

CIVIC AFFAIRS COMMITTEE4 April 2007
(6.00-7.05 pm)

PRESENT: Councillors Boyce (Chair), Bradnack, Hart, C Rosenstiel (Vice-Chair), Stebbings and Ward.

FOR INFORMATION OF THE COUNCIL**07/CIV/13 MINUTES**

The Committee confirmed the minutes of the meeting held on 24 January 2007.

07/CIV/14 APOLOGIES FOR ABSENCE

There were none.

07/CIV/15 DECLARATIONS OF INTEREST

There were none.

07/CIV/16 PUBLIC QUESTION TIME

There were no members of the public present.

**07/CIV/17 EXTERNAL AUDIT: ANNUAL AUDIT AND INSPECTION LETTER
2005/06**

Two representatives from the Council's external auditors presented the report.

One of the external auditors, Keith Matthews, stressed the positive nature of the inspection letter, noting in particular that:

1. Most services were improving with 74% of the Council's Performance Indicators having improved between 2004/05 and 2005/06 with some now in the top quartile.
2. The Council had ambitious plans for the future and recognised the need to strengthen its own internal target setting.
3. The Council 's Use of Resources overall assessment had further improved this year and it had now been assessed at the highest level (level 4).
4. The actions needed by the Council were:
 - Continue to improve services in line with the improvement plan and work closely with partners to deliver the government's growth agenda.
 - Maintain the current high standards of financial control and governance within the Council to ensure continued financial vigilance.

Councillor Bradnack referred to the last two sentences of point 11 of the Direction of Travel report which read "In 2005/06 only 26 per cent of the Council's performance indicators were amongst the best in the country. This is a slight deterioration on 2004/05

and is below the average of 31 per cent for all district councils". He said the statistical analysis gave no real feel of the deterioration as it did not identify which indicators had contributed.

Keith Matthews said that the auditors looked each year at which performance indicators were in the top quartile.

Councillor C Rosenstiel raised a question posed to him by a member of the public as to what checks were made to ensure that unauthorised access was not being obtained to councillors' emails.

The officers said that unauthorised access would breach the Council's 'Acceptable Use Policy for Email and Internet' and that contraventions could ultimately be a disciplinary matter.

07/CIV/18 **INTERNAL AUDIT STRATEGY & STRATEGIC PLAN 2007-2010 AND
INTERNAL AUDIT PLAN 2007/08**

The Head of Internal Audit presented the plan. She said that in 2006/07, the original target had been to complete 79% of the Audit Plan. This was amended during service plan updates to 75% completion of Plan. The actual percentage achieved for the year has been currently estimated to meet the target of 75% of the Audit Plan. The reduction in the revised target and Plan had been due to a number of staffing changes during the year and the volume of work carried forward from the previous year. The target for 2007/08 had been set at 95% completion of the Audit Plan which it was anticipated would be deliverable given full staffing levels, utilising the contract audit resources and having aligned the Audit Plan more closely to resources available.

She said that the Plan had been discussed with Directors and External Audit. A number of the items in the Plan were ones that the external auditors placed reliance upon. An additional level of assurance had been proposed for the coming year. This fourth level of assurance, – "significant" – would be added in order to reduce the large difference between "limited" and "full". This was intended to assist managers obtain achievable goals in assurance improvement.

Councillor Bradnack asked why the partnerships audit was confined to Customer & Democratic Services rather than being undertaken at corporate level.

The Head of Internal Audit agreed that partnerships could equally well have been treated as a corporate theme. She had allocated the theme to Customer & Democratic Services because staff in that Department took a lead on partnership working. However, the relevance of the audit would be council-wide.

The Chief Executive supported this and said that the Corporate Management Team had decided that governance of key partnerships was the most important aspect of this item in the coming year's Action Plan.

Resolved - to approve the first year of the Strategic Internal Audit Plan for 2007/08 to

2009/10 as the operational Internal Audit Plan for 2007/08.

07/CIV/19 **DECISION MAKING PROCESS**

Councillor Bradnack had asked for an agenda item to discuss a proposal for:

- * a single Scrutiny Committee process
- * supported by cross-party working party briefing system linked to forward plan
- * a built in means to secure the independence of Scrutiny Chair(s) from Executive

The Chair explained that he had met Councillors Bradnack and Hart and that a number of points of consensus had been reached.

