



Civic Centre,
Arnot Hill Park,
Arnold,
Nottinghamshire,
NG5 6LU

Agenda

Cabinet

Date: **Thursday 7 August 2014**

Time: **2.00 pm**

Place: **Reception Room**

For any further information please contact:

Lyndsey Parnell

Members' Services Officer

0115 901 3910

Cabinet

Membership

Chair	Councillor John Clarke
Vice-Chair	Councillor Michael Payne
	Councillor Peter Barnes Councillor Kathryn Fox Councillor Darrell Pulk Councillor Henry Wheeler
Observers:	Councillor Chris Barnfather Councillor Paul Hughes

AGENDA

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- 3 Declaration of Interests.**
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Report of Senior Leadership Team.
- 5 Prudential Code Indicator Monitoring 2014/15 and Quarterly Treasury Activity Report for Quarter ended 30 June 2014** 27 - 40
Report of the Corporate Director (Chief Financial Officer).
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Report of Corporate Director (Stephen Bray).
- 7 Review of complaints received by the Council and Annual Review Letter – Local Government Ombudsman 2013/14** 55 - 66
Report of the Council Solicitor and Monitoring Officer.
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MINUTES CABINET

Thursday 19 June 2014

Councillor John Clarke (Chair)

Councillor Peter Barnes
Councillor Darrell Pulk

Councillor Henry Wheeler

Observers: Councillor Chris Barnfather and Councillor Paul Hughes

Absent: Councillor Michael Payne and Councillor Kathryn Fox

Officers in Attendance: J Robinson, H Barrington, P Darlington, S Bray,
P Baguley, A Gibson, A Ball and L Parnell

119 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Payne and Fox.

120 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 24 APRIL 2014.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

121 DECLARATION OF INTERESTS.

None.

122 COUNCIL PLAN AND BUDGET OUTTURN AND BUDGET CARRY FORWARDS 2013/14

The Chief Executive and the Service Manager, Financial Services, introduced a report of the Senior Leadership Team, which had been circulated prior to the meeting, presenting the Council Plan and Budget Outturn and Budget Carry Forwards for 2013/14 and asking Cabinet to approve the method of financing the 2013/14 capital expenditure and to approve the carry forward of budgets.

RESOLVED:

- a. To note the Council Plan Performance and Budget Outturn figures

for 2013/14;

- b. To note the revenue carry forwards approved by the Chief Financial Officer of £89,700 included in Appendix 2 of the report, being amounts not in excess of £10,000;
- c. To note the capital carry forwards approved by the Chief Financial Officer of £747,900 included in Appendix 2 of the report, being amounts not in excess of £50,000 and committed schemes above £50,000; and
- d. To refer to Council for approval:
 - i) The revenue carry forward of £20,000 for the non-committed scheme in excess of £10,000;
 - ii) The capital carry forward of £301,700 for non-committed schemes in excess of £50,000;
 - iii) The overall method of financing of the 2013/14 capital expenditure as set out in Appendix 7 of the report;
 - iv) The capital determinations in Section 3.4.

123 ANNUAL TREASURY ACTIVITY REPORT

The Service Manager, Financial Services, presented a report of the Chief Financial Officer, which had been circulated prior to the meeting, informing Members of the outturn in respect of the 2013/14 Prudential Code Indicators, and advising Members of the outturn on treasury activity, both as required by the Treasury Management Strategy.

RESOLVED:

To note the Annual Treasury Activity Report 2013/14, together with its appendices, and refer it to Council for approval.

124 LOCAL PLANNING DOCUMENT, SUSTAINABILITY APPRAISAL AND STATEMENT OF CONSULTATION

Councillor Pulk introduced and the Service Manager, Planning and Economic Development, presented the report, which had been circulated prior to the meeting, informing Cabinet of the comments received during the consultations on the Issues and Options Stage of the Local Planning Document, the Sustainability Appraisal Scoping Report and the Statement of Consultation. The Service Manager also outlined the next stages of preparation of the Local Planning Document and sought agreement for changes to be made to the Sustainability Appraisal

Framework and the adoption of the Statement of Consultation.

Councillor Pulk asked that Officers be thanked for their work.

RESOLVED:

- a) To note the comments received on consultation at the Issues and Options stage of the Local Planning Document;
- b) To note the proposed next steps for preparing the Local Planning Document;
- c) To agree the proposed responses to the consultation responses received on the Sustainability Appraisal Scoping Report; and
- d) To adopt the Statement of Consultation, at Appendix D to the report, as Gedling Borough Council's Statement of Community Involvement, to replace the existing Statement of Community Involvement (2006).

125

PROTOCOL FOR ADDRESSING CROSS BOUNDARY IMPACTS OF NEW DEVELOPMENT

Councillor Pulk introduced and the Service Manager, Planning and Economic Development, presented a report of the Planning Policy Manager, which had been circulated prior to the meeting, seeking approval for the Gedling Borough Protocol, setting out the principles guiding how Gedling Borough will work with its neighbouring authorities and the County Council when dealing with section 106 planning obligations relating to development which would have an impact on the services and facilities in a neighbouring authority.

RESOLVED:

- a) To approve the Gedling Borough Protocol for dealing with section 106 agreements set out in Appendix A to the report; and
- b) To agree that the Service Manager, Planning and Economic Development, writes to adjoining authorities and invites them to sign up to the Gedling Borough Protocol.

126

COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE

The Planning Policy Manager presented the report, which had been circulated prior to the meeting, seeking Cabinet's comments on and endorsement of the revised Draft Charging Schedule (June 2014) and

associated documentation and Cabinet's approval to issue a revised Draft Charging Schedule for consultation.

The Planning Policy Manager outlined an amendment to the recommendation, seeking authorisation for the Corporate Director, in consultation with the Portfolio Holder, to make minor editorial changes to the Draft Charging Schedule and supporting evidence base to enable clarification and minor changes to be made without Cabinet approval.

RESOLVED:

- a) That the revised Draft Charging Schedule and Regulation 123 List together with the supporting documentation attached to the report be published for a period of six weeks to allow for public representations;
- b) That the Statement of the Representations Procedure be approved;
- c) That the Portfolio Holder for Leisure and Development consider the evidence and representations received and be authorised to approve any changes the Council would propose to make in light of those representations;
- d) That the Draft Charging Schedule, Regulation 123 List, supporting documentation and representations received together with the changes the Council would propose to make in light of those representations be submitted to the Planning Inspectorate for examination; and
- e) That the Corporate Director, in consultation with the Portfolio Holder, be authorised to approve any clarification or other minor editing changes to the revised Draft Charging Schedule and supporting evidence base.

127 FORWARD PLAN

RESOLVED:

To note the report.

128 PROGRESS REPORTS FROM PORTFOLIO HOLDERS.

Councillor Peter Barnes (Environment)

- The Friends of Gedling Country Park recently met and was attended by around 60 people, appointments to roles and the creation of a constitution for the group will begin shortly.

