

CIVIC AFFAIRS COMMITTEE10 February 2010
6:00pm – 8:10pm

Present: Cllrs Blackhurst (Alt), Boyce (Chair), Herbert, Rosenstiel and Ward
Also Present: Keith Matthews of the Audit Commission, Cllrs Howell and Wright.

FOR THE INFORMATION OF THE COUNCIL**10/Civ/01 Minutes**

The Chair signed the minutes of the meeting held on 18th November 2009 as a true and accurate record of the meeting.

10/Civ/02 Apologies for Absence

Cllrs Dryden and Pitt (Cllr Blackhurst attended as the Liberal Democrat alternate member).

10/Civ/03 Declarations of Interest

Cllr Ward indicated that for agenda item 7 – Folk Festival Inquiry Report he would address the committee in his capacity as Chair of the Member Committee of Inquiry.

Cllr Wright declared a personal interest in item 6 as the Green Party Agent.

10/Civ/04 Public Questions

Mr Richard Taylor addressed the committee and sought clarification on the current levels of electoral registration and whether the adoption of individual registration would improve the current levels of registration.

The Electoral Services Manager explained that the performance indicator measured the registered electorate against the median mid year population estimate. It was noted that the mid year population estimate can include people who are not eligible to vote.

The Democratic Services Manager expanded on the response, and explained that in February 2009 88,226 people were registered to vote and that this had risen to 89,477 in February 2010. The committee were advised that individual registration is to be introduced but would be optional until July 2014, when the Electoral Commission would report to the government on whether it should replace household registration. The Democratic Services Manger explained

that the authority would be exploring the issues associated with individual student registration, and use its learning to report to the Electoral Commission prior to 2014 Comparative registration response figures for Peterborough (88%) and other Cambridge District Councils (90%+) were highlighted to the committee, however it was noted that Cambridge had many unique issues presented by the transient nature of the population.

Cllr Rosenstiel responded to the public question and officer response, and explained that Cambridge traditionally had a higher than normal “non-qualified” population which would skew the overall performance of individual registration. Cllr Rosenstiel also raised significant concerns about the individual registration process and the potential consequential negative effect on the registration rate of students if the responsibility passed from the colleges to the individual.

The committee resolved to vary the order of the agenda.

10/Civ/05 Annual Audit Letter 2009

In accordance with section 100B(4)(b) of the Local Government Act 1972 the Chair ruled that a late item on the Annual Audit Letter 2009 be considered, despite not being made publicly available five clear days prior to the meeting.

Keith Matthews from the Audit Commission introduced the report and highlighted the key outcomes outlined in the letter. The committee welcomed the outcomes in the letter, with particular reference made to the use of resources score, the high quality of the accounts and the absence of any major issues.

The Chair drew the attention of committee to pages 47 and 48 of the supplementary agenda, which highlighted that the public felt that they were being well consulted and that Councillors and senior Managers worked well together. The committee expressed thanks to the Director of Finance and his team for the work undertaken.

Resolved (by 4 votes to 0)

The Civic Affairs Committee received the Annual Audit Letter 2009 from the Audit Commission.

10/Civ/06 FOLK FESTIVAL INQUIRY

The Chair of the Folk Festival Member Committee of Inquiry, Cllr Ward, addressed the committee. It was noted that all the members of the inquiry had agreed the report.

Cllr Ward explained that the Inquiry had been held in private in accordance with the agreed terms of Reference. The Inquiry had interviewed the Director of Community Services, Director of Finance, Head of Legal Services, Head of Internal Audit, Chief Executive, Executive Councillor for Arts and Recreation and two other members of staff.

Cllr Ward explained that the purpose of the Inquiry had been to investigate whether there were any further learning points for the Council. In particular, members of the Inquiry had focused on the relationships between front line and support services. It had not been about apportioning blame.

Cllr Ward expressed his thanks on behalf of the Inquiry members for the support given by officers during the Inquiry.

Cllr Howell, as a member of the Inquiry, addressed the committee and thanked them for the opportunity to do so. Cllr Howell noted that whilst an external inquiry had been promised, he didn't believe that such a process would reveal any significant new information. The Inquiry had looked at the wider issues surrounding the ticketing contract and found that whilst control mechanisms were in place, these had not been sufficiently robust in this instance.