Councillor Bradnack listed the areas that had been raised by Councillors Bradnack and Hart:

1. The opposition Spokespersons are shadowing the Executive Councillors rather than the Chairs of Scrutiny Committees;
2. As a consequence there would need to be adjustments to the Allowances Scheme to give responsibility payments to 3 Spokespersons on Community Services Scrutiny Committee;
3. Reducing the number of Scrutiny Committees was desirable (the Labour Group had a preference for only one Scrutiny Committee);
4. A request that items of information do not come to Scrutiny Committees;
5. Emphasis to be placed on better use of the Forward Plan process which should identify issues that Executive Councillors are intending to address with a distinction to be made on scrutiny committee agendas between officer recommendations (which sometimes gave a range of options for decision) and decisions the Executive Councillor is minded to make. The latter would be the focus for the Scrutiny Committee discussions;
6. A recommendation to increase the financial threshold for key decisions at or above inflation;
7. That a plan to make agendas more easily available to members electronically be further explored;
8. That there be more changes to the Service Plan process;
9. That items requested by members of the Scrutiny Committee be put at the beginning of the agenda;
10. As there were more members in full-time employment in the Labour Group (and probably in the Liberal Democrat Group) that consideration be given to the times at which Scrutiny Committees meet. The Labour Group would prefer a start time of 4.30pm. At present, members tended to be appointed to committees according to whether or not they could attend because of work commitments.
11. It would be very helpful for public confidence if the Council could secure the independence of the Chairs of Scrutiny Committees from the Executive.

The Chair said that the points of common ground were:

- a) That the use of the Forward Plan process should be explored at the beginning of the new municipal year;
- b) That the order of the agenda was a matter for the Chair of the committee

- to agree with the Committee Manager;
- c) That a balance had to be found between meeting the needs of members and the demands that would be placed on officers servicing committees, especially with regard to late working;
 - d) That the day and time at which Working Parties meet should be determined by the body that sets them up;
 - e) That there was agreement that the Service Plan Review process was not working as well as it might. It was proposed to set up a Working Party at the beginning of the municipal year.

Comments by members included the following:

- Concern that committees that currently met for most of the day would have a very late finish if their start was delayed until the late afternoon;
- Early evening time could also be difficult for those members with family commitments and there was greater disruption to work/family in relation to committees that met more frequently (eg the Planning Committee which meets monthly);
- The independence of Chairs of Scrutiny Committees with a pre-scrutiny role was incompatible with the reality of political control and that their function was scrutiny of the leading group's manifesto;
- One member who was also a Chair of a Scrutiny Committee agreed to asking Committee Managers to put items requested by members at the beginning of the agenda as the default position. Any other factors affecting order (such as public interest) could then be factored in;
- Area Committees should not be governed by this default position;
- The recent experience of a Housing Management Board meeting chaired by the Vice Chair who was a tenant representative had been a positive one. Maybe there was a place for some parallel arrangement to be found for the other Scrutiny Committees.

The Chief Executive said that he had to bear in mind the pressures on officers and so he would like to take a view in relation to the timing of meetings, particularly if there were more Working Parties and Briefings for all Members (eg because of the growth agenda).

Resolved – To ask the new Strategy & Resources Scrutiny Committee to consider setting up one or more working parties to consider how the Forward Plan and Service Performance Review processes might be developed.

The meeting ended at 7.05 pm.

CHAIR

CIVIC AFFAIRS COMMITTEE4 April 2007
(6.00pm-7.05pm)

PRESENT: Councillors Boyce (Chair), Bradnack, Hart, C Rosenstiel (Vice-chair), Stebbings and Ward.

FOR ADOPTION BY THE COUNCIL**07/CIV/10 DEPARTMENTAL RESTRUCTURING - CHANGES TO DELEGATIONS**

The Committee agreed the recommendations by 4 votes to 0.

Council is recommended –

- A) That with effect from the date on which the Director of Customer and Democratic Services takes up his or her responsibilities, the formal delegations, authorities and responsibilities given in the Constitution to the Director of Central Services be exercised as follows:
- (i) in relation to Proper Officer and formal matters, by the Director of Customer & Democratic Services
 - (ii) in relation to:
 - legal services, land charges and democratic services
 - data protection, freedom of information and the website,
 - the Council's reception and telephone servicesby the Director of Customer & Democratic Services
 - (iii) in relation to:
 - procurement
 - ICT (other than the matters covered in (ii))
 - property management
 - architectural servicesby the Director of Finance
 - (iv) in relation to arts and entertainments (including the Corn Exchange), by the Director of Community Services (but see note below, which sets a different date for implementation);
 - (v) in relation to:
 - facilities management
 - CCTV issuesby the Director of City Services
- B) That with effect from the date on which the Director of Customer and Democratic Services takes up his or her responsibilities, the formal delegations, authorities and responsibilities given in the Constitution to the Chief Executive be exercised as follows:
- (i) in relation to community safety, by the Director of Community Services;
 - (ii) in relation to:
 - race equality, disability and other equal opportunities initiatives

- anti-poverty initiatives
 - Community Strategy and Local Strategic Partnership
 - promoting the work of the Council and public relations by the Director of Customer and Democratic Services;
- (iii) in relation to: electoral registration and elections; and emergency planning by the Chief Executive and by the Director of Customer and Democratic Services.
- C) To amend paragraph 11.1 of Part 2 of the Constitution as shown in the appendix below, with effect from the date on which the Director of Customer and Democratic Services takes up his or her responsibilities.
- D) To agree to Executive Councillors amending the delegations of executive functions referred to in this report without the need for pre-scrutiny by scrutiny committees.
- E) To agreed that the Head of Legal and Democratic Services is authorised to amend the text of the Constitution to give effect to the changes outlined above.