- It is hoped that the Country Park will be able to open to the public in March 2015, dependant on the weather over winter.
- Arrangements for an update visit to the Country Park for Members will be made shortly.
- Patchings Farm held a very successful Arts Festival bringing thousands of people into the Borough.

Councillor Henry Wheeler (Health and Housing)

- Recently attending Arnold Carnival, where information about the Housing Strategy, Local Authority Mortgage Scheme and locality work was being provided by Officers.
- Officers are working towards the National Practitioner Support Award standards.
- Recently met with the Clinical Commissioning Group at their People's Council, to discuss Young People's needs.
- Recently attended a Healthwatch young carer's event and launched their "Have Your Say" event.
- The Youth Council recently met and decided to split into sub-groups to work on their 4 key topics of bullying, transport, careers and youth provision.
- There are currently some issues within the Borough relating to air pollution, which will be discussed at the next meeting of the Health and Wellbeing Board.

Councillor Darrell Pulk (Leisure and Development)

- A recent survey has shown that the population of Gedling are more active than ever, with 28.7% of adults taken part in 30 minutes of exercise at least 3 times a week, the 2nd highest in Nottinghamshire.
- Arnold Leisure Centre has been well attended since reopening, DNA sign up has increased and user feedback has been very positive.
- Bonington Theatre has also experience higher usage and more variety since its refurbishment.
- A leisure centre strategy is currently being formulated with Sports England.
- A recent joint bid to provide Obesity and Weight Management services was unsuccessful.
- Work is currently underway to find alternative funding for the Heartbeats programme now that Clinical Commissioning Group funding has ceased.
- Gedling Gymnastics Club are now working from Carlton Forum Leisure Centre following their agreement with Carlton Academy ending.
- Sports activities will be offered at Arnold Carnival and a number of play days over Summer.

- A World War I commemorative dance project is taking place for 8-13 year olds.

Councillor John Clarke (Leader of the Council) and on behalf of Councillor Fox (Community Development)

- Thanks should be passed to all staff involved in making Arnold Carnival a success this year.
- A document has been produced regarding all of the events that will be taken place in the Borough to commemorate World War I.
- Specific praise was given for Councillor Parr, who is putting a significant amount of time and effort leading on the World War I commemorative events.
- A jobs fair will be held on the 22nd of July in conjunction with the Nottingham Evening Post, Nottinghamshire County Council and the Department of Work and Pensions.
- A book fair was recently successfully held at the Civic Centre.

129 MEMBER'S QUESTIONS TO PORTFOLIO HOLDERS.

In response to a question asked by Councillor Barnfather, regarding funding to Parish Councils, the Leader assured Councillor Barnfather that the matter would be investigated and a response provided in due course by the Financial Services Manager.

130 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 2.00 pm

Signed by Chair:
Date:

Report to Cabinet

Subject: Quarterly Budget Monitoring, Performance Digest & Virement Report

Date: 7 August 2014

Author: Senior Leadership Team

Wards Affected

Borough-wide

Purpose

- To inform Cabinet of the position against Improvement Actions and Performance Indicators in the 2014/2015 Gedling Plan.
- To seek Cabinet approval for changes to targets as set out in Section 2.1.
- To update Cabinet on the likely outturn of the Revenue and Capital Budgets for the 2014/2015 financial year. The budgets include all carried forward amounts from the 2013/2014 financial year.
- To seek Cabinet approval for budget changes outlined in this report.

Key Decision

This is a Key Decision

Background

- 1.1 The Council has made a commitment to closely align budget and performance management. This is in line with accepted good practice.
- 1.2 To deliver this commitment, systems to monitor performance against revenue and capital budgets, improvement activity and performance indicators have been brought together and are now embedded in the way the Council works.
- 1.3 In addition, performance reports now focus more directly on the Council's priorities and offer an "early warning" system of instance where targets may not be secured.

Proposal

2. Quarterly Progress Report

2.1 Performance Information

- 2.1.1 The Council continues to manage its performance using the Covalent Performance Management system.
- 2.1.2 Against the backdrop of a continuing move away from paper based information towards use of more electronic means, and the government's aspiration for local authorities to be more open and transparent, performance information is now accessible publicly on line on the Council's website.
- 2.1.3 As a result, hard copy performance documents are no longer being routinely produced nor attached to Cabinet agendas – they can, however, be accessed at <http://www.gedling.gov.uk/aboutus/howwework/prioritiesplansperformance/performance/>. Hard copies will only be made available to members upon request.
- 2.1.4 For members and the public accessing performance information through this link, the previous criteria for performance assessment continue to apply. Red, amber and green traffic light symbols continue to be used to show progress for both actions and performance indicators. To be assessed as green, performance indicators must be in line with their profiled performance at this stage of the year, while actions must be on target against milestones set out in Covalent to be assessed as “completed” or “assigned; in progress”. Where Cabinet has agreed to an amended target, progress is assessed against that amended target rather than the original target.
- 2.1.5 Pdf reports for both performance indicators and actions continue to be made available on the website, in the previously agreed format. These documents contain explanations of variances and proposed target changes as previously, along with trend arrows for performance indicators (note that an upward arrow indicates improved performance, irrespective of whether improvement is represented by a higher or lower value) and progress bars for actions showing progress made against project milestones. Hard copies of both reports are available in the Members Room for information.
- 2.1.6 Overall performance at the end of quarter 1 is largely positive. 16 of the 29 performance indicators suitable for quarterly monitoring are on target – of the remainder, 2 are at amber status, 10 are red and data is still awaited for an additional one. It is of course early in the financial year and in general terms it is expected that performance targets set will be reached. All 61 actions are either on target or completed

2.2 Financial Information

2.2.1 Appendices 1 and 2 set out details of the current financial position on the Council's General Fund Revenue Budget and the Capital Programme 2014/15.

2.2.2 General Fund Revenue Budget

Appendix 1 outlines how the General Fund Revenue budget is divided between the Portfolio areas of the Council and includes a detailed variance analysis identifying the current proposed changes for the year against the approved budget for each Portfolio area. Cabinet is recommended to approve these changes.

Included in Appendix 3 is a list of all the virements carried out in Quarter 1 following approval from Portfolio holders.

The following table summarises the overall financial position of the General Fund Revenue Budget and the expected total spend for the year. This information has been compiled using the best information made available to Financial Services by the relevant spending officers as at 30 June 2014. The overall resource implication for the Council's General Fund is a predicted under-spend of £7,600.

General Fund Revenue Budget 2014/2015 – Change Analysis

	£
The original 2014/15 budget approved by Council on 3 March 2014	12,979,400
Revenue Carry Forwards from 2013/14 approved under delegation arrangements by the Chief Finance Officer	89,700
Revenue Carry Forwards from 2013/14 approved by Council on 16 July 2014	20,000
The current total approved budget for 2014/2015 and Cabinet's Maximum Budget is:	13,089,100
Up to the end of June 2014 expenditure less income totalled	2,456,991
In the remaining 9 months of year we expect net expenditure less income to be	10,624,509
Total net revenue spend for the year is currently expected to be	13,081,500
Projected Revenue Underspend 2014/15	(7,600)

2.2.3 Capital Programme

Appendix 2 details the current projected position on the Capital Programme and its' financing for 2014/15, analysed by Portfolio, and this is summarised in the table below. Cabinet is recommended to approve these changes.

