

Public Document Pack

NOTICE OF COUNCIL MEETING - 19 JULY 2012

Dear Councillor,

A meeting of Cambridge City Council will be held in the Council Chamber - Guildhall on Thursday, 19 July 2012 at 6.00 pm and I hereby summon you to attend.

Dated 11 July 2012

Yours faithfully

A handwritten signature in black ink, appearing to read 'AP Jackson', written in a cursive style.

Chief Executive

Agenda

- 1 **TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE EXTRA-ORDINARY MEETING AND THE ANNUAL MEETING HELD ON 24 MAY 2012**
(Pages 1 - 24)
- 2 **MAYORS ANNOUNCEMENTS**
- 3 **PUBLIC QUESTIONS TIME - SEE AT THE FOOT OF THE AGENDA FOR DETAILS OF THE SCHEME**
- 4 **TO CONSIDER RECOMMENDATIONS OF THE EXECUTIVE FOR ADOPTION**
 - 4a **Annual Treasury Management report 2011/12 (The Leader)**
(Pages 25 - 42)

4b 2011/12 Revenue and Capital Outturn, Carry Forwards and Significant Variances - General Fund - Overview - (The Leader)

(Pages 43 - 86)

4c North West Cambridge Development - Management Strategy for Open Spaces, Sports and Community Facilities (The Leader)

(Pages 87 - 104)

5 TO CONSIDER RECOMMENDATIONS OF COMMITTEES FOR ADOPTION

Joint Meeting of Civic Affairs and Standards Committee – 27 June

(Pages 105 – 114)

The reports of the Head of Legal Services/Monitoring Officer considered at this joint meeting are included for completeness. *(Pages 105 – 114)*

5a Recommendations in full

(Pages 115 - 118)

5b Notification and Declaration of Members Interests

(Pages 119 - 126)

5c Adoption of a new Code of Conduct for Members

(Pages 127 - 154)

5d Appointment of an Independent Person

(Pages 155 - 162)

5e Considering Complaints and Governance

(Pages 163 - 170)

Civic Affairs - 27 June

5f Code of Corporate Governance 2012

(Pages 171 - 194)

6 TO DEAL WITH ORAL QUESTIONS

7 TO CONSIDER THE FOLLOWING NOTICES OF MOTION, NOTICE OF WHICH HAS BEEN GIVEN BY:

7a Councillor Ward

This council agrees to sign up to the Local Government Association's Climate Local commitment as the successor to the Nottingham Declaration on Climate Change to which the council signed up in 2006:

Our commitment to taking action in a changing climate.

We recognise that our council has an important role to help our residents and businesses to capture the opportunities and benefits of action on climate change. These include saving money on energy bills, generating income from renewable energy, attracting new jobs and investment in 'green' industries, supporting new sources of energy, managing local flood-risk and water scarcity and protecting our natural environment.

We will progressively address the risks and pursue the opportunities presented by a changing climate, in line with local priorities, through our role as:

- Community leader - helping local people and businesses to be smarter about their energy use and to prepare for climate impacts;
- Service provider - delivering services that are resource efficient, less carbon intensive, resilient and that protect those who are most vulnerable to climate impacts;

- Estate manager - ensuring that our own buildings and operations are resource efficient, use clean energy, and are well prepared for the impacts of a changing climate.

In signing this commitment, we will:

- Set locally-owned and determined commitments and actions to reduce carbon emissions and to manage climate impacts. These will be specific, measurable and challenging;
- Publish our commitments, actions and progress, enabling local communities to hold us to account;
- Share the learning from our experiences and achievements with other councils; and
- Regularly refresh our commitments and actions to ensure they are current and continue to reflect local priorities.

7b Councillor Herbert

The Council considers that its decision-making processes need updating, along with wider aspects of its Constitution.

It therefore asks the Chief Executive to establish a Member Review Panel to conduct the review and report to Civic Affairs Committee, so improvements can be implemented then and at the next Council AGM, and that the Panel be asked to:

- identify issues needing review, including the Executive Councillor/Committee split
- investigate potential areas of agreement between the parties on the council
- review how the role and contribution of individual Councillors can be increased, and
- assess further improvements to public involvement including webcasting of key meetings.

7c Councillor Marchant-Daisley

The Council urges local residents, organisations and businesses to make full use of the last week of consultation on the Cambridge Local Plan 'Issues and Options report' to 2031. We want all sections of the community to have a voice in the Local Plan review and in shaping future decisions.

The Council recognizes that major challenges will be raised in responses to the city and South Cambridgeshire Local Plan consultations that require an overall plan for major developments in the Cambridge area including:

- to expand jobs and education and skills
- the building of badly needed additional market and affordable housing
- vital transport and wider improvements, and
- protecting the best features of our area and environment,

and that these major issues can only be effectively addressed by the City, South Cambridgeshire and the County Council implementing integrated planning consultation and decision making.

The Council asks the Leader to instigate urgent member and officer meetings with the two other councils to maximise integration and:

- a) create one integrated, transparent and robust decision making process on the two Local Plan reviews, learning from other city region joint decision making like the Greater Norwich Development Partnerships
- b) Ensure the same consultation timings for both the two reviews and transport strategy consultations
- c) add an evidence base on combined Cambridge area projections on employment, housing and transport needs for 2020 and 2030, including to quantify unmet needs, and

d) investigate the potential to develop plans for a 'Cambridge City region' including a potential 'City Deal' bid to Government for extra powers and investment and infrastructure options.

7d Councillor Rosenstiel

This council recognises the valuable role that pubs play in their communities and is alarmed by the number that have been closed down, used for other purposes or demolished in recent years. Council also notes that communities are most successful when they contain a healthy mix of shops, including those that are independently run.

This council therefore congratulates Julian Huppert MP on proposing a 10 Minute Rule Bill which would defend against change of use or demolition of local pubs or independent shops without planning permission. It further notes that this would complement the powers currently being consulted on by the council for protection of pubs by means of Interim Planning Policy Guidance.

This Council calls on the Leader to write to Andrew Lansley MP, as the city's other representative in Parliament, requesting that he support the Bill on second reading on Friday 26 October and to encourage other MPs to do likewise.

8 WRITTEN QUESTIONS

9 SPECIAL URGENCY DECISION

Decision taken by the Executive Councillor for Customer Services and Resources – Councillor Julie Smith

- Future Cities Demonstrator Project Bid

(Pages 195 - 200)

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, which 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.

QR Codes

(for use with Smart Phones)



- 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 Applications or Licensing Hearings are subject to other rules and guidance on speaking on these issues can be obtained from Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

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Requests to film, record or photograph, whether from a media organisation or a member of the public, must be made to the democratic services manager at least three working days before the meeting.

The Democratic Services Manager can be contacted on 01223 457013 or democratic.services@cambridge.gov.uk.

Fire Alarm

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

Facilities for disabled people

Access for people with mobility difficulties is via the Peas Hill entrance.

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

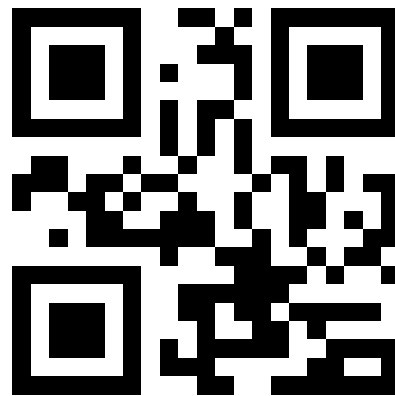
Adapted toilets are available on the ground and first floor.

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Queries on reports

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General Information

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COUNCIL

24 May 2012
12.10 - 12.20 pm

Present: Councillors Stuart (Chair), Saunders (Vice-Chair), Abbott, Ashton, Benstead, Bick, Bird, Birtles, Blackhurst, Blencowe, Boyce, Brierley, Brown, Cantrill, Dryden, Gawthrope, Hart, Herbert, Hipkin, Johnson, Kerr, Kightley, Marchant-Daisley, McPherson, Meftah, Moghadas, O'Reilly, Owers, Pippas, Pitt, Pogonowski, Price, Reid, Reiner, Rosenstiel, Smart, Smith, Swanson, Todd-Jones, Tucker, Tunnacliffe and Ward

FOR THE INFORMATION OF THE COUNCIL

10/40 To consider the following recommendation of the Civic Affairs Meeting held on 14 May 2012

Nominations for Honorary Councillors

Resolved (unanimously) –

That former Councillors Ian Nimmo-Smith and Roman Znajek be appointed as Honorary Councillors.

The meeting ended at 12.20 pm

CHAIR

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COUNCIL24 May 2012
11.00 am - 4.25 pm

Present: Councillors Nimmo-Smith (Mayor for item 12/21/CNL), Hart (Deputy Mayor for items 12/21/CNL and 12/22/CNL), Stuart (Mayor from item 12/22/CNL onwards), Saunders (Deputy Mayor from item 12/23/CNL onwards), Abbott, Ashton, Benstead, Bick, Bird, Birtles, Blackhurst, Blencowe, Boyce, Brierley, Brown, Cantrill, Dryden, Gawthrope, Herbert, Hipkin, Johnson, Kerr, Kightley, Marchant-Daisley, McPherson, Meftah, Moghadas, O'Reilly, Owers, Pippas, Pitt, Pogonowski, Price, Reid, Reiner, Rosenstiel, Smart, Smith, Swanson, Todd-Jones, Tucker, Tunnacliffe and Ward

FOR THE INFORMATION OF THE COUNCIL**12/21/CNL To elect a Mayor for the Municipal Year 2012/13**

Councillor Bick proposed and Councillor Blackhurst seconded the nomination of Councillor Sheila Stuart as Mayor for the Municipal Year 2012/2013.

Councillor Johnson proposed and Councillor Herbert seconded the nomination of Councillor Caroline Hart as Mayor for the Municipal Year 2012/2013.

Resolved (by 21 votes to 21 and on the Mayors casting vote) that:

- i. Councillor Sheila Stuart be elected Mayor for the Municipal Year 2012/2013 (Councillor Stuart then made the statutory declaration of acceptance of the office of Mayor).

12/22/CNL To elect a Deputy Mayor for the Municipal Year 2012/13

Councillor Smart proposed and Councillor Pippas seconded the nomination of Councillor Paul Saunders as Deputy Mayor for the Municipal Year 2012/2013.

Councillor Moghadas proposed and Councillor Hipkin seconded the nomination of Councillor Caroline Hart as Deputy Mayor for the Municipal Year 2012/2013.

Resolved (by 21 votes to 21 and on the Mayors casting vote) that:

- i. Councillor Paul Saunders be elected Deputy Mayor for the Municipal Year 2012/2013 (Councillor Saunders then made the statutory declaration of acceptance of the office of Deputy Mayor).

12/23/CNL To approve as a correct record the minutes of the meeting held on 19 April 2012

The minutes of the 19 April 2012 meeting were approved as a correct record and signed by the Mayor.

12/24/CNL To note the Returning Officers Report that the following have been elected to the office of Councillor

It was noted that the following had been elected to the office of Councillor:

Abbey: Richard Johnson
Arbury: Mike Todd-Jones
Castle: John Hipkin
Cherry Hinton: Robert Dryden
Coleridge: George Owers
East Chesterton: Margery Abbott
Kings Hedges: Nigel Gawthrop
Market: Tim Bick
Newnham: Sian Reid
Petersfield: Gail Marchant-Daisley
Queen Edith's: Sue Birtles
Romsey: Catherine Smart
Trumpington: Shapour Meftah
West Chesterton: Mike Pitt

12/25/CNL To note the appointment of the Mayors Chaplain for the ensuing year

The Council noted the appointment of The Reverend, Michael Beckett as the Mayor's Chaplain for the Municipal Year 2012/2013.

12/26/CNL To note the appointment of the Mayors Cadet for the ensuing year

The Council noted the appointment of Jordon Wood of the 29th Cambridge Scouts, as the Mayor's Cadet for the Municipal Year 2012/13.

12/27/CNL To pass a Resolution of Thanks to the outgoing Mayor and Mayoress

Resolved (unanimously), on the proposal of Councillor Tunnacliffe, seconded by Councillor Herbert that:

- i. This Council expresses its appreciation of the manner in which the duties of Mayor and Mayoress were discharged by Councillor Ian Nimmo-Smith and Mrs Margaret Nimmo-Smith, during their period of office and that the Common Seal be affixed to a copy of this resolution for presentation to them.

12/28/CNL Mayors Announcements**1. Apologies**

None

2. Welcome

The Mayor welcomed students from Abbey Meadows School.

3. Outgoing Mayors Dinner – Thursday 14th June 2012

The Mayor reminded members that tickets for the dinner at Corpus Christi College to mark the term in office of Dr. Nimmo-Smith, could be arranged with the Civic and Twinning Officer.

4. Civic Church Service – Sunday 27th May 2012

The Mayor confirmed that the Mott Sermon would be preached at Holy Trinity Church on Sunday 27th May at 9.30 a.m. Members were reminded to confirm their attendance with the Civic and Twinning Officer.

5. Diamond Jubilee Service– Sunday 3rd June 2012

The Mayor confirmed that the University of Cambridge would host the Diamond Jubilee Service on Sunday 3rd June.

6. Proclamation of Midsummer Fair – Wednesday 20th June 2012

The Mayor confirmed that the Proclamation of Midsummer Fair would take place on Wednesday 20th June.

7. Armed Forces Day – Saturday 30th June 2012

The Mayor confirmed that, in support of national Armed Forces Day, the Armed Forces Flag would be flown from the Guildhall from Monday 25th June for one week.

8. Mayor's Day Out

The Mayor confirmed that this year's Mayor's Day Out would take place on Monday 10th September in Great Yarmouth. Any members interested in assisting on the day were asked to contact the Civic and Twinning Officer.

9. HMS Protector

The Mayor welcomed Captain Peter Sparkes, the Commanding Officer of HMS Protector, Marine Engineer Robert Stamp, Leading Medical Research Assistant Rebecca Williams and members of the Cambridge Sea Cadets to formalise the affiliation between the City of Cambridge and the ice patrol ship HMS Protector.

Captain Sparkes and the Mayor signed an Affiliation Agreement and a plaque depicting the City's Coat of Arms was presented for display on board the ship.

12/29/CNL To elect from among the Members of the Council four Bailiffs of the City for the Municipal Year 2012/13

Councillor Boyce proposed and Councillor Dryden seconded that Councillors Bird, Brown, McPherson and Pippas be appointed as Bailiffs.

Resolved that Councillors Bird, Brown, McPherson and Pippas be appointed as Bailiffs of the City for the Municipal Year 2012/2013.

12/30/CNL Declarations of Interest

Councillor	Item	Interest
Pitt	12/33/CNL	Personal: Secretary of the Cleaner Cambridge Campaign

12/31/CNL To consider recommendations of Committees for Adoption

Civic Affairs (14 May 2012)

Election of Leader of the Council

Councillor Tim Bick and Councillor Lewis Herbert were nominated.

Resolved (by 21 votes to 21 and on the Mayors casting vote) to:

- i. Elect Councillor Tim Bick as Leader of the Council

Executive Councillors

The Leader confirmed membership of the Executive as follows:

- Executive Councillor for Housing (and Deputy Leader):
Councillor Catherine Smart
- Executive Councillor for Customer Services and Resources:
Councillor Julie Smith

- Executive Councillor for Environmental and Waste Services:
Councillor Jean Swanson
- Executive Councillor for Planning and Sustainable Transport:
Councillor Tim Ward
- Executive Councillor for Arts, Sport and Public Places:
Councillor Rod Cantrill
- Executive Councillor for Community Development and Health:
Councillor Mike Pitt

The Leader also confirmed that responsibility for CCTV and Community Safety would return to the Leaders Portfolio and responsibility for Climate Change would sit under the Planning and Sustainable Transport portfolio.

Resolved (unanimously) to:

- i. Note the changes to Executive responsibilities.
- ii. Make the required changes to scrutiny responsibilities to reflect the revised Executive responsibilities.

Appointment and size of Committees 2012/13

Resolved (21 votes to 0) that:

- i. Strategy and Resources Scrutiny Committee, Environment Scrutiny Committee, Community Services Scrutiny Committee, Housing Management Board and the Planning Committee be reduced in size from 9 members to 8.

Resolved (23 votes to 0) that:

- ii. The Employment Appeals Panel be increased in size from 9 members to 10.

Resolved (21 votes to 21 and on the Mayors casting vote) that:

- iii. One of the Labour Group's seats on the Joint Development Control Committee would **not** be allocated instead to the Independent/Conservative Group.

Resolved (unanimously) that:

- iv. One of the Labour Group's seats on the Employment Appeals Sub-Committee be allocated instead to the Independent/Conservative Group

Resolved (by 21 votes to 0) to:

- v. Agree the size and membership of the Committees as follows:

Scrutiny Committees:

SCRUTINY COMMITTEE	NOMINATION(S)	CURRENT NUMBERS (1) =Alternate	NOMINATIONS
Community Services [with up to 3 co-optees nominated by HMB and a nomination from the PCT]	Liberal Democrats	4 (1)	Brown, Blackhurst, Kerr, Kightley. Alt: Pippas
	Labour	4 (1)	Birtles, Blencowe (Housing Spokes), Moghadas (Arts, Sport, Public Places Spokes), O'Reilly (Community Development and Health Spokes). Alt: Todd-Jones
		8 Total	

SCRUTINY COMMITTEE	NOMINATION(S)	CURRENT NUMBERS (1) =Alternate	NOMINATIONS
Environment	Liberal Democrats	4 (1)	Kightley, Reid, Saunders, Reiner Alt: Brierley
	Labour	4 (1)	Marchant-Daisley (Planning and Sustainable Transport Spokes), Owers (Environmental and Waste Services Spokes), Pogonowski, Johnson. Alt: Herbert
		8 Total	

SCRUTINY COMMITTEE	NOMINATION(S)	CURRENT NUMBERS (1) =Alternate	NOMINATIONS
Strategy & Resources	Liberal Democrats	4 (1)	Boyce, Brown, Rosenstiel, Tucker. Alt: Blackhurst
	Labour	4 (1)	Ashton, Birtles, Herbert (Climate Change and Strategy Spokes), Benstead (Customer Services and Resources Spokes). Alt: Pogonowski
		8 Total	

SCRUTINY COMMITTEE	NOMINATION(S)	CURRENT NUMBERS (1) =Alternate	NOMINATIONS
Housing Management Board [plus 6 elected tenants/leaseholders]	Liberal Democrats	4 (1)	Blackhurst, Brierley, Rosenstiel, Pippas Alt: Tucker
	Labour	4 (1)	Price (Spokes), Johnson, Bird, Pogonowski. Alt: Blencowe
		8 Total	

Regulatory Committees:

COMMITTEE/SUB COMMITTEE	NOMINATIONS	CURRENT NUMBERS (1)= Alternate	NOMINATIONS
Planning	Liberal Democrat	4 (1)	Brown, Saunders, Stuart, Tunnacliffe. Alt: Tucker
	Labour	3 (1)	Blencowe, Dryden, Marchant-Daisley, Alt: Herbert
	Indep/Cons	1	Hipkin
		8 Total	

COMMITTEE/SUB COMMITTEE	NOMINATIONS	CURRENT NUMBERS (1)= Alternate	NOMINATIONS
Licensing (Currently meets: Mondays at 10am) [Sub-Cttees appt. during Annual Meeting]	Liberal Democrat	6 (1)	Brierley, Pippas, Reiner, Rosenstiel, Saunders, Smith. Alt: Stuart
	Labour	5 (1)	Benstead, Owers, Gawthrope, Hart, McPherson. Alt: Marchant-Daisley
	Indep/Cons	1 (1)	Meftah. Alt: Hipkin
		12 Total	

Other Committees:

COMMITTEE/SUB COMMITTEE	NOMINATIONS	CURRENT NUMBERS (1)= Alternate	NOMINATIONS
Civic Affairs	Liberal Democrat	3 (1)	Boyce, Pitt, Rosenstiel. Alt: Brierley
	Labour	3 (1)	Herbert, Benstead, Marchant-Daisley. Alt: Pogonowski
		6 Total	

COMMITTEE/SUB COMMITTEE	NOMINATIONS	CURRENT NUMBERS (1)= Alternate	NOMINATIONS
Cambridge Traffic Management Area Joint Committee	Liberal Democrat	3 (1)	Brown, Rosenstiel, Tunnacliffe. Alt: Tucker,
	Labour	3 (1)	Price, Bird, Owers Alt: TBC
		6 Total	

COMMITTEE/SUB COMMITTEE	NOMINATIONS	CURRENT NUMBERS (1)= Alternate	NOMINATIONS
Standards Committee The External Members (3) will be recommended for re-appointment	Liberal Democrat	3 (1)	Smart, Swanson, Tucker. Alt: Pitt
	Labour	3 (1)	McPherson, Dryden, Ashton. Alt: TBC
	External Members	3	
		9 Total	

COMMITTEE/SUB COMMITTEE	NOMINATIONS	CURRENT NUMBERS (1)= Alternate	NOMINATIONS
Joint Development Control Committee	Liberal Democrat	3 (1)	Reid, Smart, Tucker. Alt: Tunnacliffe
	Labour	3 (1)	Blencowe, Dryden, + 1 TBC Alt: Marchant-Daisley
		6 Total	

COMMITTEE/SUB COMMITTEE	NOMINATIONS	CURRENT NUMBERS (1)= Alternate	NOMINATIONS
Employment Appeals Sub	Liberal Democrat	5	Pippas, Reid, Saunders, Smart, Tucker.
	Labour	4	Price, Bird, Johnson, Gawthrope
	Indep/Cons	1	Hipkin
		10 Total	

Appointment of Chairs and Vice-Chairs 2010/11

Scrutiny Committees

Resolved (by 21 votes to 19) that the Chairs and Vice-Chairs be as follows:

Committee	Chair	Vice Chair
Community Services Scrutiny Committee	Kerr	Kightley
Environment Scrutiny Committee	Kightley	Saunders
Strategy and Resources Scrutiny Committee	Brown	Rosenstiel
Housing Management Board	Blackhurst	Tenant Rep

Regulatory Committees:Joint Development Control Committee (City Lead)

The Liberal Democrat Group nomination and the Labour Group nomination were as shown below:

Liberal Democrat	Labour
Reid	Blencowe

Resolved (by 21 votes to 21 and on the Mayors casting vote) that:

- i. Councillor Reid be appointed as City Lead on the Joint Development Control Committee.

Civic Affairs Committee

The Liberal Democrat Group nomination and the Labour Group nomination were as shown below:

	Chair	Vice Chair
Liberal Democrat	Boyce	Rosenstiel
Labour	Marchant-Daisely	-

Resolved (by 21 votes to 21 and on the Mayors casting vote) that:

- i. Councillor Boyce be appointed Chair of the Civic Affairs Committee.

Resolved (by 21 votes to 0) that:

- ii. Councillor Rosenstiel be appointed Vice Chair of the Civic Affairs Committee.

Employment Appeals Sub-Committee

Resolved (by 21 votes to 0) that:

- i. Councillor Smart be appointed as Chair of the Employment Appeals Sub-Committee

Planning Committee

Resolved (by 20 votes to 0) that:

- i. Councillor Stuart be appointed as Chair of the Planning Committee.

Resolved (unanimously) that:

- ii. Councillor Blencowe be appointed as Vice Chair of the Planning Committee

Licensing Committee

Resolved (by 21 votes to 0) that:

- i. Councillor Rosenstiel be appointed as Chair of the Licensing Committee.

Resolved (unanimously) that:

- ii. Councillor Benstead be appointed as Vice Chair of the Licensing Committee.

12/32/CNL Annual Statements

Councillor Bick spoke to a written Annual Statement on the Liberal Democrat Group's priorities for the forthcoming Municipal Year, which had been appended to the agenda for the meeting.

Councillor Marchant-Daisley spoke to a written Annual Statement on the Labour Group's priorities for the forthcoming Municipal Year, which had been appended to the agenda for the meeting.

Councillor Hipkin spoke to a written Annual Statement on the Independent/Conservative Group's priorities for the forthcoming Municipal Year, which was circulated at the meeting.

12/33/CNL Adoption of Annual Policies and Priorities

Under the Scheme for Annual Statements, that of Councillor Bick was deemed to be a motion for adoption by the Council.

Councillor Marchant-Daisley proposed and Councillor Owers seconded the replacement of the Liberal Democrat Annual Statement by that of the Labour Group.

On a show of hands, this proposal was lost by 18 votes to 21.

Resolved (by 21 votes to 19) that:

- i. The Annual Statement of the Liberal Democrat Group, as appended to the agenda, be adopted as Council policy for 2012/13.

12/34/CNL Public Questions Time

None

12/35/CNL To deal with Oral Questions

1. Councillor Kerr to the Executive Councillor for Arts, Sport and Public Places

Could the Executive Councillor update the Council on the proposal to increase the provision of allotments in East Chesterton?

The Executive Councillor for Arts, Sport and Public Places responded and stated that he was committed to increasing the provision of allotments. Officers had been tasked with looking for additional sites and additional provision had recently been identified in Kendal Way at a modest cost.

2. Councillor Kightley to the Executive Councillor for Environmental and Waste Services

Can the Executive Councillor give us an update on a timetable for the implementation of route optimisation for waste collection and the introduction of collection of recyclable plastic pots, tubs and trays?

The Executive Councillor for Environmental and Waste Services responded and confirmed that officers were undertaking further route optimisation work and that new routes would be in place 30 July. This timescale would also correspond with the introduction of recycling for plastic pots, tubs and trays. It was noted that a communication plan was in place to inform residents of the changes.

3. Councillor Birtles to the Executive Councillor for Environmental and Waste Services

How adequate were the provisions for gritting during the periods of heavy snow last winter?

The Executive Councillor for Environmental and Waste Services responded and confirmed that the gritting of highways, paths and cycleways was a County Council responsibility. 24 tons of grit had been supplied to the City Council in order to cover areas under its responsibility and many Residents' Associations had been supplied with bags of grit on request. It was highlighted that the supply had been sufficient to meet all requests.

4. Councillor Johnson to the Executive Councillor for Housing

Can the Executive Councillor for Housing explain why some families with children in Cambridge who are in need of emergency accommodation, for example due to unintentionally being made homeless, are currently being housed out of the City forty miles away in Peterborough?

The Executive Councillor for Housing responded and stated that at times all temporary accommodation in the City did become full. When no suitable places could be found there was unfortunately a need to find accommodation outside of the City.

5. Councillor Dryden to the Leader

Can you give details of what rules the Council has in place on the type of material and articles that can appear in a resident's magazines that has been supported financially for publication from the City Council, especially before the run up of local elections

The Leader responded and stated that the application process for community development grants did require the signing of a declaration, which clearly states that the grant should not be used to promote political activity.

6. Councillor Blackhurst to the Executive Councillor for Arts, Sport and Public Places

Does the Executive Councillor support the concept of a "Community Stadium" for Cambridge?

The Executive Councillor for Arts, Sport and Public Places expressed support for the enhancement of sporting facilities that would benefit both Cambridge residents and those from outside the City. He confirmed that he was open to discussions on any proposals.

7. Councillor Price to the Leader of the Council

Given the abrupt ending to last Thursday's North Area Committee meeting, with important items such as, Policing Priorities and the Open Forum still to be dealt with, what do you propose to do to ensure this doesn't happen again?

The Leader responded and stated that the chair is accountable to the Area Committee for the agenda, recognising that there were some non-negotiable items. It was noted that Chairs elected in the next cycle need to take this on board.

Whilst there is a power to bring things to the Committee of relevance to the area, there is also a responsibility to ensure that only discretionary items that are doable are taken on. Each Area Committee Chair now had an assigned Head of Service to support agenda construction and follow-through. Area Committee Chairs have the possibility of scheduling an additional meeting if required for business that can't be managed within the regular cycle. It was emphasised that the Chair's role was not a passive role.

The situation at North Area Committee last week of a Chair retiring during the meeting and passing to a Deputy who had not had an opportunity to shape the agenda, was not likely to happen often. However this was a learning point. Involvement of the public at these meetings was sometimes hard to stimulate, but equally difficult to contain when working well. It was noted that additional skills may be required and officers would be asked to identify possible training programmes. Good preparation and good judgement was also highlighted as being important. The Leader highlighted that whilst the Chairs are political appointments, they should definitely not be political sinecures!