Cllr Howell said he thought that there had been insufficient focus on safeguarding the position of the Council Tax payers, as the focus had been predominantly on the delivery of the event.

Cllr Herbert addressed the committee and questioned whether the report offered anything new and whether an external inquiry would have learnt anything different. Cllr Herbert also sought clarification on the meaning of escalation, whether a "back stop" function should exist and the current status of the legal processes with regards to pursuing the money. The Head of Legal Services explained that a number of options were being explored to regain the money, and that he was happy to brief members outside of the meeting in confidence.

The Head of Strategy and Partnership responded to the issues raised by Cllr Herbert. The process of engagement between different departments had been explored, and members had highlighted the importance of both parties (front line and support services) understanding the context of any requests for advice. In terms of escalation, the Inquiry had concluded that although all the

officers concerned with the ticketing contract had tried hard to make sure the on-line tickets went on sale by the agreed date, no one had escalated things to Director level when it became clear that there were issues of concern.

Cllrs Howell and Wright questioned the comments from the Labour Spokesperson in the light of the fact that the group had declined to take part in the Inquiry process. Cllr Wright, who had also been a member of the Inquiry, welcomed the outcomes in the report but said that she found the 3 Inquiry meetings very long and she would have liked more time to confer with other members of the Inquiry.

The members of the committee raised the following issues;

1. Did the problems that arose with queuing in 2006 contribute with hindsight to a culture in which on-line had to be delivered at all costs? Were the problems of 2006 less significant than first thought, i.e. did people actually not mind queuing?
2. Was the organisation flexible enough to respond to a rapidly changing new area of business? It was also suggested that the issue was that a new risk hadn't been identified or adequately assessed.
3. The existence of previous concerns with the Arts and Entertainment Service, which had been previously identified through the Internal Audit Process.

The Chief Executive responded to the recommendations with the following comments.

1. There are a number of "checks and balances" in the system, including the role of the Internal and External Audit.
2. In terms of culture, the Chief Executive is currently consulting on a major restructuring of the whole organisation, which will re-define and clarify the roles and responsibilities of Directors and senior managers. The lessons from the inquiry will be the subject of an extended meeting between Corporate Management Team and Heads of Services on 2nd March.

In response to the Chief Executive the committee raised the following additional issues.

1. How does the organisation avoid gaps developing between the Head of Service and Director level? *The Chief Executive explained that the restructure would clarify the relative roles of the Head of Service and Director levels. It was explained that the Heads of Service would focus more on operational delivery and the Directors would become more strategic in focus.*
2. How does the organisation manage varying performance at senior management level? *The Chief Executive explained that lessons had been learnt through the Inquiry and processes were in place to manage performance through regular supervision meetings and 6 monthly appraisals.*

Cllr Wright addressed the committee in her capacity as a member of the Inquiry and questioned whether effective risk management could mitigate all risks. For example, what if there was ever criminal intent by someone employed by a contractor? The Chair responded, and indicated that there was always a risk of criminal behaviour and this would be hard to mitigate.

The Civic Affairs thanked the members of the Inquiry.

Resolved (by 3 votes to 0)

1. To welcome the findings of the Member Committee of Inquiry
2. To endorse the actions identified by the Chief Executive in response to the recommendations of the Member Committee of Inquiry for inclusion in the corporate action plan.

10/Civ/07 UPDATE REPORT ON ELECTIONS

The Chief Executive presented the report to the committee and outlined the revised arrangements for the count, and explained the arrangements in the event of the Local Elections and General Election being on the same day. The following questions and comments were made on the report.

1. An update was requested on the comment on page 43 of the report indicating that all but two Polling Stations had been confirmed. *The Electoral Services Manager provided a verbal response on the changes.*
2. An update was requested on what steps were being taken to speed up the count. *The Chief Executive explained that all processes associated with the Count were being reviewed and members would be advised of the likely time when results would be announced (subject to any recounts).*

The Chief Executive emphasised that the administration of the election was a balance between speed and efficiency against the risk of recounts and additional delays to the process.