Capital Budget 2014/2015 - Change Analysis

	£
Original 2014/15 budget approved by Council on 3 March 2014	2,902,100
Capital Carry Forwards from 2013/14 approved under delegation arrangements by the Chief Finance Officer	747,900
Capital Carry Forwards from 2013/14 approved by Council on 16 July 2014	301,700
Additional Budget for King George V Skatepark, Portfolio Holder virement decision, funded by WREN Grant.	48,500
The current total approved budget for 2014/15	4,000,200
<u>Proposed Quarter 1 Amendments to the 2014/15 Programme:</u>	
<u>(a) Additional budget requirement funded by External Grant</u>	
Gedling Country Park Stage 2-3 funded by S106 contributions	255,100
<u>(b) Additional budget requirement funded by Contributions</u>	
CCTV Monitor Room Equipment replacement funded by Contribution from CCTV Reserve.	50,000
Depot Customer Facility Improvements funded by Revenue Contribution.	50,000
<u>(c) Budget Reductions</u>	
Removal of Daybrook Water Course Scheme as Groundworks funding given direct to the Environment Agency	(45,000)
Total Proposed Amendments To Capital Programme	310,100
Proposed Revised Capital Programme 2014/15	4,310,300
Actual Expenditure to Quarter 1 2014/15	752,794
Estimated Expenditure Quarter 2-4 2014/15	3,557,506
Projected Outturn 2014/15	4,310,300
Projected Capital Programme Variance 2014/15	0

There is currently sufficient funding available in 2014/2015 to finance the Capital Programme as outlined above.

Alternative Options

- 3 Option – Not to amend the original Council approved budgets during the year to reflect the latest projected outturn position.

Advantages:

- The final outturn position of the Council can be easily compared to its original intentions when the budget was set and areas of budget risk identified.

Disadvantages:

- Budgets not aligned to current budget pressures resulting in increased likelihood of budget overspend and emerging Council priorities not being addressed.
- Restrict the effectiveness of medium term planning process and preparation of the forward budget if pressures and areas of efficiency are not readily identifiable during budget preparation.
- Budget not reflective of latest performance information.

Reason for rejection – Not likely to result in the best outcomes in financial management or support delivery of priorities.

Financial Implications

- 4 The nature of the report is such that it has significant resource implications across the Council. The report itself demonstrates how resources are being managed.

Appendices

- 5 Appendix 1 – General Fund Revenue Budget 2014/15 – Budgetary Control Report
Appendix 2 - Capital Programme 2014/15 – Budgetary Control Report
Appendix 3 – Virements approved by Portfolio Holders

Background Papers

- 6 Detailed Quarterly Budgetary Control Exception Reports

Recommendation

Members are **recommended**:

- a) To approve the changes to Performance Indicator and Action targets as detailed in paragraph 2.1.6 of the report, as an amendment to the agreed Gedling Plan;
- b) To approve the General Fund Revenue Budget virements included within Appendix 1;
- c) To approve the changes to the Capital Programme included in paragraph 2.2.3;
- d) To include details of budget and performance monitoring in a quarterly performance digest, to be published on the Council's website and Intranet in line with the recommendations of Performance Review Scrutiny Committee.

Reasons for Recommendations

- 7 To align the budgets to the current pressures and priorities and ensure the delivery of Council objectives is supported.

Grand Summary**Revenue Quarterly Budgetary Control Report****Period 201403**

	Current Approved Budget	Profiled Budget	Actual to date	Variance	%	Projected Outturn	Projected Annual Variance
	£	£	£	£		£	£
Community Development	1,455,100	332,300	271,237	-61,063	-18	1,455,100	0
Health & Housing	1,116,100	21,150	10,380	-10,770	-51	1,126,600	10,500
Public Protection & Communication	1,633,500	673,750	578,268	-95,482	-14	1,630,500	-3,000
Environment	4,555,900	639,027	614,268	-24,759	-4	4,604,100	48,200
Leisure & Development	2,077,500	351,733	147,017	-204,716	-58	2,097,300	19,800
Finance & Performance	2,251,000	1,243,417	835,819	-407,597	-33	2,167,900	-83,100
Total General Fund	13,089,100	3,261,377	2,456,991	-804,386	-25	13,081,500	-7,600
Cabinets General Fund Maximum Budget	13,089,100					13,081,500	-7,600

COMMUNITY DEVELOPMENT PORTFOLIO

BUDGETARY CONTROL REPORT - JUNE 2014

REVENUE ITEMS TO BE REPORTED

Budget Head	Current Approved Budget	Latest Projected Outturn	Net Budget Variance		Reason for Variance (New Items Only)
			Favourable £'000	Adverse £'000	
<u>All other budget heads</u> Including items previously reported PORTFOLIO TOTAL	£'000	£'000			Net Portfolio Total 0.0
	1,455.1	1,455.1			
	1,455.1	1,455.1	-	-	

HEALTH & HOUSING PORTFOLIO

BUDGETARY CONTROL REPORT - JUNE 2014

REVENUE ITEMS TO BE REPORTED

Budget Head	Current Approved Budget	Latest Projected Outturn	Net Budget Variance		Reason for Variance (New Items Only)
	£'000	£'000	Favourable £'000	Adverse £'000	
<u>Housing Benefit Admin</u>					
Supplies & Services	56.6	61.0		4.4	Computer Software upgrade funded by DWP Local Authority Data Sharing grant.
Income	(640.2)	(639.2)	4.4	5.4	Removal of contribution from reserves, no longer required.
<u>Housing Needs</u>					
Income	(95.2)	(90.1)		5.1	Reduction in rental income due to reduced demand for temporary accomodation. 8a Wollaton Ave now transferred to Estates section as surplus to housing requirements (Portfolio Holder report 2 July)
<u>All other budget heads</u>	1,794.9	1,794.9			
Including items previously reported					
PORTFOLIO TOTAL	1,116.1	1,126.6	4.4	14.9	Net Portfolio Total £10,500 Adverse

PUBLIC PROTECTION & COMMUNICATION PORTFOLIO

BUDGETARY CONTROL REPORT - JUNE 2014

REVENUE ITEMS TO BE REPORTED

Budget Head	Current Approved Budget	Latest Projected Outturn	Net Budget Variance		Reason for Variance (New Items Only)
			Favourable £'000	Adverse £'000	
<u>Licencing & Hackney Carriages</u>	£'000	£'000			
Revenue Income	(330.3)	(386.3)	56.0		Additional income on hackney licencing due to the delayed implementation of Topography testing.
Capital	-	50.0		50.0	Revenue contribution to capital to improve customer facilities for taxi drivers.
<u>Food, Health & Safety</u>					
Revenue Income	(3.4)	(5.4)	2.0		Additional income from the introduction of mobile homes licensing.
<u>Comm Protection & Dog Control</u>					
Supplies & Services	125.3	179.1		53.8	Additional expenditure for community safety projects offset by additional income below and a £5k contribution from street care (see Environment Portfolio)
Revenue Income	(30.9)	(79.7)	48.8		Additional funding for Community Safety projects from Broxtowe Borough Council and Notts Police and Crime Commissioner.
<u>Information Technology</u>					