The Leader confirmed that he had apologised to the Police and agreed a suggested way forward.

8. Councillor Reiner to the Executive Councillor for Arts, Sport and Public Places

What money has the City Council allocated in its budget for managing the delivery of green open spaces in the new communities across the City, and can you give us an update on when the green open spaces within the CB1 and Accordia developments will be completed and handed over for resident and public use?

The Executive Councillor for Arts, Sport and Public Places responded and confirmed that £15,000 had been allocated for this year, with an additional £30,000 for future years. It was noted that a new Open Space Officer post had been established to monitor play space and allotment provision on the new growth sites. Officers would continue to work with CB1 and Accordia to ensure that and land due to be transferred to the City Council meets the required standard.

9. Councillor Brown to the Executive Councillor for Arts, Sport and Public Places

Could the Executive Councillor update the Council on the position regarding the decision about whether to transfer a part of the public open space to facilitate a lay-by at 103 Mill Road?

The Executive Councillor for Arts, Sport and Public Places confirmed that there had been no formal approach from Sainsbury's regarding the lay-by. In addition, the time limit for appealing the planning decision had now expired.

Public consultation on the transfer of the open space had been reported to the East Area Committee and showed strong support for the land remaining public open space.

10. Councillor Owers to the Executive Councillor for Planning and Sustainable Transport

In the course of the CB1 development, what consideration and action is being given to ensuring that safe, clear pedestrian/cycling access is provided between Carter Bridge and the station?

The Executive Councillor for Planning and Sustainable Transport responded and stated that access was currently under the control of Network Rail. Regarding the CB1 Site, officers were currently discussing options for the cycle parking with the developers. It was expected that an application would be submitted later in the year and that full consultation would follow. He also noted that the long term concerns regarding access had been highlighted to Brookgate.

11. Councillor Johnson to the Executive Councillor for Arts, Sport and Public Places

Can the Executive Councillor for Arts, Sport and Public Places please state when he expects the refurbishment of the Peverel Road play equipment to take place?

The Executive Councillor for Arts, Sport and Public Places responded and stated that final designs had been approved and the process of letting the contract had started. A contract was likely to be in place by July with a full consultation to follow. It was also noted that contribution funded projects were being delivered across the City.

12/36/CNL To consider the following Notices of Motion, notice of which has been given

Motion A

On a show of hands, under Council procedure Rule 26, the Council granted consent for the alteration of the published Motion.

Councillor Dryden proposed and Councillor Owers seconded the following altered motion:

“This Council recognises the difficulties that face many Cambridge residents on low incomes in seeking credit facilities. This Council also notes that illegal loan-sharks, doorstep lenders and payday loan companies in Cambridge exploit these difficulties in order to profiteer out of those on low incomes.

In order to help those struggling to find access to fair sources of credit, we ask officers to produce a report to Community Services Scrutiny Committee this financial year to investigate the possibilities of helping enable more Cambridge people to gain access to the facilities of credit unions of the kind that operate today in Cherry Hinton and North Cambridge, and to investigate what the council can do to tackle exploitative lending practices.”

Resolved (unanimously) that:

This Council recognises the difficulties that face many Cambridge residents on low incomes in seeking credit facilities. This Council also notes that illegal loan-sharks, doorstep lenders and payday loan companies in Cambridge exploit these difficulties in order to profiteer out of those on low incomes.

In order to help those struggling to find access to fair sources of credit, we ask officers to produce a report to Community Services Scrutiny Committee this financial year to investigate the possibilities of helping enable more Cambridge people to gain access to the facilities of credit unions of the kind that operate today in Cherry Hinton and North Cambridge, and to investigate what the council can do to tackle exploitative lending practices.

12/37/CNL Written Questions

Members noted the written questions and answers circulated around the chamber.

12/38/CNL Special Urgency Decision

Resolved that:

- i. That the Special Urgency decision be noted.

12/39/CNL To note the record of Member's attendances at Committee, Sub-Committee and Working Party Meetings during 2011/12

Resolved that:

- i. Record of Members' attendances at Committee, Sub Committee and Working Party Meetings during 2011/2012 be noted.

The meeting ended at 4.25 pm

CHAIR

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<p style="text-align: center;">RECOMMENDATION TO COUNCIL (THE LEADER – COUNCILLOR BICK)</p>
--

ANNUAL TREASURY MANAGEMENT REPORT 2011/12

This Council is required through regulations issued under the Local Government Act 2003 to produce an annual treasury report reviewing treasury management activities and the actual prudential and treasury indicators for 2011/12. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code 2011).

The Scrutiny Committee considered and approved the recommendations by 4 votes to 0.

Accordingly, Council is recommended to:

Approve the Annual Treasury Management Report 2011/12, which includes reporting of the Council's actual Prudential and Treasury Indicators for 2011/12.

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To: The Leader and Executive Councillor for Strategy :
Councillor Tim Bick
Report by: Director of Resources
Relevant scrutiny Strategy & Resources Scrutiny 09/7/2012
committee: Committee
Wards affected: All Wards

ANNUAL TREASURY MANAGEMENT REPORT 2011/12

1. Executive summary

This Council is required through regulations issued under the Local Government Act 2003 to produce an annual treasury report reviewing treasury management activities and the actual prudential and treasury indicators for 2011/12. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code 2011).

2. Recommendations

The Executive Councillor is asked to recommend this report, which includes reporting of the Council's actual Prudential and Treasury Indicators for 2011/12, for approval by Council.

3. Background

This report provides information on:

- Capital expenditure and financing activity during the year;
- The impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement);
- The overall treasury position identifying how the Council has borrowed in relation to this indebtedness, and the impact on deposit balances;
- The required prudential and treasury indicators;
- Interest rate movements in the year;
- Borrowing activity relating to the Self-Financing of the Housing Revenue Account (HRA); and

- Detailed deposit activity

3.1 The Council's Capital Expenditure and Financing 2011/12

The Council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
- If insufficient financing is available, or a decision is taken not to apply such resources, the capital expenditure will give rise to a borrowing need.

The actual capital expenditure forms one of the prudential indicators required to be reported. The table below shows the Council's actual capital expenditure and how this was financed.

	2010/11 £000 Actual	2011/12 £000 Revised Estimate (*)	2011/12 £000 Actual
Non-HRA capital expenditure	5,032	15,260	8,194
HRA capital expenditure	9,514	20,669	9,917
HRA Reform	-	-	213,572
Total capital expenditure	14,546	35,929	231,683
Resourced by:			
• Capital receipts	3,296	6,227	4,093
• Other contributions	11,250	29,702	14,018
• Borrowing for HRA Reform	-	-	213,572
Total available resources for financing capital expenditure	14,546	35,929	231,683
Un-financed capital expenditure	-	-	-

(*) Per Medium Term Strategy Agreed on 20 October 2011

3.2 The Council's overall borrowing need

External borrowing for 2011/12 was undertaken for a capital purpose due to HRA Reform amounting to £213.572m. This borrowing was from the Public Works Loans Board (PWLB) and benefited from the availability of preferential loan rates specifically for this Self-Financing

transaction. The loan portfolio consists of 20 maturity loans each for £10,678,600. The first loan will mature on 28 March 2038 and the last on 28 March 2057. A table setting out the PWLB borrowing portfolio is included in the Treasury Management Position Statement as at 31 March 2012 included as Appendix A.

3.3 Treasury Position as at 31 March 2012

The Council's debt and deposit position is organised by the Council's own treasury management staff in order to ensure adequate liquidity for revenue and capital activities, security for deposits and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through Member reporting (as outlined in the summary) and through officer activity detailed in the Council's Treasury Management Practices.

The table below shows comparative deposit outturn for 2011/12 against 2010/11.

Deposit Type	2010/2011			2011/2012		
	Average Deposits	Rate of Return	Benchmark Return	Average Deposits	Rate of Return	Benchmark Return
1. Internally Managed Funds						
Fixed Short-Term (<365 days)	£56.84m	0.55%	0.61%	£63.08m	0.75%	0.94%
Call/Overnight Accounts	£3.82m	0.28%	0.43%	£6.52m	0.38%	0.48%
Fixed Long-Term (>365 days)	-	-	-	-	-	-
2. Externally Managed Funds						
Managed Funds	-	-	0.61%	-	-	0.48%
3. Overall Deposit Return						
	£61.34m	0.60%	-	£69.60m	0.72%	-

Notes:

- The 'Benchmark Return' figures are based upon Sector Treasury Management's average money market 3-month London Interbank Bid

Rate (LIBID), for the Council's Fixed Short-Term deposits and their average money market Overnight Rate, for the Council's Call/Overnight deposits;

- All deposits were under one year.
- The Council's performance against the national benchmark is lower than average. However, this is mainly due to the restrictions that the Council had adopted on the total balances that can be deposited with an individual institution or group. (These totals were increased by Council on 23 February 2012 to enable the authority to receive a better rate of return on its deposits.) In addition, the requirement to determine a suitable borrowing strategy for the HRA led to a decision to restrict the periods for which funds would be deposited to the short term. This action was taken in order to retain flexibility should internal borrowing be utilised. This policy had an impact on the interest rate received on deposits.

3.4 Interest of £494,000 has been earned on the Council's deposits during 2011/12 at an average rate of 0.72%. This return compares favourably with the average 7 day London Interbank Offered Rate (LIBOR) rate of 0.61% as at 30 March 2012. The original budget for interest earned in 2011/12 was £312,000. Interest yield has therefore been over-achieved by £172,000 for the year 2011/12 although this was in part due to higher levels of deposit than originally forecast.

3.5 Appendix A to this report shows the Treasury Management Position Statement as at the end of the financial year.

3.6 Borrowing

On 28 March 2012, the Council undertook borrowing of £213.572m in order to finance the one-off payment to central government in relation to the introduction of a new HRA Self-financing regime with effect from 1 April 2012. The overall borrowing need was detailed in paragraph 3.3 above. This was the only external borrowing undertaken in the year.

3.7 The Economic Background

The Council's Treasury Management advisors, Sector, provide information on the national and world economy. This information is provided below to give context to the current Treasury Management strategy and practices, based on the position at March 2012.

The outlook for the global economy remains clouded with uncertainty. The UK economy has struggled to generate a sustained recovery so this offers little hope for a strong recovery in 2012, and possibly even into 2013. Consumer and business confidence levels are generally low and it is not easy to see potential for a significant increase in the growth rate in the short term.

- The Eurozone Sovereign debt crisis has abated following agreement on a second bailout package of €130bn for Greece in mid February;
- The European Central Bank provided c. €1trn of 3yr funding to EU banks at 1%;
- Eurozone banks used this financing at 1% to buy new sovereign debt issues yielding significantly higher rates; this has pushed some Eurozone sovereign yields down below 'panic' levels – notably Spain and Italy;
- One potential problem on the horizon is various national elections; Germany in 2013; French presidential election result in May 2012, where Sarkozy lost to the Socialist front runner Francois Hollande;
- Major uncertainties surround future prospects for the Eurozone.

US

- Economic prospects have been encouraged by some positive news, but improvement is still limited;
- The likelihood of a weak rate of growth going forward will mean slow progress in reducing the high level of unemployment which is acting as such a dampener on the economy;
- Ben Bernanke (the Chairman of the Federal Reserve) has hinted at the possibility of another round of Quantitative Easing (QE) aimed at encouraging a strong enough rate of growth to reduce the total level of unemployment significantly;
- The US still has to address reducing the huge total of public debt and annual deficits by adopting austerity measures;
- Presidential elections are due in November 2012.

China

- Falling inflation has opened the way for relaxing credit restrictions to boost growth, which has been flagging;
- However, current expectations are that it will maintain a reasonable rate of growth, though less than in previous years.

UK

- Austerity measures, aimed at getting the public sector deficit into order over the next four years, have yet to fully impact on the economy;

- However, it looks likely that the private sector will not make up for the negative impact on employment in the public sector over the next year;
- Lack of significant progress in generating a rebalancing of the UK economy to manufacturing from services and an export led recovery - albeit some upbeat data in April has been received;
- The housing market, a gauge of consumer confidence, remains weak and the outlook is for house prices to be little changed for a prolonged period;
- Economic forecasts for 2012 and beyond have been revised lower on a near quarterly basis;
- Bank of England embarked on a £75bn second round of QE to stimulate economic activity in October 2011. Another £50bn was added to the programme in February 2012. The Bank of England Monetary Policy Committee is currently split on whether there needs to be another increase in QE in 2012, after some reasonably encouraging economic statistics, indicating that the fall in GDP in Q4 2011 looks like being a one off, rather than the start of a new trend towards recession;
- Inflation has eased from its peak of 5.2% (Consumer Price Index [CPI]) in September 2011, with strong expectation that CPI will hit the 2% target rate within the MPC's two year time horizon;
- The UK's AAA rating was put on negative outlook by Moody's in February 2012 and by Fitch in March. Concerns over growth outlook and potential shocks from the Eurozone combine to also depress growth;
- However, "safe haven" status has underpinned demand for gilts and kept yields at historic lows. Unlikely to see material change in near term.

Given the volatile nature of the global economy this information is constantly changing. The above paragraph includes the position reported by Sector in March 2012, reflecting the end point of the period reported on. The Council will be reviewing the latest position as part of the forthcoming Medium Term Strategy, together with any resulting amendments to treasury management practice which are deemed appropriate.

3.8 Sector's forward view

Economic forecasting remains difficult with so many external influences weighing on the UK. Key areas of uncertainty include:

The potential for the unravelling or failure of implementation of the second Greek bailout package causing a worsening of the Eurozone debt crisis. The failure of Greece to form a coalition government in May 2012.

Inter-government agreement on how to deal with the Eurozone debt crisis could fragment, particularly as a result of upcoming national election results;

The impact of the Eurozone crisis on financial markets and the banking sector;

The impact of the UK Government's austerity plan on confidence and growth;

Potential for failure of UK inflation to fall back to near the 2% target;

Monetary policy action failing to stimulate growth in western economies;

- The potential for weak growth or recession in the UK's main trading partners - the EU and US;
- High oil prices depressing world growth and stoking inflation;
- The political situation in the Middle East, particularly over Iran's nuclear ambitions;
- Potential for protectionism i.e. an escalation of the currency war / trade dispute between the US and China;
- A hard landing for slowing growth in China.

Sector believes that the longer run trend is for gilt yields and PWLB rates to rise due to the high volume of gilt issuance in the UK, and the high volume of debt issuance in other major western countries.

Given the weak outlook for economic growth, Sector sees the prospects for any interest rate changes before late 2013 as very limited. There is potential for the start of Bank Rate increases to be even further delayed if growth disappoints.

3.9 Interest rates

Sector provide the following forecast for UK interest rates:

	Jun-12	Sep-12	Dec-12	Mar-13	Jun-13	Sep-13	Dec-13	Mar-14	Jun-14	Sep-14	Dec-14	Mar-15
Bank rate	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.75%	1.00%	1.25%	1.25%	1.50%
5yr PWLB rate	2.00%	2.10%	2.20%	2.20%	2.30%	2.40%	2.50%	2.60%	2.80%	3.00%	3.20%	3.40%
10yr PWLB rate	3.00%	3.00%	3.20%	3.30%	3.40%	3.50%	3.60%	3.70%	3.80%	4.00%	4.20%	4.40%

25yr PWLB rate	4.20%	4.20%	4.30%	4.30%	4.40%	4.50%	4.50%	4.60%	4.70%	4.80%	4.90%	5.00%
50yr PWLB rate	4.30%	4.30%	4.40%	4.40%	4.50%	4.60%	4.60%	4.70%	4.80%	4.90%	5.00%	5.10%

The Sector central forecast is for the first increase in bank rate to be in March 2014. With low growth predictions for the U.K, and financial markets unconvinced that politicians have resolved the Eurozone sovereign debt crisis, we are likely to continue to experience high levels of volatility.

3.10 Icelandic Bank Deposits

This authority had the following short term deposits in Icelandic banks and their UK subsidiaries at the time of the collapse of Icelandic banking institutions in 2008/09.

Counterparty	Principal	% Rate	Deposit Date
Heritable Bank Limited	1,000,000	5.65000%	09-Jan-08
Heritable Bank Limited	1,000,000	6.21000%	13-Jun-08
Landsbanki Islands hf	2,000,000	6.22000%	30-Jun-08
Heritable Bank Limited	2,000,000	6.00000%	05-Sep-08
Landsbanki Islands hf	1,000,000	6.35000%	01-Jul-08
Landsbanki Islands hf	2,000,000	6.42000%	01-Jul-08
Deposits placed in 2008/09	9,000,000	6.14041%	

The Icelandic Government has stated its intention to honour all its commitments as a result of their banks being placed into receivership. The U.K. Government is working with the Icelandic Government to help bring this about. At the current time, the process of recovering assets is still ongoing with the respective administrators and winding up boards. The Local Government Association is co-ordinating the efforts of all UK authorities with Icelandic deposits.

Based on the latest CIPFA Local Authority Accounting Panel (LAAP) Bulletin 82 (revised 14th May 2012), the Council is anticipating that it will recover between 86% to 90% of its claim against Heritable Bank Ltd and 100% of its claim against Landsbanki Islands hf. Provisions have been made as part of the Council's accounts to reflect this basis.

Heritable Bank Limited

At the end of 2011/12, the total of dividends received from the administrators of Heritable Bank Plc equating to a payment of £2.766m which represented 67.90 pence in the pound of the total claim. In addition £154,328 has been received in the current financial year, bringing the total dividends to date to £2,920,348 (71.69 pence in the pound)

Landsbanki Islands hf

The Landsbanki test case appeal hearings took place in the Supreme Court of Iceland on 14 and 15 September 2011. On 28 October 2011 the Icelandic Supreme Court ruled that the deposits placed by the test case UK local authorities and other wholesale depositors in Landsbanki hf have priority status over other creditors in the winding up of the bank.

On 19 January 2012 the Icelandic Supreme Court approved settlement of the claims placed by the non-test case UK local authorities in Landsbanki hf

At the end of 2011/12, the Council had received one dividend of £1.518m from the winding-up board in respect of Landsbanki Islands hf, equating to approximately one third of the Council's claim. A further distribution was received on 29 May 2012 increasing the percentage recovered to approximately 40%.

3.11 Compliance with Treasury Limits

During the financial year the Council operated within the 'authorised' and 'operational' borrowing limits contained within the approved Prudential Indicators set out in the Council's Treasury Management Strategy Statement. For information, the outturn for the Prudential Indicators are shown in Appendix B.

4. Background papers

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

Treasury Management Strategy Statement & Annual Deposit Strategy – Budget Setting Report to Council 23rd February 2012; and;

Sector Treasury Services Ltd - Annual Treasury Management Report (template) April 2012.

5. Appendices

Appendix A – Treasury Management Position Statement for March 2012
Appendix B – Prudential Indicators – outturn for 2011/12 and the PWLB Borrowing Portfolio for HRA Reform

6. Inspection of papers

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

Author's Name:	Steve Bevis
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TREASURY MANAGEMENT
POSITION STATEMENT AS AT : 31 MAR 2012

[1] CURRENT DEPOSITS

The Council's current deposits are summarised (by counterparty) in the table below:

Counterparty	<i>Principal</i> (£)	*Dividends Received (£)
Bank of Scotland Plc	1,000,000	
Bank of Scotland Plc	3,000,000	
Bank of Scotland Plc	2,000,000	
Lloyds TSB Bank Plc	3,000,000	
National Westminster Bank Plc	4,000,000	
Nationwide BS	1,000,000	
National Westminster Bank Plc	2,000,000	
Heritable Bank Limited	4,000,000	2,766,020
Landsbanki Islands hf	5,000,000	1,518,168
Lloyds TSB Bank Plc	3,000,000	
Nationwide BS	1,000,000	
National Westminster Bank Plc	2,000,000	
Nationwide BS	1,000,000	
Nationwide BS	2,000,000	
Nationwide BS	1,000,000	
Barclays Bank plc	4,000,000	
Barclays Bank plc	1,000,000	
Nationwide BS	1,000,000	
Barclays Bank plc	2,000,000	
Midlothian Council	3,000,000	
National Westminster Bank Plc	2,000,000	
Bank of Scotland Plc	3,000,000	
Nationwide BS	3,000,000	
Barclays Bank plc	3,000,000	
Blaenau Gwent Council	2,000,000	
Peterborough City Council	3,000,000	
Dumfries & Galloway Council	3,000,000	
The Royal Bank of Scotland Plc	3,000,000	
HSBC Bank Plc <i>[Deposit a/c]</i>	1,380,000	
TOTAL DEPOSITED	69,380,000	4,284,188

*The dividends received include both principal and interest, and relate to the impaired deposits held with Icelandic banks and their subsidiaries.

The above deposits include any forward-deals that have been agreed (i.e. deals with a deposit start date that is forward of the agreement date).

The total of dividends now received from the administrators of Heritable Bank Plc represents 67.90 pence in the pound of the total claim. The next dividend has been forecast for April 2012.

[2] CURRENT MARKET EXPERIENCE

a) Treasury Activity

For overnight and very short-term deposits the Council continues to make more use of the HSBC Deposit A/c in preference to the Government DMADF*, as the interest rate is marginally higher on the HSBC Deposit A/c.

b) Interest Rates

A number of short-term and mid-term deposits have been placed in March, at rates in the range 0.32% - 1.75%.

Counterparty	Principal (£'s)	% Rate	Maturity Date	Broker	Deposit Date	Period (Days)
Nationwide BS	2,000,000	1.00000%	01/06/2012	Direct	02/03/2012	91
Nationwide BS	1,000,000	1.00000%	07/06/2012	Direct	07/03/2012	92
National Westminster Bank Plc	2,000,000	0.96000%	15/06/2012	Direct	15/03/2012	92
Bank of Scotland Plc	3,000,000	1.75000%	17/09/2012	Direct	16/03/2012	185
Nationwide BS	3,000,000	0.52000%	19/04/2012	Direct	21/03/2012	29
Barclays Bank Plc	3,000,000	0.45000%	12/04/2012	Direct	21/03/2012	22
Bank of Scotland Plc	3,000,000	0.63000%	23/04/2012	Direct	22/03/2012	32
Barclays Bank Plc	4,000,000	0.73000%	22/05/2012	Direct	22/03/2012	61
National Westminster Bank Plc	2,000,000	0.59000%	24/04/2012	Direct	22/03/2012	33
Dumfries & Galloway Council	3,000,000	0.35000%	03/04/2012	Martins	22/03/2012	12
Lloyds TSB Bank Plc	3,000,000	1.40000%	22/06/2012	Direct	23/03/2012	91
Blaenau Gwent Council	2,000,000	0.32000%	12/04/2012	Martins	23/03/2012	20
Nationwide BS	1,000,000	0.98000%	22/06/2012	Direct	23/03/2012	91
Midlothian Council	3,000,000	0.45000%	03/05/2012	Tradition	26/03/2012	38
Bank of Scotland Plc	1,000,000	1.75000%	26/09/2012	Direct	26/03/2012	184
Lloyds TSB Bank Plc	3,000,000	1.40000%	04/07/2012	Direct	29/03/2012	97
National Westminster Bank Plc	4,000,000	0.96000%	04/07/2012	Direct	29/03/2012	97
Nationwide BS	1,000,000	0.98000%	29/06/2012	Direct	29/03/2012	92
Peterborough City Council	3,000,000	0.50000%	12/04/2012	Direct	30/03/2012	13

[3] DEPOSIT STRATEGY & COUNTERPARTY LIST

The current practice of restricting all deposits with non-nationalised banks and building societies to a maximum of three months is to be continued.

[4] PWLB BORROWING PORTFOLIO FOR HRA REFORM

In order to meet the required payment to the Department for Communities and Local Government (DCLG) in relation to the self-financing of the HRA the following debt portfolio was determined by the Director of Resources under the appropriate delegated authority.

Loan Ref:	Start Date	Principal (£)	Interest	Maturity Date	Term (Years)
1	28-Mar-12	10,678,600	3.46%	28-Mar-38	26
2	28-Mar-12	10,678,600	3.47%	28-Mar-39	27
3	28-Mar-12	10,678,600	3.48%	28-Mar-40	28
4	28-Mar-12	10,678,600	3.49%	28-Mar-41	29
5	28-Mar-12	10,678,600	3.50%	28-Mar-42	30
6	28-Mar-12	10,678,600	3.51%	28-Mar-43	31
7	28-Mar-12	10,678,600	3.52%	28-Mar-44	32
8	28-Mar-12	10,678,600	3.52%	28-Mar-45	33
9	28-Mar-12	10,678,600	3.52%	28-Mar-46	34
10	28-Mar-12	10,678,600	3.52%	28-Mar-47	35
11	28-Mar-12	10,678,600	3.53%	28-Mar-48	36
12	28-Mar-12	10,678,600	3.53%	28-Mar-49	37
13	28-Mar-12	10,678,600	3.53%	28-Mar-50	38
14	28-Mar-12	10,678,600	3.53%	28-Mar-51	39
15	28-Mar-12	10,678,600	3.52%	28-Mar-52	40
16	28-Mar-12	10,678,600	3.52%	28-Mar-53	41
17	28-Mar-12	10,678,600	3.51%	28-Mar-54	42
18	28-Mar-12	10,678,600	3.51%	28-Mar-55	43
19	28-Mar-12	10,678,600	3.51%	28-Mar-56	44
20	28-Mar-12	10,678,600	3.50%	28-Mar-57	45
Total:-		213,572,000	-	-	

This debt was financed entirely by fixed rate maturity loans from the Public Works Loan Board (PWLB). The Council's Authorised Borrowing Limit is currently set at £250,000,000, this debt leaves the Council with £36,428,000 headroom to incur further debt if required.

The borrowing transactions with the PWLB and payment of the HRA Self-Financing settlement to the DCLG were successfully undertaken within the timescales required by the Government.

PRUDENTIAL & TREASURY MANAGEMENT INDICATORS

	Actual 2010/11 £'000	Original 2011/12 £'000	Revised 2011/12 £'000	Actual 2011/12 £'000
<u>PRUDENTIAL INDICATORS</u>				
Capital expenditure				
- General Fund	5,032	7,177	15,260	8,194
- HRA	9,514	10,953	234,241	223,489
Total	14,546	18,130	249,501	231,683
Incremental impact of capital deposit decisions on:				
Band D Council Tax (City element)	0.00	0.00	0.00	0.00
Average weekly housing rent	0.00	0.00	0.00	0.00
Capital Financing Requirement (CFR) as at 31 March				
- General Fund	(894)	(894)	(1,177)	(1,177)
- HRA	893	1,176	215,031	215,031
Total	(1)	282	213,854	213,854
Deposits at 31 March	(56,437)	(57,233)	(63,903)	(63,903)
Net borrowing Requirement	(56,438)	(56,951)	149,951	149,951
Change in the CFR	0	283	213,572	0
Maturity structure of new fixed rate borrowing during 2011/12				
10 years and above (PWLB borrowing for HRA Reform)		Upper Limit 100%	Lower Limit 100%	
Ratio of financing costs to net revenue stream				
-General Fund	(1.93%)	(1.70%)	(1.50%)	(2.46%)
-HRA	(0.12%)	(0.07%)	(0.06%)	0.05%
Total	(2.05%)	(1.77%)	(1.56%)	(2.41%)

Note: 'Original' refers to the Council's Treasury Management Strategy Report (MTS) of October 2011 and 'Revised' to the BSR of February 2012.

