR document.
- ii. To agree the revised General Fund revenue, funding and reserves projections as shown in Appendix D, and the associated decisions in Section 7 [pages 27 to 32 refer], of the MFR document.

Capital

- iii. To agree changes to the Capital & Revenue Projects Plan as set out in Section 6 [pages 24 to 26 refer] and proposed amendments to the plan as set out in Appendix G(a).
- iv. To agree the revised Capital & Revenue Projects Hold List, Plan and Funding as shown in Appendices G(b) as amended, G(c) and G(d), respectively, of the MFR document.

Other

- v. To approve the setting up of a new earmarked reserve "Keep Cambridge Moving" as detailed in Section 5 [pages 22 to 23 refer].

Reasons for the Decision

As set out in the officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The committee received an introduction from the Leader of the Council.

The Leader confirmed that a budget underspend in 2012/13 would rebuild reserves, enable the setting up of an ear marked reserve for 'Keep Cambridge Moving' and also help fund the restructuring of the Resources Department. The Council faced a challenging savings target of £6.3m over a four year period, and the capacity for making simple savings by changing the way services operated was diminishing.

The committee received a report from the Director of Resources regarding the Mid-Year Financial Review (MFR). The report followed a revised format and was more focused on key items of the budget. The report also reflected the new control processes as reviewed by Internal Audit and approved by the Civic Affairs Committee on 19 September 2013.

The Director of Resources tabled an amended Appendix G(b) – Capital and Revenue Projects Hold List.

Councillor Herbert commented that, whilst the more concise format was an improvement, it was still very similar to reports made to The Executive in previous years.

In response to questions from Councillor Herbert the Leader confirmed the following:

- i. With regard to the 'Projected Net Savings Requirement' graph on page 31 of the MFR (page 42 of the agenda pack), he was confident that the Council could both meet and exceed the targets.
- ii. As opposed to 'spending down' Reserves, the Council were actually building these up. A target of £5m had been in place for a number of years and the report indicated that a figure of £4.7m was achievable.
- iii. The earmarked reserve of £300,000 for the 'Keep Cambridge Moving' Fund had been discussed at the Environment Scrutiny Committee. A report on options, including rules for the operation of the Fund and criteria for bids, would be brought back to a future meeting.

- iv. With regard to longer term savings, it was envisaged that a detailed 'road map' would need to be developed to address the issues.

The Chair agreed to take member's questions and comments on the individual sections of the MFR.

Section 3 – The National Policy Context and External Factors

Councillor Herbert asked if the 13% stepped reduction on the Settlement Funding Assessment (SFA) in each of the four years from 2016/17 was a local-based approach. In response the Director of Resources confirmed that, whilst there were no clear indicators beyond 2015/16, he had spoken with colleagues across the country and the approach was based on projections and announcements from central government. It was reiterated that pressure on local government would continue and many efficiencies for the Council had already been exhausted.

In response to a question from Councillor Herbert regarding the New Homes Bonus (NHB) the Director of Resources confirmed that, whilst it was projected that NHB would only run up to and including 2014/15, there had been indications from government that it would continue in some form. Details in the Government's consultation package had also confirmed an intention to 'pool' funds nationally within Local Enterprise Partnership (LEP) areas to support strategic, locally-led economic growth priorities, including housing.

In response to a follow up question from Councillor Herbert regarding City Deal, the Director of Resources confirmed that the Council had argued in its consultation response that its contribution to the City Deal should be considered as its commitment to local growth and therefore be ring-fenced by the LEP. The Leader confirmed that the LEP were also unhappy with the approach proposed by central government.

The Chair asked if the interest rate estimates listed on page 18 of the MFR (page 29 of the agenda pack) were overly optimistic. In response the Director of Resources confirmed that he was comfortable with the estimates but noted that the biggest pressure would be in 2013 and 2014. The Director of Resources confirmed that a further report to address these issues would be brought to the Strategy and Resources Scrutiny Committee on 14 October 2013.

Section 4 – Mid-Year Budget Issues

Councillor Cantrill confirmed that he had spoken with the Director of Resources and was confident that a robust process had been undertaken this year. The current financial projections, taking account of revised assumptions and incorporating the changes as highlighted in the table on page 30 of the MFR (page 41 of the agenda pack) were highlighted as an indication of this.

Section 7 – Summary and Conclusions

Councillor Herbert reiterated the challenge of meeting the £6.3m savings target and requested that budget reports in January present this clearly. It was also suggested that the savings should be front-loaded. The Director of Resources responded that whilst savings had been identified for certain years, an over achievement would result in less pressure in other years.

Appendix A – Financial Planning Timetable

Councillor Herbert acknowledged that budget papers would not be available until January 2014 but requested on-going support from officers and a 'sharing of the challenges' between members.

The Executive Councillor for Housing confirmed that the Housing Revenue Account (HRA) papers would be available before Christmas and would be discussed fully with opposition Councillors. Full scrutiny of the HRA by all members would also be welcomed.

In response to a question from Councillor Herbert regarding scrutiny of the HRA by the Strategy and Resources Scrutiny Committee, the Executive Councillor for Housing confirmed that, as the HRA was a legally ringfenced fund, there would be no scope for the sharing of budgets. It was noted that, with the need for match funding with 'Right to Buy', the HRA budget would also be under pressure.

In response to a question from Councillor Pitt the Director of Resources confirmed that there was no certainty as to when the Provisional Government Settlement would be announced.

Appendix D(c) – General Fund – Reserves Projection 2013/14 to 2017/18

Councillor Herbert highlighted the table on page 41 of the MFR (page 52 of the agenda pack) as evidence that the Council were 'spending down' the reserves.

Appendix G(b) – Capital and Revenue Projects Hold List

In response to a question from Councillor Ashton the Director of Resources confirmed that £228,000 had not been allocated for Nightingale Rec Pavilion. The project had simply been included on a Hold List for when money became available.

Councillor Rosenstiel commented that, as the flow of money from central government was hard to predict, it was good financial planning to have a Hold List.

Appendix G(d) – Funding of the Capital and Revenue Projects Plan

Councillor Herbert noted that the inclusion of both HRA and other Capital Plans made this section harder to scrutinise. The Director of Resources responded that, whilst there was a requirement to show all elements of revenue and capital, he would endeavour to make the divisions clearer.

Further general debate

Councillor Herbert expressed concern that, in a time of financial pressure, £300,000 was being committed to the 'Keep Cambridge Moving' Fund without any member scrutiny and with uncertainty on the detailed proposals it will be allocated to. In response the Leader reiterated that the issue had been discussed at the Environment Scrutiny Committee. He also stated that the Fund was a more effective way of addressing issues around the A14 improvements, whilst retaining the City Councils control over its own contribution.

In response to a question from Councillor Herbert regarding the 20mph Project, the Executive Councillor for Planning and Climate Change confirmed that the projected £400,000 had been based on best estimates. As the schemes progressed a clearer picture of the funds required would develop.

The Committee agreed to vote separately on each of the recommendations.

The Committee resolved by 4 votes to 0 to endorse the following recommendations:

To recommend the Council:

General Fund Revenue

- i. To agree the budget strategy, process and timetable for the 2014/15 budget cycle as outlined in Section 7 [pages 27 to 32 refer] and Appendix A of the MFR document.
- ii. To agree the revised General Fund revenue, funding and reserves projections as shown in Appendix D, and the associated decisions in Section 7 [pages 27 to 32 refer], of the MFR document.

The Committee resolved by 4 votes to 0 to endorse the following recommendations:

To recommend the Council:

Capital

- iii. To agree changes to the Capital & Revenue Projects Plan as set out in Section 6 [pages 24 to 26 refer] and proposed amendments to the plan as set out in Appendix G(a).
- iv. To agree the revised Capital & Revenue Projects Hold List, Plan and Funding as shown in Appendices G(b) as amended, G(c) and G(d), respectively, of the MFR document.

The Committee resolved by 4 votes to 4 (passed on the Chairs casting vote) to endorse the following recommendation:

To recommend the Council:

Other

- v. To approve the setting up of a new earmarked reserve “Keep Cambridge Moving” as detailed in Section 5 [pages 22 to 23 refer].

The Leader approved the recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

Not applicable.

13/59/SR Record of Urgent Decisions taken by the Leader of the Council

Special Urgency Decision: Claims in the administration of LBI

The committee deferred this item to the meeting being held on 14 October 2013.

13/60/SR Update on claims in the administration of LBI

The committee deferred this item to the meeting being held on 14 October 2013.

The meeting ended at 7.05 pm

CHAIR

STRATEGY AND RESOURCES SCRUTINY COMMITTEE 14 October 2013
5.00pm - 8.32 pm

Present: Councillors Pitt (Chair), Cantrill (Vice-Chair), Ashton, Benstead, Boyce, Herbert, O'Reilly and Rosenstiel

Leader of the Council: Councillor Bick

Executive Councillor for Customer Services & Resources: Councillor Smith

Executive Councillor for Housing

Officers Present:

Director of Resources: David Horspool

Director of Customer and Community Services: Liz Bisset

Head of Legal Services: Simon Pugh

Head of ICT: James Nightingale

Head of Customer Services: Jonathan James

Head of Revenues and Benefits: Alison Cole

Head of Human Resources: Deborah Simpson

Safer Communities Section Manager: Lynda Kilkelly

Committee Manager: Glenn Burgess

FOR THE INFORMATION OF THE COUNCIL

13/61/SR Apologies for absence

There were no apologies from members of the committee.

Apologies were noted from the Chief Executive and the Director of Environment.

13/62/SR Declarations of interest

Councillor	Item	Interest
Cantrill	13/65/SR	Personal: Trustee of Winter Comfort

13/63/SR Minutes of the previous meeting8 July 2013

The minutes of the meeting held on 8 July 2013 were approved and signed as a correct record.

30 September 2013

Councillor Herbert proposed the following amendment to minute item 13/58/SR on page 6 (additional text in **bold**):

Councillor Herbert expressed concern that, in a time of financial pressure, £300,000 was being committed to the 'Keep Cambridge Moving' Fund without any member scrutiny, **and with uncertainty on the detailed proposals it will be allocated to.** In response the Leader reiterated that the issue had been discussed at the Environment Scrutiny Committee. He also stated that the Fund was a more effective way of addressing issues around the A14 improvements, whilst retaining the City Councils control over its own contribution

The committee agreed the amendment.

It was agreed that the Chair would sign the minutes at the next meeting.

13/64/SR Public Questions

None were received.

Re-ordering of the agenda

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used his discretion to alter the order of the agenda to move items 5,6,14 and 15 to the end of the meeting. However, for ease of the reader, these minutes will follow the order of the published agenda.

13/65/SR Mid-Year Financial Review (MFR) - Treasury Management Strategy Report 2013/14 to 2016/17**Matter for Decision**

The Council is required by regulations issued under the Local Government Act 2003, to produce an annual strategy treasury report reviewing treasury management activities.

Decision of the Leader of the Council

Resolved to:

- i. Recommend to Council changes to counterparty limits as set out below (detailed in section 6 and Appendix A of the Officer's report):
 - a) Increase current single counterparty limits from £10m to £15m
 - b) Increase the counterparty group limit from £15m to £22.5m (1.5 times single counterparty limit)
 - c) Increase HSBC Deposit Account limit by £4m to £20m
 - d) Apply a single counterparty Certificates of Deposit limit of £10m; and
 - e) Apply a Money Market Fund limit of £10m per fund
- ii. Recommend to Council changes to the estimated Prudential & Treasury Indicators for 2013/14 to 2016/17, inclusive, as set out in Appendix E of the Officer's report.

Reasons for the Decision

As set out in the Officer's report

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The committee received a report from the Director of Resources regarding the Treasury Management Strategy Report 2013/14 to 2016/17.

In response to member's questions the Director of Resources confirmed the following:

- i. In the current financial climate it was important for the Council to take a cautious approach to treasury management.
- ii. Explained the difference between Certificates of Deposits and Money Market Funds.
- iii. Agreed to provide further detail to members regarding Appendix C of the Officer's report and where claims against LBI would feature.
- iv. The Council moved their funds effectively between banks in order to ensure the best rates.
- v. A standardised credit rating system across all local authorities ensured a robust approach to identifying risk.
- vi. Whilst increased levels of deposits would ensure greater flexibility for the Council, the instruments had only been used between £8m and £10m in the last financial year.

As the instruments had not been used, and they wouldn't have been used above the £10m limit even if they were available, the Chair proposed the following amendments to recommendation d) and e) of the Officer's report (replacement underlined and original ~~struck through~~):

- e) Apply a single counterparty Certificates of Deposit limit of £10m ~~£15m~~ and
- f) Apply a Money Market Fund limit of £10m ~~£15m~~ per fund

The committee resolved by 4 votes to 0 to agree the amendments.

The Committee resolved unanimously to endorse the amended recommendations.

The Leader of the Council approved the amended recommendations.

Conflicts of Interest Declared by the Leader of the Council (and any Dispensations Granted)

Not applicable.

13/66/SR Review of street based anti-social behaviour**Matter for Decision**

The Executive Councillor agreed that a biennial review of street life issues should be taken to the Strategy and Resources Scrutiny Committee. Following the first review presented to the Committee in October 2012 a series of workshops took place in early 2013 with City Councillors, representatives from statutory organisations and support agencies, to consider the management of individuals and trends associated with street based anti-social behaviour (ASB).