PUBLIC PROTECTION & COMMUNICATION PORTFOLIO

BUDGETARY CONTROL REPORT - JUNE 2014

REVENUE ITEMS TO BE REPORTED

Budget Head	Current Approved Budget	Latest Projected Outturn	Net Budget Variance		Reason for Variance (New Items Only)
			Favourable £'000	Adverse £'000	
Supplies & Services	£'000 804.4	£'000 811.4		7.0	Additional expenditure on annual licence and maintenance for Council Tax Support System funded from New Burdens Grant.
<u>Information Technology - cont.</u>					
Revenue Income	(264.0)	(271.0)	7.0		Contribution from New Burdens Grant reserve for licence/maintenance for Council Tax Support System.
<u>All other budget heads</u>					
Including items previously reported	1,332.4	1,332.4			
PORTFOLIO TOTAL	1,633.5	1,630.5	113.8	110.8	Net Portfolio Total £3,000 Favourable

ENVIRONMENT PORTFOLIO

BUDGETARY CONTROL REPORT - JUNE 2014

REVENUE ITEMS TO BE REPORTED

Budget Head	Current Approved Budget	Latest Projected Outturn	Net Budget Variance		Reason for Variance (New Items Only)
			Favourable £'000	Adverse £'000	
<u>Public Land & Buildings</u>	£'000	£'000	£'000	£'000	
Premises	11.4	9.1	2.3		Reduction in NNDR charges due to letting of a vacant shop.
Income	(113.5)	(115.0)	1.5		Additional shop rental income, partly offset by a reduction in rent from Bestwood Country Park Hotel due to a rent review.
<u>Business Units</u>					
Premises	107.8	100.5	7.3		Reduction in partnership payments offset by an increase in NNDR charges due to 2 empty units at Calverton Business Park and the reduction in income (see below).
Income	(197.5)	(185.9)		11.6	Reduction in income due to vacant units at Calverton Business Park, partly offset by additional income from increased annual service charges.
<u>Street Care</u>					
Supplies & Services	73.8	68.8	5.0		Community Safety Partnerships Initiatives budget transferred to Public Protection (see Pub Protection & Comm Portfolio).

ENVIRONMENT PORTFOLIO

BUDGETARY CONTROL REPORT - JUNE 2014

REVENUE ITEMS TO BE REPORTED

Budget Head	Current Approved Budget	Latest Projected Outturn	Net Budget Variance		Reason for Variance (New Items Only)
			Favourable £'000	Adverse £'000	
<u>Fleet Management</u>	£'000	£'000			
Employee Expenses	245.1	246.7		1.6	Higher than anticipated taxi testing income due to delay in introduction of topography testing, partly offset by a related increase in non-contractual overtime.
Income	(1,458.5)	(1,478.7)	20.2		
Supplies and Services	49.9	57.9		8.0	
<u>Waste Management</u>					
Employee Expenses	1,297.9	1,343.6		45.7	Additional agency requirement mainly due to long term sick and unachieved efficiencies.
Transport Expenses	840.7	843.3		2.6	Additional transport costs due to closure of Dorket Head landfill site.
<u>Parks</u>					
Supplies and Services	137.7	152.7		15.0	Replacement of Arnot Hill Lake pump as current one is beyond economic repair.
<u>All other budget heads</u> (including items previously reported)	3,561.1	3,561.1			
PORTFOLIO TOTAL	4,555.9	4,604.1	36.3	84.5	Net Portfolio Total £48,200 Adverse

LEISURE & CULTURE PORTFOLIO

BUDGETARY CONTROL REPORT - JUNE 2014

REVENUE ITEMS TO BE REPORTED

Budget Head	Current Approved Budget	Latest Projected Outturn	Net Budget Variance		Reason for Variance (New Items Only)
			Favourable	Adverse	
	£'000	£'000	£'000	£'000	
<u>Carlton Forum Leisure Centre</u>					
Supplies & Services	199.8	214.8		15.0	Joint Use Maintenance projects have taken place, to be funded from earmaked reserve.
Revenue Income	(1,124.9)	(1,135.9)	15.0	4.0	
					All Weather pitch income is down, this is mainly due to fewer bookings as the condition of the pitch deteriorates further.
<u>Redhill Leisure Centre</u>					
Employee Expenses	326.6	326.4	0.2		Bar closure - Portfolio Holder Decision June 2014
Premises Related Expenses	82.5	79.7	2.8		
Supplies & Services	106.3	115.1	1.7		
Revenue Income	(514.6)	(523.6)		1.5	Joint Use Maintenance projects have taken place, to be funded from earmaked reserve.
Supplies & Services				10.5	
Revenue Income			10.5		
<u>Arnold Leisure Centre</u>					
Premises Related Expenses	198.2	209.6		11.4	Underground work to repair leak on swimming pool and installation of electronic signage, to be funded from base maintenance reserve.
Revenue Income	(342.8)	(339.8)	11.4		
				14.4	Swimming income reduced due to delay in opening.

LEISURE & CULTURE PORTFOLIO

BUDGETARY CONTROL REPORT - JUNE 2014

REVENUE ITEMS TO BE REPORTED

Budget Head	Current Approved Budget	Latest Projected Outturn	Net Budget Variance		Reason for Variance (New Items Only)
			Favourable £'000	Adverse £'000	
<u>Richard Herrod Centre</u> Revenue Income	£'000 (282.9)	£'000 (278.3)		4.6	Catering income reduced due to change in contractors. Bulk Purchase Bonus from supplier reduced due to lower overall levels of bar stock purchases with the closure of Redhill bar.
<u>All other budget heads</u> (including items previously reported)	3,429.3	3,429.3			
PORTFOLIO TOTAL	2,077.5	2,097.3	41.6	61.4	
					Net Portfolio Total £19,800 Adverse

FINANCE & PERFORMANCE PORTFOLIO

BUDGETARY CONTROL REPORT - JUNE 2014

REVENUE ITEMS TO BE REPORTED

Budget Head	Current Approved Budget	Latest Projected Outturn	Net Budget Variance		Reason for Variance (New Items Only)
			Favourable £'000	Adverse £'000	
<u>Organisational Development</u>	£'000	£'000			
Supplies & Services	48.8	52.0		3.2	Business transformation training funded from transformation provision (see below).
<u>Registration of Electors</u>					
Supplies & Services	44.9	64.0		19.1	Additional Individual Electoral Registration grants and associated expenditure.
Income	(23)	(42.5)	19.1		
<u>Revenues - Local Taxation</u>					
Supplies & Services	265.6	281.7		16.1	Increased Contribution to Reserves due to additional New Burdens Grant received.
Income	(475.0)	(479.6)	16.1		
				11.5	Removal of contribution from reserve no longer required and lower NNDR Cost of Collection Allowance.
<u>Central Provisions Account</u>					
Supplies & Services	560.0	556.8	3.2		Transfer of budget to Organisational Development to fund Business Transformation training (see above).