APPENDIX B CONTINUED

PRUDENTIAL & TREASURY MANAGEMENT INDICATORS

	Actual 2010/11 £'000	Original 2011/12 £'000	Revised 2011/12 £'000	Actual 2011/12 £'000
<u>TREASURY INDICATORS</u>				
Authorised limit				
for borrowing	10,000	10,000	250,000	250,000
for other long term liabilities	0	0	0	0
Total	10,000	10,000	250,000	250,000
HRA Debt Limit	0.00	0.00	230,839	230,839
Operational boundary				
for borrowing	3,000	3,000	213,854	213,854
for other long term liabilities	0	0	0	0
Total	3,000	3,000	213,854	213,854
Upper limit for total principal sums deposited for over 364 days	5,000	5,000	5,000	5,000
Upper limit for fixed & variable interest rate exposure				
Net interest on fixed rate borrowing/deposits	(320)	(400)	(412)	(448)
Net interest on variable rate borrowing/deposits	(120)	(375)	(23)	(23)
Maturity structure of new fixed rate borrowing during 2011/12		Upper Limit	Lower Limit	
10 years and above (PWLB borrowing for HRA Reform)		100%	100%	

Note: 'Original' refers to the Council's Treasury Management Strategy Report (MTS) of October 2011 and 'Revised' to the BSR of February 2012.

<p style="text-align: center;">RECOMMENDATION TO COUNCIL (THE LEADER – COUNCILLOR BICK)</p>
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2011/12 Revenue and Capital Outturn, Carry Forwards and Significant Variances - General Fund - OVERVIEW

Revenue Outturn

The 2011/12 final revenue budget for all portfolios is £20,728,840. The final outturn for the year is now £18,588,884 giving an overall under-spend of £2,139,956. Of this total under-spend requests for carrying forward budgets into the next financial year are being sought for £632,970, as detailed in Appendix C.

Capital Outturn

The latest approved capital budget for all portfolios is £27,344,000. Actual expenditure on capital schemes and programmes during 2011/12 is £18,092,000 giving an overall under-spend of £9,252,000. Of this net underspend £8,872,000 is due to net slippage and Council approval is sought to rephase the required capital resources from 2011/12 into 2012/13.

The Scrutiny Committee considered and approved the recommendations by 4 votes to 0.

Accordingly, Council is recommended to:

Revenue:

a) Agree carry forward requests, totaling £632,970, as detailed in Appendix C of the officer's report, subject to the final outturn position.

Capital:

b) Carry forward (net) capital resources to fund re-phased capital spending of £8,872,000 as shown in Appendix D of the officer's report - Overview.

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To: Leader: Councillor Tim Bick

Report by: Director of Resources

Relevant scrutiny committee: Strategy & Resources

9 July 2012

2011/12 Revenue and Capital Outturn, Carry Forwards and Significant Variances - General Fund - OVERVIEW

Key Decision

1. Executive summary

- 1.1 This report presents a summary of the 2011/12 outturn position (actual income and expenditure) for all portfolios, compared to the final budget for the year. The position for revenue and capital is reported and variances from budgets are highlighted. Explanations have been reported to individual Executive Councillors / Scrutiny Committees and are reproduced here.
- 1.2 It should be noted that this report reflects the reporting structure in place prior to the recent changes in Executive reporting responsibilities.
- 1.3 Requests to carry forward funding arising from certain budget underspends into 2012/13 are identified.
- 1.4 The outturn position for Housing Revenue Account (HRA) has been reported to Housing Management Board and the Executive Councillor for Housing on 19 June 2012.

Revenue Outturn

- 1.5 The 2011/12 final revenue budget for all portfolios is £20,728,840. The final outturn for the year is now £18,588,884 giving an overall under-spend of £2,139,956. Of this total under-spend requests for carrying forward budgets into the next financial year are being sought for £632,970, as detailed in Appendix C.

Capital Outturn

- 1.6 The latest approved capital budget for all portfolios is £27,344,000. Actual expenditure on capital schemes and programmes during 2011/12 is £18,092,000 giving an overall under-spend of £9,252,000. Of this net underspend £8,872,000 is due to net slippage and Council approval is sought to rephase the required capital resources from 2011/12 into 2012/13.

2. Recommendations

The Executive Councillor is recommended:

Revenue:

- a) To agree which of the final carry forward requests, totalling £632,970, as detailed in Appendix C, are to be recommended to Council for approval, subject to the final outturn position.

Capital:

- b) To seek approval from Council to carry forward (net) capital resources to fund re-phased capital spending of £8,872,000 as shown in Appendix D - Overview.

3. Background

Revenue Outturn

- 3.1 The revenue budget for 2011/12, initially approved by Council on 17 February 2011, was considered in the January 2012 Committee cycle and revised as appropriate. The final outturn position for all portfolios, compared to final revenue budget, is presented in detail in Appendix A.
- 3.2 Explanations for the main variances from the final budget for 2011/12 have been reported to appropriate Executive Councillors / Scrutiny Committees and are reproduced as Appendix B.
- 3.3 Appendix C sets out the list of items, for all portfolios, for which approval is sought to carry forward unspent budget from 2011/12 to the next financial year, 2012/13.

- 3.4 A summary of the final revenue outturn position for all portfolios is shown below:

2011/12 General Fund Revenue Summary	£
Original Budget	18,672,260
Adjustments	2,056,580
Final Budget	20,728,840
Outturn	18,588,884
Net Variation / underspend for the year	(2,139,956)
Carry Forward Requests:	632,970
Net Variance and reduced use of General Fund Reserves	(1,506,986)

Capital Outturn

- 3.5 All capital schemes were reviewed in detail in January 2012 and the Capital Plan amended to account for rephasing and anticipated over/underspends on individual schemes.
- 3.6 Appendix D - Overview summarises the final outturn position against 2011/12 final capital budgets. Explanations for the main variances from final budgets for 2011/12 have been reported to appropriate Executive Councillors / Scrutiny Committees and are reproduced as Appendices D (General Fund Detail) and Appendix E (Housing). The net under-spend of £9,252,000 is mainly due to slippage.
- 3.7 The Capital Plan will be updated as necessary to reflect changes in the phasing of capital projects.

4. Implications

- 4.1 The net variance from final revenue budget, after approvals to carry forward £632,970 reserves from the current year into 2012/13 will result in a reduced use of General Fund reserves of £1,506,986.

4.2 In relation to requests to carry forward either revenue or capital budgets into 2012/13 the decisions made may have a number of implications. A decision not to approve a carry forward request will impact on officers' ability to deliver the service or scheme in question and this could have staffing, equal opportunities, environmental and/or community safety implications.

5. Background papers

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

- Closedown files 2011/12
- Directors variance explanations - March 2012
- Capital Monitoring Report – March 2012
- Budgetary control reports to 31 March 2012

6. Appendices

- Appendix A - Revenue Budget 2011/12 - Outturn
- Appendix B - Revenue Budget 2011/12 - Major Variances from Final Revenue Budgets
- Appendix C - Revenue Budget 2011/12 - Carry Forward Requests
- Appendix D - Capital Budget 2011/12 - Outturn – Overview
- Appendix D - Capital Budget 2011/12 - Outturn – Detail (General Fund)
- Appendix E - Capital Budget 2011/12 - Outturn – Detail (HCIP)
- Appendix E - Notes to the Housing Capital Investment Plan (HCIP)

7. Inspection of papers

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

Author's Name: Contact: John Harvey
Author's Phone Number: Telephone: 01223 458143
Author's Email: Email: john.harvey@cambridge.gov.uk

O:\accounts\Committee Reports & Papers\Strategy & Resources from July 2007\2012 June\Final\Overview\FINAL\Outturn Overview Report FINAL 2011-12.doc

General Fund Overview / Strategy & Resources Scrutiny Committee

Revenue Budget - 2011/12 Outturn

Committee	Original Budget £	Final Budget £	Outturn £	Variation Increase / (Decrease) £	Carry Forward Requests - see Appendix C £	Net Variance £
Community Services						
Arts, Sports & Public Places	5,984,240	5,721,870	6,031,447	309,577	59,270	368,847
Community Development and Health	3,687,930	3,794,630	3,736,832	(57,798)	13,180	(44,618)
Housing	2,612,470	2,936,530	2,826,942	(109,588)	128,260	18,672
Total	12,284,640	12,453,030	12,595,221	142,191	200,710	342,901
Environment						
Environmental & Waste Services	7,869,810	8,492,090	8,013,477	(478,613)	76,610	(402,003)
Planning & Sustainable Transport	2,276,370	1,726,490	1,627,398	(99,092)	30,270	(68,822)
Total	10,146,180	10,218,580	9,640,875	(577,705)	106,880	(470,825)
Strategy & Resources						
Customer Services and Resources	(5,220,120)	(5,071,090)	(6,364,161)	(1,293,071)	225,430	(1,067,641)
Strategy & Climate Change	1,461,560	3,128,320	2,716,949	(411,371)	99,950	(311,421)
Total	(3,758,560)	(1,942,770)	(3,647,212)	(1,704,442)	325,380	(1,379,062)
Total Portfolios / Committees	18,672,260	20,728,840	18,588,884	(2,139,956)	632,970	(1,506,986)
Capital Accounting Adjustments	(3,260,880)	(4,565,050)	(4,683,287)	(118,237)		
Capital / Revenue Projects Expenditure Financed from Revenue	3,682,000	4,511,000	2,043,794	(2,467,206)		
Contributions to/(from) Earmarked Reserves	1,427,710	1,619,660	1,815,610	195,950		
Contributions to/(from) Reserves	(3,654,720)	(5,044,370)	(391,626)	4,652,744		
	(1,805,890)	(3,478,760)	(1,215,509)	2,263,251		
Net General Fund Spending	16,866,370	17,250,080	17,373,375	123,295		
Financed by:						
Government Formula Grant	(9,515,100)	(9,515,100)	(9,515,106)	(6)		
Other Government Grants (includes Freeze Grant and New Homes Bonus)	(606,950)	(990,660)	(1,113,952)	(123,292)		
Council Tax	(6,785,900)	(6,785,900)	(6,785,900)	0		
Collection Fund (Surplus)/Deficit	41,580	41,580	41,583	3		
Total Financing	(16,866,370)	(17,250,080)	(17,373,375)	(123,295)		
Net Total	0	0	0	0		

General Fund Overview / Strategy & Resources Scrutiny Committee

Revenue Budget - 2011/12 Outturn

Changes between original and final budgets may be made to reflect:

- portfolio and departmental restructuring
- approved budget carry forwards from the previous financial year
- technical adjustments, including changes to the capital accounting regime
- virements approved under the Council's constitution
- additional external revenue funding not originally budgeted for

and are detailed and approved:

- in the June/July committee cycle (outturn reporting and carry forward requests)
- in September (as part of the Medium Term Strategy (MTS))
- in the January committee cycle (as part of the budget setting report)

- and via technical adjustments/virements throughout the year

Filename: O:\accounts\Committee Reports & Papers\Strategy & Resources from July 2007\2012 June\Final\Overview\FINAL\[Overview 2011-12 - Appendix A (Portfolio) Revenue V2.xls]App A for June 12 Report

**Arts, Sport & Public Places Portfolio / Community Services Scrutiny
Committee**

**Revenue Budget 2011/12 - Major Variances
from Final Revenue Budgets**

Service Grouping	Reason for Variance	Amount £	Contact
Corn Exchange Technical	<p>Arts & Recreation</p> <p>A&R restructure has resulted in shortfall of £15,000 in staffing costs in this area. Underachievement of temporary technical staff recharges to events - £18,000 lower than targeted. Utility costs are £5,000 higher than budgeted.</p>	36,833	Steve Bagnall
Corn Exchange Administration	Restructuring costs - consultancy and legal.	60,163	Steve Bagnall
Corn Exchange Front of House	Overachievement of temporary staff recharges to events.	(20,638)	Steve Bagnall
Box Office	£18,000 overspend on temporary staff following implementation of A&R restructure. Online booking has significantly overachieved whilst payment by other payments has declined.	21,777	Neil Jones
	<p>Streets & Open Spaces</p>		
Arboriculture	Temporary staff costs during a period of absence	22,463	Alistair Wilson
Environmental Projects	Will be funded by managed underspend in other areas of Streets and Open Spaces	99,338	Andy Preston
Grants - Leisure	<p>Community Development</p> <p>Variance due to an underspend on Area Committee grants.</p>	(22,012)	Jackie Hanson

Community Development and Health Portfolio / Community Services Scrutiny Committee

Revenue Budget 2011/12 Major Variances from Final Revenue Budgets

Service Grouping	Reason for Variance	Amount £	Contact
Community Centres	<p>Customer & Community Services - Community Development</p> <p>Various small variances over the ten community facility cost centres.</p>	(27,536)	T Woollams
Grants	<p>Grants budget held pending final outcome from the ChYpPS review and approval of new Youth Officer post. Request to carry forward of £13,180 from Community Development Youth Work fund for the purpose of funding for the newly appointed youth officer post to generate projects in local areas. Base budget for 2012/13 will be available through area committees grants.</p>	(19,081)	J Hanson
Bereavement Services Central Costs	<p>Customer & Community Services - Bereavement Services</p> <p>Charges for Legal Services have been changed from a historic Service Level Agreement to an actual time-recording basis for 2011/12 so, although these charges have been met from Council budgets overall, there may be variances within individual services and in this case the charges appear as a budget variance of £20k which accounts for the major variance on this service.</p>	25,293	T Lawrence
CCTV	<p>Environment - CCTV</p> <p>Savings as a result of our new maintenance contract, proposed renegotiation of our cleaning contract, late bills on purchases and communications.</p>	(15,297)	M Beaumont
Community Safety	<p>Customer & Community Services - Housing General Fund</p> <p>There is a net underspend in grants money in the year. There is no request to carry this forward.</p>	(16,586)	L Kilkelly
	Other minor variances	(4,591)	
	Total	(57,798)	

Housing Portfolio / Community Services Scrutiny Committee

Revenue Budget 2011/12 - Major Variances from Final Revenue Budgets

Service Grouping	Reason for Variance	Amount £	Contact
Customer & Community Services - Housing Strategy, Development, Housing Aid / Needs, Private Sector Housing and Miscellaneous Housing			
CLG Homelessness Grant	Underspending in DCLG Homelessness Grant for 2011/12, with some further expenditure committed, but not realised in respect of meeting identified priorities in homelessness prevention and support. The DCLG grant totalled £575,470 for 2011/12 and is part of a 4 year settlement for the spending review period. Local authorities are free to carry over underspent sums between financial years. A carry forward of this external grant balance is requested to allow use of the monies in line with DCLG expectations and existing commitments in respect of homelessness prevention work and support activity to be fully met.	(100,447)	D Greening
Home Aid	Underspending in 2011/12 was predominantly associated with the creation of a Shared HIA Service with South Cambridgeshire and Huntingdonshire District Councils. Fee income was over-achieved as fees were claimed on all work in progress by each authority before transfer of services. Not all of the costs of restructure have been fully met, with the need to carry forward £20,000, identified to meet redundancy costs, into 2012/13 when the cost will be incurred.	(67,896)	D Irving
Strategic Housing Overheads	Overhead costs were greater than anticipated as the charges for Legal Services have been changed from a historic Service Level Agreement to an actual time-recording basis for 2011/12 so, although these charges have been met from Council budgets overall, there may be variances within individual services and in this case the charges appear as a budget variance of £51,670. This is partially offset by underspending in other general overheads.	46,157	A Carter
Homelessness Costs	Spending on bed and breakfast provision was higher than anticipated in 2011/12, despite the introduction of alternative provision using our own housing stock. Spending at the higher level was due to a marked increase in people presenting as homeless.	23,938	D Greening
Minor Variations		7,261	
Total		(90,987)	
Environment - Refuse and Environment			
Minor Variations		(18,601)	
Total		(18,601)	
Total for Housing Portfolio / Community Services Scrutiny Committee		(109,588)	

**Environmental & Waste Services Portfolio / Environment Scrutiny
Committee**

**Revenue Budget 2011/12 - Major Variances
from Final Revenue Budgets**

Cost Centre	Reason for Variance	Amount £	Contact
	Environment - Environmental Services		
Scientific Team	The underspend is due to the delay of the appointment of a new air quality equipment maintenance contractor. The negotiations were lengthy resulting in a period when we were not under contract and thus payments were not made resulting in an underspend of £11.6k. There were other minor variances of £8.8k.	(20,371)	J Dicks
Food and Occupational Safety	There has been a delay in spending the budget of £16,000 for the public health agenda. It is requested that this budget is carried forward to 2012/13. There are also minor underspends of £9,443.	(25,443)	F Harrison
	Environment - Streets and Open Spaces		
Rangers	Underspend in salaries due to vacant posts in restructure	(45,810)	Y Collins
Public Realm Enforcement	Underspend in salaries due to vacant posts in restructure	(54,706)	Y Collins
Street Cleansing	Underspend in salaries due to vacant posts in restructure	(67,016)	B Carter
	Environment - Waste & Recycling		
Trade Refuse	Reduced expenditure due to vacant posts in advance of route optimisation project, reduced landfill costs due to increased recycling, the reduction in bin purchases due to an increase in refurbishment work plus additional income due to success of University of Cambridge waste and recycling contract has resulted in this underspend.	(150,994)	C Hipwood
Recycling Strategy	The underspend is partly due to additional income of £31.8k plus the underspend of the Waste Analysis and Campaign to promote recycling budgets of £36,610. A request for the carry forward of these budgets is included in appendix C.	(64,072)	R Weymouth-Wood
	Environment - Central Support & Overheads		
Recharges - Refuse & Environment	The underspend is due to the recharge of expenditure from this budget to the taxis and private hire cost centres.	(21,743)	J Lally
Recharges - Streets & Open Spaces	Charges for Legal Services have been changed from a historic Service Level Agreement to an actual time-recording basis for 2011/12 so, although these charges have been met from Council budgets overall, there may be variances within individual services and in this case the charges appear as a budget variance of £58,700.	58,660	T Ainley
	Environment - Central Support & Overheads		
Refuse & Environment Operational Support	In previous years IT budgets were split over different services within Refuse and Environment. Due to the amalgamation of these budgets an overall underspend of £26.7k is now shown within this cost centre. The overall budget is greater than is required and as a result will be reviewed as part of the revised budget. There is also an underspend on staff recruitment budgets of £12.6k and minor overspend variances of £5.2k	(34,177)	J Lally

Planning & Sustainable Transport / Environment Scrutiny Committee

Revenue Budget 2011/12 - Major Variances from Final Revenue Budgets

Service Grouping	Reason for Variance	Amount £	Contact
Car Parks	<p>Environment - Parking Services</p> <p>Parking Services were almost within target for 2011/12 with a net overall underachievement of £21,434. Income was impacted by the general downturn and also adversely affected particularly by the road works during March in East Road (Grafton East), Parkside closure for refurbishment and loss of the ice skating rink (Queen Anne Terrace). This was offset to a large degree by increased income arising from changes in the County parking arrangements and charges at Castle Hill Car Park, whilst generally containing expenditure within planned budgets.</p> <p>Note that charges for Legal Services have been changed from a historic Service Level Agreement to an actual time-recording basis for 2011/12 so, although these charges have been met from Council budgets overall, there may be variances within individual services and in this case the charges appear as a budget variance of £20,400.</p>	41,834	Paul Necus
Recharges - Head of Planning	<p>Environment - Planning</p> <p>Note that charges for Legal Services have been changed from a historic Service Level Agreement to an actual time-recording basis for 2011/12 so, although these charges have been met from Council budgets overall, there may be variances within individual services and in this case the charges appear as a budget variance of £60,320.</p>	(60,320)	Patsy Dell

Planning & Sustainable Transport / Environment Scrutiny Committee

Revenue Budget 2011/12 - Major Variances from Final Revenue Budgets

Service Grouping	Reason for Variance	Amount £	Contact
Building Control - Fee Earning	The Building (Local Authority Charges) Regulations 2010 state that where there are no surpluses held in the Building Control earmarked reserve to fund an in-year deficit, this must be met from General Fund reserves and 'replenished' the following year. Therefore the 2011/12 surplus offsets the deficit made in 2010/11. Fee income was within 1% of the budget forecast. Variance due to underspend on salaries & employee costs (vacancy of 0.3 FTE) consultant fees, publicity, office supplies and IT services.	(40,409)	Patsy Dell
Building Control - Other	Due to underspend on salary and employee costs, consultant costs, office supplies and IT services. Income was also greater than forecast due to higher than expected income from new Street Name and Numbering Charges and receipt of legal costs following successful prosecution in 2011.	(44,063)	Patsy Dell

Planning & Sustainable Transport / Environment Scrutiny Committee

Revenue Budget 2011/12 - Major Variances from Final Revenue Budgets

Service Grouping	Reason for Variance	Amount £	Contact
City Development	<p>Variance partly due to underspends on employee costs, as the Principal Enforcement Officer post remained vacant and new vacancies have arisen. Temporary staff and recruitment costs have exceeded budgets, because it has proven difficult to recruit to vacant posts, despite the buoyant job market. Savings due to vacancies in the Business and Information Services team (BIS) have resulted in a reduced recharge of nearly £35k. Note that charges for Legal Services have been changed from a historic Service Level Agreement to an actual time-recording basis for 2011/12 so, although these charges have been met from Council budgets overall, there may be variances within individual services and in this case the charges appear as a budget variance of £40.5k.</p>	(110,281)	Patsy Dell
New Neighbourhoods	<p>Under-achievement against fee income projections mainly due to delayed submission of three large reserved matters applications for Clay Farm (x2) and Bell School (due to appeal). However, these will still be submitted during early-mid 2012/13.</p>	176,939	Patsy Dell
Urban Design & Conservation	<p>Underspend mainly due to delays in completion of the Pro-Active Conservation programme. A request to carry forward the unspent budget is included in Appendix C.</p>	(27,899)	Patsy Dell

**Customer Services & Resources Portfolio /
Strategy & Resources Scrutiny Committee**

**Revenue Budget 2011/12 - Major Variances
from Final Revenue Budgets**

Service Grouping	Reason for Variance	Amount £	Contact
Resources Finance - General	This variance is made up as follows: £25,139 reduction in the contribution required for sundry debtor bad debt provision; £25,401 reduction in bank, giro and credit card charges compared with budget; £46,021 net overspend in relation to legal costs primarily in connection with The Belvadere S106 action; £365,317 reduction in the impairment previously provided for in respect Icelandic Bank deposits (reflecting the latest Local Authority Account panel guidance on the timing of repayments and an anticipated 100% recovery of deposits with Landsbanki islands hf). The remaining variance, £160,622 reflects additional income earned on investments as a consequence of higher levels of investment during the year and slightly higher interest levels achieved in the latter part of the year.	(530,458)	Julia Minns
General Properties and Grand Arcade	The underspend is mainly due to the receipt of backdated rental income following the completion of rent reviews and audits during the final quarter of the 2011/12 financial year. Note that charges for Legal Services have been changed from a historic Service Level Agreement to an actual time-recording basis for 2011/12 so, although these charges have been met from Council budgets overall, there may be variances within individual services and in this case the charges appear as a budget variance of (£63,670).	(239,200)	Phil Doggett
Land Charges and Searches	The variance is mainly due to over achievement of Land Charges fee income, which fluctuates with property market activity.	(24,529)	Simon Pugh
Customer and Community Customer Access Strategy	Payment protection continues into 2012/13 and final redundancies not yet agreed. Balance to be carried forward as agreed by Council 22.7.10: item 10/41/CNLa.	(112,986)	Jonathan James
Revenue and Benefit Services	The main variances are due to minor net subsidy differences of (£111,431) within overall expenditure of £41.4 million, unspent Homelessness Prevention Funding of (£44,440) for which a carry forward of budget is requested (see Appendix C), higher than forecast recovery of benefit overpayments from claimants no longer claiming benefits (£36,882) and higher than forecast Court costs recovered of (£70,742) - £252,252 collected against forecast of £181,510 (a one-off increase of £70,742).	(297,660)	Alison Cole

**Customer Services & Resources Portfolio /
Strategy & Resources Scrutiny Committee**

**Revenue Budget 2011/12 - Major Variances
from Final Revenue Budgets**

Service Grouping	Reason for Variance	Amount £	Contact
Environment Markets	Variance due to an overachievement in income of £5.7k and an underspend on a variety of revenue codes; including cleaning costs where wash downs of the market have not been undertaken due to bad weather or staff shortages and savings on electricity costs as the Council has agreed a more competitive tariff.	(22,754)	Emma Thornton
Support Services Accountancy and Support Services	This variance relates to a net underspending on employee budgets as a result of not covering for staff vacancies / reduced working hours and an underspending of the recruitment budget.	(23,468)	Julia Minns
Human Resources	The HR service underspend includes the balance of a corporate budget earmarked to support organisational change and there is a request to carry forward the balance of £68k to complete the programme. The remaining £67k arose mainly due to vacant posts and holding open posts that were subject to restructuring. Earlier implementation of the restructuring resulted in £28k of the £100k anticipated savings being delivered ahead of schedule.	(130,575)	Deborah Simpson
IT	The variance is mainly due to minor underspends on IT Contract costs.	(24,177)	James Nightingale
Property and Building Services	The main variance relates to an over achievement of rental income.	(43,470)	Jim Stocker

Strategy & Climate Change Portfolio / Strategy & Resources Scrutiny Committee

Revenue Budget 2011/12 - Major Variances
from Final Revenue Budgets

Service Grouping	Reason for Variance	Amount £	Contact
Central Provisions, Centrally allocated costs and Corporate & Democratic Services	<p>Net effect of variances on centrally allocated costs includes variances on IT underspending on consultancy services and development days £69k, clearing residual balance on various ex City Services rechargeable cost centres (including Streets, Grounds Maintenance) £38k, Legal services (note that charges for Legal Services have been changed from a historic Service Level Agreement to an actual time-recording basis for 2011/12 so, although these charges have been met from Council budgets overall, there may be variances within individual services) and in this case the charges appear as a budget variance of £75k, Corporate Strategy £36k, Net Central overheads & Support Services (recharged from other services) £140k.</p> <p>Customer Service Centre and Other Support Services are reported to Customer Services & Resources.</p>	(358,594)	John Harvey
Pensions - Early Retirements	<p>The underspend is net of £59k in relation to departmental restructuring (so will offset underspends on other services). Of the gross underspend £69,200 is for the capitalised costs for Community Development restructuring which was not required in 2011/12 and, in addition, a £30,750 provision which was met from Human Resources in 2011/12 to fund redundancy / retirement costs arising from restructuring. There is a carry forward request for these provisions which will be required when the restructuring is implemented (anticipated in 2012/13).</p>	(39,621)	John Harvey

Arts, Sport & Public Places Portfolio / Community Services Scrutiny Committee

Revenue Budget 2011/12 - Carry Forward Requests

Request to Carry Forward Budgets from 2011/12 into 2012/13

Item		Request £	Contact
1	<p>Streets & Open Spaces - River Frontage Management</p> <p>Business Rates are yet to be assessed on the City's moorings</p>	12,130	Alistair Wilson
2	<p>Streets & Open Spaces - Arboriculture</p> <p>Tree programme funds unspent</p>	25,100	Alistair Wilson
3	<p>Arts & Recreation - Leisure Contract - Client costs</p> <p>Balance of PPF funds for consultancy support during the Leisure Contract tender</p>	11,250	Ian Ross
4	<p>Arts & Recreation - Arts & Events</p> <p>Sponsorship for November 5 Fireworks carried over from 2011 display at sponsors request.</p>	7,290	Elaine Midgley
5	<p>Community Development - Grants</p> <p>Leisure Youth Work Grants unspent to fund a youth officer post to generate projects in local areas</p>	3,500	Trevor Woollams
	Total Carry Forward Requests for Arts & Recreation Portfolio / Community Services Scrutiny Committee	59,270	

Community Development and Health Portfolio / Community Services Scrutiny Committee

Revenue Budget 2011/12 - Carry Forward Requests

Request to Carry Forward Budgets from 2011/12 into 2012/13 and future years

Item		Request £	Contact
1	<p>Customer & Community Services - Community Development Grants budget held pending final outcome from the ChYpPS review and approval of new Youth Officer post. Request to carry forward of £13,180 from Community Development Youth Work fund for the purpose of funding for the newly appointed youth officer post to generate projects in local areas. Base budget for 2012/13 will be available through area committees grants.</p>	13,180	T Woollams
2	<p>Environment - Bereavement Services No carry forwards requested</p>		T Lawrence
3	<p>Environment - CCTV No carry forwards requested</p>		M Beaumont
4	<p>Customer & Community Services - Housing Strategy No carry forwards requested</p>		L Kilkelly
5	<p>Environment - Streets and Open Spaces No carry forwards requested</p>		
	<p>Total Carry Forward Requests for Community Development Portfolio / Community Services Scrutiny Committee</p>	13,180	