Appendix (see C above)

11.1 Management structure.

11.1.1 **General.** The full Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.

11.1.2 **Chief Officers.** The full Council shall engage persons for the following posts, who will be designated chief officers:

Post	Functions and areas of responsibility
------	---------------------------------------

Chief Executive (and Head of Paid Service)	<p>Overall corporate management and operational responsibility (including overall management responsibility for all officers <i>and for the Human Resources function</i>)</p> <p>Provision of professional advice to all parties in the decision making process.</p> <p>Together with the monitoring officer, responsibility for a system of record keeping for all the Council's decisions.</p> <p>Acting as the Council's Electoral Registration Officer <i>and Returning Officer for elections</i>.</p> <p>Representing the Council on partnership and external bodies (as required by statute or the Council) <i>together with the Director of Customer & Democratic Services</i>.</p> <p>Statutory responsibilities are listed below at 11.2.</p>
Director of Central Customer & Democratic Services (Monitoring Officer)	<p>Arts and entertainment, commercial property management, <i>Customer services, strategy & policy, relationships with external partners,</i> main reception and switchboard, provision of legal, architectural and IT <i>services to the rest of the Council,</i> administration, electoral services, support to the Mayor and councillors, <i>data protection, freedom of information and the website.</i></p> <p>Statutory responsibilities are listed below at 11.3.</p>
Director of City Services	<p>Waste collection and environmental cleaning <i>street scene,</i> building repairs, grounds maintenance, construction, <i>CCTV, facilities management, parking services.</i></p>
Director of Community Services	<p>Managing the Council's housing stock and role as social housing landlord, strategic issues on homelessness and housing provision in the City, <i>arts & entertainments,</i> parks & recreational services, community development, grants to voluntary organizations, <i>community safety.</i></p>
Director of Environment and Planning	<p>Planning <i>Policy & Control of Development,</i> Economic Development, Tourism, Environmental Health, Waste Strategy, Transport Services and Street Services</p>
Director of Finance (Chief Finance Officer)	<p>Financial and Revenue Services. <i>Corporate property management.</i> <i>ICT services.</i> <i>Procurement</i></p>

	<i>Architectural services.</i> Statutory responsibilities are listed below at 11.4
--	---

07/CIV/11 **CONSTITUTIONAL CHANGES - SCRUTINY COMMITTEES**

Councillor Ward asked if there were powers to not use the proportionality rule in relation to scrutiny committees.

The Head of Legal and Democratic Services said that this was a decision for Council where it was required that no member disagreed with the decision.

The Chair pointed out that there would be changes to the Allowances Scheme. The Committee agreed that the changes be agreed by the Chair and Spokes.

Council is recommended –

- 2.1 that the responsibilities of the Strategy Scrutiny Committee and those of the Customer Services and Resources Scrutiny Committee are combined under a single Strategy and Resources Scrutiny Committee.
- 2.2 To amend the Constitution to effect this by replacing the text in Appendix A with the text in Appendix B and by replacing references to the Strategy Scrutiny Committee and to the Customer Services and Resources Scrutiny Committee, with references to the Strategy and Resources Scrutiny Committee.

Appendix A

Responsibilities of Strategy Scrutiny Committee and Customer Services and Resources Scrutiny Committee

6.1 Strategy (Scrutiny) Committee

Terms of Reference

1. Overview and scrutiny of the functions for which the Leader is responsible
2. Overview and scrutiny of any functions exercised by the Executive collectively
3. Overview and scrutiny of any Council functions which fall outside the remit of any other scrutiny committee.

6.3 Customer Services and Resources (Scrutiny) Committee

Terms of Reference

Overview and scrutiny of the functions for which the Executive Councillor for Customer Services and Resources is responsible

Appendix B

Proposed responsibilities for Strategy and Resources Scrutiny Committee

6.1 Strategy and Resources Scrutiny Committee

Terms of Reference

1. Overview and scrutiny of the functions for which the Leader is responsible
2. Overview and scrutiny of the functions for which the Executive Councillor for Customer Services and Resources is responsible
3. Overview and scrutiny of any functions exercised by the Executive collectively
4. Overview and scrutiny of any Council functions which fall outside the remit of any other scrutiny committee.

07/CIV/12 **CODE OF CORPORATE GOVERNANCE**

The Council is required to have this Code. Cambridge adopted its first Code in 2002 and it is now time for its annual review. As happened at last year's review, the Committee was requested to consider the document en route to full Council on 19 April 2007.

The Committee noted that the Standards Committee considered the Code on 7 March and that they had made two comments:

- Member training should be commissioned with a clear idea of the outcomes and levels of skill or knowledge to be gained from it. There should be some independent evaluation of whether training events had in fact met these outcomes.
- More publicity should be given to area committee meetings and the opportunity these presented for the public to become involved.

This Committee agreed unanimously to endorse the views of the Standards Committee.

Council is RECOMMENDED

To adopt the Code of Corporate Governance (appended).