FINANCE & PERFORMANCE PORTFOLIO

BUDGETARY CONTROL REPORT - JUNE 2014

REVENUE ITEMS TO BE REPORTED

Budget Head	Current Approved Budget	Latest Projected Outturn	Net Budget Variance		Reason for Variance (New Items Only)
			Favourable £'000	Adverse £'000	
<u>Economic Development</u>					
Supplies & Services	542.9	549.9		7.0	Expenditure relating to economic advisors programme, funded by a one off grant.
Revenue Income	0.0	(7.0)	7.0		
<u>Movement In Reserves</u>					
Capital Interest	587.8	532.7	55.1		Reduce minimum revenue provision due to slippage in the 13/14 capital programme and additional capital receipts generated.
<u>Insurance Premiums</u>					
Supplies & Services	279.7	307.2		27.5	Increase in insurance premiums due to contractual obligations and an increase in claims.
<u>Rent Allowances</u>					
Supplies & Services	27,652.0	27,837.0		185.0	Bad debt provision for the increase in sundry debtors raised.

FINANCE & PERFORMANCE PORTFOLIO

BUDGETARY CONTROL REPORT - JUNE 2014

REVENUE ITEMS TO BE REPORTED

Budget Head	Current Approved Budget	Latest Projected Outturn	Net Budget Variance		Reason for Variance (New Items Only)
			Favourable	Adverse	
	£'000	£'000	£'000	£'000	
Income	(27,627.0)	(27,879.0)	252.0		Increase in Sundry Debtors raised due to an increase in Benefit Fraud and Overpayment recoveries.
<u>All other budget heads</u> (including items previously reported)	394.7	394.7			
PORTFOLIO TOTAL	2,251.0	2,167.9	352.5	269.4	Net Portfolio Total £83,100 Favourable

FINANCIAL MANAGEMENT REPORT - CAPITAL BUDGET MONITORING										
	Original Capital Programme	Carry Forwards	Quarter 1 Cabinet	Virements/ Supplements	Revised Cap Prog inc c/f & supp	Quarter 1 Proposals to Cabinet	Revised Cap Prog inc Qtr 1 Proposals	Actual To Date	Estimate for Qtr 2-4	Latest Projected Outturn
EXPENDITURE	£000's	£000's	£000's		£000's	£000's	£000's	£000's	£000's	£000's
Community Development	0.0	18.4	0.0	0.0	18.4		18.4	0.1	18.3	18.4
Health Housing	90.0	0.0	0.0	0.0	90.0		90.0	0.0	90.0	90.0
Public Protection & Communication	596.0	186.3	0.0	0.0	782.3	100.0	882.3	80.2	802.1	882.3
Environment	1125.5	698.2	0.0	48.5	1872.2	210.1	2082.3	391.7	1690.6	2082.3
Leisure & Development	940.6	140.4	0.0	0.0	1081.0		1081.0	277.6	803.4	1081.0
Finance & Performance	150.0	6.3	0.0	0.0	156.3		156.3	3.2	153.1	156.3
TOTAL EXPENDITURE	2902.1	1049.6	0.0	48.5	4000.2	310.1	4310.3	752.8	3557.5	4310.3
RESOURCES										
Specific Capital Grant - Disabled Facilities Grant	371.0				371.0		371.0	371.0	0.0	371.0
Borrowing	0.0	590.7			590.7		590.7		590.7	590.7
Growth Point Grant					0.0		0.0		0.0	0.0
Capital Receipts	1691.1	375.4			2066.5		2066.5	17.3	2049.2	2066.5
Revenue Contribution		4.0			4.0	50.0	54.0	4.0	50.0	54.0
Performance Reward Grant	100.0				100.0		100.0	100.0	0.0	100.0
NIEP funding Waste Mgmt System		8.1			8.1		8.1	8.1	0.0	8.1
S106 Funding - GCP	450.0	6.4			456.4	255.1	711.5	0.0	711.5	711.5
S106 Commuted Sum - Affordable Housing	90.0				90.0		90.0		90.0	90.0
WREN Grant KGV				48.5	48.5		48.5		48.5	48.5
Lottery Funding - ALC	200.0				200.0		200.0		200.0	200.0
DWP Grant - Civic Centre		20.0			20.0		20.0	20.0	0.0	20.0
Contribution from CCTV Reserve					0.0	50.0	50.0		50.0	50.0
Groundworks - Daybrook Water Course		45.0			45.0	-45.0	0.0		0.0	0.0
TOTAL RESOURCES	2902.1	1049.6	0.0	48.5	4000.2	310.1	4310.3	520.4	3789.9	4310.3
UNDER/(OVER RESOURCED)	0.0	0.0	0.0	0.0	0.0	0.0	0.0			0.0

NOTES :-

1. All budgets are grossed up with any contribution from outside bodies shown as income in the Resources section.

CABINET**List Of Virements Approved By Portfolio Holders****Quarter Ending June 2014****REVENUE****£****COMMUNITY DEVELOPMENT**

Transfer Environmental projects funding to Borough Wide Initiatives
 Play Days Budget transferred from Youth Co-ordination (Leisure)

12,500 RV1
 4,000 RV2

ENVIRONMENT

T/f Environmental projects funding to Borough Wide Initiatives

(12,500) RV1

LEISURE & DEVELOPMENT

Play Days Budget transferred from Youth Co-ordination (Leisure)

(4,000) RV2

General Fund Total**0****CAPITAL****£**

KGV Skate Park
 Additional funding for SkatePark from WREN Grant
 Funding from AMF to build wall at Business Units Newstead
 Funding from AMF to build wall at Business Units Newstead

(48,500)
 48,500 CS1
 12,100 CV1
 (12,100) CV1

General Fund Capital Total**0**



Report to Cabinet

Subject: Prudential Code Indicator Monitoring 2014/15 and Quarterly Treasury Activity Report for Quarter ended 30 June 2014

Date: 7 August 2014

Author: Corporate Director (Chief Financial Officer)

Wards Affected

All

Purpose

To inform members of the performance monitoring of the 2014/15 Prudential Code Indicators, and to advise members of the quarterly treasury activity as required by the Treasury Management Strategy.

Key Decision

This is not a key decision.

Background

- 1.1 The Council is required by regulations issued under the Local Government Act 2003 to report on its Prudential Code indicators and treasury activity. 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).
- 1.2 For 2014/15 the minimum reporting requirements are that the Full Council should receive the following reports:
 - An annual treasury strategy in advance of the year (TMSS).
 - A mid-year treasury update report
 - An annual review following the end of the year describing the activity compared to the strategy.

In accordance with best practice, quarterly monitoring reports for treasury activity are provided to members, and that this exceeds the minimum requirements.

- 1.3 The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report provides details of the position at 30 June and highlights compliance with the Council's policies.