Housing Portfolio / Community Services Scrutiny Committee

Revenue Budget 2011/12 - Carry Forward Requests

Request to Carry Forward Budgets from 2011/12 into 2012/13 and future years

Item		Request £	Contact
	Director of Customer & Community Services		
1	CLG Homelessness Grant - A carry forward of this external grant balance is requested to allow existing commitments in respect of homelessness prevention work and support activity to be fully met. This grant is no longer ring-fenced, but local authorities are strongly encouraged to utilise the resource for the purpose it was awarded.	100,440	D Greening
2	Following the creation of a new Shared HIA Service with South Cambridgeshire and Huntingdonshire District Councils, a resulting restructure will incur redundancy costs, which will not now be realised until early in 2012/13.	20,000	A Carter
	Director of Environment		
3	A carry forward of the underspend of the Housing Management Orders budget to 2011/12 is requested in order to carry out CPO work, if necessary, next year.	7,820	R Lord
	Total Carry Forward Requests for Housing Portfolio / Community Services Scrutiny Committee	128,260	

Environmental & Waste Services Portfolio / Environment Scrutiny Committee

Revenue Budget 2011/12 - Carry Forward Requests

Request to Carry Forward Budgets from 2011/12 into 2012/13

Item		Final Request £	Contact
	Director of Environment		
1	Food and Occupational Safety - The Health Improvement Strategy is to accommodate the council's foreseeable requirements when the legal responsibilities for public health are transferred from the Health Protection Agency to us. Although this transition has been in the public domain for sometime, the details of the movement or when it will finally occur is not yet known. It is requested that this budget is carried forward to 2012/13	16,000	F Harrison
2	Recycling Strategy - The waste analysis and door-knocking project work began in March 2012 but will not be completed until September 2012. Therefore a carry forward of the balance of the budget to 2012/13 is requested.	36,610	J Robertson
3	Head of Streets and Open Spaces - Planned training did not take place in 2011/12 due to continuing restructure issues. Training will take place in 2012/13 and therefore a carry forward of this budget is requested.	24,000	T Ainley
	Total Carry Forward Requests for Environmental & Waste Services Portfolio / Environment Scrutiny Committee	76,610	

Environmental & Waste Services Portfolio / Environment Scrutiny Committee

Revenue Budget 2011/12 - Carry Forward Requests

Request to Carry Forward Budgets from 2011/12 into 2012/13

Item		Final Request £	Contact
	Director of Environment		
1	Food and Occupational Safety - The Health Improvement Strategy is to accommodate the council's foreseeable requirements when the legal responsibilities for public health are transferred from the Health Protection Agency to us. Although this transition has been in the public domain for sometime, the details of the movement or when it will finally occur is not yet known. It is requested that this budget is carried forward to 2012/13	16,000	F Harrison
2	Recycling Strategy - The waste analysis and door-knocking project work began in March 2012 but will not be completed until September 2012. Therefore a carry forward of the balance of the budget to 2012/13 is requested.	36,610	J Robertson
3	Head of Streets and Open Spaces - Planned training did not take place in 2011/12 due to continuing restructure issues. Training will take place in 2012/13 and therefore a carry forward of this budget is requested.	24,000	T Ainley
	Total Carry Forward Requests for Environmental & Waste Services Portfolio / Environment Scrutiny Committee	76,610	

Planning & Sustainable Transport / Environment Scrutiny Committee

Revenue Budget 2011/12 - Carry Forward Requests

Request to Carry Forward Budgets from 2011/12 into 2012/13 and future years

Item		Final Request £	Contact
1	<p>Director of Environment</p> <p>Pro-Active Conservation -To complete the remaining priorities of the work programme as at agreed at Environment Scrutiny Committee in March 2012 ref 12/123/ENV (improved use of IT for cataloguing Listed Building information, Conservation Area reviews, wall painting signage)</p>	30,270	Patsy Dell
<p>Total Carry Forward Requests for Planning & Sustainable Transport Portfolio / Environment Scrutiny Committee</p>		30,270	

**Customer Services & Resources Portfolio /
Strategy & Resources Scrutiny Committee**

Revenue Budget 2011/12 - Carry Forward Requests

Request to Carry Forward Budgets from 2011/12 into 2012/13 and future years

Item	Reason for carry forward request	Carry Forward Requests £	Contact
1	<p>Customer Access Strategy To meet the remaining estimated costs of redundancy, pay protection and early retirement (approved by Council on 22.7.10).</p>	112,990	Jonathan James
2	<p>Revenue and Benefit Services Request to carry forward unspent Homelessness Prevention funding of £44,440.</p> <p>After the Budget announcement about Discretionary Housing Payment (DHP) funding, the Government announced some transitional protection measures to mitigate the effects of the Housing Benefit reforms. This, in turn, has led to less demand for DHPs in 2011/12 than originally envisaged and more demand in 2012/13.</p> <p>The DWP accepts that, in these circumstances, there is a case for carry-over from 2011/12 to 2012/13.</p>	44,440	Alison Cole
3	<p>Human Resources The HR service underspend includes the balance of a corporate budget earmarked to support organisational change and there is a request to carry forward the balance of £68k to complete the programme.</p>	68,000	Deborah Simpson
	Total Carry Forward Requests for Customer Services & Resources Portfolio	225,430	

Strategy & Climate Change Portfolio / Strategy & Resources Scrutiny Committee

Revenue Budget 2011/12 - Carry Forward Requests

Request to Carry Forward Budgets from 2011/12 into 2012/13 and future years

Item		Amount £	Contact
1	<p>Director of Customer & Democratic Services</p> <p>Director of Finance</p> <p>Pensions - Early Retirements</p> <p>Provision for capitalised costs carried forward for Community Development restructuring not required in 2011/12 and, in addition, a £30,750 provision met from Human Resources in 2011/12 to fund redundancy / retirement costs arising from restructuring. Request to carry forward these provisions will be required when the restructuring is implemented (anticipated in 2012/13).</p>	99,950	J Harvey
	<p>Total Carry Forward Requests for Strategy & Climate Change Portfolio / Strategy & Resources Scrutiny Committee</p>	99,950	

**Overview (Committees and Housing Capital Investment Plan) /
Strategy & Resources Scrutiny Committee**

Capital Budget 2011/12 - Outturn

Committee	Original Budget	Final Budget	Outturn	Variance	Rephase	Over / (Under) Spend
	£000	£000	£000	£000	£000	£000
Community Services:						
Arts, Sports & Public Places	3,419	2,585	1,905	(680)	708	28
Community Development and Health	2,396	2,596	2,198	(398)	156	(242)
Housing	515	72	72	0		0
Total Community Services	6,330	5,253	4,175	(1,078)	864	(214)
Environment:						
Environmental & Waste Services	1,157	634	151	(483)	469	(14)
Planning & Sustainable Transport	1,468	448	332	(116)	135	19
Total Environment	2,625	1,082	483	(599)	604	5
Strategy & Resources:						
Customer Services & Resources	2,581	1,688	690	(998)	958	(40)
Strategy & Climate Change	224	0	0	0	0	0
Total Strategy & Resources	2,805	1,688	690	(998)	958	(40)
Total Committees	11,760	8,023	5,348	(2,675)	2,426	(249)
Housing Revenue Account (HRA)	10,953	15,764	10,347	(5,417)	5,372	(45)
Housing General Fund	2,977	3,557	2,397	(1,160)	1,074	(86)
Total for Housing Capital Investment Programme	13,930	19,321	12,744	(6,577)	6,446	(131)
Total Capital Plan	25,690	27,344	18,092	(9,252)	8,872	(380)

Changes between original and final budgets may be made to reflect:

- rephased capital spend from the previous financial year
- rephased capital spend into future financial periods
- approval of new capital programmes and projects

and are detailed and approved:

- in the June committee cycle (outturn reporting and carry forward requests)
- in September (as part of the Medium Term Strategy (MTS))
- in the January committee cycle (as part of the budget setting report)

The above figures exclude:

- schemes transferred to the Hold List in the Budget Setting Report 2012/13
- schemes devolved to Area Committees in the Budget Setting Report 2012/13

Arts, Sport & Public Places Portfolio / Community Services Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget £000	Final Budget £000	Outturn £000	Variance - Outturn compared to Final Budget £000	Re-phase Spend £000	Over / (Under) Spend £000	Variance Explanation / Comments
Customer & Community									
SC072	Poster Boards	N Jones	0	4	3	(1)	1	0	Final element to be completed 2012/13
SC210	Hard Surface Cherry Hinton Hall Car Park	I Ross	4	0	0	0	0	0	Project complete
SC282	Kettle's Yard	D Kaye	40	0	0	0	0	0	Budget rephased to 2012/13 at January 2012 committee.
SC348	Allotment Improvements (S106)	A Wilson	17	0	0	0	0	0	Budget rephased to 2012/13 at January 2012 committee.
SC350	Improvements to pump out facility at Jesus green	I Ross	4	0	0	0	0	0	Project complete
SC396	Ravenworth Gardens - Remedial & Improvement Work	D Kaye	25	0	0	0	0	0	Budget rephased to 2012/13 at January 2012 committee.
SC405	Improvements to play areas & open space at land behind St Matthews Street (S106)	I Ross	61	3	3	0	0	0	Project complete
SC434	Floodlit Astro turf - Chesterton Community College and Netherhall School (S106)	I Ross	200	200	200	0	0	0	Project complete
SC436	Pye's Pitch Rec Facilities (S106)	I Ross	0	45	0	(45)	45	0	Works continuing pending meeting with Environment Agency to conclude
SC441	Sheeps Green Canoe Clubhouse Extension (S106)	I Ross	195	175	201	26	0	26	Project complete subject to contract retentions
SC452	Climbing Wall at Kelsey Kerridge Sports Centre (S106)	I Ross	90	52	52	0	0	0	Project complete
SC460	Kings Hedges Learners Pool Electricity	I Ross	25	0	0	0	0	0	Budget rephased to 2012/13 at January 2012 committee.
SC461	Jesus Green Skatepark Upgrade (S106)	I Ross	65	60	61	1	0	1	Project complete subject to contract retentions
SC469	Vie Public Open Space (S106)	I Ross	0	114	89	(25)	25	0	Project almost complete subject to contract retentions
SC471	Parkside Changing Rooms	D Kaye	350	390	392	2	0	2	Project complete subject to contract retentions
SC474	Cherry Hinton Hall Grounds Improvements - Phase 1 (S106)	A Wilson	5	0	35	35	(35)	0	Project started ahead of schedule
SC476	Water Play Area Abbey Paddling Pool (S106)	I Ross	125	75	0	(75)	75	0	Pending further allocations of available S106 funding Project planned for Winter 2012 / Spring 2013
SC477	Coleridge Paddling Pool Enhancement (S106)	I Ross	85	50	0	(50)	50	0	Pending further allocations of available S106 funding Project planned for Winter 2012 / Spring 2013
SC478	Water Play Area Kings Hedges "Pulley" (S106)	I Ross	125	50	0	(50)	50	0	Pending further allocations of available S106 funding Project planned for Winter 2012 / Spring 2013
SC512	Hobbs Pavilion Refurbishment (S106)	I Ross	158	100	0	(100)	100	0	Procurement complete - contract awarded - Works to start September 2012 after cricket season concludes.
SC518	Corn Exchange Lighting Improvement	D Kaye	0	25	25	0	0	0	Project complete
-	Small Projects (under £15k) (S106)	I Ross	0	0	7	7	(7)	0	Section 106 funds to be allocated
Environment									
SC215	Christ's Piece - Trees/Landscaping (S106)	A French	9	6	6	0	0	0	Project complete
SC234	Histon Road Cemetery Landscaping (S106)	A Wilson	0	5	0	(5)	5	0	Projects to be identified
SC347	Histon Road - Refurbishment of play area (S106)	A Preston	12	0	0	0	0	0	Project complete
SC410	Mill Road Cemetery	A Wilson	35	27	2	(25)	25	0	Links with SC432. Benches ordered, path works to be completed and website updates progressing

Arts, Sport & Public Places Portfolio / Community Services Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget £000	Final Budget £000	Outturn £000	Variance - Outturn compared to Final Budget £000	Re-phase Spend £000	Over / (Under) Spend £000	Variance Explanation / Comments
SC432	Mill Road Cemetery Memorial Artwork (S106)	A Preston	62	6	4	(2)	2	0	Continuous issues being experienced with the Faculty Application to the DAC which are causing significant delays to the delivery of this project which are outside our control.
SC433	Snowy Farr Memorial Artwork (S106)	A Preston	70	24	23	(1)	1	0	Planning approval now granted. Fabrication of the artwork is now complete installation planned in July.
SC435	Biodiversity Projects Year 2&3	G Belcher	0	0	(1)	(1)	0	(1)	Project complete
SC454	Logans Meadow Swift Tower (S106)	G Belcher	0	31	31	0	0	0	Project complete
SC456	Coldhams Common LNR Extension (S106)	G Belcher	46	0	0	0	0	0	Budget rephased to 2012/13 at January 2012 committee.
SC479	Abbey Pool Play Area Facilities (S106)	A Preston	110	0	1	1	(1)	0	Work undertaken by the Project Delivery team in advance of project
SC492	Jesus Green Play Area (S106)	A Preston	175	0	1	1	(1)	0	Specific S106 contributions yet to be received from CB1 development. Were due in January 2012. Invoice currently being contested by developer. Potential to use S106 from NIAB instead to be investigated. ESPO call off play contract will be advertised from 18th May 2012.
SC493	Jesus Green Tennis Court (S106)	A Preston	90	1	8	7	(7)	0	Project on programme to be complete by the end of May.
SC494	Kings Hedges "Pulley" Play Area (S106)	A Preston	73	0	1	1	(1)	0	Specific S106 contributions yet to be received from NIAB development. Were expected to be due in March 2012. Invoice was issued on 3rd May 2012.
SC496	Petersfield Play Area (S106)	A Preston	76	0	1	1	(1)	0	ESPO Play contract to be advertised from 18th May 2012.
SC497	Pevalar Road Play Area (S106)	A Preston	85	0	1	1	(1)	0	ESPO Play contract to be advertised from 18th May 2012.
SC499	Outdoor Fitness Equipment in Parks (S106)	A Preston	120	0	0	0	0	0	Budget rephased to 2012/13 at January 2012 committee.
SC500	Trumpington Rec Outdoor Space (S106)	A Preston	46	0	1	1	(1)	0	Capitalised costs of project delivery team
SC519	Wulfstan Way Art Project (S106)	N Black	0	0	2	2	(2)	0	Project on programme for completion by the end of the Summer.
SC520	Community Olympic Public Art Commission (S106)	N Black	0	0	23	23	(23)	0	Project on programme and within budget.
SC521	Creation of New Allotment Site	A Wilson	0	0	1	1	(1)	0	Capitalised costs of project delivery team
SC544	Coleridge Recreation Ground Improvements (S106)	A Wilson	281	0	0	0	0	0	Budget rephased to 2012/13 at January 2012 committee.
PR010	Environmental Improvements Programme	D Foley-Norman	200	0	0	0	0	0	Budget now allocated to Area Committees
PR010a	Environmental Improvements Programme - North Area	D Foley-Norman	49	86	66	(20)	20	0	
PR010b	Environmental Improvements Programme - South Area	D Foley-Norman	83	113	1	(112)	112	0	Due to the transfer to a new capital programme, the adoption process for new schemes was not complete until half way through the programme year. As such the completion of all schemes has not been possible before the end of the year. It is envisaged that the outstanding projects will be complete by the end of the Summer.
PR010c	Environmental Improvements Programme - West/Central Area	D Foley-Norman	85	125	18	(107)	107	0	

Arts, Sport & Public Places Portfolio / Community Services Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget £000	Final Budget £000	Outturn £000	Variance - Outturn compared to Final Budget £000	Re-phase Spend £000	Over / (Under) Spend £000	Variance Explanation / Comments
PR010d	Environmental Improvements Programme - East Area	D Foley-Norman	97	267	208	(59)	59	0	
PR010di	Environmental Improvements Programme - Riverside/Abbey Road Junction	D Foley-Norman	0	307	282	(25)	25	0	Project complete
PR010j	Environmental Improvements Programme - Fitzroy/Burleigh Street	D Foley-Norman	0	87	0	(87)	87	0	Remaining tree planting and replacement work is due to start imminently along with the remaining highway maintenance work by the County.
PR010k	Environmental Improvements Programme - Wulfstan Way Local Centre (S106)	A Preston	41	157	157	0	0	0	Project complete
Total for Arts & Recreation Portfolio			3,419	2,585	1,905	(680)	708	28	

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- rephased capital spend into future financial periods
- approval of new capital programmes and projects

and are detailed and approved:

- in the June committee cycle (outturn reporting and carry forward requests)
- in September (as part of the Medium Term Strategy (MTS))
- in the January committee cycle (as part of the budget setting report)

The above figures exclude:

- schemes transferred to the Hold List in the Budget Setting Report 2012/13
- schemes devolved to Area Committees in the Budget Setting Report 2012/13

Community Development & Health Portfolio / Community Services Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget £000	Final Budget £000	Outturn £000	Variance - Outturn compared to Final Budget £000	Re-phase Spend £000	Over / (Under) Spend £000	Variance Explanation / Comments
Customer & Community Services - Community Development									
SC283	City Centre Youth Venue (S106)	T Woollams	100	0	0	0	0	0	
SC385	Energy Efficiency Programme - Meadows	T Woollams	0	6	5	(1)	1	0	Project ongoing. Remaining £1k to be rephased to 2012/13
SC440	King George Vth Rec Ground Pavilion Redevelopment - Consolidated Scheme (S106)	T Woollams	0	0	1	1	(1)	0	Additional works to be specified with Trumpington Residents Association. £1k spent earlier than anticipated. Budget to be rephased to cover this.
SC446	Clay Farm Community Centre - Phase 1 (S106)	A Carter	0	0	6	6	0	6	
PR005	New Town Community Development Capital Grants Programme (S106)	T Woollams	124	10	8	(2)	2	0	Project ongoing. Remaining £2k to be rephased to 2012/13
PR026	Community Development Grants Programme (S106)	T Woollams	0	127	71	(56)	56	0	Project underway but further invoices not expected until 2012/13. Rephase remaining £56k to 2012/13
Environment - Bereavement Services									
SC351	Memorial Choice	T Lawrence	0	5	5	0	0	0	Project completed
SC379	Mercury Abatement	T Lawrence	2,005	1,995	1,683	(312)	100	(212)	Project complete subject to retention
SC513	Crematory Refurbishment	T Lawrence	0	206	206	0	0	0	Project completed
SC523	Refurbishment of Newmarket Rd Cemetery Buildings	T Lawrence	0	0	2	2	(2)	0	Project expected to be completed by end of March 2013

Community Development & Health Portfolio / Community Services Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget £000	Final Budget £000	Outturn £000	Variance - Outturn compared to Final Budget £000	Re-phase Spend £000	Over / (Under) Spend £000	Variance Explanation / Comments
Environment - CCTV									
SC503	CCTV Technology Upgrade	M Beaumont	150	160	155	(5)	0	(5)	Project completed under budget as a result of keen tendering exercise
SC515	Replacement CCTV cameras	M Beaumont	0	70	43	(27)	0	(27)	Project completed under budget as a result of keen tendering exercise
Customer & Community Services - Housing Strategy									
PR006	Safer City Programme	L Kilkelly	17	17	13	(4)	0	(4)	
Total for Community Development & Health Portfolio			2,396	2,596	2,198	(398)	156	(242)	

Housing Portfolio / Community Services Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget £000	Final Budget £000	Outturn £000	Variance - Outturn compared to Final Budget £000	Re-phase Spend £000	Over / (Under) Spend £000	Variance Explanation / Comments
SC163	Compulsory Purchase Orders (CPOs)	R Lord	400	0	0	0	0	0	Currently no properties are prioritised for CPO action. Revising policy and reviewing long term vacants.
SC386	HMOs - Management Orders	R Lord	50	0	0	0	0	0	No properties are currently identified for action. Basis of protocol agreed with City Homes who will manage properties where action is taken
SC14	Property Accreditation Scheme	J Dicks	65	72	72	0	0	0	
	Total Projects		515	72	72	0	0	0	
PR001	Housing Capital Investment Programme	J Hovells	13,930	19,321	12,744	(6,577)	6,446	(131)	See Appendix E and associated notes in respect of the Housing Capital Investment Plan
	Total Programmes		13,930	19,321	12,744	(6,577)	6,446	(131)	
	Total for Housing		14,445	19,393	12,816	(6,577)	6,446	(131)	

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- approval of new capital programmes and projects

and are detailed and approved:

- in the June committee cycle (outturn reporting and carry forward requests)
- in September (as part of the Medium Term Strategy (MTS))
- in the January committee cycle (as part of the budget setting report)

Environmental and Waste Services Portfolio / Environment Scrutiny Committee
Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget £000	Final Budget £000	Outturn £000	Variance - Outturn compared to Final Budget £000	Re-phase Spend £000	Over / (Under) Spend £000	Variance Explanation / Comments
PR016	Public Conveniences	B Carter	350	6	14	8	(8)	0	Silver Street refurbishment project is underway and in its early stages. Fisher Square toilet refurbishment is on hold until the Lion Yard redevelopment and associated planning issues are resolved.
PR017	Vehicle Replacement Programme	D Cox	612	450	21	(429)	429	0	The underspend is due to the delay with vehicle orders. It is asked that the budget is rephased to 2012/13. This includes £160K for the replacement of a RCV but this may not be used to due to the route optimisation project.
SC423	Recycling Bins for Flats	J Robertson	75	85	37	(48)	48	0	Work on covering the remainder of flats without recycling is almost complete. It is asked that the budget is rephased to 2012/13 in order to convert flats with segregated recycling to commingled (ie blue bins).
SC466	Air Monitoring Equipment	J Dicks	120	85	71	(14)	0	(14)	Project complete. Budget greater than required.
SC511	Route Optimisation Software	C Hipwood	0	8	8	0	0	0	
Total for Environmental and Waste Services Portfolio			1,157	634	151	(483)	469	(14)	

Changes between original and final budgets may be made to reflect:

- rephased capital spend from the previous financial year
- rephased capital spend into future financial periods
- approval of new capital programmes and projects and are detailed and approved:
- in the June committee cycle (outturn reporting and carry forward requests)
- in September (as part of the Medium Term Strategy (MTS))
- in the January committee cycle (as part of the budget setting report)

Planning and Sustainable Transport Portfolio / Environment Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget £000	Final Budget £000	Outturn £000	Variance - Outturn compared to Final Budget £000	Re-phase Spend £000	Over / (Under) Spend £000	Variance Explanation / Comments
SC366	Green Parking Bays	S Cleary	3	0	2	2	(2)	0	Project complete.
SC368	GIS Phase 2 & 3	P Boucher	0	1	0	(1)	0	(1)	Project complete.
SC416	UNIFORM e-consultee Access Module	P Boucher	0	2	0	(2)	2	0	Awaiting final invoice for Phase 1 - supplier has been chased. Phase 2 to be programmed, awaiting IDOX development.
SC417	Development of UNIFORM System	P Boucher	12	0	0	0	0	0	Budget repensed to 2012/13 at January 2012 committee.
SC420	Corrosion Monitoring System at Park Street	S Cleary	0	1	1	0	0	0	Project complete. Results of monitoring to be delivered over next 9 months.
SC439	LED Lighting - Grand Arcade Annex Car Park	S Cleary	120	115	100	(15)	15	0	Lights installed, awaiting final invoices from contractors.
SC445	Monitors for use with Document Management System	P Boucher	0	6	4	(2)	2	0	Project expected to be completed by end of May 2012.
SC448	Rebuild Grafton West Car Park Wall at Salmon Lane	S Cleary	100	77	94	17	0	17	Project complete.
SC449	Holy Trinity War Memorial Shelter	G Richardson	0	23	12	(11)	11	0	Project has commenced. Contractors on site. Works will take twelve weeks. Project completion will be into next financial year.
SC505	Land Explorer Software	G Richardson	10	0	0	0	0	0	Budget repensed to 2012/13 at January 2012 committee.
SC506	Replacement Grand Arcade Car Park Pay on Foot Machines	S Cleary	0	0	3	3	(3)	0	Project commenced and on schedule.
SC510	Chip & Pin Upgrade in Car Parks	S Cleary	40	77	80	3	0	3	Project complete.

Planning and Sustainable Transport Portfolio / Environment Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget £000	Final Budget £000	Outturn £000	Variance - Outturn compared to Final Budget £000	Re-phase Spend £000	Over / (Under) Spend £000	Variance Explanation / Comments
SC516	Relocation Grand Arcade Car Park Control Room	S Cleary	0	70	25	(45)	45	0	Project due to be completed by June 2012.
	Total Projects		285	372	321	(51)	70	19	
PR007	Cycleways	A Preston	240	7	7	0		0	A Project Appraisal will be submitted to Asset Management Group (AMG) and Environment Scrutiny Committee for approval in June to commence the implementation of the Downhams Lane and Perne Rd/Radegund Road schemes, totalling £140k.
PR014	Environmental Safety Fund	D Foley- Norman	0	5	0	(5)	5	0	£5k to be used for Rackham Close Project in 2012/13. Further projects suggested as part of this years EIP programme are eligible for funding should they be adopted by the Area Committee in question.
PR018	Bus Shelters	A Preston	221	64	4	(60)	60	0	Current resource levels mean that this project has been delayed and will not be able to start until the Project Delivery team is fully resourced. Completion therefore now envisaged by April 2013.
PR019	Car Parks Infrastructure and Equipment Replacement Programme	S Cleary	722	0	0	0	0	0	Budget rephased to 2012/13 at January 2012 committee.
	Total Programmes		1,183	76	11	(65)	65	0	

Planning and Sustainable Transport Portfolio / Environment Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget £000	Final Budget £000	Outturn £000	Variance - Outturn compared to Final Budget £000	Re-phase Spend £000	Over / (Under) Spend £000	Variance Explanation / Comments
Total for Planning and Sustainable Transport			1,468	448	332	(116)	135	19	

Changes between original and final budgets may be made to reflect:

- rephased capital spend from the previous financial year
- rephased capital spend into future financial periods
- approval of new capital programmes and projects

and are detailed and approved:

- in the June committee cycle (outturn reporting and carry forward requests)
- in September (as part of the Medium Term Strategy (MTS))
- in the January committee cycle (as part of the budget setting report)

Customer Services & Resources Portfolio / Strategy & Resources Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget		Final Budget		Outturn		Variance - Outturn compared to Final Budget		Re-phase Spend		Over / (Under) Spend		Variance Explanation / Comments
			£000		£000		£000		£000		£000		£000		
SC361	Disabled Access and Facilities - Guildhall Halls	S Bagnall	80	0	0	0	0	0	0	0	0	0	0	0	Budget re-phased to the 2012/13 financial year.
SC335	Customer Access Strategy - IT Workstream	C Bolton	0	122	23	(99)	76	(23)							Carry forward of budget of £76k required for remaining projects that will be implemented during the 2012/13 financial year. Any remaining funds will be given back to CAS business case at the end of the 2012/13 financial year.
SC508	E-Benefits	A Cole	0	17	12	(5)	5	0							Carry forward of £5k required to meet remaining project management fees.
SC517	Re-Line Fuel Tanks	D Cox	0	30	22	(8)	0	(8)							Scheme completed.
SC192	Development Land on the North Side of Kings Hedges Road	P Doggett	360	178	38	(140)	140	0							The variance relates to expenditure profiling differences from the managing agent's original estimates for the 2011/12 financial year. Budget of £140k needs to be re-phased to the 2014/15 financial year to correspond with the managing agent's revised estimates.
SC221b	Lion Yard - Contribution to Works - Phase 2	P Doggett	638	80	56	(24)	24	0							The construction costs for the scheme are likely to be incurred in the 2012/13 financial year. Budget of £24k needs to be re-phased to the 2012/13 financial year for future scheme costs.
SC391	La Mimosa Punting Station	P Doggett	10	10	0	(10)	10	0							Investigating possible match funding by punt operators.
SC458	Capita Re-Licence	J James	0	1	1	0	0	0							Scheme completed.
SC509	Electric Courier Van	J James	14	0	0	0	0	0							Scheme completed.