Decision of the Leader of the Council

Resolved to:

Note the attached report at Appendix 1 of the Officer's report and supporting documents.

- i. Develop and provide a programme of intensive tenancy support, for individuals moving in to general housing stock following homelessness or living in temporary accommodation.
- ii. Incorporate the provision of tenancy starter packs within the support programme. Consider using donations to the Alternative Giving Campaign to fund these packs.
- iii. Refresh the Task and Target Group to develop an inter-agency approach that offers intensive support to those who choose to engage and takes prompt enforcement measures towards unacceptable behaviour.
- iv. Develop different management models for each of the 3 main identified groups, to best serve the needs of the individual, in line with the Integrated Offender Management and Together for Families initiatives.
- v. Develop a communication programme for the public, to give information on: reporting street based ASB, the kind of behaviour that is unacceptable, and the actions that can realistically be taken against street based ASB. And that one or more workshops are organised on the implementation of the report - including the agencies involved, local Councillors, other key stakeholders and resident's representatives - for the areas most affected.

- vi. Enhance the multi-agency group to take a strategic overview of street life issues, monitor patterns and take forward the work on the recommendations from this report.
- vii. Maintain a watching brief with regard to wet centres and review the current approach if more compelling evidence of their success arises in the future.

Reasons for the Decision

As set out in the Officer's report

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The committee received a report from the Director of Customer and Community Services and the Safer Communities Section Manager regarding street based anti-social behaviour.

The Leader welcomed the report and expressed thanks to those that had attended the workshops. The City Council had both a preventative and housing based role in tackling the problem. Its role also extended to leading and galvanising the approach of many different partners and promoting shared standards.

The Leader thanked Officers for their hard work and proposed community budgeting as a future option for tackling the problem.

Councillor Herbert thanked Officers for the detailed report but suggested that a separation between night-time economy issues and street life issues would have been useful. The need to ensure that residents of Cambridge received adequate support from the service was also emphasised.

The Safer Communities Section Manager responded that, whilst efforts had been made to separate night-time economy issues from street life issues, the way that anti-social behaviour was recorded made it difficult.

Councillor Herbert acknowledged that some discussions had taken place at Area Committees, but suggested that a follow up event with greater involvement from local resident's representatives would be beneficial.

The Safer Communities Section Manager responded that, whilst Officers had promoted the workshops through letter drops, flyers and websites, they had found it difficult to generate interest from local residents.

The Leader highlighted his disappointment that more people had not been able to attend the workshops and suggested that further discussion could take place through the 'Safer Neighbourhoods' section of Area Committee meetings. Councillor Herbert felt that a city wide approach, with better engagement with local residents, was needed and reiterated his desire for a follow up event.

The Executive Councillor for Housing and Councillor Cantrill confirmed that Jimmy's Night Shelter and Winter Comfort engaged heavily with local residents to identify and address any issues.

The Executive Councillor for Housing emphasised the importance of the Council's Reconnections Policy. The Single Homelessness Services was also highlighted as an important tool in tackling the issue and ensuring that people did not easily drift from a 'low need' to a 'moderate need' position.

Councillor Cantrill emphasised the importance of a wide range of support services including housing and employment, and felt that early intervention could prevent people becoming institutionalised in the street life community.

Members discussed the merits and concerns regarding 'wet centres' (section 9 of Appendix 1 of the Officer's report), and previous experience of housing one of these in the City.

In reference to recommendation 6 of the Officer's report regarding the multi-agency group, Councillor Boyce emphasised the importance of identifying any gaps and avoiding duplication.

This comment was noted by Officers.

Councillor Boyce proposed the following amendment to recommendation 6 of the Officer's report (replacement underlined and original ~~struck through~~):

- Enhance the set-up ~~the set-up~~ a multi-agency group to take a strategic overview of street life issues, monitor patterns and take forward the work on the recommendations from this report.

The committee resolved unanimously to agree this amendment.

Councillor Herbert proposed the following amendment to recommendation 5 of the Officer's report (additional text in **bold**):

- Develop a communication programme for the public, to give information on: reporting street based ASB, the kind of behaviour that is unacceptable, and the actions that can realistically be taken against street based ASB. **And that one or more workshops are organised on the implementation of the report - including the agencies involved, local Councillors, other key stakeholders and resident's representatives - for the areas most affected.**

The committee resolved unanimously to agree this amendment.

The Committee resolved unanimously to endorse the amended recommendations.

The Leader of the Council approved the amended recommendations.

Conflicts of Interest Declared by the Leader of the Council (and any Dispensations Granted)

Not applicable.

13/67/SR Update on Discretionary Housing Payment

Matter for Decision

Update on the use of Discretionary Housing Payment (DHP), current DHP funding and new additional funding to help with the housing needs of those affected by housing benefit reforms.

Decision of the Executive Councillor for Customer Services and Resources

Resolved to:

- i. Acknowledge the impact of the welfare reforms and the support given to tenants affected by the changes.
- ii. Note the current levels of spend and continue to monitor this, with reports brought forward to the Strategy and Resources Scrutiny Committee as required.

- iii. Approve the use of the additional transitional funding as set out in 3.12 of the Officer's report.
- iv. Welcome the continuing work of Officers to identify those in need of support.

Reasons for the Decision

As set out in the Officer's report

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The committee received a report from the Head of Revenues and Benefits regarding Discretionary Housing Payment (DHP) and Welfare Reform Transitional Funding.

In response to members' questions the Head of Revenues and Benefits and the Director of Customer and Community Services confirmed the following:

- i. Stressed that, at this point in time, it was not possible to draw any final conclusions regarding the call on DHP funding for the remainder of the financial year.
- ii. 500 tenants were affected by the spare room subsidy changes yet only 137 had received DHP for this reason.
- iii. It was anticipated that claims for DHP would increase in future years.
- iv. As of 28 August 2013, there had been 290 claims for DHP, of which 233 were successful.
- v. Officers had been proactive in raising awareness of DHP and encouraging residents to apply.
- vi. As reflected in the recent report to the Housing Management Board, 75% of those affected by the changes were making arrangements to pay.
- vii. The current level of rent arrears was approximately £22,000.
- viii. For this financial year it was expected that extra funding provided by the government would be sufficient to ease the transition of the housing benefit changes. It was not yet clear if this would be the case in future years.

Members and Officers discussed the need for further reports to be brought to this committee.

The Chair proposed the following amendment to recommendation 2 of the Officer's report (additional text in **bold**):

- Note the current levels of spend and continue to monitor this, **with reports brought forward to the Strategy and Resources Scrutiny Committee as required.**

The committee resolved unanimously to agree this amendment.

The Chair also proposed the following additional recommendation:

- Welcome the continuing work of Officers to identify those in need of support.

The committee resolved unanimously to agree this additional recommendation.

The Committee resolved unanimously to endorse the amended recommendations.

The Executive Councillor approved the amended recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

Not applicable.

13/68/SR Making Assets Count (MAC) - Strategic Asset Management

Matter for Decision

Authority to progress work towards the creation of a publicly-owned Joint Venture to deliver the Making Assets Count Programme.

Decision of the Executive Councillor for Customer Services and Resources

Resolved:

- To agree in principle to the proposal to create a publicly-owned Joint Venture (MAC Public Property Partnership), in which the City Council would be a key partner, to manage public sector property assets across Cambridgeshire.

- ii. That work is undertaken to develop the detail of the proposal and that this work be reported back to members for further decision.

Reasons for the Decision

As set out in the Officer's report

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The committee received a report from the Director of Resources regarding strategic asset management.

In response to member's questions the Director of Resources confirmed the following:

- i. Acknowledged concerns regarding the apparent complexity of the structure and the Officer time involved, but reassured members that the new process would offer greater flexibility and ensure quicker decision making. It was also noted that the programme would be managed within existing officer resource.

The Chair proposed the following amendment to recommendation 2 of the Officer's report (additional text in **bold**):

- That work is undertaken to develop the detail of the proposal and that this work be reported back to members **for further decision**.

The committee resolved unanimously to agree this amendment.

The Committee resolved by 4 votes to 0 to endorse the amended recommendations.

The Executive Councillor approved the amended recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

Not applicable.

13/69/SR Wide Area Network**Matter for Decision**

Purchase and commission a new Wide Area Network to provide a modern data communications infrastructure for the Council.

Decision of the Executive Councillor for Customer Services and Resources

Resolved to:

Financial recommendations

- i. Recommend this scheme (which is not included in the Council's Capital & Revenue Project Plan) for approval by Council, subject to resources being available to fund the capital and revenue costs.
 - The total cost of the project is £142,000, financed from repairs and renewals funding.
 - The ongoing additional revenue costs of the project are £14,000 per annum, funded from existing revenue budget provisions.
- ii Delegate authority for the placing of further orders within this contract to the Director of Resources (or successor post) in consultation with the Executive Councillor, Chair and Spokes of the Strategy and Resources Scrutiny Committee, provided available funding sources are in place and up to a maximum limit of £300,000 capital and £190,000 revenue.

Procurement recommendations

- ii. Approve the carrying out and completion of the procurement of a Wide Area Network (WAN) utilising the Cambridgeshire Public Sector Network (CPSN) framework contract.

Subject to:

- The permission of the Director of Resources being sought prior to proceeding if the quotation or tender sum exceeds the estimated contract.
- The permission from the Executive Councillor being sought before proceeding if the value exceeds the estimated contract by more than 15%.

Reasons for the Decision

As set out in the Officer's report

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The committee received a report from the Head of ICT regarding wide area network.

In response to member's question the Head of ICT confirmed the following:

- i. The project would improve the Council's throughput and connect to the Virgin Media Cloud.
- ii. Whilst the project would not generate any savings, it would enable more to be done within the same resource.

The Committee resolved unanimously to endorse the recommendations.

The Executive Councillor approved the recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

Not applicable.

13/70/SR E-Mail, File and Storage System and Server Upgrades**Matter for Decision**

To change the Council's e-mail system from Northgate GroupWise to Microsoft Exchange / Outlook, replace current file storage software with Microsoft products and upgrade supporting hardware.

Decision of the Executive Councillor for Customer Services and Resources

Resolved to:

Financial recommendations

- i. Approve the commencement of this scheme, which is already included in the Council's Capital & Revenue Project Plan (PR020).
 - The total cost of the project is £333,930, funded from the IT Infrastructure repairs and renewals fund and the Technology Investment Fund.
 - There are no ongoing revenue cost implications arising from the project.

Procurement recommendations

- ii. Approve the carrying out and completion of the procurement of hardware, software and labour to support the upgrades.

Subject to:

- The permission of the Director of Resources being sought prior to proceeding if the quotation or tender sum exceeds the estimated contract.
- The permission from the Executive Councillor being sought before proceeding if the value exceeds the estimated contract by more than 15%.

Reasons for the Decision

As set out in the Officer's report

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The committee received a report from the Head of ICT regarding email, file and storage system and server upgrades.

Councillor Herbert welcomed the work done by officers on this project. It was hoped that an improvement to the system would enable all Councillors to use a generic email address and lead to enhanced calendar functionality.

Councillor Rosenstiel supported these comments and felt that it would be beneficial for the public if all Councillors used their generic email addresses.

The Committee resolved unanimously to endorse the recommendations.

The Executive Councillor approved the recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

Not applicable.

13/71/SR Customer Service Telephone and Online Payments upgrades

Matter for Decision

The purchase and installation of the Capita call secure and online payments content management system.

Decision of the Executive Councillor for Customer Services and Resources

Resolved to:

Financial recommendations

- i. Recommend this scheme (which is not included in the Council's Capital & Revenue Project Plan) for approval by Council, subject to resources being available to fund the capital and revenue costs.
- The total capital cost of the project is £27,000. £12,000 is to be funded from the Corporate Marketing Web Development budget and £15,000 is to be funded from the Cashiers repairs and renewals fund.
 - The on-going revenue costs are £8,300 per annum (£41,500 for 5 years), funded from the Cashiers revenue budget provision.

Procurement recommendations

- ii. Approve the carrying out and completion of the procurement of a telephone payments upgrade and an online payments CMS system.

Subject to:

- The permission of the Director of Resources being sought prior to proceeding if the quotation or tender sum exceeds the estimated contract.
- The permission from the Executive Councillor being sought before proceeding if the value exceeds the estimated contract by more than 15%.

Reasons for the Decision

As set out in the Officer's report

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

There was no debate of this item as pre-scrutiny had not been requested.

The Executive Councillor approved the recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

Not applicable.

13/72/SR Re-Tendering Options for Debit & Credit Card Contract

Matter for Decision

Decision to re-tender or extend the Council's contract for the provision of Chip and PIN terminals and authorisation of debit & credit card transactions.

Decision of the Executive Councillor for Customer Services and Resources

Resolved to:

- i. Delegate authority to the Council's section 151 officer to award the Merchant Acquirer contract to the contractor that is able to provide the best value, whether, following analysis by officers, that means extending the current contract or placing a new contract from January 2014.

Reasons for the Decision

As set out in the Officer's report

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

There was no debate of this item as pre-scrutiny had not been requested.

The Executive Councillor approved the recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

Not applicable.

13/73/SR Procurement for services for the placement of Recruitment Advertising and Public and Statutory Notice

Matter for Decision

Request to use an ESPO Framework to procure services for Recruitment Advertising and Public and Statutory Notices.