Proposal

2.1 Economic update

UK growth was strong in quarters 2, 3 and 4 of 2013 as well as Q1 of 2014, at 0.7%, 0.8%, 0.7% and 0.8% respectively. Encouraging forward surveys indicate that strong growth will continue. There are also positive indications that the recovery is broadening away from reliance on consumer spending and the housing market, into construction, manufacturing, business investment and exporting. Strong growth has resulted in unemployment falling much faster through the threshold of 7%, set by the Monetary Policy Committee (MPC) last August for consideration of any increase in bank rate. The MPC has now broadened its forward guidance by adopting five qualitative principles, and looking at a much wider range of indicators in order to form a view on how much capacity there is in the economy, and how quickly that capacity is being used up. Accordingly, markets are expecting a first increase around the end of 2014.

There has been a sharp fall in inflation (CPI), which reached 1.5% in May, the lowest rate since 2009. The return to strong growth has also helped to lower forecasts for the increase in government debt by £73bn over the next five years as announced in the Autumn Statement, and by an additional £24bn announced in the March Budget, which also forecast a return to a significant budget surplus of £5bn in 2018/19. Monthly public sector deficit figures have however been disappointing during Q1 of 2014.

In June, the Federal Reserve in the USA continued with its monthly \$10bn reduction in asset purchase, which has now fallen from \$85bn per month to \$35bn and are expected to stop by Q3, providing that strong economic growth continues this year. First quarter GDP figures were depressed by exceptionally bad winter weather, however growth rates since appear to be recovering well.

The Eurozone (EZ) is facing an increasing threat from deflation, with the average rate of inflation for all EZ countries falling in May to 0.5%. This masks however that some countries already have negative rates of inflation. Accordingly, the European Central Bank (ECB) took some limited action in June to loosen monetary policy in order to promote growth.

2.2 Interest rate forecasts

The Council's treasury advisor, Capita Asset Services Treasury Solutions

(CASTS) undertook a review of its interest rate forecasts in May, after the Bank of England's latest quarterly Inflation Report. However, more recent developments to the Bank of England's forward guidance have necessitated a second update and this was carried out on 30 June. The latest forecast now includes a first increase in bank rate in Q1 of 2015 – previously Q4 of 2015.

CASTS has provided the following forecast:

	Sep-14	Dec-14	Mar-15	Jun-15	Sep-15	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17
Bank rate	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.25%	1.50%	1.75%	2.00%	2.00%
5yr PWLB rate	2.70%	2.80%	2.90%	3.00%	3.00%	3.10%	3.20%	3.30%	3.30%	3.40%	3.50%	3.60%
10yr PWLB rate	3.70%	3.70%	3.80%	3.90%	4.00%	4.00%	4.10%	4.20%	4.20%	4.30%	4.40%	4.40%
25yr PWLB rate	4.40%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%	4.80%	4.90%	4.90%	4.90%	5.00%
50yr PWLB rate	4.40%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%	4.80%	4.90%	4.90%	4.90%	5.00%

Until 2013, the economic recovery in the UK since 2008 had been the worst and slowest recovery in recent history. However, growth rebounded during 2013, and during the first quarter of 2014, to surpass all expectations, propelled by recovery in consumer spending and the housing market. Forward surveys indicate that growth prospects are also strong for the rest of 2014, not only in the UK economy as a whole, but in all three main sectors - services, manufacturing and construction. This is encouraging as there does need to be a significant rebalancing of the economy away from consumer spending to construction, manufacturing, business investment and exporting in order for the recovery to become more firmly established.

One drag on the economy has been that wage inflation has been significantly below CPI inflation so disposable income and living standards have been eroded (although income tax cuts have ameliorated this to some extent). However, recent falls in inflation have created the potential for the narrowing of this gap and it could narrow further during 2014, especially if there is also a recovery in growth in labour productivity, leading to increases in pay rates.

The USA, the main world economy, faces similar debt problems to those of the UK but thanks to reasonable growth, cuts in government expenditure and tax rises, the annual deficit has been halved from its peak without doing too much damage to growth, although labour force participation rates remain lower than ideal.

Concerns regarding the Eurozone subsided considerably during 2013, however sovereign debt difficulties remain and major concerns could return in respect of any countries that do not dynamically address fundamental issues of low growth, international uncompetitiveness and the need for overdue reforms of the economy (as Ireland has done). It is therefore possible that over the next few years, levels of government debt to GDP ratios could continue to rise, potentially meaning that sovereign debt concerns have not disappeared but merely postponed.

2.3 Investment strategy

The Treasury Management Strategy Statement (TMSS) for 2014/15 was approved by Council on 3 March 2014.

The Council's investment priorities remain the security of capital and good liquidity. Whilst the Council will always seek to obtain the optimum return (yield) on its investments, this will at all times be commensurate with proper levels of security and liquidity. In the current economic climate and with heightened credit concerns, it is considered appropriate either to keep investments short-term to cover cash flow needs, or to extend the period up to one year with selected government-backed counterparties.

During the April to June 2014 period, significant use has been made of call account facilities paying around 0.60%, and of a Money Market Fund achieving around 0.39%. This fund is an AAA rated investment vehicle which allows the pooling of many billions of pounds worth of funds into a highly diversified fund. Whilst the rate of return remains low, it is still well in excess of overnight treasury deposit rates.

The Treasury Activity Report for the quarter ended 30 June 2014 is attached at Appendix 1, in accordance with the Treasury Management Strategy. For reference, definitions of LIBOR and LIBID are given at Appendix 2.

Members will note that an equated rate of 0.80% has been achieved for the period to 30 June 2014 which, whilst very low, outperforms both the 7 day and 3 month LIBID rates of 0.34% and 0.41% by 0.46% and 0.39% respectively. This has been achieved as a result of the 2014/15 impact of prudent investments made in 2013/14. Rates in the market remain poor and as these loans mature it is challenging to replace them, since security and liquidity will always remain the overriding factors in the Council's treasury management. Interest rates are not expected to start rising until the final quarter of the year, and then not significantly. The outturn position for investment interest is currently expected to be broadly in line with the current approved estimate of £103,700.

Credit ratings advice continues to be taken from CASTS, however the ultimate decision on what is prudent and manageable for the Council is taken by the Chief Financial Officer under the approved scheme of delegation.

2.4 New borrowing

No new long-term borrowing was undertaken during the quarter ended 30 June 2014.

The council's Capital Financing Requirement (CFR) represents its "underlying" need to borrow to finance capital investment. Due to favourable interest rates, borrowing in advance of need is sometimes desirable, with the result that the CFR can differ to the actual borrowing planned in the year.

In view of borrowing previously undertaken in advance of need, it is not currently anticipated that any new borrowing will be undertaken during 2014/15.

Interest rates remain low, and the PWLB certainty rate, available to all authorities providing relevant information to CLG, allows the Council to take advantage of a discount of 20 basis points. Advice will be taken from CASTS with regard to the amount and timing of any additional borrowing, and should conditions become advantageous, some further borrowing in advance of need will also be considered by the Chief Financial Officer.