Customer Services & Resources Portfolio / Strategy & Resources Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget		Final Budget		Outturn		Variance - Outturn compared to Final Budget		Re-phase Spend		Over / (Under) Spend		Variance Explanation / Comments
			£000		£000		£000		£000		£000		£000		
SC427	Oracle Financials Server	J Minns	0		50		44		(6)		6		0		The new server was commissioned during May and the remaining budget will be required to meet SERCO implementation support charges. Commissioning of the new server was delayed so as to have minimum impact on 2011/12 accounts closure work.
SC329	Corporate Document Management (DIP & EDRM)	J Nightingale	358		104		19		(85)		85		0		The programme of work is approaching the end of its first major phase, with the completion of customer access related services. It had always been planned to re-examine the project timetable at this time, and to determine the priority services for the next phases. Work on the remainder of the programme is therefore being re-planned, and will lead to spend later in the programme than originally forecast.
SC429	Telephony System Upgrade	J Nightingale	20		23		23		0		0		0		Scheme completed.
SC338	Customer Access Strategy - Web Development	A Perry	12		0		0		0		0		0		Scheme completed.
SC312	Automated Energy Monitoring System	J Stocker	23		23		0		(23)		23		0		Issues to be resolved regarding contractual obligations for data collection and monitoring.
SC507	Visit Cambridge Website	E Thornton	30		30		20		(10)		10		0		Project well underway and on programme to be completed by end May/early June.
Total Projects			1,545		668		258		(410)		379		(31)		

Customer Services & Resources Portfolio / Strategy & Resources Scrutiny Committee

Capital Budget 2011/12 - Outturn

Capital Ref	Description	Lead Officer	Original Budget		Final Budget		Outturn		Variance - Outturn compared to Final Budget		Re-phase Spend		Over / (Under) Spend		Variance Explanation / Comments
			£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000		
PR020	ICT Infrastructure Programme	J Nightingale	642	879	375	(504)	504	0							The programme is dependent on input from a range of suppliers. Technical delays and resourcing issues have caused parts of the programme of work to slip. Work is underway on all components.
PR023	Admin Buildings Asset Replacement Programme	J Stocker	68	58	35	(23)	23	0							The variance is due to minor timing differences to the work programme.
PR024	Commercial Properties Asset Replacement Programme	J Stocker	306	63	11	(52)	52	0							The variance is due to timing differences to the work programme.
PR003	City Centre Management Programme	E Thornton	20	20	11	(9)	0	(9)							Underspend due to two potential schemes not coming forward. The programme will continue to be promoted amongst the business community through the Love Cambridge Partnership.
Total Programmes			1,036	1,020	432	(588)	579	(9)							
Total for Customer Services & Resources Portfolio			2,581	1,688	690	(998)	958	(40)							

Changes between original and final budgets may be made to reflect:

- re-phased capital spend from the previous financial year
- re-phased capital spend into future financial periods
- approval of new capital programmes and projects

and are detailed and approved:

- in the June/July committee cycle (outturn reporting and carry forward requests)
- in September (as part of the Medium Term Strategy (MTS))
- in the January committee cycle (as part of the budget setting report)

2011/12 Housing Capital Investment Plan - HRA & GF

	Original Budget £000's	Current Budget £000's	Outturn £000's	Variance £000's	Re-phase Spend £000's	Notes	2012/13 £000's
General Fund Housing Capital Spend							
Investment in Affordable Housing	0	0	0	0	0		0
Other General Fund Housing	2,977	3,557	2,397	(1,160)	1,074	1	1,876
Total General Fund Housing Capital Spend	2,977	3,557	2,397	(1,160)	1,074		1,876
HRA Capital Spend							
Decent Homes Programme	4,907	5,806	4,337	(1,469)	1,144	2	10,198
Other Spend on HRA Stock	3,029	3,550	2,003	(1,547)	1,980	3	5,190
HRA New Build	1,047	1,771	1,103	(668)	663	4	5,751
Cambridge Standard Works	200	455	140	(315)	306	5	506
Sheltered Housing Capital Investment	1,440	3,780	2,557	(1,223)	1,226	6	4,450
Other HRA Capital Spend	330	402	207	(195)	53	7	952
Total HRA Capital Spend	10,953	15,764	10,347	(5,417)	5,372		27,047
Total Housing Capital Spend	13,930	19,321	12,744	(6,577)	6,446		28,923
Housing Capital Resources							
Right to Buy Receipts	(327)	(344)	(488)	(144)	0	8	0
Other Capital Receipts (Land and Dwellings)	0	0	(37)	(37)	0	8	0
MRA / MRR	(5,119)	(5,119)	(5,119)	0	0		(7,673)
Client Contributions	0	0	(63)	(63)	0	9	0
Direct Revenue Financing of Capital	(2,021)	(2,972)	(1,823)	1,149	(1,149)	10	(10,482)
Other Capital Resources (Grants / Shared Ownership / Loan Repayments)	(562)	(611)	(437)	174	0	11	(3,769)
Section 106 (Affordable Housing)	(331)	(331)	(158)	173	(68)	12	(68)
Prudential Borrowing	0	(283)	(283)	0	0		0
Total Housing Capital Resources	(8,360)	(9,660)	(8,408)	1,252	(1,217)		(21,992)
Net (Surplus) / Deficit of Resources	5,570	9,661	4,336	(5,325)			6,931
Capital Balances b/f	(13,794)	(13,794)	(13,794)				(9,877)
Use of / (Contribution to) Balances in Year	5,570	9,661	4,336	(5,325)			6,931
Ear-Marked for Future Investment in HRA stock	0	0	0	0			0
Ear-Marked for Future Investment in Affordable Housing	(903)	(903)	(419)	484		13	(484)
Capital resources remaining to fund future Housing Investment Programme	(9,127)	(5,036)	(9,877)	(4,841)			(3,430)

Notes to the Housing Capital Investment Plan

Note	Reason for Variance
1	<p>The underspending of £1,160,000 is a combination of lower demand than anticipated in respect of Disabled Facilities Grants and Private Sector Housing Grants and Loans (£66,000), no requirement for use of the funding to tackle unfit housing in the private sector and underspending against the profile to date for the creation of the Assessment Centre on East Road (£1,074,000)</p> <p>Work to create the Assessment Centre is now nearing completion, with a request to rephase £1,074,000 of resource into 2012/13, to meet a revised anticipated practical completion date of June 2012.</p>
2	<p>Overspending predominantly in kitchens, bathrooms and heating installations due to the work package given to the new planned maintenance contractor for the first year of the contract from July 2011. Overspending was more than offset by underspending in other areas of the decent homes programme, where re-phasing of resources is required to allow completion the annual programme to July 2012, which currently spans two financial years. This includes re-phasing in respect of PVCU (£33,000), re-wiring (£47,000), re-roofing works (£144,000), roof structures (£80,000), door (£163,000) wall finishes (£447,000), energy works (£8,000), damp works (£4,000), sulphate works (£102,000) and health and safety standard works (£116,000).</p>
3	<p>Re-phasing is requested in relation to garage improvement works (£16,000), tenants incentive schemes (£7,000), hard surfacing works on HRA land (£62,000), hard surfacing works for recycling areas (£198,000), works to communal flooring (£176,000), works to balconies (£460,000), works to the laundry at Hanover Court (£3,000), asbestos removal (£60,000), lifts (£13,000) and disabled adaptations (£46,000), where works had begun but not been completed by 31st March 2012 due to implementation of a new contractor and a change in contract year. Resources of £939,000 are also required to be re-phased in respect of fire safety works, where a large proportion of the works will be carried out by the secondary planned maintenance contractor.</p>
4	<p>Resources of £554,000 are requested to be re-phased into 2012/13 in respect of the project to re-develop the Seymour Court site, where work was delayed while vacant possession of the site was achieved. Resources of £114,000 are requested to be carried forward in respect of the redevelopment of the Roman Court site, where preliminary works and discussions with a registered provider are progressing well. Re-phasing of the final fees and retention sums due in respect of the new build dwellings in Church End and Teversham Drift is also required, with £16,000 and £4,000 required respectively. The above is partially offset by the authority incurring up front costs in respect of Latimer Close, where £25,000 of resource was required earlier than profiled, with less now needed in 2012/13.</p>
5	<p>Approval was given for the 2010/11 and 2011/12 Cambridge Standard allocations to be spent on a variety of environmental and parking projects across the city. Some of these projects are yet to be completed and resources of £306,000 are requested to be carried forward into 2012/13 to allow this to take place.</p>

6	<p>Re-phasing of £508,000 in respect of the refurbishment of Brandon Court is requested to allow completion of the scheme in early 2012/13. The remaining allocation for upgrading the emergency alarm systems in sheltered schemes (£96,000) and the final sum for residual works to Talbot House (£4,000) are also requested to be carried forward into 2012/13. Initial funding in respect of the refurbishment of Ditchburn Place, profiled to be spent in 2011/12, is now required to be re-phased in part (£618,000) into 2012/13. This will allow an appropriate decision to be made in respect of the refurbishment of the scheme following a period of planning and option appraisal, taking into consideration any potential alternative use for the site if required.</p>
7	<p>Capital resources of £38,000, identified to meet the costs of upgrading the hardware and software that deploys the Orchard Housing Management Information System to pc's and the server associated with the reporting software that operates alongside, were not fully spent in 2011/12, with a requirement to re-phase £21,000 into 2012/13 to complete both projects.</p> <p>Resources of £32,000 are also requested to be rephased to complete the work to convert ECCHO House, an ex-estate office which has been let for many years generating minimal return, into a dwelling that can be let within the HRA as an affordable housing unit.</p>
8	<p>Capital receipts from right to buy sales were higher than anticipated, with 12 properties sold during 2011/12. Unanticipated receipts of £37,000 were also received, in respect of the granting of an easement over housing land.</p>
9	<p>Income was due from leaseholders in 2011/12 in relation to their share of the cost of major improvements undertaken as part of the decent homes programme (£28,000) and was also received from private residents in relation to contributions towards, or repayments of, private sector housing repair grants (£33,000). Other small sums of unanticipated income totalling £2,000 were also received in year.</p>
10	<p>Due to slippage in the housing capital plan in 2011/12, the use of revenue funding for capital purposes was significantly less than anticipated. A request to increase the use of revenue funding of capital expenditure in 2012/13 by the £1,149,000 not required in 2011/12, will ensure that there is sufficient funding to meet the rephased expenditure requested above.</p>
11	<p>The authority was able to retain less resource in respect of shared ownership sales than anticipated in 2011/12, with both staircasing payments (sales of additional property shares) and the outright sale of the balance of any share owned by the Council to the resident, being required to be paid to CLG as part of the capital receipts pooling arrangements.</p>
12	<p>Due to the need to repay an element of the interest relating to a developer contribution during 2011/12, funding available to be re-phased into 2012/13 will be less than anticipated, with £68,000 anticipated to be used towards the cost of the Seymour Court development, where the scheme has been delayed while vacant possession of the site was achieved.</p>
13	<p>The reduced level of resource ear-marked for future investment in affordable housing remains committed to meet the cost of the redevelopment of the Seymour Court / Street site to deliver 20 units of additional affordable housing. The current resource is anticipated to be fully utilised by the completion of this project.</p>

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<p style="text-align: center;">RECOMMENDATION TO COUNCIL (THE LEADER – COUNCILLOR BICK)</p>
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NORTH WEST CAMBRIDGE DEVELOPMENT – MANAGEMENT STRATEGY FOR OPEN SPACES, SPORTS AND COMMUNITY FACILITIES

The outline planning applications for the North West Cambridge development were submitted to Cambridge City Council and South Cambridgeshire District Council (SCDC) in September 2011. The proposed development straddles the district council boundary between the two local authority areas. Negotiations on the planning applications are now at an advanced stage and it is hoped to report the application to the Joint Development Control Committee (JDCC) in the near future.

This is a mixed use development, comprising a mixture of market and University key worker housing, student accommodation, academic, research and development uses. A number of new open spaces, sports and community facilities are included and it is important that the management strategy agreed for these provides the maximum benefits and degree of public access for all types of residential occupiers of the development and the wider Cambridge community.

Following negotiations over several months, the University of Cambridge has agreed in principle a proposal to set up a Joint Management Vehicle (JV) with the City Council for the management of Storey's Field open space (which includes the SSSI) and the proposed North West Cambridge community centre, both of which lie within the City boundary part of the development. Subject to the principle of the establishment of a JV being formally agreed by Members, further negotiations will be necessary to finalise the detailed arrangements.

The University propose that the remainder of the open space, sports and community facilities within the development would be managed by the University itself, subject to the detailed provisions being agreed and finalised through the S106 agreement associated within the planning applications.

The Scrutiny Committee considered and approved the recommendations by 4 votes to 0.

Accordingly, Council is recommended to:

Approve a budget allocation for the proposed Joint Vehicle of up to £100k from 2027 onwards and that this be included in the Council's Medium Term Strategy.



To: LEADER: TIM BICK
Report by: HEAD OF PLANNING SERVICES
Relevant scrutiny committee: STRATEGY AND RESOURCES 9 July
committee: SCRUTINY COMMITTEE 2012
Wards affected: CASTLE/ALL AND GIRTON PARISH

NORTH WEST CAMBRIDGE DEVELOPMENT – MANAGEMENT STRATEGY FOR OPEN SPACES, SPORTS AND COMMUNITY FACILITIES

Key Decision

1. Executive summary

- 1.1 The outline planning applications for the North West Cambridge development were submitted to Cambridge City Council and South Cambridgeshire District Council (SCDC) in September 2011. The proposed development straddles the district council boundary between the two local authority areas. Negotiations on the planning applications are now at an advanced stage and it is hoped to report the application to the Joint Development Control Committee (JDCC) in the near future.
- 1.2 This is a mixed use development, comprising a mixture of market and University key worker housing, student accommodation, academic, research and development uses. A number of new open spaces, sports and community facilities are included and it is important that the management strategy agreed for these provides the maximum benefits and degree of public access for all types of residential occupiers of the development and the wider Cambridge community.
- 1.3 Following negotiations over several months, the University of Cambridge has agreed in principle a proposal to set up a Joint Management Vehicle (JV) with the City Council for the management of Storey's Field open space (which includes the SSSI) and the proposed North West Cambridge community centre, both of which lie within the City boundary part of the development. Subject to the principle of the establishment of a JV being formally agreed by Members, further negotiations will be necessary to finalise the detailed arrangements.

1.4 The University propose that the remainder of the open space, sports and community facilities within the development would be managed by the University itself, subject to the detailed provisions being agreed and finalised through the S106 agreement associated within the planning applications.

2. Recommendations

The Leader is recommended to agree:

- a) The principle of the City Council entering into a Joint Management Vehicle arrangement with the University of Cambridge for the management of Storey's Field informal open space (including the SSSI) and the North West Cambridge community centre, on the basis of the objectives as set out in 3.4 to 3.8 of this report.
- b) That the Chief Executive should be delegated to agree and finalise the details of the proposed JV arrangements, including that the JV meets the objectives and principles set out in paragraphs 3.4 –3.8 of this report.
- c) To recommend that Council on 19 July approve a budget allocation for the proposed Joint Vehicle of up to £100k from 2027 onwards and that this be included in the Council's Medium Term Strategy.
- d) The University should manage the remaining open space, sports and community facilities within the North West Cambridge development, according to the principles set out in paragraphs 3.9 – 3.11 of this report, subject to the detailed provisions being agreed and finalised within the S106 agreement associated with the outline planning applications.

3. Background

The outline planning application

- 3.1. The outline planning applications for the North West Cambridge development were submitted to Cambridge City Council and South Cambridgeshire District Council (SCDC) in September 2011. The proposals are for a mixed use urban extension development, comprising 3000 dwellings (1500 market and 1500 key worker), 2,000 student units, 100, 000m2 of research and academic uses. The development straddles the administrative boundaries of the City and SCDC.

Open Space, sports and community facilities provision

- 3.2. A number of new open spaces, sports and community facilities are included within the proposed development. These comprise informal open spaces, play areas, allotments, indoor sports facilities (at West Cambridge), sports pitches and a community centre. For further details refer to Appendix 1.

University management approach

- 3.3. Whilst most developers prefer to transfer open spaces and community facilities (either on a freehold or long leasehold basis) to the City Council to adopt, then manage and maintain thereafter, along with a 12 year commuted sum, the University has expressed a strong wish to retain ownership of its community assets and to manage and maintain these itself. Land transfer in these circumstances can only take place when both parties are in agreement and the Council cannot therefore compel the University to transfer the community assets to the local authority. This is not unusual and is the approach that has been agreed with the new country park associated with the Trumpington Meadows development that forms part of the Southern Fringe.
- 3.4. Given the large scale of the development and the need to ensure that key facilities located within the City boundary are managed to ensure optimum benefits and access for all sectors of the residential population of the development and the wider community, extensive negotiations have been taking place with the University over the last six months to ensure that the City Council achieves an appropriate level of democratic control and influence over the use and management of the large open space known as Storey's Field and the community centre, both within the City boundary.

Strategic Management Objectives

- 3.5. Discussions with relevant City Council Executive Councillors in relation to securing the best management strategy for Storey's Field and the community centre have established a number of key objectives that need to be met:
- Equality of access for all type of residents within the development;
 - Access to facilities for the wider Cambridge community in the same way that they have access to other comparable open spaces and community facilities/public assets within the City;
 - Facilities that are sustainable in the long-term;
 - Facilities managed and maintained to a good standard comparable to at least the standard that the City Council manages and maintains equivalent facilities;

- Management and maintenance arrangements that are cost-effective but which avoid large service charges being imposed on residents of the development to fund the ongoing revenue costs.

3.6. It is within this context that the proposal has emerged to set up a Joint Management Vehicle (JV) with the City Council for Storey's Field and the proposed community centre.

Proposed Joint Management Vehicle Arrangements for Storey's Field and Community Centre and associated principles

The JV would potentially take the form of a company limited by guarantee or most probably a charitable company and would be a legal entity separate from the Council. It is proposed that the JV body would have control over the two assets, based on a 50: 50 split of governance control between the University and the City Council and that a 101 year lease of the assets would be vested in it, at a peppercorn rent. In terms of the ongoing costs of the managing and maintaining the JV assets (less income generated), it has been agreed between the parties that they would be split 50:50, (including the administrative costs associated within the set up and running of the JV) but that the City Council would not contribute towards the costs until Year 13, so that the structure agreed effectively provides for a twelve year commuted sum period, similar to more standard management and maintenance arrangements where assets are transferred to the City Council. The University would therefore cover all the costs for the first twelve years.

In addition it is important that the following principles are addressed through the further detailed negotiations between the parties in due course:

- Both parties would have the right to leave the agreement by giving their shares to the other party.
- Appropriate mechanisms will need to be put in place for resolving disputes between the JV partners.
- The JV would need to submit a business plan to both parties for agreement given that they will be underwriting the costs of the JV.
- The structure will need to address public accountability and transparency requirements.
- There needs to be a means for the JV to engage with other stakeholders, particularly SCDC and Girton Parish Council.

- 3.7. Fall back arrangements for the management of the facilities would still need to be provided for through the S106 agreement, in the event that the JV arrangements are disbanded.
- 3.8. Before proceeding with any further detailed negotiations on the structure and funding of the JV, agreement is therefore being sought to the principle of the proposed arrangements. The timing of this is key given that the outline planning application is due to be reported to the JDCC in the near future and the agreed principles of the proposed management strategy for the community facilities need to be included in the officer report and S106 heads of terms that will be appended to it.

Management strategy for other open space, sports and community facilities

University Community Strategy

- 3.9. Extensive negotiations have been taking place over several months to make sure that the University management proposals for the remainder of the open spaces and sports facilities meet as many of the Council's strategic objectives (as set out in paragraph 3.4. above) as possible. In this respect, the University has submitted a Community Strategy document to support the outline planning application that sets out key principles in relation to each type of facility proposed. This has been subject to review and negotiation with the City Council's Heads of Community Development, Arts and Recreation and Streets and Open Spaces, as well as relevant officers from SCDC. The final agreed version of Strategy would be appended to the S106 agreement. Appendix 1 provides a breakdown of the proposed management approach by type of facility.

Indoor sports strategy

- 3.10. Originally, the University proposed new indoor sports provision within the development site itself. This strategy has now been amended so that the indoor sports provision for the North West Cambridge development would be provided as part of the University's previously approved West Cambridge indoor sports facilities development currently being progressed. This would provide a wide range of indoor sports facilities, including a swimming pool in Phase 2. Although no additional facilities are being created within the West Cambridge development to serve North West Cambridge, more extensive public access is to be secured to the facilities which would secure increased benefits for the community in this area of the City and SCDC, as well as the wider City and SCDC as a whole. The details of the proposed West Cambridge strategy are still being finalised. The City Council's Head of Arts and Recreation is broadly supportive of the approach, subject to some points of detailed clarification in relation to public

access. Once agreed, the details would be secured through a Deed of Variation to the existing West Cambridge S106 agreement (which would need to be reported to the City Council's Planning Committee) and via the discharge of condition attached to the 2010 West Cambridge permission. Improved access arrangements, in terms of enhanced walking and cycling routes between North West Cambridge and the West Cambridge site are also being negotiated through the S106 process. There would, however, still need to be a fall back requirement within the NWC S106 agreement to provide indoor sports facilities on site, in the event that the West Cambridge facilities were not completed.

Funding arrangements

- 3.11. The University proposed to fund a significant proportion of management and maintenance costs through an estate management charge that will be levied on most types of occupiers of the development, including the University and commercial elements as well as the housing elements. See Appendix 1 for funding approach to each type of community infrastructure provision. Following negotiations, it has been agreed that the community centre, primary school and proposed police offices will not be subject to the estate management charge and the Community Strategy document has been amended to reflect this.
- 3.12. All the detailed provisions would be secured through the S106 agreement associated with the outline planning applications.

S106 obligations

- 3.13. The S106 agreement would include obligations associated with the community infrastructure provision as follows:
- Space requirements (hectares) and standards to be adhered to.
 - Timing and phasing of provision.
 - Contributions to local authorities in relation to provision of community development workers, sports development workers and community chest.
 - Terms of hire of community centre.
 - Community access agreement to be appended to the S106, including opening hours, prioritisation if any, bookings policy, events management.
 - Management and maintenance specifications
 - Design brief, procurement and delivery process for community centre
 - Fall back provisions for indoor sports
 - Community engagement strategy
 - JV principles
 - Fall back provisions should JV be disbanded

Conclusions

- 3.14. Negotiations over an extended period in relation to the proposed NWC community infrastructure provision have sought to secure optimum benefits and maximum public access for the residents of the development itself and the wider community.
- 3.15. In the context of the University's preferred approach to "self-manage" facilities within the development, negotiations have focused on ensuring that the University's management approach will result in community provision that will be managed and maintained to a standard and include a degree of public access that are comparable to other similar facilities within the City, managed by the City Council. In addition, to ensure that the City Council secures a greater degree of influence and control over key facilities within the City, namely Storey's Field and the community centre. This could be achieved through the proposed JV arrangements.
- 3.16. The Leader's agreement is therefore now sought to the principle of the City Council setting up a JV for Storey's Field and the community centre, subject to further detailed negotiations with the University on the structure and funding of it.
- 3.17. In addition, the Leader is asked to agree that University should manage the remaining open space, sports and community facilities within the North West Cambridge development, according to the principles set out in paragraphs 3.9 – 3.11 of this report, subject to the detailed provisions being agreed and finalised within the S106 agreement associated with the outline planning applications.

4. Implications

(a) Financial Implications

It is proposed that the revenue costs associated with the JV facilities are split between the JV parties on a 50: 50 basis but that the University will fund the total costs for the first twelve years and the City Council contributing towards 50% of costs from Year 13 onwards.

The approximate completion date for the open space, Storey's Field, is the end of 2014. The trigger for the opening of the community facility is still being negotiated but potentially at 250 residential occupations (mid 2014). This would make year thirteen of the agreement 2027.

Estimated management and maintenance costs for the proposed JV Facilities, including the costs associated with the JV itself, are estimated to

be within the range of £160,000 to £200,000 (net of income). The Council's contribution would therefore be between £80,000 to £100,000. Actual net cost will depend upon the design of the building and the type of use/ activities that are promoted at the centre. Both of these elements will be informed by stakeholder and community engagement and agreed by the JV partners.

On average, the Council-run community facilities generate an income of around 30% of their costs depending on their location and community focus. In 2011-12 Brown's Field Youth and Community Centre generated an income equivalent to 8% of its total running cost. This is primarily due to its focus on youth and its location in an area of relatively low income. In contrast, Ross Street Community Centre generated an income equivalent to 61% of its total running cost. The income projection for the North West Cambridge facility is based on 35% of its estimated cost.

The model also assumes that activities at the centre will receive some support in the short term from the Community Development Workers paid for by the University.

Although it has been agreed between the parties that the City Council will not incur any expenditure in relation to the JV until Year 13, the budget allocation will still need to be agreed by Council in July in order to feed into the Medium Term Strategy now, so that financial assumptions can be made on the basis of the future expenditure that will be incurred in due course.

Further detailed advice on any VAT and tax implications will be taken before the final arrangements are put in place.

It is therefore recommended to Council that a provisional revenue budget allocation of up to £100k is made for this purpose.

(b) Staffing Implications

There will be no additional staffing implications for the local authority arising from these proposals.

There will be a need for the local authorities to monitor compliance with the S106 obligations and any associated planning conditions imposed on the University relating to the provision of and delivery of open space, sports and community facilities over the build out period of the overall development. However, S106 monitoring contributions have been agreed for this purpose through the negotiations on the outline planning applications.

In addition, contributions towards the provision of community development workers and sports development workers are also being negotiated through the S106 agreement.

These will all be set out in the draft S106 heads of terms that will form part of the outline planning application Committee report that will be determined by the Joint Development Control Committee in due course.

(c) Equal Opportunities Implications

The negotiations on the management strategy for the proposed community infrastructure within the NWC development have had equality of access for all types of residents within the development and access for the wider Cambridge community as key strategic objectives.

The principles agreed so far are therefore aimed at ensuring the maximum degree of public access both for all types residents within the development and the wider community.

An Equality Impact Assessment has not been carried out.

(d) Environmental Implications

There are no direct environmental implications. However, the JV arrangements will secure a greater degree of control and influence for the City Council over the management and maintenance of Storey's Field and the community centre that would include environmental standards, strategy and policy. This is therefore considered to have a LOW positive rating.

(e) Consultation

There has been extensive public consultation on the outline planning application.

The JV facilities are located within the City boundary but would serve the whole development, including those areas of the development within SCDC. SCDC officers have been closely involved in negotiations with the City Council and the University on the submitted Community Strategy document.

SCDC and Girton Parish Council would need to be involved in future detailed discussions on the community centre design and management arrangements generally.

A community engagement strategy for the North West Quadrant developments as a whole has been developed, informally agreed by relevant City and SCDC chief officers and discussed with relevant portfolio holders within both local authorities. The final structure and resource implications associated with this will be the subject of a separate report to Community Services Scrutiny Committee later this year.

(f) Community Safety

There are no community safety implications arising from the proposals set out in this report.

(g) Legal Implications

Legal advice will be taken by officers as required.

5. Background papers

None.

6. Appendices

Appendix 1 –schedule of community facilities and management proposals
Appendix 2 –site plans showing locations of key community facilities

7. Inspection of papers

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

Author's Name:	Patsy Dell
Author's Phone Number:	01223 457103
Author's Email:	Patsy. Dell@cambridge.gov.uk

Appendix 1

Schedule of community infrastructure within North West Cambridge development

a) Storey's Field informal open space (including SSSI but excluding cricket pitch and pavilion)

Location –City

Management strategy –proposed JV

Funding arrangements –University and City Council

Public access – general public access to informal open space elements.

b) Other informal open spaces

Location –throughout the development, both City and SCDC.