Decision of the Executive Councillor for Customer Services and Resources

Resolved:

- i. To approve the use of the ESPO framework, '3(A) Recruitment Advertising and Placing of Public and Statutory Notices', for the procurement of services for recruitment advertising and public notices.
- ii. To delegate authority to the Director of Resources to award the contract following consultation with the Executive Councillor.
- iii. That the term of the contract be for up to 3 years.

Reasons for the Decision

As set out in the Officer's report

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

There was no debate of this item as pre-scrutiny had not been requested.

The Executive Councillor approved the recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

Not applicable.

13/74/SR Record of Urgent Decisions taken by the Leader of the Council

14a Special Urgency Decision: Claims in the administration of LBI

The special urgency decision was noted.

13/75/SR Update on claims in the administration of LBI

The Head of Legal Services introduced the item.

Cambridge City Council was one of 96 local authorities' owed money by LBI hf (formerly Landsbanki Island hf, the failed Icelandic bank). The Council had been approached by Bevan Brittan (legal advisors appointed by the Local Government Association in matters relating to Icelandic bank claims) seeking formal authority to explore on behalf of the City Council the possible sale of its priority creditor claims against LBI.

The Council now had to make a decision on whether to agree to partake in an auction process for selling their claim, and if so, agree a price at which they would be willing to sell.

In response to member's questions the Director of Resources confirmed the following:

- i. Cambridge City Council was better placed than many local authorities as there was no immediate financial need for the claim to be settled.
- ii. Selling the claim would allow the Council flexibility to replace external borrowing with internal borrowing.
- iii. For claims not sold, the cost of pursuing the debt would be split between the remaining local authorities. This would therefore increase the legal costs for those authorities.

The Leader of the Council acknowledged that, whilst it was a frustrating process, it was in the best interest of Cambridge residents that legal advice was adhered to and that the detail not be discussed in public.

Exclusion of the press and public

The Committee resolved to exclude members of the press and public from the meeting on the grounds that, if they were present, there would be disclosure to them of information defined as exempt from publication by virtue of paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

13/76/SR Update on claims in the administration of LBI

Matter for Decision

Decision on whether to partake in an auction process for the sale of its priority creditor claims against LBI, and if so, at what price.

Decision of the Leader of the Council

Resolved to:

- Agree in principle to participate in the competitive auction of priority claims against the insolvent estate of LBI, subject to further financial analysis to set a reserve price, to be set by the Leader in consultation with the Chair and Labour spokesperson.

Reasons for the Decision

As set out in the Officer's confidential report

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

Members discussed the options and recommended that the Council should agree in principle to participate in the competitive auction of priority claims against the insolvent estate of LBI, subject to further financial analysis to set a reserve price.

The Leader of the Council approved the recommendations.

**Conflicts of Interest Declared by the Leader of the Council (and any
Dispensations Granted)**

Not applicable.

The meeting ended at 8.32 pm

CHAIR



To: Strategy and Resources Scrutiny Committee
Report by: The Head of Corporate Strategy
Relevant scrutiny committee: STRATEGY AND RESOURCES 20 January 2014
Wards affected: All Wards

UPDATE ON STRATEGIC PARTNERSHIPS AND OUR INVOLVEMENT

Non- Key Decision

1. Executive summary

- 1.1 The Leader of the Council attends the Greater Cambridge Greater Peterborough Enterprise Partnership (LEP) and the Cambridge Community Safety Partnership. This report gives scrutiny members a feel for the direction these partnerships are moving in, their developing priorities and other associated work, notably the developing Greater Cambridge City Deal. It is part of a commitment given in the Council's "[Principles of Partnership Working](#)" that the Council's lead member provide an annual account of their work.
- 1.2 The majority of projects awarded residual reward grant, from the former Local Strategic Partnership, have now concluded their work and a Grant Monitoring Update is provided by the administering body, Cambridgeshire Community Foundation, for the interest of members.

2. Recommendations

- 2.1 The Leader is recommended to:
 - a) Continue to work with the partnerships (LEP and Cambridge Community Safety Partnership) and the development of the Greater Cambridge City Deal, to ensure that the strategic issues affecting Cambridge and matters of concern to Cambridge citizens are responded to. This includes maintaining the economic success of our area, whilst respecting its unique character, and continuing to address and prevent incidents of anti-social behaviour and crime.

3. Overview

3.1 The strategic partnerships that are covered in this paper include:

- **Greater Cambridge Greater Peterborough Enterprise Partnership (LEP)**
- **Greater Cambridge City Deal**
- **Cambridge Community Safety Partnership**
- **Use of residual reward grant from the former LSP**

3.2 There are other significant partnerships that the Council is involved with, outside of the partnerships referred to here. These include: Cambridgeshire's **Health and Wellbeing Board** and its locality body, the Cambridge Local Health Partnership, Cambridgeshire's **Children's Trust** and its locality body, Cambridge and South Cambridgeshire Area Partnership, and the **Cambridgeshire and Peterborough Waste Partnership (RECAP)**. The progress of these partnerships will be provided in a separate briefing to members and the Council's Partnership web-pages updated to include these briefings.

4. **Greater Cambridge Greater Peterborough Enterprise Partnership**

4.1 The **Greater Cambridge Greater Peterborough Enterprise Partnership** (the LEP) is based on the economic areas of Cambridge and Peterborough, alongside neighbouring market towns and communities in Cambridgeshire, together with Rutland, West Norfolk and King's Lynn. It was formed in September 2010 and the Leader of the Council presently sits within its nine member strong Board as one of four local authority members. The Board has met eight times in the past year. Meeting agenda and minutes of previous meetings are published in advance of Board meetings on the LEP [website](#).

4.2 The LEP's Growth Prospectus has since been developed into an Operational Plan for 2013-2014 to help focus the work of the LEP and provide a vision for the area. An [Executive Summary of the LEP's Operational Plan](#) shows its achievements to date and priorities for action in the future.

4.3 The full Operational Plan was published in April 2013 and identified the following five priority areas and targets associated with them:

- Enabling the development and occupation of Alconbury Enterprise Zone in line with partners' vision for the site
 - Advocating and influencing improvements to our area's transport infrastructure
 - Enabling business-led skills provision and improving the work readiness of the unemployed in target areas
 - Promoting enterprise growth and innovation
 - Improving international promotion, increasing inward investment and exporting
- 4.4 The Operational Plan presently serves as the basis for the Strategic Economic Plan required by Government to allow the LEP to bid for a share of a new Single Growth Fund, which was confirmed in the Government's Spending Review in 2013. Investing in Britain's Future 2013, sets out the government's strategic plan to build, repair and renew the UK's key infrastructure and showed its intentions to support local growth by bringing the resources under the strategic influence of business led Local Enterprise Partnerships. This followed the publication of Lord Heseltine's Report 'No stone unturned in the pursuit of growth'. The Government has committed £2bn a year for five years to a Single Growth Pot and the LEP will be competing to secure funds from it.
- 4.5 This fund will be available from April 2015. A Local Growth Strategy, involving multi-year economic plans, will be the key tool for bidding into this important funding pot and will be submitted by the LEP shortly (December 2013) and then serve as the basis for the negotiation of a Growth Deal with the Government for the LEPs allocation of the Growth Fund.
- 4.6 **As part of a consultation exercise conducted by the LEP during the autumn, the Council submitted a number of expressions of interest for projects to help inform the LEP about local priorities and to identify potential bids for investment. It is likely that the initial draft of the Local Growth Strategy will be broad and then refined through negotiation. The Council has also provided evidence to identify local growth issues and priorities set out in its developing Local Plan.**

- 4.7 This forms part of a wider evidence gathering exercise conducted by the LEP to create its economic strategy and investment plan. Throughout the process the LEP has worked with partners and experts to focus on identifying key economic priorities and actions that will unlock growth potential
- Pinpointing opportunities for economic growth
 - Ascertaining the barriers to economic growth and ways of tackling them
 - Identifying the priority actions, projects and investments that will unlock growth
 - Campaign on major issues, actions and investments that will unlock growth potential
- 4.8 The Greater Cambridge and Greater Peterborough Enterprise Partnerships share was £60m over the six year period. In late August 2013 the LEP held two European Funding Strategy workshops to gather project ideas across and feedback, in each of the European Commission's Thematic Objectives covering support for SMEs, low carbon, skills, employment and social inclusion, from a range of key stakeholders.
- 4.9 **Cambridge City Council submitted a number of project ideas, some supporting Cambridgeshire County Council initiatives, mainly under the Promoting Social Inclusion and Combating Poverty Theme.**
- 4.10 The LEP submitted its draft European Structural Investment Funding strategy to the Government in early October. The final proposals will be agreed with the Government in early 2014. It is anticipated that the LEP's strategic economic plan and ESI funds strategy will run as an integrated package despite ESI funds being available from mid-2014 and Growth Deals from April 2015.
- 4.11 The LEP feels it will have succeeded when it has aligned European and other funding sources to its priorities, as set out in its economic strategy and action plan, and is enabling the delivery projects on the ground.

- 4.12 Alongside the delivery of an economic vision and strategy for the LEP area, the LEP is focused on enabling the creation of employment opportunities by:
- Attracting investment and employment to the LEP area – particularly within the Enterprise Zone at Alconbury
 - Improving the market profile of our area to attract investment and enterprise
 - Investing our Growing Places Funding into infrastructure projects that create employment
- 4.13 One key role of the LEP's is to seek ways to overcome infrastructure issues that are holding back the economic development of the area. The LEP is seen by Government, because it is business led, as a leading proponent in taking infrastructure issues forward, such as the provision of strategic funding for congested roads, campaigning for improvements to the rail network, or supporting work to deliver better broadband for both businesses.
- 4.14 The LEP has made an in principle commitment of £50 million towards the upgrading of the A14 funded by future Business Rates receipts from Alconbury Enterprise Zone) making them the single largest contributor to the scheme.
- 4.15 Another role the LEP is presently playing is to help change the skills funding and commissioning system to enable education and training provision to better meet the needs of local businesses, and to work with enterprises, education and training providers and employers to help ensure provision meets local needs. The LEP is looking to ensure that a greater amount of Skills Funding Agency funds are aligned to locally agreed priorities by 2015. It has also launched a new Skills Survey to better understand the complex skills and training needs of local businesses.
- 4.16 **Over the past year it has become increasingly apparent that LEPs are now a key vehicle for stimulating economic growth and that local authorities will need to respond to this reality, as getting things done will often rely heavily on support from it (financial and collection of evidence). Understanding, influencing and matching the LEP ambitions will be important and ensuring key**

local plans are aligned, such as the Local Development Framework, will be challenging.

5. Greater Cambridge City Deal

5.1 City Deals are agreements between Government and a city region that devolve greater powers and funding to the local area. A [summary](#) of the Greater Cambridge City Deal proposals was set out in a report to Strategy & Resources Scrutiny Committee meeting in July 2013.

5.2 The Chancellor of the Exchequer's Autumn Statement 2013, published on 6th December 2013 contained the following item:

“The government is committed to delivering with Greater Cambridge their proposals on Gain Share - a payment by results mechanism whereby the local area will be able to keep a larger proportion of the proceeds of economic growth generated in, and around, the city of Cambridge. This recognises the growth potential that exists in Greater Cambridge and will drive economic growth and accelerate transport and housing infrastructure by unlocking over £1 billion of investment. The Government will announce details of how this proposal will work alongside Budget 2014. Further information on City Deals will be announced in due course.”

5.3 **The process of negotiating and agreeing a good City Deal with Government for Greater Cambridge is continuing and any emerging deal will be brought back to the Council for a decision before an implementation plan is agreed. Additional resources secured in the City Deal should increase the level of economic growth, jobs and prosperity in the City Deal geography, which would benefit residents and businesses across the County and wider LEP area.**

6. Cambridge Community Safety Partnership

6.1 The Cambridge Community Safety Partnership (“the Cambridge CSP”) involves a number of agencies concerned with tackling and reducing crime and anti-social behaviour in Cambridge. The Cambridge CSP's main task continues be to understand the community safety issues Cambridge is experiencing; decide which of

these are the most important to deal with; and then decide what actions can be taken collectively, adding value to the day-to-day work undertaken by the individual agencies. These actions are detailed in a document called the Community Safety Plan, which runs for three years. The current plan started on 1 April 2011.

- 6.2 The [Annual Review for 2013](#) (second year of the Community Safety Plan) covering the period 1 April 2012 and 31 March 2013 highlights that crime had reduced overall by 7.1% in the period covered by the review and that recorded crime in the partnership's priority areas had reduced by substantially more. When the review is carried out the opportunity is taken to check that the plans priorities are still relevant using a Strategic Assessment.
- 6.3 As a result of the application of the Strategic Assessment, and taking into account the new Policing Plan prepared by the Police and Crime Commissioner, it was decided that two of the priorities would remain broadly the same for 2013/14 and that new priorities for acquisitive crimes types, that have particular impact on victims, be added. The Cambridge Community Safety Partnership's priorities for 2013/14 are:
- **Reducing alcohol-related violent crime**
 - **Reducing anti-social behaviour**
 - **Responding to emerging trends of victim-based acquisitive crime**
 - **Track and support the county-wide work being carried out on domestic abuse and Integrated Offender Management.**
- 6.4 For 2013/14, as previously reported, the Community Safety Fund had been directed to the Police and Crime Commissioner to allocate to projects that that help with the delivery of the objectives in the Policing Plan. It was not known whether the Cambridge CSP would receive a similar share to that allocated by the County Council in 2012/13 but in the eventuality, the Commissioner provided the Cambridge CSP with the same allocation of £45,820 for 2013/14.
- 6.5 This funding has been allocated by the Cambridge CSP in 2013/14 to projects looking to address the priority areas and to add value to the day to day activities of the organisations involved in the partnership. The combined cost of these projects is £41,787. Some of the priority areas have multi-agency task groups in place to help commission and guide targeted work.