2.5 Debt rescheduling

Debt rescheduling opportunities are limited in the current economic climate, and due to the structure of interest rates. Advice in this regard will continue to be taken from CASTS.

No debt rescheduling has been undertaken during the period from 1 April 2014 to 30 June 2014.

2.6 Compliance with Prudential and treasury indicators

It is a statutory duty for the Council to determine and keep under review the affordable borrowing limit. The Council's approved Prudential and Treasury Indicators (affordability limits) are included in the Treasury Management Strategy Statement (TMSS) approved by Council on 3 March 2014.

During the financial year to date the Council has at all times operated within the treasury limits and Prudential Indicators set out in the council's TMSS, and in compliance with the Council's Treasury Management Practices. The

Prudential and Treasury Indicators as at 30 June 2014 are shown at Appendix 3.

These indicators are based on estimates of expected outcomes, and are key indicators of “affordability”. They are monitored on a quarterly basis, and Appendix 3 compares the approved indicators with the projected outturn for 2014/15, and shows variances on some of the indicators, as described below:

a) Prudential Indicators:

i) Capital Expenditure

The latest projected outturn shows that capital expenditure is expected to be £4,310,300. This differs to the original estimate of £2,902,100 due to the inclusion of approved carry-forward requests from 2013/14 and variations to the capital programme at Quarter 1.

ii) Capital Financing Requirement (CFR)

The projected closing CFR for 2014/15 is £12,441,200. This is lower than the approved indicator of £12,546,300 due to the above amendments to the capital programme and to additional capital receipts generated.

iii) Ratio of Financing Costs to Net Revenue Stream

The projected outturn of 6.43% shows a minor reduction from the approved indicator of 6.44%. This is due to a reduction in MRP as a result of slippage on the capital programme in 2013/14, largely offset by a revenue contribution to capital expenditure in 2014/15.

iv) Maximum gross debt

The Council must ensure that its gross debt does not, except in the short term, exceed the opening capital financing requirement, plus estimates of any additional CFR for 2014/15 and the following two financial years. This allows flexibility for early borrowing for future years, but ensures that borrowing is not undertaken for revenue purposes. Gross debt at 30 June was £10.812m which was well within the approved indicator.

Treasury Management Indicators:

These indicators are based on limits, beyond which activities should not pass without management action. They include two key indicators of affordability and four key indicators of prudence.

Affordability

- i) Operational boundary for external debt.
- ii) Authorised limit for external debt.

Prudence

- iii) Upper limit for fixed interest exposure – represented by the maximum permitted net outstanding principal sum borrowed at fixed rates. Please note that a negative indicator represents a position of net investment.
- iv) Upper limit for variable interest rate exposure – represented by the maximum permitted net outstanding principal sum borrowed at variable rates. Please note that a negative indicator represents a position of net investment.
- v) Maximum new principal sums to be invested during 2014/15 for periods in excess of 364 days - such investments are classified as a “non-specified”. This indicator is subject to the overall limit for non-specified investments set in the TMSS.
- vi) Upper limits for the maturity structure of borrowing - set to reduce the Council’s exposure to large fixed rate sums falling due for refinancing.

Appendix 3 shows the actual position as at 30 June 2014, and demonstrates that all activities are contained within the currently approved limits.

Alternative Options

There are no alternative options, this report being a requirement of the Council’s Treasury Management Strategy Statement (TMSS).

Financial Implications

No specific financial implications are attributable to this report.

Appendices

- 1. Treasury Activity Report 2014/15 for quarter ended 30 June 2014.
- 2. Definitions of LIBOR and LIBID
- 3. Prudential and Treasury Indicators as at 30 June 2014.

Background Papers

None identified.

Recommendation

That:

Members note the report, together with the Treasury Activity Report for Quarter 1 at Appendix 1, and the Prudential and Treasury Indicator Monitoring for Quarter 1 at Appendix 3.

Reasons for Recommendations

To comply with the requirements of the Council's Treasury Management Strategy Statement.

For more information, please contact:

Alison Ball, Financial Services Manager, on 0115 901 3980

TREASURY ACTIVITY REPORT 2014/15**For Quarter ended 30 June 2014**

	<u>Position @</u> <u>1 April 2014</u> £	<u>Loans Made</u> <u>During Q1</u> £	<u>Loans Repaid</u> <u>During Q1</u> £	<u>Position @</u> <u>30 June 2014</u> £
<u>Long Term Borrowing</u>				
PWLB	10,811,577	0	0	10,811,577
Total Long Term Borrowing	10,811,577	0	0	10,811,577
<u>Temporary Borrowing</u>				
Local Authorities	0	0	0	0
Public Corporations	0	0	0	0
Central Government	0	0	0	0
Banks & Other Institutions	0	0	0	0
Total Temporary Borrowing	0	0	0	0
TOTAL BORROWING	10,811,577	0	0	10,811,577
<u>Temporary Investment</u>				
Bank of Scotland	(6,500,000)	0	0	(6,500,000)
Barclays	0	0	0	0
HSBC Treasury	0	(5,945,000)	5,945,000	0
Ignis Money Market Fund	0	(13,510,000)	9,900,000	(3,610,000)
Royal Bank of Scotland	(2,450,000)	(9,325,000)	6,775,000	(5,000,000)
Santander (Abbey)	0	0	0	0
Total Banks	(8,950,000)	(28,780,000)	22,620,000	(15,110,000)
Building Societies	0	0	0	0
Debt Management Office	0	0	0	0
Local Authorities & Other	0	0	0	0
TOTAL INVESTMENT (See below)	(8,950,000)	(28,780,000)	22,620,000	(15,110,000)
NET BORROWING / (INVESTMENT)	1,861,577	(28,780,000)	22,620,000	(4,298,423)

Temporary Borrowing & Investment Statistics at 30 June 2014**Investment:**

Fixed Rate Investment	(6,500,000)	(5,945,000)	5,945,000	(6,500,000)
Variable Rate Investment	(2,450,000)	(22,835,000)	16,675,000	(8,610,000)
TOTAL INVESTMENT	(8,950,000)	(28,780,000)	22,620,000	(15,110,000)

Proportion of Fixed Rate Investment	43.02%
Proportion of Variable Rate Investment	56.98%
Temporary Investment Interest Receivable	£ 23,049
Equated Temporary Investment	£ 2,884,572
Weighted Average Interest Rate Received (Interest Receivable / Equated Investment)	0.80%
7 Day LIBID (Benchmark)	0.34%
3 Month LIBID	0.41%

Borrowing:

Temporary Borrowing Interest Payable	£ -
Equated Temporary Borrowing	£ -
Weighted Average Interest Rate Paid (Interest Payable / Equated Borrowing)	n/a
7 Day LIBOR (Benchmark)	0.47%

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LIBOR - the London Interbank Offered Rate

LIBOR is the interest rate at which the London banks are willing to offer funds in the inter-bank market. It is the average of rates which five major London banks are willing to lend £10 million for a period of three or six months, and is the benchmark rate for setting interest rates for adjustable-rate loans and financial instruments.

ie. the London banks are LENDING to each other, which affects the rate at which the banks will lend to other parties eg. local authorities, ie. Gedling are BORROWING money

LIBID - the Interbank BID (LIBID) rate

LIBID is the interest rate at which London banks are willing to borrow from one another in the inter-bank market. It is the average of rates which five major London banks willing to bid for a £10 million deposit for a period of three or six months.

ie. the London banks are BORROWING from each other, which affects the rates at which they will borrow from other parties eg. local authorities, ie. Gedling are LENDING money.