The large Western Edge informal open space lies within SCDC.

Management strategy –University led

Funding arrangements –estate management charge (except Western Edge landscaping)

Public access –general public access

c) Sports pitches (including cricket pitch) and pavilions

Location -City

Management strategy –University led by University Sports Syndicate via a Sport Management Company

Funding arrangements – University to cover costs

Public access -general public access but prioritisation to occupiers of development. Booking arrangements to be put in place.

d) Play areas

Location –throughout the development, both City and SCDC.

Management strategy –University led

Funding arrangements – estate management charge

Public access –general public access

e) Allotments

Location -largest area within City, smaller area within SCDC.

Management strategy –University led, in accordance with Cambridge Allotments Management Policy for Growth Areas.

Funding arrangements – University to cover costs

Public access – in accordance with the above policy.

f) Community centre

Location –City

Management strategy –proposed JV

Funding arrangements –University and City Council

Public access – general public access. Booking and prioritisation to be agreed through S106/JV arrangements.

g) Indoor sports facilities (including swimming pool provision)

Location City, West Cambridge site

Management strategy –University led/strategy to be agreed through discharge of condition to W Cambridge planning permission

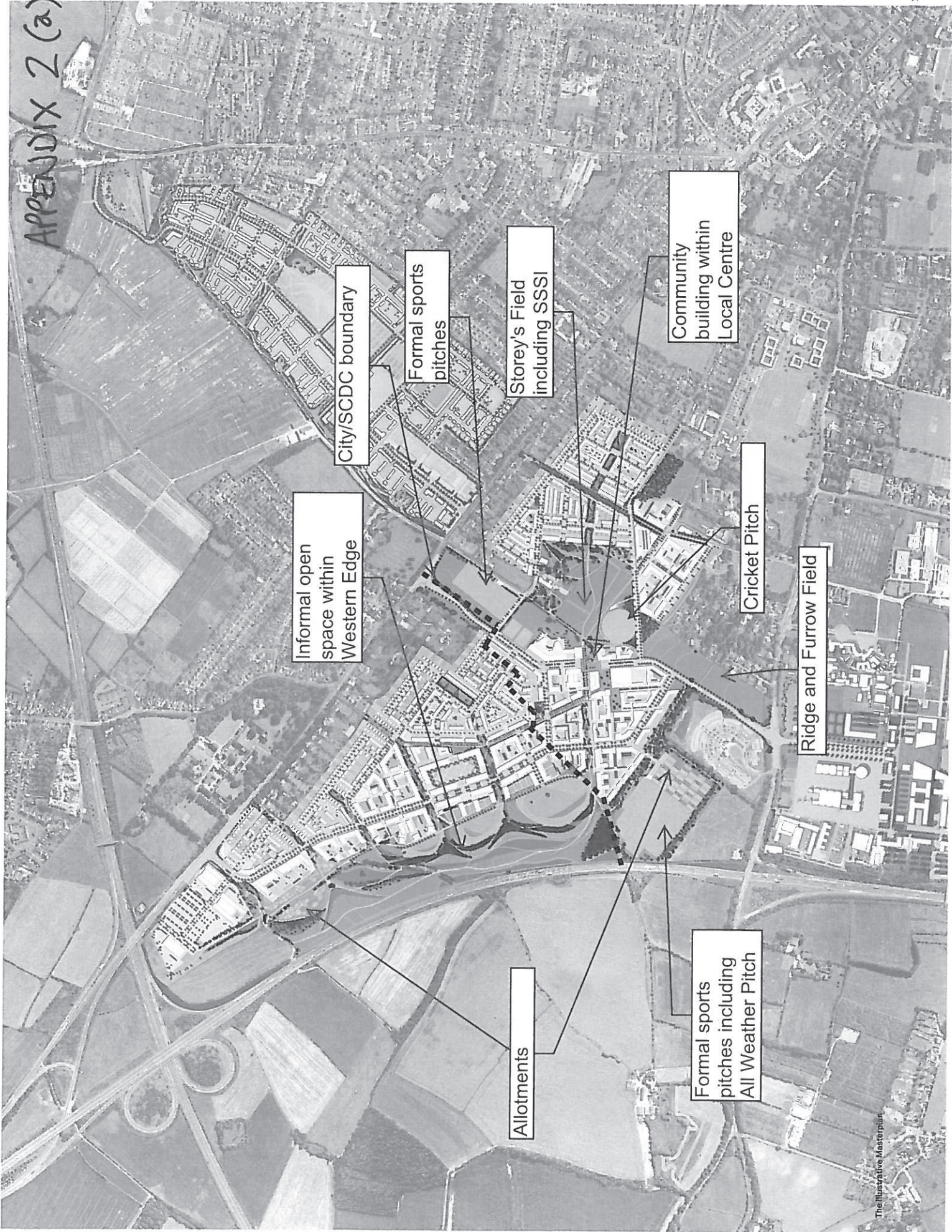
Funding arrangements – University will cover costs.

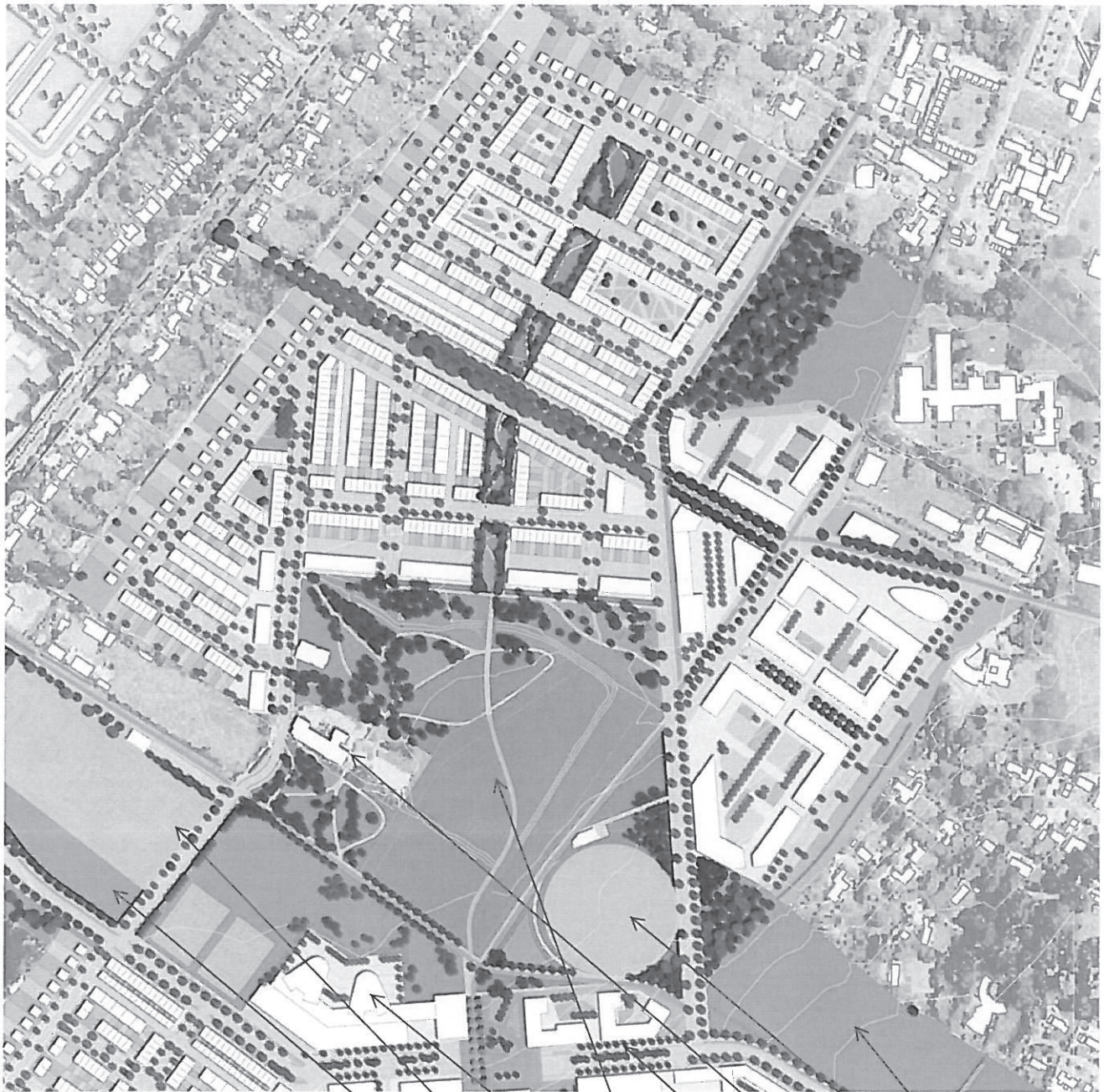
Public access – To be secured through Deed of Variation to existing West Cambridge S106. Prioritisation to NWC occupiers but facilities accessible to general public.

Appendix 2 –Site location plans showing locations of community infrastructure

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APPENDIX 2 (a)





Storey's Field - Illustrative Masterplan



- Informal Open Space
- Formal Sports Pitches
- Primary School
- Travellers Rest Site of Special Scientific Interest (SSSI)
- Edge of Local Centre
- World Conservation Monitoring Centre
- Cricket Pitch
- Ridge and Furrow Field

JOINT MEETING OF CIVIC AFFAIRS AND STANDARDS COMMITTEE

27 June 2012
6.00 - 7.35 pm

Present: Councillors Boyce (Chair), Ashton, Benstead, Dryden, Herbert, Marchant-Daisley, McPherson, Pitt, Rosenstiel, Swanson and Tucker

Independent Members of the Standards Committee - Dr Clark and Mr Williams

Officers Present

Head of Legal Services – Simon Pugh
Committee Manager – Martin Whelan

FOR ADOPTION BY THE COUNCIL

1 Notification and Declaration of Interests (SEE REPORT 1)

The committee received a report from the Head of Legal Services regarding changes to the notification and declaration of interests by councillors. The changes took effect from 1 July 2012 and replaced the current regime of “personal and prejudicial interests” with a category of “disclosable pecuniary interests”.

The report also asked for delegated powers to the Monitoring Officer to determine applications for dispensations to speak and/or vote when members had a disclosable pecuniary interest.

Key changes included:

- Failure to notify or disclose a disclosable pecuniary interest is a criminal offence punishable by a fine and/or disqualification.
- The definition of a disclosable pecuniary interest includes interests held by councillors and their “partner”.
- There is no longer a test of whether an interest is “prejudicial”. If a

member has a “disclosable pecuniary interest” in a matter, they may not participate unless they obtain a dispensation.

The Head of Legal Services mentioned that the scope of a declarable pecuniary interest was much narrower than that of a personal interest. However, the new Code of Conduct recommended later in the agenda sought to retain the current requirements to register and declare interests that were not disclosable pecuniary interests.

Members of the committee raised a number of queries concerning the circumstances in which a declarable pecuniary interest might arise. Members also expressed concern that the requirement to register interests held by a partner would infringe partners’ rights to privacy.

Members agreed that delegating consideration of dispensations to the Monitoring Officer made sense but asked that the Chair and Spokesperson(s) for Civic Affairs continue to be consulted after the appointment of the “Independent Person”. They also recognised that consultation would not be possible if an application for a dispensation was made at short notice. In these circumstances, the Monitoring Officer should be authorised to determine the application but should report the decision to the next meeting of Civic Affairs.

COUNCIL IS RECOMMENDED (Nem Con)

- i. That, pending the appointment of an “Independent Person”, the Monitoring Officer is authorised to determine applications for dispensations to speak and or vote from members with declarable pecuniary or other Code of Conduct interests, subject to the Monitoring Officer first consulting the Chair and Opposition spokesperson for Civic Affairs.
- ii. That the Monitoring Officer shall consult the Independent Person, when appointed, before determining applications for dispensations, as well as the Chair and Opposition Spokesperson for Civic Affairs (or appropriate alternative councillor if either is directly affected).
- iii. That the Monitoring Officer is authorised to deal with applications for dispensations at short notice, where it is not practical to consult the Independent Person, Chair or Opposition Spokesperson subject to the decision being reported to members of Civic Affairs Committee thereafter.

- iv. That the Civic Affairs Committee keeps this arrangement under review.

2 Adoption of a Code of Conduct (SEE REPORT 2)

The committee received a report from the Head of Legal Services explaining that the standards provisions in the Localism Act meant that the Council had to adopt a new Code of Conduct. The Head of Legal Services said that the draft Code circulated with the agenda for the meeting was not the correct version and he circulated the correct version.

The Head of Legal Services explained that there were several model codes in circulation and drew attention to the codes issued by the Local Government Association and by the Department for Communities and Local Government. Both model codes were attached to the report.

The code recommended for adoption was based on the current code, amended only to include the new requirements for notification and declaration of “declarable pecuniary interests”. All Cambridgeshire local authorities, with the exception of Huntingdonshire, were considering basing their codes on the current code, although the final versions adopted by authorities were likely to differ in the detail.

Members discussed the merits of the more detailed approach taken by the proposed code and the merits of the “lighter touch” approach taken by the other two model codes.

The Head of Legal Services stressed the need for the Council to adopt a code of conduct on 19 July but said that it would be possible to revisit its provisions if members wished to make improvements.

COUNCIL IS RECOMMENDED (Nem Con)

To adopt the Code of Conduct appended to these minutes..

3 Appointment of an "Independent Person" (SEE REPORT 3)

The committee received a report from the Head of Legal Services setting out the need to appoint one or more “independent persons” in connection with the revised standards regime introduced by the Localism Act 2011. A proposed description of the role, and of the skills and competences needed, was annexed to the report.

The report set out the statutory functions of the Independent Person:

- The IP must be consulted and their views taken into account before the Council makes a decision on any allegation it has decided to investigate.
- The IP may be consulted by the Council in other circumstances related to “standards” issues; e.g. at the point at which a complaint is received, or more generally regarding ethical issues.
- The IP may be consulted by a member of the authority against whom an allegation has been made.

The report recommended that, in addition, a deputy Independent Person should be appointed, to avoid conflicts of interest and to provide resilience.

The proposed allowances were in line with those being recommended to other Cambridgeshire councils.

In response to questions, the Head of Legal Services clarified that the prohibition in the Localism Act that would have barred the appointment of current external members on the Standards Committee as Independent Persons had been lifted. He also indicated that, whilst Independent Persons or other members of the public could be co-opted to a Standards Committee, this would have to be on a non-voting basis.

Members discussed arrangements for advertising the appointments and agreed that they should be advertised in the press, as well as on the Council’s website.

COUNCIL IS RECOMMENDED (Nem Con)

- i. To appoint one Independent Person and one deputy, and that the appointment process is advertised in the press, as well as on the

Council's website.

- ii. To agree that the Independent Person is paid an annual allowance of £1,000 and that the Deputy is paid an annual allowance of £500.
- iii. To agree that the appointments are made for a three year term but with appointments subject to annual ratification at the Annual Meeting of the Council.
- iv. To agree the selection criteria and role description annexed to the report.
- v. To agree that a member panel is appointed to recommend appointments to the Council
- vi. To agree that the Monitoring Officer is authorised to take such reasonable steps as he considers necessary to implement these recommendations.

4 Considering Complaints and Governance Arrangements (SEE REPORT 4)

The committee received a report from the Head of Legal Services regarding responsibility for the Council's statutory duty to promote high standards of conduct, for overseeing complaints against councillors and for other aspects of standards in local government.

The report explained that the Localism Act revoked the statutory requirement to have a separate standards committee and recommended making the Civic Affairs Committee responsible for these functions. Amended terms of reference for the Civic Affairs Committee were set out in Appendix 1 of the report.

Appendix 2 of the report proposed a procedure for considering complaints that a councillor had breached the Code of Conduct. This sought to adopt a more flexible and less bureaucratic approach to consideration of complaints to that previously required by statute, whilst ensuring external oversight through the role of the Independent Person. The procedure also proposed a right of review by a sub-committee if members of the public were unhappy with decisions made at officer level.

Members discussed approaches to dealing with complaints, including the merits of mediation in appropriate circumstances. Members suggested that the sub-committee that would consider complaints should be referred to as the "Standards Sub-Committee". They also asked for sub-committee decisions to be published in the form of decision notices and that a summary of complaints against councillors should be included in the Annual Complaints Report.

Following discussion, the Committee agreed to amend annex 2 of the report: as follows:

- i. References to Complaints Sub Committees should be replaced with Standards Sub Committee
- ii. That Standards Sub Committees would be 2 Liberal Democrats + 2 Labour in composition and that all members of Civic Affairs should be authorised to be members.

COUNCIL IS RECOMMENDED (Nem Con)

- (i) To agree that a direct replacement for the Standards Committee is not appointed and that the Civic Affairs Committee is made responsible for promoting high standards of conduct by members and officers, for overseeing the procedure for considering complaints against councillors, and for any other aspect of promoting or regulating standards in local government that do not fall within the remit of the Executive or another regulatory committee.
- (ii) To agree that the Council amends the terms of reference for the Civic Affairs Committee as set out in Appendix 1 of the report, and that references to the Standards Committee are deleted.
- (iii) To agree that the procedure for considering complaints against councillors set out in Appendix 2 is adopted as amended.
- (iv) To agree that the Civic Affairs Committee is invited to appoint Standards Sub-Committees (2 LD + 2Lab) to consider complaints (as outlined in Appendix 2), with all members of Civic Affairs Committee authorised to be members.
- (v) To agree that the arrangements proposed are reviewed by the Civic

Affairs Committee in 12 months' time.

- (vi) To thank the external members of the Standards Committee for their contribution to the work of the Council in promoting and maintaining ethical standards.

FOR INFORMATION OF THE COUNCIL

5 Apologies

Prior to the formal start of the meeting Councillor Herbert questioned the status of the meeting. The Head of Legal Services clarified the status of the meeting, and that it was hoped that consensus could be reached on each item. It was noted that if votes were required, separate votes would be required for the members of Civic Affairs and the members of Standards Committee.

Apologies were received from Councillor Smart and Mr Dasgupta.

6 Declarations of Interest

It was noted that the existing independent members were eligible to apply for the role of the "Independent Member" for a transitional period up until 1st July 2013, and therefore the existing independent members may wish to leave the meeting for consideration of item 5 if they were considering applying for the role.

Dr Clark confirmed that he would be not be applying for the role.

Mr Williams withdrew from the meeting during Item 5 in case he decided to apply for the role.

The meeting ended at 7.35 pm

CHAIR

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JOINT MEETING OF CIVIC AFFAIRS AND STANDARDS COMMITTEE

Summary of the Recommendations to Council

1 Notification and Declaration of Interests (SEE REPORT 1)

COUNCIL IS RECOMMENDED (Nem Con)

- i. That, pending the appointment of an “Independent Person”, the Monitoring Officer is authorised to determine applications for dispensations to speak and or vote from members with declarable pecuniary or other Code of Conduct interests, subject to the Monitoring Officer first consulting the Chair and Opposition spokesperson for Civic Affairs.
- ii. That the Monitoring Officer shall consult the Independent Person, when appointed, before determining applications for dispensations, as well as the Chair and Opposition Spokesperson for Civic Affairs (or appropriate alternative councillor if either is directly affected).
- iii. That the Monitoring Officer is authorised to deal with applications for dispensations at short notice, where it is not practical to consult the Independent Person, Chair or Opposition Spokesperson subject to the decision being reported to members of Civic Affairs Committee thereafter.
- iv. That the Civic Affairs Committee keeps this arrangement under review.

2 Adoption of a Code of Conduct (SEE REPORT 2)

COUNCIL IS RECOMMENDED (Nem Con)

To adopt the Code of Conduct appended to these minutes..

3 Appointment of an "Independent Person" (SEE REPORT 3)

COUNCIL IS RECOMMENDED (Nem Con)

- i. To appoint one Independent Person and one deputy, and that the appointment process is advertised in the press, as well as on the Council's website.
- ii. To agree that the Independent Person is paid an annual allowance of £1,000 and that the Deputy is paid an annual allowance of £500.
- iii. To agree that the appointments are made for a three year term but with appointments subject to annual ratification at the Annual Meeting of the Council.
- iv. To agree the selection criteria and role description annexed to the report.
- v. To agree that a member panel is appointed to recommend appointments to the Council
- vi. To agree that the Monitoring Officer is authorised to take such reasonable steps as he considers necessary to implement these recommendations.

4 Considering Complaints and Governance Arrangements (SEE REPORT 4)

COUNCIL IS RECOMMENDED (Nem Con)

- (i) To agree that a direct replacement for the Standards Committee is not appointed and that the Civic Affairs Committee is made responsible for promoting high standards of conduct by members and officers, for overseeing the procedure for considering complaints against councillors, and for any other aspect of promoting or regulating standards in local government that do not fall within the remit of the Executive or another regulatory committee.
- (ii) To agree that the Council amends the terms of reference for the Civic Affairs Committee as set out in Appendix 1 of the report, and that references to the Standards Committee are deleted.
- (iii) To agree that the procedure for considering complaints against councillors set out in Appendix 2 is adopted as amended.
- (iv) To agree that the Civic Affairs Committee is invited to appoint Standards Sub-Committees (2 LD + 2Lab) to consider complaints (as outlined in Appendix 2), with all members of Civic Affairs Committee authorised to be members.
- (v) To agree that the arrangements proposed are reviewed by the Civic Affairs Committee in 12 months' time.
- (vi) To thank the external members of the Standards Committee for their contribution to the work of the Council in promoting and maintaining ethical standards.

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Legal Services/Monitoring Officer

TO: Standards Committee

27/6/2012

WARDS: None directly affected

LOCALISM ACT 2011: NOTIFICATION AND DECLARATION OF MEMBERS' INTERESTS

1 INTRODUCTION

- 1.1 The Localism Act paved the way for fundamental changes to the registration and declaration of interests by councillors. From 1 July 2012, the current regime of “personal” and “prejudicial” interests is revoked.
- 1.2 From 1 July 2012, the only mandatory provision is for the registration and, in some cases, declaration of “disclosable pecuniary interests”. These were defined in a statutory instrument (“The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”) on 8 June. This has not allowed much time for preparation and briefing.
- 1.3 The changes in the regime are significant. Key points include:
- Failure to notify or disclose a “disclosable pecuniary interest” is a criminal offence punishable by a fine and/or disqualification.
 - The definition of a “disclosable pecuniary interest” includes interests held by councillors and their “partner” – i.e. spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.
 - There is no longer a test of whether an interest is “prejudicial”. If a member has a “disclosable pecuniary interest” in a matter, they may not participate unless they obtain a dispensation. Members

are likely to be precluded from participation in a wider range of matters than under the previous regime.

1.4 The proposed revised Code of Conduct for the City Council envisages wider declaration of interests in line with the requirements of the former model Code adopted by the Council.

2. **RECOMMENDATIONS (AS AGREED AND INCLUDED IN ADOPTION MINUTE)**

2.1 That, pending the appointment of an “Independent Person”, the Monitoring Officer is authorised to determine applications for dispensations to speak and or vote from members with declarable pecuniary or other Code of Conduct interests, subject to the Monitoring Officer first consulting the Chair and opposition spokesperson for Civic Affairs.

2.2 That the Monitoring Officer shall consult the Independent Person, when appointed, before determining applications for dispensations, as well as the Chair and opposition spokesperson for Civic Affairs (or appropriate alternative councillor if either is directly affected).

2.3 That the Monitoring Officer is authorised to deal with applications for dispensations at short notice, where it is not practical to consult the Independent Person, Chair or Opposition spokesperson subject to the decision being reported to members of the Civic Affairs Committee thereafter.

2.4 That Civic Affairs Committee keeps this arrangement under review.

3. **WHAT IS A DISCLOSABLE PECUNIARY INTEREST?**

3.1 A ‘disclosable pecuniary interest’ is an interest of a councillor or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they are civil partners) within the following descriptions, with “M” being a councillor and “relevant person” being either the councillor or their partner:

<i>Subject</i>	<i>Prescribed description</i>
<i>Employment, office, trade, profession or vocation</i>	<i>Any employment, office, trade, profession or vocation carried on for profit or gain.</i>

<i>Sponsorship</i>	<p><i>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</i></p> <p><i>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</i></p>
<i>Contracts</i>	<p><i>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</i></p> <p><i>(a) under which goods or services are to be provided or works are to be executed; and</i></p> <p><i>(b) which has not been fully discharged.</i></p>
<i>Land</i>	<p><i>Any beneficial interest in land which is within the area of the relevant authority.</i></p>
<i>Licences</i>	<p><i>Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.</i></p>
<i>Corporate tenancies</i>	<p><i>Any tenancy where (to M's knowledge)—</i></p> <p><i>(a) the landlord is the relevant authority; and</i></p> <p><i>(b) the tenant is a body in which the relevant person has a beneficial interest.</i></p>

Securities

Any beneficial interest in securities of a body where—

(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and

(b) either—

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

4. WHAT OBLIGATIONS ARISE IF A MEMBER HAS A DISCLOSABLE PERSONAL INTEREST?

Registration

- 4.1 A member or co-opted member of the Council must, within 28 days of taking office, notify the monitoring officer of any disclosable pecuniary interests which they have and of any disclosable pecuniary interests, of which they are aware, that their partner has.
- 4.2 The Monitoring Officer is obliged to maintain a register of these interests. The register must be made available for public inspection and must be published on the Council's website.
- 4.3 There is no legal obligation to keep the register up to date and there are no transitional arrangements requiring current members to notify the Monitoring Officer of disclosable pecuniary interests.

Declaration

- 4.4 If a member (or co-opted member) is present at a meeting of the Council (or of a committee, subcommittee etc) and they have a disclosable pecuniary interest (of which they are aware) in any matter to be considered at the meeting, the following provisions apply.

- 4.5 If the disclosable pecuniary interest is entered in the register, the member does not need to declare it.
- 4.6 If the disclosable pecuniary interest is not entered in the register, the member must disclose it at the meeting and notify the Monitoring Officer of the interest within 28 days.
- 4.7 A member with a disclosable pecuniary interest may not participate in the discussion of the matter and may not vote. There is no longer a test as to whether the interest is "prejudicial". However, it may be possible to seek a dispensation to speak and/or to vote.

Sensitive interests

- 4.8 If a member has an interest the nature of which is such that the member and the Monitoring Officer consider that disclosure of the details could lead to a person being subject to violence or intimidation, details may be excluded from inspection and publication. At a meeting the member will not be required to disclose the interest but only the fact that they have an interest.

Dispensations

- 4.9 A member may be granted a dispensation to speak and/or vote if the Council:
- Considers that without a dispensation the number of persons prohibited from participating would be so greater proportion of the decision-making body as to impede the transaction of the business;
 - Considers that without a dispensation the representation of different political groups on the body transacting the business would be so upset as to alter the likely outcome of any vote relating to the business;
 - Considers that granting the dispensation is in the interests of persons living in the authority's area;
 - Considers that, without the dispensation, each member of the Executive would be prohibited from participating in the business;
 - Considers that it is otherwise appropriate to grant a dispensation.

- 4.10 Dispensations maybe granted for a specific period, which may not exceed four years.
- 4.11 A decision whether to grant a dispensation may be delegated to a committee, to a subcommittee or to an officer.

Criminal offences

- 4.12 If a member (or co-opted member) fails, without reasonable excuse, to comply with the registration or disclosure obligations, or participates or votes in contravention of these provisions, they may be liable to prosecution. Conviction is punishable by a fine not exceeding £5000. They may also be disqualified from holding office for a period of up to 5 years.