6.6 Every quarter the Cambridge CSP requires project lead officers to submit progress reports, which are considered by the partnership at its meetings. In addition quarterly crime and disorder reports showing progress against the aims and targets in the Community Safety Plan are considered. So far, during 2013, it appears that recorded incidents within each of the priority areas are continuing to show substantial reductions. It is not known whether this downward trend will be sustainable given the restructuring and budget reductions taking place in partner organisations. This will be a matter considered in the future by the Cambridge CSP.

7. Use of Residual Reward Grant of the former Cambridge and South Cambridgeshire Local Strategic Partnership (“LSP”)

7.1 The former LSP was wound up in March 2012. Before the LSP was dissolved it asked Cambridgeshire Community Foundation (CCF) to administer and distribute the remaining balance of its Reward Grant, standing at £100,000. A Service Level Agreement with CCF was prepared setting out the way this should be done. The LSP said it would like the grant to be focused on reducing inequalities across its area (Cambridge and South Cambridgeshire).

7.2 CCF have provided a Grant Monitoring Update (October 2013) that gives more detail about the way the grant was allocated and, based on monitoring returns from 17 of the 27 bodies awarded the grant, it highlights some case studies to illustrate the use of the grant. This is shown in Appendix 1, and is for information. The full list of bodies awarded grants can be found at the Council’s Partnership web-pages. All projects are expected to conclude by July 2014. A final report will then be provided by CCF giving account for all the grants awarded.

8. Implications

(a) Financial Implications

The LEP is responsible for drawing down significant levels of resources to improve infrastructure to support the growth of Cambridge. The City Council does have interdependencies with the partnership and could face additional pressures if some fail to deliver or redirect resources. The advent of the Police and Crime Commissioner could divert some funding away from the Cambridge Community Safety Partnership. Cambridgeshire Community Foundation (CCF) has been managing Reward Grant on behalf of the

former LSP. The funding has been given to CCF to allocate over 2 rounds to reduce financial risk to the Councils.

- (b) **Staffing Implications** (if not covered in Consultations Section)
This may depend on the success of bids, but at this stage it is too early to get a feel for possible implications.
- (c) **Equal Opportunities Implications**
The LEP will identify ways of involving all communities, including those who are more disadvantaged. Emphasis will be on providing training and other measures to move people back into work. The Community Safety Partnership also looks at the impact of crime and anti-social behaviour on vulnerable groups of people, who often suffer disproportionately to other groups. Vulnerable groups of people are the target for Reward Grant.
- (d) **Environmental Implications**
Business models that promote low carbon use and improve the sustainability of developments will be supported by the LEP.
- (e) **Procurement**
The partnerships are likely to procure or commission services to achieve their aims.
- (f) **Consultation**
The individual bidding streams will specify the groups of people to be consulted, especially where targeted work is required.
- (g) **Community Safety**
To improve community safety is the purpose of the Cambridge Community Safety Partnership.

9. Background papers

These background papers were used in the preparation of this report:

- LEP Board papers can be found here:
<http://www.yourlocalenterprisepartnership.co.uk/yourlep/board/board-meetings/>
- LEP Growth Prospectus can be found here:
<http://www.yourlocalenterprisepartnership.co.uk/growth-prospectus/>
- LEP Operational Plan for 2013/14 can be found here:
<http://www.yourlocalenterprisepartnership.co.uk/yourlep/operational-plan/>
- Government Policy document: Investing in Our Futures 2013 can be found here:
<https://www.gov.uk/government/publications/investing-in-britains-future>
- LEP Draft European Structural Investment Funding Strategy can be found here:
<http://www.yourlocalenterprisepartnership.co.uk/european-funding-strategy-workshops/>

- Papers about the Cambridge Community Safety Partnership used in the compilation of this report can be found here:
<https://www.cambridge.gov.uk/safer-communities>
- The papers showing bids for Reward Grant funding are appended.

10. Appendices

Appended to this report:

Cambridgeshire Community Foundation October 2013 Update is shown in **Appendix 1**.

11. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Author's Name: Graham Saint
Author's Phone Number: 01223 457044
Author's Email: Graham.Saint@cambridge.gov.uk

This page is intentionally left blank

Cambridge City and South Cambridgeshire LSP Reward Grant Fund – Grant Monitoring Update October 2013

Introduction

The Cambridge City and South Cambridgeshire Reward Grant Fund was established by the former LSP for the area. £100,000 of funding was made available for charitable projects aiming to reduce inequalities in Cambridge City and South Cambridgeshire. Applicants had to clearly identify the benefits they planned to deliver for local people and communities and show that they offered value for money. The application process and monitoring of grants awarded has been managed by the Cambridgeshire Community Foundation.

Preference was given to projects covering the following:

- Improving the employability of local people, especially young people, helping them to move into sustainable work.
- Assisting older people to continue to live in their homes and maintain their independence for as long as possible.
- Targeting work with disadvantaged communities where people are living on low incomes or vulnerable because of age, disability or other factors.

Two deadlines were advertised during 2012 and a total of 40 applications were received. Two panel meetings were held in May and November and 27 grants were awarded, totalling £96,680.

The minimum grant awarded was £500 and the maximum was £5,000.

Monitoring reports have been returned by 17 grant recipients to date, accounting for £60,989 of grant funding which has benefitted over 1594 people. Monitoring information is expected from all grant recipients by July 2014, when all funded projects are expected to have been completed.

Outputs

Outputs recorded by grant recipients in the monitoring reports submitted are as follows -

- 49 confidence boosting coaching sessions for disadvantaged, vulnerable and unemployed individuals.
- 15 support groups in rural locations for visually impaired people.
- 3 day trips chosen and planned by people with mental health issues.
- 46 counselling sessions for women who have experienced sexual violence, rape or sexual abuse.
- 80 family support drop-ins for disadvantaged families.
- 56 hours of one to one job coaching for young adults with Autistic Spectrum conditions.
- 24 weekly youth club sessions for Young Carers.

- 24 music sessions for young children and their families.
- 160 arts and crafts workshops for adults with disabilities.
- 20 work experience opportunities for people who are homeless.
- Provision of equipment enabling 30 cadets to participate in camps and other activities.
- Weekly volunteer visits providing support for 42 people with a variety of needs.
- 5 classes per week for 58 students covering Music Production, Studio Skills, Urban Music and Digital DJ Skills.
- 1279 three-course meals provided for 127 vulnerable people including the elderly and homeless.
- 899kg of food surplus reclaimed from Sainsbury's that would have otherwise gone to waste.
- 6 two hour bike maintenance sessions for 6 young people.

Outcomes (defined as changes in people, the environment, or the community that directly result from the activities)

Outcomes reported can be grouped under common themes -

1. Increased confidence

- Increased self-esteem
- Increased confidence to make decisions
- Increased confidence as a parent
- New skills learnt

2. Improved relationships

- Improved ability to interact socially
- Improved relationships with children and others
- More friendships/social interaction and therefore reduced isolation

3. Improved emotional / physical health

- A more positive outlook
- Better able to cope with different situations
- Empowerment
- Improved awareness of and access to healthy eating

Impacts (defined as longer-term changes that affect the wider community and society)

The following impacts were reported -

- More productive in society
- Able to gain employment, leading to a reduction in debt
- Increased independence and less reliance on statutory services
- Reduced social isolation
- Increased community engagement
- Improved mental health recovery
- Reduction in loss of output due to convalescence and sick days

- Reduction in the need for and therefore cost of medical attention
- Healthier lifestyles for families leading to long term health benefits
- Young Carers renewing interest in education and improving their life chances
- Reduced food waste locally

Case studies

The following case studies written by grant recipients demonstrate some of the outcomes and impacts recorded in the monitoring information submitted.

Illuminate Community Group received £2,584 to provide life coaching sessions for disadvantaged, vulnerable and unemployed individuals with the aim of increasing confidence and self-esteem. “X is a single parent who has suffered chronic depression and anxiety after finding her 6 year old daughter was being sexually abused. Following psychotherapy to deal with her emotions she was feeling ready to start to make changes to her life to support herself and her daughter better. However she had been unemployed for some time and felt stuck and fearful. She had an idea about setting up her own creative business but felt no courage to do this. Through the sessions, we looked at becoming clearer about work options. This has resulted in taking up some volunteer work at Cambridge Women’s Resource Centre and has actively started progressing herself employment ideas. Quote “The sessions are all the things I needed to get me to think, understand myself and progress. I am so glad I was given this opportunity and feel so much more positive. I have received different supports and this has worked really well and helped me move forward – Thank You”.”

Cam Sight received a grant of £3,784 to continue running their rural support scheme, which provides support and services for blind and partially sighted people living in the rural areas of Cambridgeshire. “A group member, a lady of 95 was chatting to another member and mentioned the guided bus way. She said she would love to travel on it to St Ives but did not feel confident to do so due to her visual impairment. The other group member despite being registered



blind is a confident traveller and regularly uses the guided bus way. He encouraged her to try and suggested that he could accompany her. They swapped contact details and the next week he accompanied her on a trip to St Ives. She was grateful for the help and support, they both had a lovely day out and a new friendship has developed. Moreover the gentleman who assisted her had his self-esteem boosted by the fact that even though his sight was poorer than hers, he was able to be of help.”

Meadows Children and Family Wing received a grant of £4,447 to continue to work with disadvantaged families.

“This parent has been attending the drop-in for 3 years with her 2 children since she moved to England from Spain. “I was very isolated and did not have any family support in this country, my children would of not had any interaction with other children if they did not attend this group. My children always take part in the activities and really enjoy the lunch time. They enjoy eating with other children and this helps them to engage with other children. My children are beginning to learn English and it’s from attending this group that they receive the English input. The staff are always very supportive and helpful and pick up when I’m not feeling good or have problems. As a result of consistently attending this group I feel that my children have got to know everyone and I am able to talk to other families and share problems. This group is so diverse and is very positive it’s like our family”.



it’s from attending this group that they receive the English input. The staff are always very supportive and helpful and pick up when I’m not feeling good or have problems. As a result of consistently attending this group I feel that my children have got to know everyone and I am able to talk to other families and share problems. This group is so diverse and is very positive it’s like our family”.

Forward Gamlingay received a grant of £4,413 to run a weekly support group for young carers in the local area. “One of our young carers is 13 she is a she has 2 younger siblings who she gets up ready for school, she gets their breakfast and walks them to the local school (their Mum is in a wheel chair and lives in a mobile home) the Mum can only leave the home when the Dad is about as he has to lift her out of the mobile. Dad is a builder who works in London and leaves at 5am. Because she has to get her siblings to school, she misses her bus into school so hasn’t been attending school. Her Mother is not concerned about her missing school. We have worked with the school and her parents and after attending club and seeing how hard some of the others young carers to ensure that their carer roles don’t impact on their education, she asked for our help to make sure she commits to school. We met with the head of her year, explained the situation and he agreed that she could miss the first lesson of the day and come in by public bus. She has attended school every day since the beginning of the spring term.”

Red2Green received a grant of £5,000 to deliver pre-employment support and training for up to 10 people with autism, learning disabilities and mental ill health. “‘David’, who has Asperger Syndrome and a mental illness, came to Advance when he was on benefits and lived at home with his mother who had to do everything for him. However, over time he has worked towards and now achieved AAT Level 3 and is about to start Level 4. He has transformed his life, for as well as being a qualified accountancy technician, he now lives independently and has a girlfriend. He comes to the Friday Drop-In sessions for encouragement and support when he needs to, particularly when his mental health is problematic for him and needs to be able to talk things through with someone who understands his situation. David’s work is flourishing and he feels that he has a future. He is also proving to be an inspiring role model to other clients at Advance.”



To: The Leader and Executive Councillor for Strategy:
Councillor Tim Bick

Report by: Head of Legal Services

Relevant scrutiny committee: Strategy & Resources
20/1/2014
Scrutiny
Committee

Wards affected: Abbey Arbury Castle Cherry Hinton Coleridge
East Chesterton King's Hedges Market Newnham
Petersfield Queen Edith's Romsey Trumpington
West Chesterton

**REVIEW OF USE OF THE REGULATION OF INVESTIGATORY POWERS
ACT
Not a Key Decision**

1. Executive summary

- 1.1 A Code of Practice introduced in April 2010 recommends that councillors should review their authority's use of the Regulation of Investigatory Powers Act 2000 (RIPA) and set its general surveillance policy at least once a year. The Executive Councillor for Community Development and Health and Community Services Scrutiny Committee last considered these matters on 15 October 2012.
- 1.2 The City Council has not used surveillance or other investigatory powers regulated by RIPA since February 2010.
- 1.3 This report sets out the Council's use of RIPA and the present surveillance policy.

2. Recommendations

The Executive Councillor and Scrutiny Committee are recommended:

- 2.1 To review the Council's use of RIPA set out in paragraph 5.1 of this report.
- 2.2 To note and endorse the steps described in paragraph 5.1 and in Appendix 1 to ensure that surveillance is only authorised in accordance with RIPA.