3. An explanation was sought on the population calculation in the LPI related to electoral registration, whether more could be done to improve performance and the existence of the colleges and university presented additional challenges.
 - a. *The Electoral Services Manager advised that all colleges were registered by the deadline. It was confirmed that the City Council would also be involved in publicity associated with the forthcoming Electoral Commission advertising campaign.*
 - b. *The Democratic Services Manager also explained that a meeting was planned with the Student Union Presidents to explore ways of promoting the elections amongst the student population.*
 - c. *The Chief Executive outlined the challenges of accurately predicting the population. The committee were advised that following a revision of the Office of National Statistics methodology they were now suggesting that the estimated population of the city was 7000 less than their previous estimate. The committee noted that the Council was working with the Office of National Statistics on a pilot project regarding counting the population so that we get the most accurate returns from the 2011 census.*
 - d. *The Committee was advised that the LPI would be reviewed as it was not the best measure to monitor rates of registration year on year.*
4. Clarification was sought on whether the August start of the canvass hindered the return rate. *The Electoral Service Manager explained that the August start date was required to complete the canvass in time for the publication of the register on 1st December.*
5. Concern was expressed about the arrangements for Queens Edith's Ward and the potential for confusion with South Cambridgeshire responsible for the General Election and the City for the Local Elections. *The Electoral Services Manager confirmed that arrangements had been agreed with the Acting Returning Officer for South Cambridgeshire.*
6. The committee agreed that it should be relatively easy to spot significant variations in the college populations and specific examples were noted. *The Chief Executive welcomed the local knowledge of elected members in this respect.*

7. An explanation was sought on the assertiveness of the canvass staff. *The Electoral Service Manager outlined the processes associated with the canvass, and the committee were assured that the staff undertaking this task did their best to encourage residents to return their forms.*
8. Concern was expressed whether, in light of problems in 2009, people may not want to use postal votes. *The Democratic Services Manager explained that problems related to a single batch of 200 postal vote packs out of over 10,000, which were dispatched late and that systems were in place to minimise the risk of a repetition of the problems in 2010. It was noted that not all postal votes are returned irrespective of when they are dispatched.*
9. The Electoral Services Manager confirmed that a letter would be sent to any electors that had been transferred into Cambridge Parliamentary Constituency from South Cambridgeshire Parliamentary Constituency due to boundary changes.
10. Cllr Rosenstiel expressed concern about the use of green ballot papers in the event of two elections on the same day, due to the association of the colour green with the Green Party. *The Democratic Services Manager advised that the Electoral Commission had been consulted and the neighbouring authority was to use green ballot papers for the local elections.*
11. Cllr Rosenstiel expressed concerns about the confusion he believed would be caused by the changed numbering of the Register (what was Polling District H1 and H2, now HA and HB) where both electorates vote at the Wesley Methodist Church. He therefore proposed to the Committee that it agree that the two polling districts HA and HB (formerly H1 and H2) be merged. In response officers advised that a period of consultation would be required prior to any change agreed by the Committee to a Polling District

Following the discussion Cllr Rosenstiel proposed that the two polling districts be merged if there was no legal requirement to consult on the proposed changes. Officers cautioned the committee against agreeing to this, as it had not been included on the agenda. Cllr Rosenstiel's motion was lost on the Chairs casting vote (2-1).

Resolved (by 5 votes to 0)

To note the arrangements for the provision of elections in 2010

10/Civ/08 COMMITTEE DATES 2010/2011

The Democratic Services Manager introduced the report. The following changes to the published calendar were outlined to the committee.

1. Housing Management Board – 15th June 2010 – Start time should read 5:30pm
2. Licensing Sub-Committee – 7th June 2010 – This will be a Full Licensing Committee

It was agreed in future that a two-year calendar would be approved, with the first year as confirmed dates and the second as provisional indicative dates. The following comments were made on the calendar

1. The venues for Area Joint Committee should be included on the calendar and secured at the earliest opportunity in light of recent problems with rooms at the Guildhall.
2. Whether there is an opportunity for scrutiny activities between October and December? The possibility of scrutinising the service performance reviews was suggested.
3. It was agreed to review the process for Full Licensing Committee meetings in light of the outcome committee appointment process in May.

Resolved (by 5 votes to 0)

1. To adopt the calendar for 2010/11.

Chair