5. PRACTICAL ISSUES WITH THE NEW REGIME

- 5.1 It is difficult to see how the new regime is better than the previous regime and, in some respects, it is worse. The following points need to be noted and/or considered.
- 5.2 Members will note that, whilst there is mandatory registration and declaration of a more limited range of interests, the interests of partners now need to be declared and published. There is also now no statutory bar to participation and voting on matters which affect family members, other than partners, and which would, at present, be prejudicial interests.
- 5.3 The "Cambridgeshire Code of Contact" being recommended for adoption reintroduces the wider range of declarable interests. This will continue to promote transparency and will also capture a range of important interests that do not count as declarable pecuniary interests; e.g. an interest arising from a planning application submitted by a son or daughter.
- 5.4 The new regime does not make a distinction between interests that are registrable and declarable, but which do not bar participation and voting, and interests which are "prejudicial". In effect, all declarable pecuniary interests are treated as prejudicial, with participation and voting prohibited and, in fact, a criminal offence.
- 5.5 As explained in paragraphs 4.9 to 4.11, it is possible to seek a dispensation to speak and/or vote on a matter in which a member

has a declarable pecuniary interest. Under the previous regime, applications for dispensations were the responsibility of the Standards Committee. It is now possible for the Council to delegate responsibility to a committee, to a sub-committee or to an officer. No applications for dispensations were made under the previous regime. However, given the abolition of the “prejudicial” test, and the close political balance on the Council, dispensations could well be sought frequently.

- 5.6 One difficulty with considering dispensations is that members may not appreciate that a meeting will be considering something in which they have a declarable pecuniary interest until shortly before the meeting. This could be achieved by delegating authority to the Monitoring Officer, in consultation with the Independent Person (when appointed) to grant dispensations. Pending the appointment of the Independent Person, it is recommended that the Monitoring Officer consults the Chair and Labour Spokesperson before determining an applications for a dispensation. This might be one area in which a quick fix is needed followed by more careful thought.
- 5.7 There is no legal requirement for someone with a “disclosable pecuniary interest” to leave the meeting when the matter in which they have an interest is considered. Nonetheless, the Monitoring Officer suggests that this remains good practice and the proposed Code of Conduct preserves the provision under the previous Code requiring withdrawal.
- 5.8 There is also no requirement to keep the register of declarable pecuniary interests up to date. A requirement to update is only triggered after the initial registration (following election) if an interest is declared at a meeting. The proposed Code of Conduct goes further than the legal minimum in requiring members to keep their registration up to date throughout their term of office.
- 5.9 It will be necessary to provide briefing for all members to ensure that they are aware of their new responsibilities with regard to disclosable pecuniary interests.

5.10 **CONSULTATIONS**

The late publication of regulations defining disclosable pecuniary interests has not permitted consultation. There is a need to put arrangements into place without delay but it is possible to review and amend provisions with regard to members’ interests.

6. OPTIONS

These are set out in the body of the report.

7. IMPLICATIONS

(a) **Financial Implications** None

(b) **Staffing Implications** None, although there will be some additional work for officers.

(c) **Equal Opportunities Implications** An equality impact assessment has not been conducted as there is unlikely to be a differential impact on groups with protected characteristics.

(d) **Environmental Implications.** Nil

(e) **Community Safety** Nil

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

Localism Act 2011.

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

To inspect these documents contact Simon Pugh, Head of Legal Services and Monitoring Officer. Tel (01223) 457401, email simon.pugh@cambridge.gov.uk.

The author and contact officer for queries on the report is Simon Pugh, Head of Legal Services and Monitoring Officer.

Report file:

Date originated: 10 July 2012

Date of last revision: 10 July 2012

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Legal Services and Monitoring Officer

TO: Civic Affairs Committee

27/6/2012

WARDS: None directly affected

ADOPTION OF A NEW CODE OF CONDUCT FOR COUNCILLORS

1 INTRODUCTION

- 1.1 The Localism Act 2011 introduces a new standards regime. The existing statutory Code of Conduct for Members will be repealed on 30 June 2012. Each local authority must adopt its own Code of Conduct to take effect "on or after 1st July 2012". The purpose of this report is to formally consider three draft Codes and to seek a recommendation from the Committee for adoption of a Code by the Council at its meeting on 19 July 2012.

2. RECOMMENDATIONS

- 2.1 That the Standards Committee consider all three draft Codes of Conduct and recommend the Appendix 1 model code to the Council for adoption.

3. BACKGROUND

- 3.1 The Council is required to put procedures in place in order to comply with the provisions of the Localism Act 2011, which places a statutory duty upon the Council to promote and maintain high standards of conduct amongst its own elected members and any co-opted members.
- 3.2 Strong ethical governance is critical to the Corporate Governance of the Authority and supports the Council's decision making processes across the organisation as a whole. It is important for the corporate governance of the Authority that the Council has the highest standards of conduct from its elected members and that the public

has confidence that any complaints procedure is robust and transparent. If the Council fails to adopt a code of conduct which is fit for purpose or to establish an appropriate procedure for complaints to be effectively dealt with then there are risks to the Council from a reputational management viewpoint and also to the integrity of the Councils corporate governance and decision making process. Equally the Council must ensure frivolous or tit for tat complaints are discouraged if the process is not to fall into disrepute.

3.3 Any local code must be consistent with the Nolan principles of:

- (a) Selflessness
- (b) Integrity
- (c) Objectivity
- (d) Accountability
- (e) Openness
- (f) Honesty
- (g) Leadership

3.4 With the objective of achieving a common way forward across the Cambridgeshire authorities so that all councillors at all three tiers of local government were subject to the same code and in the absence of any published national model code at the time, all the Monitoring Officers in the county have drafted a Cambridgeshire Code. This code draws on guidance obtained through national networks such as the Association of Council Secretaries and Solicitors (ACSeS), and is based on the first section of the current Code of Conduct. A copy of the Cambridgeshire Code, adapted for Cambridge, is attached as Appendix 1. (There are minor differences in the ways in which Cambridgeshire Councils have adopted the basic model to suit local needs.)

3.5 On 11 April 2012, DCLG published an "illustrative text" for a Code dealing with the conduct expected of members and co-opted members of the authority when acting in that capacity. A copy of the DCLG Code is attached as Appendix 2. It provides an example of what a local authority's Code of Conduct for the new standards arrangement might look like.

3.6 Shortly afterwards, following discussions with Members, Officers and professional bodies, the Local Government Association (LGA), SOLACE and ACSeS published their own draft Code. A copy of the LGA Code is attached at Appendix 3.

- 3.7 On 8th June 2012 Regulations were issued by the Department of Communities and Local Government (DCLG) outlining what 'Disclosable Pecuniary Interests' (DPIs) Members will have to declare. No opportunity was given to comment on a draft before publication. These have been included in an updated Cambridgeshire Code. There may be other, non-pecuniary interests which each Council will wish to specify.
- 3.8 Monitoring Officers within Cambridgeshire are recommending the adoption of the Cambridgeshire model set out in Appendix 1.

4. COMPARISON BETWEEN THE CODES

4.1 Code 1 – The Cambridgeshire Code

Pros	Cons
This model is being recommended to all other councils in Cambridgeshire.	Previous regime “top down”, centrally imposed
A common approach will give consistency across the tiers of local government in Cambridgeshire	Not innovative
Members familiar with it	Any other declarable interests will need to be defined
Members have been trained on it	Longer than Codes 2 and 3
Guidance on it available	Wording may be seen as prescriptive
Common Code across Cambridgeshire will make it easier to monitor and enforce	
principles – selflessness, integrity, objectivity, accountability, openness, honesty, leadership	
Also includes provisions on respect, confidentiality, bullying and intimidation, abiding by the equalities legislation and disrepute (all part of the current code)	
Will promote and maintain high standards of conduct	

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4.2 Code 2 - DCLG Code

Pros	Cons
Light touch Code	Regulations about DPis (declarable pecuniary interests) not built in
Endorsed by DCLG	Any other declarable interests will need to be defined
Will promote and maintain high standards of conduct	Members will need to familiarise themselves with it
Based on seven Nolan principles	No guidance on it
Shorter than Codes 1 and 3	Does not include respect, bullying, etc.
Outcome based	
Less prescriptive	

4.2 Code 3 – LGA Code

Pros	Cons
Light touch Code	Regulations required about DPis are not built in <ul style="list-style-type: none"> • • •
Endorsed by LGA with input from SOLACE & ACSeS	Any other declarable interests will need to be defined
Will promote and maintain high standards of conduct	Longer than Code 2
Based on seven Nolan principles	Wording open to wide Interpretation - what is meant by 'championing the needs of local residents'?
Shorter than Code 1	No guidance on it
Outcome based	
Less prescriptive	
Includes respect and stewardship	

5. CONSULTATIONS

Codes 1 and 3 were reviewed by members at a briefing meeting on 4 April. Code 2 was not available at that time.

6. OPTIONS

The Council must adopt a Code of Conduct based on the seven Nolan principles set out in paragraph 3.3. But, subject to this, it is open for the Council to decide what form a code should take. It can choose from the three codes annexed to this report or it can devise a code of its own. The Council needs to adopt a code on 19 July. If members believe that further work is needed, then it would be possible to adopt a revised code at a future meeting.

7. IMPLICATIONS

(a) **Financial Implications** - None

(b) **Staffing Implications** - None

(c) **Equal Opportunities Implications** – An EQIA has not been conducted in respect of this report as there is no obvious differential impact on groups with protected characteristics.

(d) **Environmental Implications** – Nil.

(e) **Community Safety** - None

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

To inspect these documents contact Simon Pugh, Head of Legal Services.
Tel: (01223) 457401. Email: simon.pugh@cambridge.gov.uk

The author and contact officer for queries on the report is Simon Pugh, Head of Legal Services.

Report file:

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APPENDIX 1

CAMBRIDGE CITY COUNCIL DRAFT CODE OF CONDUCT

Part 1 - General provisions

Introduction and interpretation

1.1 This Code applies to you as a member of an authority.

1.2 You should read this Code together with the general principles prescribed by the Secretary of State.

1.3 It is your responsibility to comply with the provisions of this Code.

1.4 In this Code—
"meeting" means any meeting of—

(a) the authority;

(b) the executive of the authority;

(c) any of the authority's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

"member" includes a co-opted member and an appointed member.

Scope

2.1 Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you—

(a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or

(b) act, claim to act or give the impression you are acting as a representative of your authority,

and references to your official capacity are construed accordingly.

- 2.2 Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.
- 2.3 In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.

2.4 Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).

2.5 Where you act as a representative of your authority—

(a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or

(b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

3.1 You must treat others with respect.

3.2 You must not—

(a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006);

(b) bully any person;

(c) intimidate or attempt to intimidate any person who is or is likely to be—

(i) a complainant,

(ii) a witness, or

(iii) involved in the administration of any investigation or proceedings,

in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct, or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

4. ~~You must not—~~

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—

(i) you have the consent of a person authorised to give it;

(ii) you are required by law to do so;

(iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is—

(aa) reasonable and in the public interest; and

(bb) made in good faith and in compliance with the reasonable requirements of the authority; or

(b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You—

(a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other

person, an advantage or disadvantage; and

(b) must, when using or authorising the use by others of the resources of your authority—

(i) act in accordance with your authority's reasonable requirements;

(ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

7. 1 When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

(a) your authority's chief finance officer; or

(b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

7.2 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

Part 2 - Interests

8. Disclosable Pecuniary Interests in matters considered at meetings

8.1. If you attend a meeting and have and are aware that you have a Disclosable Pecuniary Interest in any matter to be considered, or being considered, at that meeting, –

(a) you must disclose to the meeting the fact that you have a Disclosable Pecuniary Interest in that matter. If you have not already done so, you must notify the Authority's Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure, and

(b) whether the interest is registered or not you must not – unless you have obtained a dispensation –

(i) participate, or participate further, in any discussion of the matter or vote at the meeting;

(ii) remain in the meeting room whilst the matter is being debated or participate in any vote taken on the matter at the meeting.

9 Personal interests which are not disclosable pecuniary interests

9.1 You have a personal interest in any business of your authority where your interest is not a disclosable pecuniary interest and either—

(a) it relates to or is likely to affect—

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;

(ii) any body—

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

(iii) any person or body who employs or has appointed you;

(iv) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25; or

(b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected by the decision.

9.2 In paragraph 10.1 (b), a relevant person is—

(a) a member of your family or any person with whom you have a close association; or

(b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;

(c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

(d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests which are not disclosable pecuniary interests

10.1 Subject to sub-paragraphs 10.2 to 10.7, where you have a personal interest in any business of your authority and you

attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

10.2 Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 10.1 (a)(i) or 10.1 (a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

10.3 Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(iv), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

10.4 Paragraph 11.1 only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

10.5 Where you have a personal interest but, by virtue of paragraph 16, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

10.6 Subject to paragraph 13(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

10.7 In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.

Prejudicial interest generally

11.1 Subject to paragraph 11.2, where you have a personal interest in any business of your authority you also have a

prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

11.2 You do not have a prejudicial interest in any business of the authority where that business—

(a) does not affect your financial position or the financial position of a person or body described in paragraph 9;

(b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 9; or

(c) relates to the functions of your authority in respect of—

(i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;

(ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;

(iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;

(iv) an allowance, payment or indemnity given to members;

(v) any ceremonial honour given to members; and

(vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

12. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

13.1 Subject to paragraph 13.2, where you have a prejudicial interest in any business of your authority—

(a) you must withdraw from the room or chamber where a meeting considering the business is being held—

(i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;

(ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation;

(b) you must not exercise executive functions in relation to that business; and

(c) you must not seek improperly to influence a decision about that business.

13.2 Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering

questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Part 3

Registration of Members' Interests

14. **Registration of Disclosable Pecuniary Interests**

14.1 Subject to paragraph 16 (sensitive interests), you must, within 28 days of:

- (a) this Code being adopted or applied by the Authority; or
- (b) your election or appointment (where that is later),

notify the Authority's Monitoring Officer in writing of any Disclosable Pecuniary Interests you have at that time.

14.2 Subject to paragraph 16 (sensitive interests), you must, within 28 days of becoming aware of any new Disclosable Pecuniary Interest or any change to any such interest, notify the Authority's Monitoring Officer in writing of that new Disclosable Pecuniary Interest or change.

15. **Registration of Personal Interests that are not Disclosable Pecuniary Interests**

15.1 Subject to paragraph 16, you must, within 28 days of—

- (a) this Code being adopted by or applied to your authority; or
- (b) your election or appointment to office (where that is later),

register in your authority's register of members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 9(1)(a), by providing written notification to your authority's monitoring officer.

15.2 Subject to paragraph 16, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

Sensitive information

16.1 Where you consider that the information relating to any of your personal or disclosable pecuniary interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.

16.2 You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.

16.3 In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

SCHEDULE

THE GENERAL PRINCIPLES

Selflessness

1. Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and Integrity

2. Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity

3. Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability

4. Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness

5. Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Personal Judgement

6. Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for Others

7. Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.

Duty to Uphold the Law

8. Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship

9. Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

Leadership

10. Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

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Appendix A

Disclosable Pecuniary Interests: Description and Definitions

<i>Disclosable Pecuniary Interest</i>	<i>description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land, which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body

where—

(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and

(b) either—

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

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These descriptions on interests are subject to the following definitions:

“the Act” means the [Localism Act 2011](#);

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land, which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“Member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the [Financial Services and Markets Act 2000](#) and other securities of any description, other than money deposited with a building society.

Offences

It is a criminal offence to

- Fail to notify the Monitoring Officer of any Disclosable Pecuniary Interest within 28 days of election
- Fail to disclose a Disclosable Pecuniary Interest at a meeting if it is not on the register

- Fail to notify the Monitoring Officer within 28 days of a Disclosable Pecuniary Interest that is not on the register that you have disclosed to a meeting
- Participate in any discussion or vote on a matter in which you have a Disclosable Pecuniary Interest (without a dispensation)
- Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a Disclosable Pecuniary Interest or in disclosing such interest to a meeting

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a Councillor for up to 5 years.

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Illustrative text for code dealing with the conduct expected of members and co-opted members of the authority when acting in that capacity

You are a member or co-opted member of the [name] council and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a member or co-opted member -

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.

You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below.

You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.¹

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by your authority.

¹ A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

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Template Code of Conduct

As a member or co-opted member of *[X authority]* I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

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

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

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

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

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

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

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

The Act further provides for registration and disclosure of interests and in *[X authority]* this will be done as follows: *[to be completed by individual authorities]*

DRAFT

As a Member of [*X authority*], my conduct will in particular address the statutory principles of the code of conduct by:

- Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first.
- Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the [county][borough][Authority's area] or the good governance of the authority in a proper manner.
- Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it
- Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.
- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Legal Services and Monitoring Officer

TO: Civic Affairs Committee

27/6/2012

WARDS: None directly affected

LOCALISM ACT 2011: APPOINTMENT OF AN INDEPENDENT PERSON

1 INTRODUCTION

- 1.1 The purpose of this report is to update the Committee on the need to appoint one or more “independent persons” in connection with the revised standards regime introduced by the Localism Act 2011, and the Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order made on 8 June 2012.

2. RECOMMENDATIONS

- 2.1 That the Council seeks to appoint one Independent Person and one deputy.
- 2.2 That the Independent Person is paid an annual allowance of £1,000 and that the Deputy is paid an annual allowance of £500.
- 2.3 That the appointments are made for a three year term but with appointments subject to annual ratification at the Annual Meeting of the Council.
- 2.4 That the Committee endorses the selection criteria and role description annexed to this report.
- 2.5 That the Committee appoints a member panel to recommend appointments to the Council
- 2.6 That the Monitoring Officer is authorised to take such reasonable steps as he considers necessary to implement these recommendations.

3. BACKGROUND

3.1 The Council needs to appoint one or more “Independent Persons” to play a role in connection with the determination of complaints against councillors and to retain an independent element to the promotion and regulation of standards.

3.2 Independent persons need to be appointed by advertisement and application. Their appointment needs to be confirmed by the full Council.

3.3 Initially the legislation provided that current external members of the Standards Committee would be ineligible for appointment. However, transitional arrangements published by statutory instrument on 8 June provide that current external members may be appointed if the appointment is made before 1 July 2013.

3.4 These are functions of the Independent Person:

- The IP must be consulted and their views taken into account before the Council makes a decision on any allegation it has decided to investigate.
- The IP may be consulted by the Council in other circumstances related to “standards” issues; e.g. at the point at which a complaint is received, or more generally regarding ethical issues.
- The IP may be consulted by a member of the authority against whom an allegation has been made.

3.5 This last role could give rise to a conflict of interest if, for instance, the Monitoring Officer has already consulted, or needs to consult, the Independent Person. This is one reason for appointing a deputy. The other reason is that this will provide resilience should the Independent Person be absent or unwell. It also adds to the external scrutiny of standards arrangements.

3.6 Monitoring Officers for Cambridgeshire Councils have explored the scope for making joint appointments of Independent Persons. However, they have concluded that it is simpler for each council to make its own appointments but with a common approach to the role and to the skills and competences needed.

4. APPOINTMENT PROCESS

4.1 Advertisement.

Advertisement on the Council's website would be adequate for legal purposes. Members are asked for their views on whether the appointment should be advertised more widely.

4.2 Role and Skills and Competences

A proposed description of these is set out in the appendix to this report.

4.3 Allowance

Monitoring Officers for Cambridgeshire authorities are proposing a common approach to allowances, making provision for an allowance of £1,000 for the principal Independent Person and of £500 for their deputy. This compares with allowances of £1,113 and £278 for the Chair and Deputy of the Standards Committee. (NB: Although these allowances have been made available to external members of the Standards Committee, they have not been claimed.)

4.4 Appointment

The appointment needs to be confirmed by full Council but it is suggested that Civic Affairs appoints a small member panel to consider applications and to make recommendations.

4.5 Delegation

At its meeting on 1 February, Civic Affairs Committee resolved:

“The Monitoring Officer, after consultation with the Chair of this Committee, the Standards Committee, and group spokespersons, is given delegated powers to devise and implement a procedure for recruiting one or more “Independent Persons”, including setting up a member panel to make a recommendation for appointment to the Council.”

A more limited form of delegation is now recommended for the Monitoring Officer to take such reasonable steps as he considers necessary to implement the other recommendations to the Committee.

5 CONSULTATIONS

The Democratic Services Manager has been consulted. A report outlining the role of the Independent Person was brought to Civic Affairs Committee on 1 February 2012.

6. IMPLICATIONS

- (a) **Financial Implications** The suggested allowances for the Independent Person and deputy amount to £1,500. The current (albeit unclaimed) provision for Chair and Deputy of the Standards Committee is £1,391. The difference can be met from existing budgets. There will be a cost if members wish to place press advertisements for the roles.
- (b) **Staffing Implications** None
- (c) **Equal Opportunities Implications** Applications will be considered in accordance with the City Council's HR procedures to ensure fairness and avoid direct or indirect discrimination. Because of this, no equality impact assessment has been conducted.
- (d) **Environmental Implications** Nil
- (e) **Community Safety** Nil

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

Recruitment Pack for Appointment of Independent Person (Newark and Sherwood District Council)

Localism Act 2011

Localism Act 2011 (Commencement No.6 and Transitional, Savings and Transitory Provisions) Order 2012.

To inspect these documents contact Simon Pugh, Head of Legal Services and Monitoring Officer. Tel (01223) 457401, email simon.pugh@cambridge.gov.uk.

The author and contact officer for queries on the report is Simon Pugh, Head of Legal Services and Monitoring Officer.

Appendix

ROLE OF INDEPENDENT PERSON

ROLE DESCRIPTION

Responsible to: The Council

Liaison with: Monitoring Officer, members of the Civic Affairs Committee, officers and members of the City Council and key stakeholders within the community.

1. To assist the Council in promoting high standards of conduct by elected and co-opted members of Cambridge City Council and in particular to uphold the Code of Conduct adopted by the Council and the seven principles of public office, namely selflessness, honesty, integrity, objectivity, accountability, openness and leadership.
2. To be consulted by the Council through the Monitoring Officer and/or the Civic Affairs Committee before it makes a decision on an investigated allegation and to be available to attend meetings of the Hearing Panel of the Standards Committee for this purpose.
3. To be available for consultation by the Monitoring Officer and/or the Civic Affairs Committee before a decision is taken as to whether to investigate a complaint or to seek local resolution of the same.
4. To be available for consultation by any elected member who is the subject of a standards complaint.
5. To develop a sound understanding of the ethical framework as it operates within Cambridge City Council.
6. To participate in training events to develop skills, knowledge and experience and in networks developed for Independent Persons operating outside the City Council's area.
7. To attend training events organised and promoted by the Council's Civic Affairs Committee.
8. To act as advocate and ambassador for the Council in promoting ethical behaviour.

SKILLS AND COMPETENCIES

The Independent Person will have:

- a keen interest in standards in public life.
- a wish to serve the local community and uphold local democracy.
- the ability to be objective, independent and impartial.
- sound decision making skills
- leadership qualities, particularly in respect of exercising sound judgement.

The Independent Person will:

- be a person in whose impartiality and integrity the public can have confidence.
- understand and comply with confidentiality requirements.
- have a demonstrable interest in local issues.
- have an awareness of the importance of ethical behaviours.
- be a good communicator.

Desirable additional criteria are:

- working knowledge/experience of local government or other public service and/or of large complex organisations and awareness of and sensitivity to the political process.
- knowledge and understanding of judicial/quasi judicial or complaints processes.

You should demonstrate in your application how you meet the above criteria as this will assist the short-listing process.

Means of assessment will be by application form and by interview.

NOTE: You will be required to be contactable during normal working hours by telephone or by email and to be available to attend hearings which may be held in the day time and at relatively short notice.

Eligibility for Appointment

A person cannot be appointed as an Independent Person if they are or were within a period of 5 years prior to the appointment:

- a member, co-opted member or officer of the authority, or a relative or close friend.

However, by virtue of transitional arrangements, external members of the Council's Standards Committee are eligible to apply for the role.

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CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Legal Services and Monitoring Officer

TO: Civic Affairs Committee

27/6/2012

WARDS: None directly affected

LOCALISM ACT 2000 AND STANDARDS: CONSIDERING COMPLAINTS AND GOVERNANCE

1 INTRODUCTION

- 1.1 The current Standards Committee's role will cease on 30th June 2012 and there is no longer a statutory requirement to have a separate Standards Committee. The Council needs to put alternative arrangements, however, both to be responsible for its statutory duty to promote high standards of conduct, to oversee complaints against councillors and to be responsible for other aspects of standards in local government.
- 1.2 The Council also needs to put in place a procedure for considering complaints that councillors have breached the (new) Code of Conduct. There is no prescribed procedure.

2. RECOMMENDATIONS (AS AGREED AND INCLUDED IN ADOPTION MINUTE)

- 2.1 That a direct replacement for the Standards Committee is not appointed and that the Civic Affairs Committee is made responsible for promoting high standards of conduct by members and officers, for overseeing the procedure for considering complaints against councillors, and for any other aspect of promoting or regulating standards in local government that do not fall within the remit of the Executive or another regulatory committee.
- 2.2 That the Council amends the terms of reference for the Civic Affairs Committee as set out in Appendix 1, and that references to the Standards Committee are deleted.

- 2.3 That the procedure for considering complaints against councillors set out in Appendix 2 is adopted.
- 2.4 That Standard Sub-Committees referred to in Appendix 2 consist of 2LD +2 Lab in composition and that all members of the Civic Affairs Committee should be authorised to be members.
- 2.5 That the arrangements proposed are reviewed by the Civic Affairs Committee in 12 months' time.
- 2.6 That external members of the Standards Committee are thanked for their contribution to the work of the Council in promoting and maintaining ethical standards.

3. **BACKGROUND**

- 3.1 The Civic Affairs Committee resolved, on 1 February 2012, as follows:
 - i. A sub set of Councillors, including a representative from the Green Group, meet with the Head of Legal Services to further discuss the proposed changes to the standards regime as set out in the officer's report.
 - ii. The Committee supports, in principle, the incorporation of the Council's standards functions within the remit of the Civic Affairs Committee and that the Monitoring Officer is asked to prepare revised terms of reference for consideration by this Committee and the Council.
 - iii. The Monitoring Officer is asked to draft a Code of Conduct for members incorporating the seven Nolan principles of public life for adoption by the Council.
 - iv. The Monitoring Officer is asked to prepare a protocol for the receipt, investigation and consideration of complaints against councillors for consideration by this Committee.
 - v. The Monitoring Officer is asked to take all necessary steps to establish a register of members' interests to replace (so far as is necessary) the current register and to ensure that councillors are made aware of any changes to registration and declaration of interests.

vi. The Monitoring Officer, after consultation with the Chair of this Committee, the Standards Committee, and group spokespersons, is given delegated powers to devise and implement a procedure for recruiting one or more “Independent Persons”, including setting up a member panel to make a recommendation for appointment to the Council.

3.2 An informal meeting took place on 4 April to discuss these issues further. There was general agreement with the resolution passed by Civic Affairs, including bringing standards within the remit of Civic Affairs. The Head of Legal Services outlined his thoughts on a procedure for dealing with complaints against councillors, which aimed at simplicity and speed of resolution, along with a pragmatic approach depending on the nature of the complaint. Members were in agreement in principle, subject to the incorporation of an independent element to consideration of complaints. The procedure set out in this report is based on this discussion.

4. COMMITTEE ARRANGEMENTS

4.1 Appendix 1 proposes additions to the terms of reference of Civic Affairs Committee. Subject to some updating, this transposes the responsibilities of the Standards Committee into the remit of Civic Affairs.

4.2 One valued aspect of the statutory standards regime was the provision for the involvement of the external members. The statutory regime has been abolished and it is not possible to replicate it precisely. In particular, it is not possible to give voting rights to external members, whether on Civic Affairs or on a reconstituted Standards Committee. It is possible to co-opt but only on a non-voting basis. To ensure some external element, members are asked to consider inviting the Independent Person and Deputy (when appointed) to attend meetings of Civic Affairs when standards matters are under consideration.

5. COMPLAINTS PROCEDURE

5.1 The statutory procedure was cumbersome in practice. It had the following key elements:

1. All complaints had to be considered by an assessment sub-committee, which decided whether or not they should be investigated. There was limited scope for less formal resolution and, at this stage, there was no input from the councillor in respect

of whom the complaint had been made. If an assessment sub-committee decided not to investigate a complaint, there was a right of appeal to a different assessment sub-committee.