The Executive Councillor is recommended:

To approve the general surveillance policy in Appendix 1 to this report.

3. Background

3.1 The Regulation of Investigatory Powers Act imposes controls on the circumstances in which public bodies can use covert investigative methods in connection with their statutory functions. Local authorities may only use these methods for the purpose of preventing or detecting crime or of preventing disorder.

3.2 These are the activities that are regulated by RIPA:

a) Covert directed surveillance

Surveillance is “covert” if it is carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware that it is or may be taking place. It is “directed” if it is undertaken for the purposes of a specific investigation or operation in such a manner as is likely to result in the obtaining of private information about a person. Surveillance is not directed if it is an immediate response to events or circumstances; for instance if a police officer sees someone acting suspiciously and decides to follow them. The Council uses covert directed surveillance very sparingly – and has not used it at all in the period covered by this report.

b) Covert human intelligence source (“CHIS”)

A covert human intelligence source is someone who establishes or maintains a relationship with a person for the purpose of covertly obtaining or disclosing information. In practice, this is likely to cover the use of an informer or Council officer to strike up a relationship with someone as part of an investigation to obtain information “under cover”. The Council has never authorised the use of a “covert human intelligence source” under RIPA.

c) Access to Communications Data

There are stringent controls placed on access by the Council to “communications data”. The Council is not entitled to obtain access to the content of communications between third parties but can, in some circumstances, obtain information relating to the use of a communications service. “Communications services” include telecom

providers, postal services and internet service providers. The Council has never authorised access to communications data under RIPA.

- 3.3 More detail of the nature of the scope of RIPA and controls and procedures are set out in the general surveillance policy in Appendix 1.

4. Member Supervision of the Use of RIPA

- 4.1 A Home Office Code of Practice provides for a wider supervisory role for councillors. The code states that, at least once a year, councillors should review the Council's use of RIPA and set the general surveillance policy. This report gives members this opportunity.
- 4.2 Councillors should also consider internal reports on the use of RIPA at least on a quarterly basis to ensure that it is being used consistently as per the council's policy and that the policy remains fit for purpose. The Code emphasises that councillors should not be involved in making decisions on specific authorisations. In fact, since the Code of Practice came into effect, the Council has not used RIPA powers, so there has been no occasion to issue a report.

5. The Council's Use of RIPA

- 5.1 The City Council is very sparing in its use of RIPA powers. In fact, it has not authorised the use of RIPA powers in the period covered by this report (October 2011 to October 2012) and has used these powers only once since October 2008.
- 5.2 As mentioned in Section 3, the Council has never used RIPA powers to authorise the use of "confidential human intelligence sources" or the powers relating to the obtaining of communication data.
- 5.3 When members last reviewed the Council's use of RIPA, they asked for information about surveillance etc. carried out by the Council under an authorisation given by a third party. This might arise where an investigation is being led by another agency (e.g. Police or HMRC) and the Council is asked to assist. There have been no instances of this since the date of the last report. One approach was made by the Police in April 2013 to use CCTV to observe a named location for an individual known to them visiting this specific location. The CCTV Manager said that, in his view, RIPA authorisation was needed for this. The Police did not proceed with the request.

6. The Protection of Freedoms Act 2012

- 6.1 From 1 November 2012, all local authority surveillance authorised under the Regulation of Investigatory Powers Act 2000 (RIPA) has been subject to approval by a Magistrate.
- 6.2 Approval can only be given if the Magistrate is satisfied that:
- (a) There were reasonable grounds for the authorising officer approving the application to believe that the Directed Surveillance or deployment of a Covert Human Intelligence Source (CHIS) was necessary and proportionate and that there remain reasonable grounds for believing so.
 - (b) The authorising officer was of the correct seniority within the organisation i.e. a Director, Head of Service, Service Manager or equivalent.
 - (c) The granting of the authorisation was for the prescribed purpose, which is preventing or detecting crime or disorder and, in the case of directed surveillance, is confined to cases where the offence under investigation carries a custodial sentence of six months or more.
- 6.3 There are also additional safeguards in relation to the use of a CHIS. (As mentioned in paragraph 3.2, The Council has never authorised the use of a “covert human intelligence source” under RIPA.)

7. The Council’s Surveillance Policy

- 7.1 The Council’s surveillance policy is set out at Appendix 1. It sets out the tests to apply in determining whether the use of RIPA powers is necessary and proportionate.
- 7.2 The policy incorporates changes made at Strategy and Resources Scrutiny Committee in October 2012. Changes to the policy approved in October 2011, which are required by the Protection of Freedoms Act are shown as tracked changes.
- 7.3 The Executive Councillor is asked to endorse the policy.

8. Office of Surveillance Commissioners’ Inspection

- 8.1 The Council received an inspection visit from the Office of Surveillance Commissioners on 16 April 2013. The inspection was carried out by Mr Kevin Davis, Assistant Surveillance Inspector. His

report is attached as Appendix 2. The report makes no recommendations and concludes:

“Cambridge City Council is not a significant user of RIPA but it was evident from the inspection that they are keen to discharge their legal responsibilities appropriately and have followed the advice given in previous inspection reports.”

4. Implications

(a) **Financial Implications** - None

(b) **Staffing Implications** - None

(c) **Equal Opportunities Implications**

A formal equality impact assessment has not been carried out in preparing this report. Equality impact issues are addressed, and safeguards contained, within the body of the general surveillance policy which the Executive Councillor is being asked to endorse. Paragraph 9.5 of the policy highlights the need to consider equality issues as part of considering whether to use RIPA powers. Paragraph 9.7 highlights the special care needed if surveillance might involve obtaining access to religious material. The Head of Legal Services receives copies of all authorisations and takes an overview of the use of RIPA. The member supervision outlined in section 4 of this report would also help ensure that the policy is being applied properly.

(d) **Environmental Implications**

The proposals in this report have a “nil” climate change impact.

(e) **Procurement**

This report has nothing to do with procurement.

(f) **Consultation and communication**

The RIPA general surveillance policy is based on legal requirements and the guidance contained in Home Office codes of practice and there has been no external consultation on this.

(g) Community Safety

Although the Council's use of RIPA has been very sparing, there have been, and will be, occasions on which the use of the powers are justified and necessary to ensure community safety.

5. Background papers

These background papers were used in the preparation of this report:

Report to the Executive Councillor for Community Development and Health:
Review Of Use Of The Regulation Of Investigatory Powers Act (15 October 2012)

6. Appendices

City Council RIPA Procedure Guide
Office of Surveillance Commissioners' Report of Inspection on 16 April 2013

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Author's Name:	Simon Pugh
Author's Phone Number:	01223 - 457401
Author's Email:	simon.pugh@cambridge.gov.uk

Appendix 1 - Cambridge City Council

The Regulation of Investigatory Powers Act 2000: A procedure guide on the use of covert surveillance and "covert human intelligence sources"

Statement of Intent: Cambridge City Council attaches a high value to the privacy of citizens. It will adhere to the letter and to the spirit of the Act and will comply with this Code.

1. Introduction

- 1.1 The Regulation of Investigatory Powers Act 2000 ("RIPA") is designed to ensure that public bodies respect the privacy of members of the public when carrying out investigations, and that privacy is only interfered with where the law permits and there is a clear public interest justification.

2. What does RIPA do?

- 2.1 RIPA places controls on the use of certain methods of investigation. In particular, it regulates the use of surveillance and "covert human intelligence sources". This guide covers these aspects of the Act. Further guidance will be issued on other aspects of the Act if necessary.
- 2.2 RIPA's main implications for the Council are in respect of covert surveillance by Council officers and the use of "covert human intelligence sources". (A covert human intelligence source is someone who uses a relationship with a third party in a secretive manner to obtain or give information – for instance an informer or someone working "under cover".)

3. Some definitions

3.1 *"Covert"*

Concealed, done secretly

3.2 *"Covert surveillance"*

Surveillance which is carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware that it is or may be taking place;

3.3 *"Directed surveillance"*

Directed surveillance is defined in RIPA as surveillance which is covert, but not intrusive, and undertaken:

- a) for the purposes of a specific investigation or operation;

- b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation); and
- c) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Part to be sought for the carrying out of the surveillance (i.e. where the circumstances make it impractical to seek authorisation. An example might be where a police officer on patrol sees a person acting suspiciously and decides to watch them surreptitiously to see whether they are intending to commit a crime.)

Private information in relation to a person includes any information relating to his private or family life.

3.4 *“Intrusive surveillance”*

Intrusive surveillance is defined in section 26(3) of the 2000 Act as covert surveillance that:

- a. is carried out in relation to anything taking place on any residential premises or in any private vehicle; and
- b. involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device.

4. RIPA and Surveillance – what is not covered

- 4.1 General observation forms part of the duties of some Council officers. They may, for instance, be on duty at events in the City and will monitor the crowd to maintain public safety and prevent disorder. Environmental Health Officers might covertly observe and then visit a shop as part of their enforcement function. Such observation may involve the use of equipment merely to reinforce normal sensory perception, such as binoculars, or the use of cameras, where this does not involve systematic surveillance of an individual. It forms a part of the everyday functions of law enforcement or other public bodies. This low-level activity will not usually be regulated under the provisions of RIPA.
- 4.2 Neither do the provisions of the Act cover the use of overt CCTV surveillance systems. Members of the public are aware that such systems are in use, for their own protection, and to prevent crime. (There is a separate Code of Practice adopted by the Council to govern use of CCTV. For information about this, contact Martin Beaumont, CCTV Manager.)

5. RIPA and Surveillance – What is covered?

- 5.1 The Act is designed to regulate the use of “covert” surveillance. Covert surveillance means surveillance which is carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware that it is or may be taking place. Strictly speaking, only two types of covert surveillance are regulated by RIPA – “directed” and “intrusive” surveillance. However, where the purpose of a surveillance operation is to obtain private information about a person,

the authorisation procedures set out in this guide should be followed and the surveillance treated as being “directed”.

6. What is “directed surveillance”?

6.1 Directed surveillance is defined in RIPA as surveillance which is covert, but not intrusive, and undertaken:

- a) for the purposes of a specific investigation or operation;
- b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation); and
- c) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Part to be sought for the carrying out of the surveillance. (See the clarification of this in paragraph 3.3.)

Private information in relation to a person includes any information relating to his private or family life.

- 6.2 Directed surveillance is conducted where it involves the observation of a person or persons with the intention of gathering private information to produce a detailed picture of a person’s life, activities and associations. However, it does not include covert surveillance carried out by way of an immediate response to events or circumstances which, by their very nature, could not have been foreseen. For example, a plain clothes police officer would not require an authorisation to conceal himself and observe a suspicious person who he comes across in the course of a patrol.
- 6.3 Directed surveillance does not include any type of covert surveillance in residential premises or in private vehicles. Such activity is defined as “intrusive surveillance” and is dealt with in paragraph 7.
- 6.4 In practice, the sort of directed surveillance which the Council might undertake would include the use of concealed cameras as part of an investigation into antisocial behaviour or breach of tenancy conditions. It might include covert surveillance connected with the enforcement of environmental health or planning regulations or in connection with investigating benefit fraud. You should treat anything involving the use of concealed cameras or anything involving keeping covert observation on premises or people as potentially amounting to directed surveillance. If you are unsure, please take advice either from your manager or supervisor, or from the Head of Legal Services.
- 6.5 Directed surveillance **must** be properly authorised in accordance with the procedure set out in section 9.
- 6.6 You should treat any covert surveillance which is likely to intrude upon anyone’s privacy to more than a marginal extent as directed surveillance, even if it does not fall within the strict terms of the definition – for instance where surveillance is not part of a specific investigation or operation.

7. What is intrusive surveillance?

7.1 **An important warning: the Council cannot authorise intrusive surveillance.**

7.2 Intrusive surveillance is defined as covert surveillance that:

- a. is carried out in relation to anything taking place on any residential premises or in any private vehicle; and
- b. involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device.

7.2 In essence, intrusive surveillance amounts to intrusion into people's homes or vehicles either physically or by means of a surveillance device.

7.3 **Intrusive surveillance cannot be undertaken without authorisation and the Council cannot authorise intrusive surveillance.** Bodies such as the Police and Customs and Excise can authorise intrusive surveillance. If you are asked by another agency to co-operate with intrusive surveillance, you should seek advice from the Head of Legal Services immediately. Where other authorities say that they are authorised to undertake intrusive surveillance but need our co-operation, we need to check that their authorisation is in order.

8. What is a covert human intelligence source?

8.1 A covert human intelligence source is someone who establishes or maintains a relationship with a person for the purpose of covertly obtaining or disclosing information. In practice, this is likely to cover the use of an informer or Council officer to strike up a relationship with someone as part of an investigation to obtain information "under cover".

8.2 Someone who volunteers information to the Council, either as a complainant (for instance, about anti-social behaviour or a breach of planning regulations) or out of civic duty, is unlikely to be a covert human intelligence source. If someone is keeping a record, say, of neighbour nuisance, this will not amount by itself to use of a covert human intelligence source. However, if we are relying on, say, a neighbour to ask questions with a view to gathering evidence, then this may amount to use of a covert human intelligence source.

8.3 The use by the Council of covert human intelligence sources is expected to be extremely rare and, for that reason, this guide does not deal with the issues to which they give rise. If you are contemplating use of a covert human intelligence source, please take advice from the Head of Legal Services before putting your plan into action.