2. If the sub-committee decided that a complaint needed to be investigated, it would commission a formal independent investigation. This is an appropriate course in relation to serious complaints but it could be cumbersome, time-consuming and disproportionate where complaints were less serious.
 3. The investigator's report had to be considered by a consideration and hearing sub-committee. If the report found a breach of the code (even if trivial) the sub-committee had to refer the matter to a hearing by the Standards Committee. If the report found no breach, the sub-committee could either accept this finding, or refer the matter for hearing.
- 5.2 The statutory procedure was suitable for investigating allegations of serious misconduct but heavy-handed for dealing with complaints arising from a misunderstanding or a technical breach of the Code. The procedure proposed in Appendix 2 aims to allow for formal consideration of more serious complaints whilst providing the flexibility to resolve less serious complaints in a less formal way. This should provide speedier and more satisfactory outcomes for all parties. Safeguards are built in through the involvement of the Independent Person and a right of review given to a dissatisfied complainant.
- 5.3 Members are recommended to review the adopted procedure in 12 months' time.

6. **CONSULTATIONS**

The proposals in this report draw on the consultation that preceded consideration of these matters by Civic Affairs on 1 February 2012, the meeting and resolution of that meeting, and the discussion at the informal member meeting on 4 April 2012.

7. **IMPLICATIONS**

- (a) **Financial Implications** - none
- (b) **Staffing Implications** - none

- (c) **Equal Opportunities Implications** - An EQIA has not been conducted in respect of this report as there is no obvious differential impact on groups with protected characteristics specific to these proposals.
- (d) **Environmental Implications** - none
- (e) **Community Safety** – none.

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

Report to Civic Affairs Committee – 1 February 2012

Minutes of Civic Affairs Committee – 1 February 2012

Agenda and papers for member group meeting 4 April 2012

To inspect these documents contact Simon Pugh, Head of Legal Services.
Tel: (01223) 457401. Email: simon.pugh@cambridge.gov.uk

The author and contact officer for queries on the report is Simon Pugh, Head of Legal Services.

Report file:

Date originated: 10 July 2012

Date of last revision: 10 July 2012

Appendix 1.

Recommended: That the following roles and functions are added to the terms of reference of the Civic Affairs Committee:

1. Ethical Standards

To advise the Council and its committees as appropriate on the ethical framework within which councillors, co-opted members and officers should operate.

To advise the Council and its committees as appropriate on the ethical aspects of the corporate governance framework within which councillors and officers should operate.

To promote a culture of openness, ready accountability and probity, in order to ensure the highest standards of conduct of councillors, co-opted members and officers.

To take an overview of complaints handling within the Council and of issues relating to the Local Government Ombudsman or Independent Complaints Investigator.

2. Code of Conduct

To advise the Council on the adoption or revision of the Members' Code of Conduct and to monitor its operation.

To assist councillors and co-opted members to observe the Members' Code of Conduct, by issuing or relaying advice on it and training or arranging to train councillors and co-opted members on it.

To be responsible for implementing a framework for the grant of dispensations to councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct, in accordance with the relevant Regulations.

3. Individual cases

To deal with, or to appoint sub-committees to deal with, any aspects of complaints against councillors that requires member-level consideration.

4. Employee issues

To oversee the Employee Code of Conduct and the Council's Whistleblowing Policy.

To support the Monitoring Officer and Chief Financial Officer in their statutory roles.

Appendix 2. Procedure for consideration of complaints about breach of the Code Of Conduct For Councillors.

1. Complaints about breach by councillors of the Code of Conduct shall be received by the Monitoring Officer.
2. The Monitoring Officer shall notify the Independent Person promptly of any complaint about a councillor that, on the face of it, alleges breach of the Code of Conduct.
3. The Monitoring Officer shall also, unless the Monitoring Officer and Independent Person agree otherwise, notify the member concerned of the complaint and its nature.
4. The Monitoring Officer shall agree with the Independent Person a strategy for responding to the complaint. This might involve commissioning the Independent Complaints Investigator to conduct a formal investigation but other alternatives would include the Monitoring Officer seeking to resolve the complaint less formally, for instance, by correspondence or a meeting.
5. The Monitoring Officer shall also have discretion, after consulting the Independent Person, to refer a complaint direct to a Standards Sub-Committee of the Civic Affairs Committee.
6. If a formal investigation finds that a member has breached the Code of Conduct, the Monitoring Officer shall consult the Independent Person as to whether the complaint should be referred to a Standards Sub-Committee for consideration or whether less formal action is appropriate; e.g. if a member accepts that there has been a breach and other action such as an apology or training is an appropriate remedy.
7. It shall be for a Standards Sub-Committee to determine how to consider a complaint referred to it. It is entitled either to consider the complaint by way of written representations or it can conduct a formal hearing.
8. At all stages up to referral to a Standards Sub-Committee, a complainant shall have a right of review by a Standards Sub-Committee if they are not satisfied with the procedure adopted by the Monitoring Officer or if they are not satisfied with the outcome of their complaint.

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CIVIC AFFAIRS

27 June 2012
7.45 - 9.35 pm

Present: Councillors Boyce (Chair), Rosenstiel (Vice-Chair), Marchant-Daisley, Herbert, Benstead and Pitt

FOR ADOPTION BY COUNCIL

12/32/civ Code of Corporate Governance

The committee received a report from the Head of Legal Services regarding the Code of Corporate Governance.

Resolved (Unanimously) to recommend

- i. That the Council approves the Code of Corporate Governance at Full Council on 19th July.

The meeting ended at 9.35 pm

CHAIR

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CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Legal Services/ Monitoring Officer

TO: Civic Affairs Committee 27/6/2012

WARDS: None directly affected

CODE OF CORPORATE GOVERNANCE 2012

1. INTRODUCTION

- 1.1 The Council's Code of Corporate Governance is the system by which the authority directs and controls its functions and relates to its communities. It is reviewed annually.

2. RECOMMENDATIONS

- 2.1 That the Council approves the Code of Corporate Governance at Full Council on 19th July.

3. BACKGROUND

- 3.1 The Council adopted a Code of Corporate Governance on 25 April 2002. It has been reviewed annually since then.
- 3.2 There are no significant changes to the Code this year. The Code has been revised to ensure that references to supporting plans, policies and procedures are up to date.
- 3.3 The format of the Code is perhaps a little tired. If resources permit, there would be merit in examining how it can be made a more interesting and useful document, and in considering links between the Code and the Annual Governance Statement.

4. CONSULTATIONS

4.1 Officers from Finance, Legal, HR and Corporate Strategy were consulted on changes to the Code as part of the review.

5.1 IMPLICATIONS

(a) **Financial Implications**

There are no financial implications to this report.

(b) **Staffing Implications**

There are no staffing implications to this report.

(c) **Equal Opportunities Implications**

There are no equal opportunities implications to this report.

(d) **Environmental Implications**

There are no environmental implications to this report.

(e) **Community Safety**

There are no community safety implications to this report.

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

*Report to Civic Affairs Committee, June 2011,
Code of Corporate Governance 2011*

To inspect these documents contact Simon Pugh on extension 7401.

The author and contact officer for queries on the report is Simon Pugh on extension 7401.

Date originated: 10 July 2012

Date of last revision: 10 July 2012

Cambridge City Council - Code of Corporate Governance 2012-13

Review Date: June 2012

A Council's Code of Corporate Governance is

“ the system by which local authorities direct and control their functions and relate to their communities”

Guidance from CIPFA and SOLACE suggests each local authority should have a Code of Corporate Governance based on 6 principles:

1. Focusing on the purposes of the authority; on outcomes for the community; and creating and implementing a vision for the local area.
2. Members and Officers working together to achieve common purposes with clearly defined functions and roles.
3. Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.
4. Taking informed and transparent decisions which are subject to effective scrutiny and risk management.
5. Developing the capacity and capability of Members and Officers to be effective.

6. Engaging with local people and other stakeholders to ensure robust public accountability.

The Council adopted a Code of Corporate Governance on 25 April 2002. It has been reviewed annually since then. This is the 2012 review, which has been amended to reflect changes arising as a result of the Government's new national performance framework. The Council's Civic Affairs Committee will be asked to consider the revised Code and to recommend it to full Council for adoption.

This Code takes each of the principles of good governance in turn and sets out the systems, processes and principles the Council has put in place to ensure good corporate governance.

The Code will be reviewed annually through the Annual Governance statement process, which will identify the actions to be taken to enhance the code or address any limitations with in it.

Simon Pugh
Head of Legal Services and Monitoring Officer

13 June 2012

1 Focusing on the purpose of the authority; on outcomes for the community; creating and implementing a vision for the local area

		Supporting Evidence
1.1	<p>The Council will have a clear vision for the City and set objectives to guide the Council's activities.</p> <p>It will review those objectives each year, through the Annual Statement agreed at the Annual Council meeting.</p>	<p>Vision and Objectives</p> <p>Annual Statement</p>
1.2	<p>The Council will agree with partners a business plan for the Local Enterprise Partnership, and contribute to the agreement of priorities for the shadow Health & Wellbeing Board and other relevant countywide partnerships.</p>	<p>Local Enterprise Partnership Business Plan</p> <p>Shadow Health and Wellbeing Strategy</p>
1.3	<p>The Council will have a Medium Term Financial Strategy to resource the Council's aspirations and to assess and plan for any financial risks. The strategy will be reviewed annually.</p>	<p>Medium Term Strategy</p>
1.4	<p>The Council will put service to the public first. The annual portfolio planning process will be used to agree the priorities for each area of Executive Councillor responsibility. The Plans express the strategic objectives for the portfolio over the financial year 2012/13 and beyond.</p>	<p>Portfolio Plans</p> <p>Agenda for Scrutiny Committees January</p>

2 Members and Officers working together to achieve common purposes with clearly defined functions and roles

		Supporting Evidence
2.1	<p>The Council will set out a clear statement of the roles and responsibilities of Executive Members, other Members and Council Officers in its Constitution.</p> <p>The scheme of delegation within the Constitution will make clear what matters are reserved for collective decision-making by full Council.</p>	<p>Constitution</p> <p>Member/Officer Protocol</p>
2.2	<p>A Member/Officer protocol will be used to aid effective communication between Officers and Members and to clarify their respective roles and appropriate ways of working.</p>	
2.3	<p>The Council's Chief Executive will be its Head of Paid Service responsible and accountable to the authority for its operational management.</p> <p>The Director of Resources will be the Council's Chief Financial Officer and S151 Officer, responsible to the authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control.</p> <p>The Head of Legal Services will be the Council's Monitoring Officer,</p>	<p>Constitution</p> <p>Job Descriptions</p> <p>Schedule on the Role of the Chief Financial Officer</p>

	responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with.	
2.4	The Council will ensure that these Statutory Officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the Council.	Portfolio Plans Performance Reviews Professional Qualifications and training
2.5	The Council's Civic Affairs Committee will be responsible for constitutional issues and will ensure that the constitution is monitored and updated when required.	Terms of Reference of Civic Affairs Committee
2.6	The Council will use an Independent Remuneration Panel to give advice on payments for Members and consider their advice when setting the Members' Allowance Scheme. The Panel will operate in an open and transparent manner, making their agendas, reports and minutes available to the public. The Members' Allowance Scheme will also be made available to the public and on the Council's website and the scheme will be reviewed annually.	Independent Remuneration Panel Terms of Reference Independent Remuneration Panel agendas, reports and minutes Members' Allowance Scheme
2.7	When working in partnerships the Council will ensure that Members are	Partnership Terms of

<p>clear about their roles and responsibilities, both individually and collectively, in relation to the partnerships and to the Council.</p> <p>It will also ensure that there is clarity about the legal status of each partnership and that all representatives in the partnership have clarity about their powers to bind their own organisation to partnership decisions.</p> <p>The Council will operate in accordance with principles of partnership working agreed with our key partner organisations.</p>	<p>Reference Principles of Partnership Working</p>
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3 Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour

		Supporting Evidence
3.1	<p>The Council will expect the authority's leadership – both Members and Officers - to create a climate of openness, support and respect and to uphold the Council's values as expressed in the Council's Medium Term Strategy document.</p> <p>The standards of conduct and personal behaviour expected of Members and staff will be set out in the Officer Code of Conduct, the Member Code of Conduct and in the Member/ Officer protocol. An up-to-date register of Member and Officer Senior Officer Interests will be maintained.</p>	<p>Constitution</p> <p>Confidential Whistleblowing Policy</p> <p>Annual Complaints Report</p> <p>Prevention of Fraud and Corruption Policy</p>
3.2	<p>The Council will adopt a Code of Conduct for Councillors and will put in place procedures for considering complaints. The Council will also appoint one or more “independent persons” to support this, in accordance with the requirements of the Localism Act, 2011.</p> <p>It will maintain a Confidential Reporting (Whistleblowing) policy to enable confidential reporting of suspected breaches of the code or unethical behaviour and will report on how the policy is used through the Annual Complaints Report.</p>	<p>Competency Framework</p> <p>Grievance and Disciplinary Procedures</p>

	It will also maintain a Prevention of Fraud and Corruption Policy and both policies will be reviewed regularly by the Civic Affairs Committee.	
3.3	The behaviour expected of staff and managers will be set out in the Council's competency framework and this will be used as the basis for staff performance appraisal.	Competency Framework Grievance and Disciplinary Procedures
3.4	The Council's standing orders and financial regulations will put in place processes designed to ensure that Members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders.	Constitution
3.5	The Council will ensure all partnerships with which it is engaged have a set of values or criteria against which decision-making and actions can be judged. It will work with those partnerships to ensure they are open and accountable and have clear governance structures in place.	Partnership Terms of Reference Principles of Partnership Working

4 Taking informed and transparent decisions which are subject to effective scrutiny and risk management.

		Supporting Evidence
4.1	The Council will operate within the legal framework for local councils complying with its statutory duties and making the most of its powers to meet the needs of the City and its residents.	Core Competencies for managers Managers' Job Descriptions Role of Monitoring Officer
4.2	The Council will hold its meetings, and those of its committees and working groups, in public unless there are good reasons for confidentiality. The public will be allowed to ask questions at all Council and committee meetings.	Committee Agendas Constitution
4.3	The Council will make sure members of the public have access to information about the workings of the Council. It will make clear what information is routinely published through its Freedom of Information Publication scheme and will respond promptly to requests for information. The Council will publish on its website all responses to Freedom of Information requests.	Publication Scheme Freedom of Information requests monitoring reports Council Website

4.4	<p>The Council will respect the personal data of its citizens, employees, suppliers and others the Council may communicate with in line with the principles of the Data Protection legislation and will make this clear in its own Data Protection Policy. The Council will respect the privacy of members of the public when carrying out investigations and will ensure that privacy is only interfered with when the law permits and there is clear public interest justification.</p>	<p>Data Protection Policy Regulation of Investigatory Powers Act 2000 – Procedure guidance</p>
4.5	<p>The Council will record the deliberation of scrutiny committees and the reasons for Executive and Regulatory decisions and make agenda papers and minutes available on the Council’s website. The Council will also record and publish on the website written questions asked at Council meetings and their answers, and oral questions and answers where these are available.</p>	<p>Agendas and Minutes of Committees Council website</p>
4.6	<p>Officers will use standard report templates for committee and executive reports to help ensure that readers are provided with information that is accurate, complete and unbiased. Reports will make clear the options available so that the implications of all decisions and strategic risks can be assessed before those decisions are made.</p>	<p>Standard committee report templates</p>
4.7	<p>The Council will actively consider the environmental impact of the Council’s decisions before those decisions are made.</p>	<p>Environmental Assessment Tool for Council Policies Plans and Projects</p>

		Environmental Action Programme Committee reports
4.8	<p>The Council will develop and maintain an effective Scrutiny process to encourage constructive challenge and enhance the Council's performance.</p> <p>It will also have clear protocols about Members' access to information and officer advice to enable them to perform their roles.</p>	Terms of Reference of Scrutiny Committees Protocol
4.9	<p>The Council will have a network of Area Committees to ensure neighbourhood issues are considered in the Council's decision-making processes.</p>	Area Committee terms of reference
4.10	<p>The Council will have a Joint Development Control Committee with the County Council and South Cambridgeshire District Council for decisions affecting growth sites bordering the City and South Cambridgeshire.</p>	Terms of reference of Joint Development Control Committee
4.11	<p>The Council will have a clear and publicised complaints system, including the appointment of an independent complaints investigator, so that members of the public can express dissatisfaction with Council services and their concerns can be monitored and addressed.</p> <p>It will publish an Annual Complaints report analysing trends in complaints against the Council and what has been done to address</p>	Complaints leaflet On-line complaints form Annual Complaints report

	them.	
4.12	The Council's Civic Affairs Committee will fulfil the core functions of an Audit Committee.	Terms of Reference of the Committee
4.13	<p>The Council will maintain an independent Internal Audit function, with a risk-based annual audit plan, designed to test regularly that the Council's policies and processes operate in practice and that the Council complies with legislation and good practice.</p> <p>The Head of Internal Audit will produce an annual opinion on the Council's internal control environment to meet the requirements of the Code of Practice for Internal Audit in Local Government in the UK, 2006. The Head of Internal Audit Opinion will be used to inform an Annual Governance Statement and this will be signed off by the Chief Executive and Leader of the Council.</p>	Annual Audit Plan Head of Internal Audit Opinion Annual Governance Statement
4.14	<p>The Council will also agree an annual work plan with its External Auditors to test the Council's response to major legislation and the soundness of its financial and governance processes.</p> <p>Recommendations arising from internal and external audit and inspection processes will be used to inform future decision-making.</p>	Terms of Reference of Civic Affairs Committee Risk Register Annual Audit letter
4.15	The Council will ensure that risk management is embedded into the culture of the authority, with managers at all levels recognising that risk	Risk Management Strategy

	<p>management is part of their job.</p> <p>It will have a Risk Management Strategy, supplemented by procedures and guidance.</p>	Procedures and guidance on the Council's Intranet
4.16	<p>The Council will undertake systematic risk assessments in all areas of Council activity, including those covered by Health and Safety legislation.</p> <p>It will maintain a corporate risk register detailing the Council's strategic and service risks and review this regularly.</p>	<p>Risk Assessments</p> <p>Risk Register</p>
4.17	<p>The Council will ensure that risk assessment is incorporated into the Council's decision making and Members are advised of the Council's risk profile at key stages.</p>	Risk Management Strategy and Guidance

5 Developing the capacity and capability of Members and Officers to be effective

		Supporting Evidence
5.1	The Council will seek to maintain its Investors in People accreditation.	IIP Accreditation
5.2	The Council's People Strategy will set out how the Council will recruit, reward and develop its staff to reach their full potential. Staff joining the Council will be offered an induction programme and their training and development needs will be reviewed regularly through the Council's annual performance review process, which applies to all staff.	People Strategy Council Induction Programme Performance Review process
5.3	The Council will have up-to-date job descriptions. It will set and monitor clear objectives for Officers through the annual performance review process. It will agree appropriate remuneration for officers based on an agreed framework of national and local agreements which include job evaluation.	Job Descriptions Performance Review process Competency Framework
5.4	The Council will offer all new Members an induction programme and the opportunity to develop, with the Member Training Champions, a tailored	Member Induction Programme

	<p>personal development plan to meet their needs. The Council will also provide resources for training, attending conferences/seminars and briefings in-house for all elected Members. It will keep a register of the training received by Members and will involve the Member Training Champions in reviewing training needs and the resources available during the year.</p>	
5.5	<p>The Council will encourage and facilitate Members to have appropriate training or briefing before performing certain roles (e.g. dealing with staff recruitment or disciplinary issues, being a member of the Planning or Licensing Committees).</p>	
5.6	<p>The Council will seek expertise from outside the authority when it does not have the necessary skills in-house, making use of peer reviews and other mechanisms for ensuring challenge of Council services.</p>	
5.7	<p>The Council will seek to encourage engagement in its work through a variety of means including through area committees, public representatives on the Equalities Panel and Standards Committees and Tenant Representatives on the Housing Management Board.</p> <p>It will also put resources into outreach work through its community development services and support to tenant and leaseholder representatives.</p>	<p>Membership and Terms of Reference of these bodies</p> <p>Public Questions and petitions</p>

6 Engaging with local people and other stakeholders to ensure robust public accountability

		Supporting Evidence
6.1	<p>The Council will ensure that the authority as a whole is open and accessible to the community, service users and its staff.</p> <p>It will promote the role of Councillors and make the public know who the Councillors are, what roles they have on the Council and how to contact them.</p> <p>It will treat everyone fairly and strive to treat all as rational people able to make up their own minds.</p> <p>It will also strive to provide services on the basis of need rather than ability to pay.</p>	<p>Citizen Survey results</p> <p>Public Question Time and Petition procedures</p> <p>Council Website</p> <p>Cambridge Matters</p> <p>Annual Statement</p> <p>Charging policies for services</p>
6.2	<p>The Council will make clear through its website and other Council publications the services that it is responsible for, how people can contact the Council and the service standards they can expect.</p>	<p>Council website</p> <p>Council Tax Leaflet</p> <p>Annual Report</p> <p>Open Door</p> <p>Cambridge Matters</p>
6.3	<p>The Council will undertake surveys of residents to ensure that it has up to date information about their priorities and levels of satisfaction with the Council and its services.</p>	<p>Citizens Surveys</p>

6.4	<p>The Council's consultation programme will ensure that the Council proactively seeks the views of a wide range of people and engages with all sections of the community effectively.</p> <p>This will be achieved through a mix of corporate consultation initiatives with more targeted consultation on service specific issues led by relevant departments.</p>	<p>Consultation reports Statement of Community Involvement Code of Best Practice on Consultation and Community Engagement</p>
6.5	<p>The Council will seek to ensure all views are actively considered when making decisions, recognising that it is not always possible to reconcile conflicting viewpoints.</p> <p>The Council will ensure it makes feedback available to consultees on the outcomes of consultation, what has changed as a result and explaining why it has made the decisions it has.</p>	<p>Consultation pages on website Council Publications Code of Best Practice on Consultation and Community Engagement</p>
6.6	<p>The Council will undertake Equality Impact Assessments of all major Council decisions and take action to implement changes required, to ensure that council services and policies consider the diverse needs of its service users and citizens.</p> <p>It has a Single Equalities Scheme covering race, disability, gender age, sexual orientation and religion or belief and an Action Plan will be reviewed annually.</p> <p>It will also use "Mapping Poverty" research data, or other relevant data,</p>	<p>Examples of Equality Impact Assessments Annual Review of Equalities Single Equality Scheme Comprehensive Equalities Action Plan</p>

	to inform decisions about relative deprivation in the City.	Mapping Poverty report
6.7	The Council's Equalities Panel (which has staff, member and public representatives) will help the Council evaluate its success in promoting diversity and meeting a broad range of needs.	Terms of Reference and agendas of meetings
6.8	The Council will enter into compacts with Tenants and the Voluntary Sector agreeing ways of working with these two stakeholder groups. The Compacts will be reviewed on a regular basis.	Compact documents
6.9	The Council will set out in its collective agreements, employment policies and procedures, and terms of reference for forums and meetings involving trade unions, and how it will consult with staff and Trade Unions.	Collective Agreements Employment policies and procedures Trade Union Facilities Agreement
6.10	Members will meet with the Trade Unions in a Joint Staff/ Employer Forum. Each council department will have departmental staff forums and there will be a monthly Joint Trade Unions Group meeting.	Joints Staff /Employer Forum Terms of Reference and Agendas/Joint Trade Unions Group Agendas and Minutes Trade Union Facilities Agreement

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CAMBRIDGE CITY COUNCIL Record of Executive Decision

FUTURE CITIES DEMONSTRATOR PROJECT BID

Decision of:	Executive Councillor for Customer Services and Resources – Councillor Julie Smith		
Reference:	Special Urgency		
Date of decision:	4 July 2012	Recorded on:	4 July 2012
Decision Type:	Key		
Matter for Decision:	Bid for the Future Cities Demonstrator Project		
Why the decision had to be made (and any alternative options):	Bids must be submitted by 5 th July		
The Executive Councillors decision(s):	Agreed: <ul style="list-style-type: none">- To authorise officers to undertake work to determine the opportunities and implications of submitting a bid for the Future Cities Demonstrator Project.- To agree to proposals outlined in the officers report for Member involvement.- To delegate authority to the Chief Executive in consultation with the Executive Councillor, Chair and Spokes of the Strategy and Resources Scrutiny Committee to determine whether the Council should submit a bid and, if so, what the basis of the bid should be.		
Reasons for the decision:	The reasons for the decision are explained in the officer's report which is attached.		
Scrutiny consideration:	The Chair of the Strategy and Resources Scrutiny Committee agreed that the decision of the Executive Councillor could not be reasonably deferred. The Chair's agreement is a requirement under Special Urgency as stated in the Council's Constitution paragraph 16 of Part 4B Access to Information Procedure Rules.		
Report:	Attached		
Conflicts of interest:	None		
Comments:	N/A		

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To: Executive Councillor for Customer Services and Resources : Councillor Julie Smith
Report by: James Nightingale, Head of ICT Client Services
Relevant scrutiny committee: Strategy and Resources Scrutiny Committee 9 July 2012
Wards affected: All Wards

FUTURE CITIES DEMONSTRATOR PROJECT BID

Key Decision

1. Executive summary

Cambridge City Council is eligible to bid for funding for a large scale demonstrator for “future cities”: projects. These are designed to integrate systems across cities in order to deliver new approaches for delivering a good local economy and excellent quality of life.

This paper outlines the background to the bid and seeks to put in place appropriate arrangements to determine if the City should submit a bid and, if so, the content of that bid.

Bids must be submitted by 5th July, so this is being raised as an urgent decision.

2. Recommendations

The Executive Councillor is recommended:

- To authorise officers to undertake work to determine the opportunities and implications of submitting a bid for the Future Cities Demonstrator Project.
- To agree to proposals outlined for Member involvement.
- To delegate authority to the Chief Executive in consultation with the Executive Councillor, Chair and Spokes of the Strategy and Resources Scrutiny Committee to determine whether the Council should submit a bid and, if so, what the basis of the bid should be.

3. Background

Bid Background

Initially announced in the Chancellor of the Exchequer's 2011 Autumn statement, the Technology Strategy Board has allocated £25m to invest in a Future Cities demonstrator.

The project will demonstrate, at scale and in use, the additional value that can be created by integrating a city's systems. The project will enable businesses to test – in practice – new solutions for connecting and integrating individual city systems, and will allow cities to explore new approaches to delivering a good local economy and excellent quality of life, whilst reducing the environmental footprint and increasing resilience to environmental change.

The funding will be awarded to the city or urban area in the UK that submits the best proposal for a large scale 'future cities demonstrator', showing how the city's multiple systems will be integrated and how challenges in the city will be addressed.

In the context of this competition, a city is a contiguous urban area with a population of at least 125,000. Cambridge, with bordering areas of South Cambridgeshire, meets those criteria.

The competition will run in two stages. The programme has invited local governments and local authorities to initially bid for one of twenty £50,000 grants to carry out a feasibility study and to develop their demonstrator project proposal. Deadline 5 July; winners announced 20 July 2012

The cities that have completed the feasibility study will then be invited to submit a proposal for the large scale demonstrator – and in January 2013, one successful city will be awarded £24m funding to implement their proposal.

<https://connect.innovateuk.org/web/future-cities-special-interest-group/future-cities-demonstrator>

Progress to Date

During the short timescales available, officers at the County have been consulting with various stakeholders across Cambridge, and drafting a potential bid.

4. Implications

(a) Financial Implications

No substantial commitments are foreseen for the feasibility stage of the project, other than officer time to support the work. One of the outputs expected from this study would be an assessment of the financial implications for each partner of the full implementation project.

(b) Staffing Implications

Resources would need to be identified to undertake the initial project work to formulate a bid, if this is approved, including specialist support in a number of professional areas.

(c) Equal Opportunities Implications

The feasibility study will determine whether an Equalities Impact Assessment is required

(d) Environmental Implications

A key aim of the project is to contribute to environmental, so the work should serve to contribute to the City's Carbon Management Plan, and have wider environmental benefits for the City.

(e) Consultation

Consultation with key stakeholders from public and third sectors, business and academic bodies will be key to the feasibility study stage.

(f) Community Safety

No direct implications.

5. Background papers

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

- Future cities demonstrator brochure

6. Appendices

None

7. Inspection of papers

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

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