9. Authorising Directed Surveillance: The Rules

9.1 It is crucial that all directed surveillance is properly authorised. Failure to secure proper authorisation and to comply with this procedure could lead to evidence being excluded by the courts and to complaints against the Council. The Council is subject to audit and inspection by the Office of the Surveillance Commissioner

and it is important that we can demonstrate compliance with RIPA and with this code. **Again, please note that the Council cannot authorise intrusive surveillance – see section 7.**

9.2 Who can authorise directed surveillance? Regulations made under the Act say that the most junior level at which authorisations can only be given is by what it refers to as “assistant chief officers”. For the purposes of this Code, authorisations may only be given by the officers identified in the Appendix to this Guide referred to as “authorising officers”. In cases of urgency, if it is not possible to seek authority from an authorising officer, authority may be given by a deputy to an authorising officer, but ratification of that authority should be sought at higher level as soon as practical, and the reasons for urgency recorded on the authorisation form. Where practical, the authorising officer should not be directly involved in the case giving rise to the request for authorisation. (However, an authorising officer may authorise a request made by staff who report to them if they are not directly involved in the case.) Where it is not practical for authorisation to be given by an officer who is not directly involved, this should be noted with reasons on the authorisation form. In addition to internal authorisation, directed surveillance cannot be carried out without the approval of a Magistrate. (See paragraph 10.2 below.)

9.3 On what grounds can directed surveillance be authorised? Directed surveillance can only be authorised by local authorities:

- for the purpose of preventing or detecting serious crime where the offence under investigation carries a custodial sentence of six months or more.

When the legislation was introduced, the Council could authorise directed surveillance on other grounds (e.g. in the interests of public safety or in the interests of protecting public health, or to prevent or detect disorder) but the serious crime ground is the only one available to local authorities. The Police have wider powers to authorise directed surveillance.

Please note that surveillance has to be **necessary** for the serious crime purpose. If you can just as well carry out an investigation by means which do not involve directed surveillance, then you should use them.

9.4 Is the proposed surveillance proportionate? Authorisation should not be sought, and authority should not be given unless you are satisfied that the surveillance is proportionate. You should make sure that any interference with privacy is justified by the end being sought. Unless the benefit to be obtained from surveillance is significant, and unless the problem you are seeking to tackle is serious, the use of surveillance is unlikely to be proportionate. We should not “use a sledgehammer to crack a nut”!

9.5 Is the proposed surveillance discriminatory? The Council is under a legal obligation to avoid either direct or indirect discrimination in carrying out its functions. As surveillance can interfere with rights contained in the European Convention on Human Rights, discrimination can also amount to a breach of the Human Rights Act. You should be sensitive to this issue and ensure that you apply similar standards to seeking or authorising surveillance regardless of ethnic origin, sex or sexual orientation, disability, age etc. You should be alert to any assumptions about people from different backgrounds which may not even be consciously held.

9.6 **Might the surveillance involve “collateral intrusion”?** In other words, might the surveillance intrude upon the privacy of people other than those who are the subject of the investigation. You should be sensitive of the privacy rights of third parties and consider very carefully whether the intrusion into their privacy is justified by the benefits of undertaking the surveillance.

9.7 **Might the surveillance involve acquiring access to any confidential or religious material?** If so, then the surveillance will require a particularly strong justification and arrangements need to be put in place to ensure that the information obtained is kept secure and only used for proper purposes. Confidential material might include legal or financial records, or medical records. Where there is a possibility that access to confidential or religious material might be obtained, the authorisation of the Chief Executive (or, in her absence in cases where it is not practical to wait for her return, the authorisation of a Director acting as her deputy) should be sought.

10. Authorising Directed Surveillance: The Procedure

10.1 Applying for authorisation.

10.1.1 Detailed guidance on the authorisation procedure and on how to complete the statutory forms is available on the Council’s Intranet at <http://intranet/Guidelines/Docs/RIPA%20Guidance%20Manual.pdf> The individual forms are available separately and links to them are set out in Appendix 3. You must only use the forms that are on the Intranet, you should read the accompanying notes carefully and follow them when completing the form.

10.1.2 Before submitting an application for authorisation, you must supply a copy of your request to the Head of Legal Services. You may only submit your application for authorisation if you obtain the approval of the Head of Legal Services.

10.1.3 A written application for authorisation for directed surveillance should describe in detail any conduct to be authorised and the purpose of the investigation or operation. The application should also include:

- the reasons why the authorisation is necessary in the particular case and on the grounds (e.g. for the purpose of preventing or detecting crime) listed in Section 28(3) of the 2000 Act;
- the reasons why the surveillance is considered proportionate to what it seeks to achieve;
- the nature of the surveillance;
- the identities, where known, of those to be the subject of the surveillance;
- an explanation of the information which it is desired to obtain as a result of the surveillance;
- the details of any potential collateral intrusion and why the intrusion is justified;

- the details of any confidential information that is likely to be obtained as a consequence of the surveillance.
- the level of authority required (or recommended where that is different) for the surveillance; and
- a subsequent record of whether authority was given or refused, by whom and the time and date.

10.1.4 Additionally, in urgent cases, the authorisation should record (as the case may be):

- the reasons why the authorising officer or the officer entitled to act in urgent cases considered the case so urgent that an oral instead of a written authorisation was given; and/or
- the reasons why it was not reasonably practicable for the application to be considered by the authorising officer.

10.1.5 Where the authorisation is oral, the detail referred to above should be recorded in writing by the applicant as soon as reasonably practicable.

10.2 Approval by a Magistrate

10.2.1 The internal authorisation for covert surveillance is not to take effect until a Magistrate has made an order approving it. Approval can only be given if the Magistrate is satisfied that:

(a) There were reasonable grounds for the authorising officer to believe that the directed surveillance was necessary and proportionate and that there remain reasonable grounds for believing so.

(b) The authorising officer was of the correct seniority within the organisation i.e. a Director, Head of Service, Service Manager or equivalent.

(c) The granting of the authorisation was for preventing or detecting crime and that the offence under investigation carries a custodial sentence of six months or more.

10.2.2 You must not commence covert surveillance until you have confirmation that the Magistrate's approval has been given.

10.3 Duration of authorisations

10.3.1 A written authorisation granted by an authorising officer will cease to have effect (unless renewed) at the end of a period of **three months** beginning with the day on which it took effect.

10.3.2 Urgent oral authorisations or written authorisations granted by a person who is entitled to act only in urgent cases will, unless renewed, cease to have effect after **seventy-two hours**, beginning with the time when the authorisation was granted

or renewed. This will apply to written authorisations given by deputies to Heads of Services.

10.3.3 Even though authorisations cease to have effect after three months, you should not simply leave them to run out. When the surveillance ceases to be necessary, you should always follow the cancellation procedure. See section 10.6. Where surveillance has ceased, we must be able to match each authorisation with a cancellation.

10.4 Reviews

10.4.1 Regular reviews of authorisations should be undertaken to assess the need for the surveillance to continue. The maximum period between authorisation and review, and between reviews, should be four weeks. The more significant the infringement of privacy, the more frequent should be the reviews. The results of a review should be recorded on the central record of authorisations (see paragraph 11). Particular attention is drawn to the need to review authorisations frequently where the surveillance provides access to confidential information or involves collateral intrusion.

10.4.2 In each case authorising officers within the Council should determine how often a review should take place. This should be as frequently as is considered necessary and practicable.

10.4.3 A link to the form to record a review of an authorisation may be found in Appendix 2 to this Guide.

10.5 Renewals

10.5.1 If at any time before an authorisation would cease to have effect, the authorising officer considers it necessary for the authorisation to continue for the purpose for which it was given, s/he may renew it in writing for a further period of **three months**. A single renewal may also be granted orally in urgent cases and may last for a period of **seventy-two hours**. A renewal cannot take effect unless it has been approved by a Magistrate. If you think a renewal might be needed, you should plan to allow sufficient time for an application to a Magistrate to be made before expiry.

10.5.2 A renewal takes effect at the time at which, or day on which the authorisation would have ceased to have effect but for the renewal. An application for renewal should not be made until shortly before the authorisation period is drawing to an end. Any person who would be entitled to grant a new authorisation can renew an authorisation. Authorisations (other than oral authorisations in urgent cases) may be renewed more than once, provided they continue to meet the criteria for authorisation.

10.5.3 All applications for the renewal of an authorisation for directed surveillance should be made on the form linked to Appendix 2 to this guide and should record:

- whether this is the first renewal or every occasion on which the authorisation has been renewed previously;
- any significant changes to the information given in the original application for authorisation;

- the reasons why it is necessary to continue with the directed surveillance;
- the content and value to the investigation or operation of the information so far obtained by the surveillance;
- the results of regular reviews of the investigation or operation.

10.5.4 Authorisations may be renewed more than once, if necessary, and the renewal should be kept/recorded as part of the central record of authorisations (see paragraph 12).

10.6 Cancellations

10.6.1 The authorising officer who granted or last renewed the authorisation must cancel it if he is satisfied that the directed surveillance no longer meets the criteria upon which it was authorised. Where the authorising officer is no longer available, this duty will fall on the person who has taken over the role of authorising officer. If in doubt about who may cancel an authorisation, please consult the Head of Legal Services. Cancellations are to be effected by completion of the form linked to in Appendix 2 to this Guide.

10.6.2 **N.B. Please note the warning in paragraph 10.3.3 that there must be a completed cancellation for each authorisation once surveillance has been completed. An authorisation cannot simply be allowed to expire.**

10.7 Ceasing of surveillance activity

10.7.1 As soon as the decision is taken that directed surveillance should be discontinued, the instruction must be given to those involved to stop all surveillance of the subject(s). The date and time when such an instruction was given should be included in the Notification of Cancellation form.

11. Record Keeping and Central Record of Authorisations

11.1 In all cases in which authorisation of directed surveillance is given, the Service Head is responsible for ensuring that the following documentation is kept safely for a period of at least three years from the date of authorisation:

- a copy of the application and a copy of the authorisation together with any supplementary documentation and notification of the approval given by the authorising officer;
- a record of the period over which the surveillance has taken place;
- the frequency of reviews prescribed by the authorising officer;
- a record of the result of each review of the authorisation;
- a copy of any renewal of an authorisation, together with the supporting documentation submitted when the renewal was requested;
- the date and time when any instruction was given by the authorising officer.

11.2 In addition, copies the following must be sent to the Head of Legal Services immediately upon completion:

- all completed forms authorising directed surveillance;
- all completed forms authorising renewal of directed surveillance;
- all completed forms cancelling directed surveillance.

These will be kept by the Head of Legal Services who will review them at least every twelve months in his capacity as the Council's Monitoring Officer.

12. Authorising Use of Covert Human Intelligence Sources

12.1 Similar principles and procedures apply to authorising the use of covert human intelligence sources, including the need for authorisations to be approved by a Magistrate. If it becomes apparent that their use is more than very exceptional, detailed guidance will be published and circulated. For the present, officers' attention is drawn to the explanation of the nature of a covert human intelligence source in Paragraph 9. If you think you might be using, or might use, a covert human intelligence source, please contact the Head of Legal Services, who will advise on the principles to be applied, the authorisation procedure, record keeping etc. For the avoidance of doubt, the Council will comply, so far as applicable, with the model guidance issued by the Home Office.

13. Authorisations by Third Parties

13.1 You may be approached by another agency, e.g. the Police or HMRC, to co-operate in undertaking activities regulated by RIPA. In cases where the City Council is acting on behalf of another agency, the tasking agency should normally obtain and provide evidence of the RIPA authorisation. Although the Council can act on an authorisation obtained by another agency, it is still important for the Council to reach a view on whether it is appropriate to co-operate. Please, where practical, seek the advice of the Head of Legal Services before acting on a third-party authorisation.

13.2 Home Office guidance says that, where possible, public authorities should seek to avoid duplication of authorisations as part of a single investigation or operation. For example, where two agencies are conducting directed surveillance as part of a joint operation, only one authorisation is required. Duplication of authorisations does not affect the lawfulness of the activities to be conducted, but may create an unnecessary administrative burden on authorities. But we should not use Police authorisation as a means to avoid the safeguards put in place for local authority use of RIPA or as a means of carrying out surveillance for purposes not authorised for local authorities; e.g. intrusive surveillance or surveillance for non-permitted purposes. If it is primarily a Council operation, then the Council should be responsible for authorisation.

13.3 You must notify the Head of Legal Services of all occasions on which you act under a RIPA authorisation obtained by a third party.

14. Access to Communications Data

- 14.1 There are stringent controls placed on access by the Council to “communications data”. The Council is not entitled to obtain access to the content of communications between third parties but can, in some circumstances, obtain information relating to the use of a communications service. “Communications services” include telecom providers, postal services and internet service providers.
- 14.2 This is a complex area, procedurally and legally. Access to communications data can only be obtained through the Council’s designated “single point of contact” (“SPOC”) for communications data. The Head of Legal Services has this role and you should consult him at an early stage if you think you may need access to communications data.

15. Further Information

- 15.1 Departments may wish to develop their own guidance and Environmental Health and Waste Management has already done so. This is to be encouraged. However, the principles and procedures contained in departmental guidance must be compatible with this guidance.
- 15.2 There is much helpful information on the Home Office web site about RIPA. See Appendix Two for links.
- 15.3 The Head of Legal Services is happy to advise further on issues connected with RIPA. Departments need to consider what their training needs are in this area and the Head of Legal Services is willing to discuss what help he can offer with this.

Simon Pugh
Head of Legal Services

Approved Authorising Officers for the Purposes of the Regulation of Investigatory Powers Act 2000

- Liz Bisset, Director of Community Services
- Robert Hollingsworth, Head of City Homes
- Jas Lally, Head of Environmental Services

The Leader of the Council delegated power to the Chief Executive to designate authorised officers for the purposes of Chapters II and III of the Act. (Record of Decision ref: 07/S&R/14, 3 September 2007.)

Links

Links to Home Office Information on RIPA, including codes of practice are at <http://www.homeoffice.gov.uk/counter-terrorism/regulation-investigatory-powers/> Forms are also available via this site but you should only use the forms on the Council's Intranet, which may be found through the links in Appendix Three.

Intranet Guidance

RIPA Covert Surveillance Forms and Guidance

[RIPA Guidance Manual](#) (PDF)

[Directed Surveillance \(DS\) Review](#) (Word)

[DS Application](#) (Word)

[DS Cancellation](#) (Word)

[DS Renewal](#) (Word)

[Completing the CHIS \(Covert Human Intelligence Source\) Forms](#) (Word)

[CHIS Review](#) (Word)

[CHIS Application](#) (Word)

[CHIS Cancellation](#) (Word)

[Covert Human HIS Renewal](#) (Word)



Office of Surveillance
Commissioners

Chief
Surveillance
Commissioner

8th May 2013

Dear M/s Jackson

Covert Surveillance

On 16th April 2013, one of my Inspectors, Mr Kevin Davis, visited your Council on my behalf to review your management of covert activities. I am grateful to you for the facilities afforded for the inspection.

I enclose a copy of Mr Davis's report which I endorse. I am pleased to see that the recommendations made following the last inspection 3 years ago have been discharged. You rarely use your RIPA powers but your officers are commendably keen to discharge their responsibilities appropriately

There are no recommendations.

One of the main functions of review is to enable public authorities to improve their understanding and conduct of covert activities. I hope your Service finds this process constructive.

Please let this Office know if it can help at any time.

*Yours sincerely,
Christy Lee Rose*

M/s Antoinette Jackson
Chief Executive
Cambridge City Council
Mandela House
4 Regent Street
Cambridge
CB2 1BY

RESTRICTED



**Office of Surveillance
Commissioners**

OFFICE OF SURVEILLANCE COMMISSIONERS

INSPECTION REPORT

Cambridge City Council

16th April 2013

**Assistant Surveillance Inspector:
Mr Kevin Davis.**

RESTRICTED

Page 72

RESTRICTED covering CONFIDENTIAL

DISCLAIMER

This report contains the observations and recommendations identified by an individual surveillance inspector, or team of surveillance inspectors, during an inspection of the specified public authority conducted on behalf of the Chief Surveillance Commissioner.

The inspection was limited by time and could only sample a small proportion of covert activity in order to make a subjective assessment of compliance. Failure to raise issues in this report should not automatically be construed as endorsement of the unreported practices.

The advice and guidance provided by the inspector(s) during the inspection could only reflect the inspectors' subjective opinion and does not constitute an endorsed judicial interpretation of the legislation. Fundamental changes to practices or procedures should not be implemented unless and until the recommendations in this report are endorsed by the Chief Surveillance Commissioner.

The report is sent only to the recipient of the Chief Surveillance Commissioner's letter (normally the Chief Officer of the authority inspected). Copies of the report, or extracts of it, may be distributed at the recipient's discretion but the version received under the covering letter should remain intact as the master version.

The Office of Surveillance Commissioners is not a public body listed under the Freedom of Information Act 2000, however, requests for the disclosure of the report, or any part of it, or any distribution of the report beyond the recipients own authority is permissible at the discretion of the Chief Officer of the relevant public authority without the permission of the Chief Surveillance Commissioner. Any references to the report, or extracts from it, must be placed in the correct context.

RESTRICTED



Office of Surveillance
Commissioners

OSC INSP/075

The Rt. Hon. Sir Christopher Rose
Chief Surveillance Commissioner
PO Box 29105
London SW1 1ZU

24th April 2013

OSC INSPECTION REPORT- CAMBRIDGE CITY COUNCIL.

The inspection took place on Tuesday 16th of April 2013.

Inspector

Mr Kevin Davis.

General Description

1. Cambridge City Council is a district council in the county of Cambridgeshire based in the city of Cambridge and delivers tier two services.
2. The Chief Executive leads a Corporate Management Team (CMT), which currently comprises five directors, each responsible for a department and the Head of Human Resources. The CMT has commissioning, prioritisation and decision-making roles to effect strategic leadership for the Council.
3. The Directors oversee Departmental Management Teams led by Heads of Service, who have responsibility for the day-to-day management of services. The Council employs just over 1100 people and has a turnover of approximately £140 million each year.
4. The Chief Executive is Antoinette Jackson. The address for correspondence is Mandela House, 4 Regent Street, Cambridge, CB2 1BY.

Inspection Approach

5. The purpose of the inspection was to examine policies, procedures, operations and administration in relation to directed surveillance and covert human intelligence sources (CHIS) under the Regulation of Investigatory Powers Act 2000 (RIPA).
6. During the inspection I had discussions with the following members of staff:
 - Mr James Stevens (Revenue and benefits)
 - Ms Liz Bissett (Director of Community Services)
 - Mr Robert Osbourne (Enforcement Manager)
 - Ms Lynda Kilkelly (Safer Communities Section Manager).

RESTRICTED

1

Review of Progress

- 7 His Honour Dr Colin Kolbert in his inspection report in May 2010 made three recommendations:

1) Plainly the Council must never stray into Intrusive Surveillance at all. If training and documentation cannot ensure that there is no repeat, Simon Pugh's oversight should pick up such transgression before the proposed operation commences

Action

Advice was circulated immediately after the last inspection. Mr Pugh as Head of Legal Services now has oversight of all applications for covert activity.

Discharged

(2) Authorising Officers should have the 'Act Now' booklet to hand at all stages of an authorisation and follow its guidance as well as the prompts on the RIPA forms. It should be superfluous to comment that it is foolish not to follow guidance provided, but unfortunately it is necessary to stress the point.

Action

The comprehensive policy and guidance document produced by the Head of Legal Services is easy to understand and gives detailed guidance for both applicants and authorising officers.

Discharged

(3) Training which it is acknowledged is already overdue, should be in hand in the near future, with particular emphasis on some of the fundamental issues outlined in this report.

Action

Training has taken place on numerous occasions since the last inspection and a further two day course is to be delivered to all relevant personnel in June 2013.

Discharged

Policies and procedures

- 8 M Simon Pugh is the Head of Legal Services is the Senior Responsible Officer (SRO) in accordance with paragraph 3.28 of the revised Codes of Practice. Reporting to the Council in accordance with the Codes of Practice paragraph 3.30 is undertaken via the 'Strategy and Resources Scrutiny Committee'.

RESTRICTED

2

- 9 I examined the background papers circulated in October 2012, they were detailed and complied with the requirements of the Codes of Practice. In discussion with Mr Pugh and his colleagues it was apparent that although the Council is not a frequent user of covert investigative techniques the elected members take their legal obligations very seriously.
- 10 Policies and procedures relating to covert surveillance and CHIS are contained in a comprehensive and easy to understand policy document which has been amended in light of the Protection of Freedoms Act 2012.
- 11 There are three authorising officers who are named in appendix one to the RIPA policy document. All applications are submitted to them but have to be first be quality assured by the Head of Legal Services. All documentation is required to be sent to Legal and Democratic Services department who oversee the Central Record of Authorisation and management of reviews renewals and cancellations. The necessary forms are attached to the policy document at appendix three and are current versions issued by the Home Office.

Training

- 12 Since the last inspection there has been regular training delivered internally. Further training in light of the Protection of Freedoms Act 2012 is planned for the 5th and 13th of June and will be delivered by Mr Pugh and Mr Beaumont. I have seen the course outline and it is designed to cover the core elements of RIPA along with the role of magistrates.

Significant issues

Council ethos

- 13 The Council is not a regular user of the powers vested under RIPA. The policy document at paragraph 3.3 contains a statement of intent with regard to the Codes of Practice:

'Cambridge City Council attaches a high value to the privacy of citizens. It will adhere to the letter and to the spirit of the Act and will comply with this Code'.

Central Record of Authorisations

- 14 The Central Record of Authorisation is compliant with paragraph 8.1 of the revised Code of Practice for Covert Surveillance and Property Interference.

Directed Surveillance

- 15 There have been no authorisations for directed surveillance since February 2010.

RESTRICTED

3

CHIS

- 16 There have been no authorisations for CHIS since the last inspection. This is an area of covert activity that Council does not believe they have the experience or desire to embark upon.

Focus group

- 17 I interviewed a focus group of both practitioners/potential applicants and an authorising officer; all had a good knowledge of the legislation and were familiar with the new requirements introduced in the Protection of Freedoms Act 2012. Though they had little practical experience of the process of applying for and authorising covert activity I am confident that if called to do so they would be professional in their endeavours.

CCTV

- 18 The Council maintains an extensive CCTV capability with 150 cameras in public places. The unit is managed by Mr Martin Beaumont who was voted by those within the CCTV industry as 'Manager of the Year' in 2012. The Council CCTV unit won a similar accolade in 2010. Mr Beaumont is keen to ensure that the public are aware of the capability and extent of CCTV coverage operated by Cambridge City Council and encourages visitors. In 2012 approximately 1000 members of the public visited the unit. I interviewed a camera operator; he had a good level of RIPA awareness and was familiar with the doctrine of R v Sutherland.
- 19 I was pleased to note CCTV report 60056. This was a request to utilise CCTV cameras that had been made by a police officer and was rejected by Mr Beaumont. The brief circumstances were that a request was made by a police officer to utilise CCTV equipment in circumstances that were judged by the CCTV operator to require an authorisation for directed surveillance. In accordance with the doctrine of R v Sutherland he required the officer to produce the appropriate documentation. The matter was raised with Mr Beaumont who concurred with his member of staff. The officer who was unable to utilise the CCTV cameras disagreed BUT chose not to raise his concerns with a senior officer from his force in accordance with the joint protocol in place between the Council and Cambridgeshire Constabulary.
- 20 I do not wish to make comment upon the decision by Mr Beaumont or the operator other than to say that it is indicative of robust management and a keenness to ensure legislative compliance by the operator.

Observations

- 21 The Cambridge City Council is not a significant user of RIPA but it was evident from the inspection that they are keen to discharge their legal responsibilities appropriately and have followed the advice given in previous inspection reports.

RESTRICTED

4

Finally, I would to thank all of those who participated so positively in the inspection process, and in particular Mr Simon Pugh for making all the necessary arrangements.

Recommendations

22 I make no formal recommendations.

Kevin Davis

Surveillance Inspector.

RESTRICTED

5



To: Executive Councillor for Customer Services and Resources: Councillor Julie Smith

Report by: Alison Cole - Head of Revenues and Benefits Services

Relevant scrutiny committee: Strategy & Resources Scrutiny Committee 20/01/2014

Wards affected: All Wards

COUNCIL TAX REDUCTION SCHEME 2014-15 Key Decision

1. Executive summary

- 1.1 On 1 April 2013, Central Government abolished Council Tax Benefit and required local Councils to introduce a local Council Tax Support system in the form of a Council Tax Reduction scheme.
- 1.2 The Government prescribed a Council Tax Reduction scheme for pensioners and there is no local discretion to reduce support for pensioners. Therefore the Council was required to design a scheme only for people of working age.
- 1.3 The Government reduced the grant for Council Tax Support by 10% of the sum paid for Council Tax Benefit, which meant the Council had a predicted £750,000 loss of funding for the new Council Tax Reduction scheme.
- 1.4 Changes in legislation for awarding discounts and exemptions have allowed the shortfall to be funded.
- 1.5 In compliance with the Local Government Finance Act 2012, hereinafter called the Finance Act 2012, on 1 April 2013 the Council introduced its own local Council Tax Reduction scheme as approved at a special meeting of Council on 9 January 2013 where it was agreed that Cambridge City Council preserve the equivalent levels of benefit for those currently entitled to it.
- 1.6 For each financial year, the Council is required under the Finance Act 2012 to consider whether to revise its scheme or to replace it with another scheme.

- 1.7 This report provides the Strategy and Resources Scrutiny Committee with details of the review of the Council's 2013-14 scheme and proposals for the continuation of the agreed current scheme rules for the financial year 2014-15.

2. Recommendations

The Executive Councillor is recommended to:

- 2.1 Agree to continue to administer the Cambridge City Council - Council Tax Reduction scheme (Persons who are not Pensioners) 2013 as approved by Council on 9 January 2013 and not to revise or replace it. For 2014/15
- 2.2 Agree to link allowances and premiums used in the calculation of Council Tax Reduction scheme with the same allowances and premiums used in Housing Benefit to make it easier to understand and to administer. These applicable amounts and premiums represent the needs of the individual and their family.
- 2.3 Agree to invoke under paragraph 48(10) of the scheme to prescribe the amounts of non-dependant deductions annually and to increase the amounts set in sub-paragraphs (1) and (2) by 2.9% in line with the published Consumer Price Index (CPI) for June 2013.
- 2.4 Agree to retain the percentage reduction of an award (End of Calculation Deduction, see 3.3 below) as set out in paragraph 49A of the Scheme as "zero" per cent.
- 2.5 Agree to continue with the current position regarding discounts for empty dwellings and second homes as agreed at Council on 9th January 2013.

3. Background

- 3.1 The Cambridge City Council - Council Tax Reduction Scheme (Persons who are not Pensioners) 2013 was approved by Council on 9 January 2013.
- 3.2 The Council was and continues to be committed to minimising the effects of reduced Government funding on the City's households.
- 3.3 It is expected that revenue from changes in Council Tax discounts and exemptions for 2014/15 will sufficiently cover the shortfall in overall funding and a further percentage reduction in entitlement for some customers will not be made. This deduction is reviewed annually as part of the Council Tax Reduction scheme and can be set from zero to a 20% maximum. At present there are approximately 1100 claims that could be affected by an increase in this deduction.

- 3.4 The percentage reduction for 2013 -14 was set to 0%.
- 3.5 There is no local discretion in respect of the provisions for pensioners, which are set out in statute in the Prescribed Regulations; it was therefore decided that the application of the Scheme would be separated into two schemes –
 - 3.5.1 The Cambridge City Council - Council Tax Reduction Scheme (Persons who are not Pensioners) 2013, and
 - 3.5.2 The Cambridge City Council - Council Tax Reduction Scheme (Pensioners) 2013
- 3.6 By implementing other Council Tax reforms, the Council was able to recover the loss in Government grants by removing all discounts on second homes and reducing the discounts given to certain empty dwellings from six months to one month and applying the long-term empty homes premium.
- 3.7 In Cambridge City Council, there are currently 7070 recipients of a Council Tax Reduction compared to 6970 recipients of Council Tax Benefit in 2012-13 and 7112 in 2011-12.
- 3.8 Whilst the number of recipients of a Council Tax Reduction may have increased slightly the trend is towards more people going into work so it is predicted that the average amount of reduction granted to each working age applicant will decrease.

4 Legalities

- 4.1 For each financial year, the Council is required under the Finance Act 2012 to consider whether to revise its scheme or to replace it with another Scheme.
- 4.2 The Council must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect.
- 4.3 Where the proposal is to revise the scheme, the proposals must be subject to consultation, firstly with the precepting authorities and then subject to public consultation prior to approval of any revisions to the scheme, which must be taken by full Council.

5 Benefits of maintaining the current Scheme

Vulnerable Groups

- 5.1 The current scheme meets the Council's commitment to protect as many people as possible from any decrease in the level of Council Tax Reduction support.

- 5.2 This commitment means that the people of Cambridge who are in need of support with Council Tax payments do not have to find extra money towards their Council Tax at a time of other reductions in welfare benefits.
- 5.3 The scheme meets the council's responsibilities to protect vulnerable groups including responsibilities under the Child Poverty Act 2010, the Disabled Persons Act 1986 and the Housing Act 1996 as well as the public sector equality duty in section 149 of the Equality Act 2010.

Work incentives

- 5.4 The scheme meets the basic requirements of encouraging and incentivising work and complements work incentives within the Universal Credit scheme by extending maximum Council Tax Reduction for a period of four weeks when a person on certain qualifying income-related and contributory benefits goes into work.

Parity with Housing Benefit

- 5.5 The administration of Housing Benefit for people of working age will remain with local authorities until at least 2017, perhaps longer, albeit a diminishing service through gradual transfer to the Universal Credit.
- 5.6 Housing Benefit for certain people in exempt and supported accommodation is to stay with local authorities and will not be transferred to the Universal Credit, whilst the transfer of Housing Benefit for pensioners to the Pension Service is to be delayed until 2017/18 at the earliest.
- 5.7 The current scheme has a high degree of parity with the Housing Benefit scheme, which means that administration costs are kept to a minimum and there is no need for new bespoke software systems.
- 5.8 Staff expertise and knowledge has been carried forward from the Council Tax Benefit scheme, which keeps training requirements to a minimum and the public are not confused between the two schemes running side by side and has resulted in fewer queries than for other authorities.
- 5.9 Preparation of appeals, in relation to the treatment of income and capital, is made simpler because although they are heard by two different Appeals Tribunals, the rules are the same or very similar.

Impact on Council Departments

- 5.10 By continuing to not impose an end of calculation deduction of more than 0%, the impact of the changes on the customer and those services that support them has been negligible.
- 5.11 Should the decision be taken to increase the end of calculation deduction from 0% to a higher value then the subsequent increase in numbers and the costs associated with recovery action, court action and bailiff activity will inevitably have considerable impact upon the

customer facing departments at a time of increased demand due to the welfare reform; not least because of the increase in claims for a Discretionary Housing Payment.

6 Financial Implications

- 6.1 The transfer of Council Tax support from Central Government to Local Government in April 2013 left the Council with a 10% reduction in funding.
- 6.2 The Council decided to utilise other Council Tax reforms that allowed billing authorities such as Cambridge to increase revenue on certain empty dwellings and second homes.
- 6.3 Recent modelling suggests that by 31st March 2014 additional revenue generated as a result of these reforms will be approximately £1,073,405.
- 6.4 Although financial modelling has not highlighted any significant collection issues, a prudent approach has been taken and an estimated in-year collection rate of 90% has been applied to the overall additional revenue. This has resulted in additional collectable revenue of £966,064 being anticipated by 31st March 2014, which will be more than sufficient to cover the overall loss of funding estimated at £750,000 (see s1.3).

Total value of Council Tax Reduction Support

- 6.5 The total value of Council Tax Reduction (CTR) support awarded in 2013-14 is estimated to be £6,429,833 subject to changes in entitlements during the remainder of the year.
- 6.6 It is estimated that spend for current year 2013/14 will be £6,429,833, and assuming estimated increases in applicable amounts and incomes but no increase in caseload, projected spend for 2014/15 is £6,540,153.
- 6.7 These estimates are based on assumed increases in incomes and allowances and non-dependant deductions. It is also predicted that the number of people receiving a reduction will remain static or even fall slightly, whilst at the same time the value of individual entitlements will decrease due to more people moving into work.

Risks

- 6.8 The Government has concluded in its own impact assessment that key risks surround the future need for Council Tax support. If demographic changes or economic circumstances mean that eligibility for Council Tax support increases significantly then the consequence of switching from a national to a local system will be that authorities bear more of the risk of a shortfall in funds.

6.9 There is not enough data currently available to report the social and economic changes so far in 2013-14 to be able to predict the implications for 2014-15. However, it is not anticipated that the situation in Cambridge will be significantly different in the coming year.

Future Funding Arrangements

6.10 The Government are currently consulting on the Local Government Finance Settlement for 2014-15 and 2015-16.

6.11 The Settlement Funding Assessment will be the total sum of the local share of the Estimated Business Rates Aggregate and the Revenue Support Grant. In future years, any amounts included for the provision of Council Tax Support schemes will not be stated as a separate sum and the Authority will have to decide what level of support should be given in the future.

7 Transitional Arrangements

7.1 None, no changes to the current scheme are proposed.

8 Staffing Implications

8.1 None.

9 Equal Opportunities Implications

9.1 As no changes to the current scheme are proposed the existing Equalities Impact Assessment has not been amended.

10 Environmental Implications

10.1 Nil.

11 Community Safety

11.1 None.

12 Consultation

12.1 Not required, no changes to scheme proposed, but there has been engagement with precepting authorities to advise of potential impact.

13 Background Papers

Cambridge City Council - Council Tax Reduction Scheme 2013 (Persons who are not Pensioners).

14 Appendices

None

15 Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Author's Name:	Alison Cole
Author's Phone Number:	01223 - 457701
Author's Email:	alison.cole@cambridge.gov.uk

This page is intentionally left blank



To: Executive Councillor for Customer Services and Resources: Councillor Julie Smith
Report by: Alison Cole, Head of Revenues & Benefits
Relevant scrutiny committee: Strategy & Resources Scrutiny Committee
Wards affected: All Wards

IRRECOVERABLE DEBTS TO BE WRITTEN-OFF

Not a Key Decision

NOT FOR PUBLICATION: Appendix A relates to an item during which the public is likely to be excluded from the meeting by virtue of paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

1. Executive Summary

The purpose of this report is to inform the Executive Councillor and Members of the Scrutiny Committee of the accounts [listed below] where it is deemed that the amount of outstanding debt in relation to **Non-Domestic Rates** is irrecoverable and to be written-off.

- **NDR** – Non-Domestic Rates, or Business Rates, collected by Local Authorities are the way that those who occupy non-domestic property contribute towards the cost of local services. The money, together with revenue from Council Tax payers, the revenue support grant provided by the Government and certain other sums, is used to pay for the services provided by our Local Authority and other Local Authorities in our area.

2. Recommendations

The Executive Councillor is recommended to agree the debt write-offs deemed irrecoverable as shown in the exempt Appendix 'A' to this report.

3. Background

All debts listed have been subject to normal recovery proceedings, including Court proceedings, Liability Orders, bailiff action and arrangements to pay. The majority of irrecoverable debts relate to companies going into liquidation or Administration at which point we are unable to enforce payment. Although claims will be lodged with insolvency practitioners, in the vast majority of insolvencies non-preferential creditors rarely receive a dividend. Any dividend received in future years will be offset against amounts previously written-off.

4. Implications

(a) Financial Implications

Shown below are the percentages of the NDR amounts written-off against the net collectable amounts for each year within the year.

2009/10 Net NDR Collectable - £75,597,711.02

- total amount written-off in previous years - £294,062.10
 - total amount for write-off within this report - £ 14,204.28
 - Total written-off in respect of 2009/10 - £308,266.38
- representing 0.41% of the collectable amount.

2010/11 Net NDR Collectable - £82,108,811.86

- total amount written-off in previous years - £436,154.15
 - total amount for write-off within this report - £ 14,239.09
 - Total written-off in respect of 2010/11 - £450,393.24
- representing 0.55% of the collectable amount.

2011/12 Net NDR Collectable - £86,912,858.21

- total amount written-off in previous years - £422,870.04
 - total amount for write-off within this report - £ 63,621.35
 - Total written-off in respect of 2011/12 - £486,491.39
- Representing 0.56% of the collectable amount.

2012/13 Net NDR Collectable - £92,106,083.49

- total amount written-off in previous years - £184,315.81
 - total amount for write-off within this report - £130,975.49
 - Total written-off in respect of 2012/13 - £315,291.30
- representing 0.34% of the collectable amount.

2013/14 Net NDR Collectable - £96,625,779.64

- total amount written-off in previous years - £ 0.00
 - total amount for write-off within this report - £123,379.48
 - Total written-off in respect of 2013/14 - £123,379.48
- representing 0.13% of the collectable amount.

Total amount requested for write-off, this report - £346,419.69

(b) **Staffing Implications** (if not covered in Consultations Section)

N/A

(c) **Equal Opportunities Implications**

N/A

(d) **Environmental Implications**

N/A

(e) **Consultation**

N/A

(f) **Community Safety**

N/A

5. Background Papers

None that are to be made publicly available.

6. Appendices

Exempt Appendix A – Write-off listing for Non-Domestic Rates

7. Inspection of Papers

If you have a query on the report please contact:

Author's Name: Alison Cole
Author's Phone Number: 01223 - 457701
Author's Email: alison.cole@cambridge.gov.uk

This page is intentionally left blank



To: Executive Councillor for Customer Services and Resources: Councillor Julie Smith
Report by: Director Of Resources
Relevant scrutiny committee: Strategy & Resources 20/1/2014
Scrutiny Committee
Wards affected: Abbey Arbury Castle Cherry Hinton Coleridge East Chesterton King's Hedges Market Newnham Petersfield Queen Edith's Romsey Trumpington West Chesterton

NOT FOR PUBLICATION: Appendix A relates to an item during which the public is likely to be excluded from the meeting by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

GENERAL DEBTS - BAD DEBTS FOR WRITE-OFF Not a Key Decision

1. Executive summary

The purpose of this report is to inform the Executive Councillor and Members of the Scrutiny Committee of amounts that are deemed not to be collectable and require passing for write-off. The amounts relate to general income.

This report outlines the items recommended for write-off in the financial year ending 31st March 2014.

2. Recommendations

The Executive Councillor is recommended to write-off 2 debts totalling £7,674.61 as summarised in the exempt 'Appendix A' to this report.

3. Background

Officers have concluded that there is no further practicable recovery action available to the Council for the recovery of this amount.

4. Implications

(a) Financial Implications

The Council maintains a provision for the write off of bad debts as a consequence of such circumstances as insolvency of a customer. In some cases bad debts are written back to the originating service providers budget and may result in a variance at the year-end. Property Services and the Service Accountant have taken the write-off figure into account within the overall budget projections for 2013/14.

(b) Staffing Implications (if not covered in Consultations Section)

N/A

(c) Equal Opportunities Implications

No

(d) Environmental Implications

N/A

(e) Procurement

N/A

(f) Consultation and communication

N/A

(g) Community Safety

N/A

5. Background papers

These background papers were used in the preparation of this report:

N/A

6. Appendices

Exempt Appendix A: Schedule of debts to be written off:

7. **Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

Author's Name: Karl Tattam
Author's Phone Number: 01223 458161
Author's Email: karl.tattam@cambridge.gov.uk

This page is intentionally left blank