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Outturn Prudential and Treasury Indicators for 2014/15

	2014/15 Orig Estimate	2014/15 Position at 30 June 2014
1. <u>Prudential Indicators</u>		
<u>Affordability:</u>		
a) Capital Expenditure	£ 2,902,100	£ 4,310,300
b) Capital Financing Requirement	£ 12,546,300	£ 12,441,153
c) Ratio of Financing Costs to Net Revenue Stream	6.44%	6.43%
d) Incremental Impact of new 2014/15 Capital Investment Decisions:	£0.07	Not Applicable
e) Maximum Gross Debt	£ 13,135,400	£ 10,811,577
2. <u>Treasury Management Indicators</u>		
a) Operational Boundary for External Debt:		
Borrowing	£ 14,100,000	£ 10,811,577
Other Long Term Liabilities	£ 1,500,000	£ -
Total Operational Boundary	£ 15,600,000	£ 10,811,577
b) Authorised Limit for External Debt:		
Borrowing	£ 15,100,000	£ 10,811,577
Other Long Term Liabilities	£ 1,500,000	£ -
Total Authorised Limit	£ 16,600,000	£ 10,811,577
c) Upper limit for fixed interest rate exposure: (Maximum outstanding net BORROWING)	£ 13,100,000	£ 4,311,577
Additional Local Indicator - Investment Only	100.00%	43.02%
Additional Local Indicator - Borrowing Only	100.00%	100.00%
d) Upper limit for variable interest rate exposure: (Maximum outstanding net BORROWING)	£ 2,000,000	-£ 8,610,000
Additional Local Indicator - Investment Only	100.00%	56.98%
Additional Local Indicator - Borrowing Only	50.00%	0.00%
e) Upper & Lower limits for the maturity structure of outstanding Borrowing during 2014/15:		
Under 1 Year	U 20%, L 0%	9.25%
1 Year to 2 Years	U 40%, L 0%	18.50%
2 Years to 5 Years	U 50%, L 0%	9.25%
5 Years to 10 Years	U 50%, L 0%	0.00%
Over 10 Years	U 100%, L 0%	63.00%
f) Investment Treasury Indicator and limit: Max. NEW principal sums invested in-year for periods OVER 364 days (ie. non-specified), subject to maximum non specified per counterparty of £3m AND to the prevailing overall counterparty limit AND to the the TOTAL non specified limit of £5m.	£ 3,000,000	£ -

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Report to Cabinet

Subject: Gedling Conversation 2014

Date: 7 August 2014

Author: Corporate Director – Stephen Bray

Wards Affected - All

Purpose

- To secure agreement for the 2014 Gedling Conversation programme of activities
- To feedback remaining results of 2013 Gedling Conversation

Key Decision

This is not a key decision

Background

1. The Council started a new programme of consultation activity in 2012, branded as the "Gedling Conversation". The programme sought to take senior members and managers out into the community to find out first-hand about issues of concern and interest around the Borough. Ward members for the areas in question were also encouraged to be involved.
2. Events and activities developed for the "Conversation" include roadshow events in shopping centres and specific events for groups of stakeholders. Other existing consultations, such as the regular Satisfaction Surveys and budget consultation have been brought within the ambit of the "Conversation".
3. Specific events around the "Conversation" have in both years taken place largely in the Autumn. However, the "Conversation" has increasingly been seen as an ongoing dialogue
4. Headline results from 2013 were reported back to members and to employees in February and March and fed into budget and service planning.

Results are also informing more detailed research into customer views in service areas. A fuller report on results has also now been completed and is available on the Council's website at

<http://www.gedling.gov.uk/community/haveyoursay/>

5. The 2013 Satisfaction Survey included a specific question asking residents to describe their ideal council. Responses to that have now been analysed and a report compiled, a copy of which is attached at **Appendix A**.

Proposal

6. It is proposed that a further round of consultation is carried out in 2014 under the "Gedling Conversation" banner. Reflecting feedback from 2013, the predominant theme of the 2014 activity should be around listening to local people's views and concerns.
7. The main element of the "Conversation" will be a series of roadshows in shopping centres around the Borough. In most areas, these have been successful and well-received in previous years and it is therefore proposed that they continue. As in 2013, it is therefore proposed that roadshow events are held in Arnold town centre; Mapperley shopping centre; Carlton Hill shopping centre; Netherfield (Victoria Park); Gedling (Westdale Lane/Main Road shops); Ravenshead and Calverton shopping centres. These should take place over a two/three week period in the early Autumn, generally on Thursdays, Fridays or Saturdays over the lunchtime period. Each will be attended by at least one member of SLT and at least one member of Cabinet. Support will be provided by the Communications Team and the Executive Support team as required.
8. No specific theme is proposed for this year's event – residents will be encouraged through publicity to come along to talk about any issue of local concern. Where appropriate, those issues will be forwarded to either the relevant council service or the relevant local organisation. Issues raised will be logged and where appropriate mapped.
9. It is clearly important that all areas of the Borough have a chance to put forward views, but experience of previous years is that roadshow events are less successful in smaller areas with little daytime footfall. While residents from outlying areas clearly make use of shopping facilities outside of their own village a number of further activities are therefore proposed to ensure that all areas and all groups in the Borough have the opportunity to be part of the "Conversation". These include:-
 - Meeting with key stakeholder and partner groups – It is proposed that main stakeholder and partner groups are approached with a view to

including agenda items around the Conversation on their regular meetings held in the Autumn. This would include the Employment and Skills Partnership; the Youth Council and Parish Councils. It is felt more appropriate to look to take part in regular meetings of these groups rather than seeking a special meeting for the purpose.

- Specific activities in localities areas, including Newstead, Killisick and Netherfield, drawing on experience of Locality Co-ordinators working in these areas
- Possible further and specific meetings with Older People, following on the success of last year's event, and a meeting with Faith Groups.

10. In addition, engagement with the "Conversation" will be promoted through social media, including Facebook and Twitter.

11. All aspects of the "Conversation", particularly the roadshows, will be widely publicised and promoted. In recent discussions with the "Nottingham Post" about joint and shared promotional activity, the possibility of the "Post" supporting promotion of the events was discussed – if the proposals are supported, this will be pursued further.

12. It is not proposed that a Satisfaction Survey is included with this year's Gedling Conversation. In the light of budget reductions, it is proposed in future that these surveys are carried out in alternate years, starting in 2015. Moreover, it is felt this will allow for fuller review and follow up of issues raised in these surveys. At this stage, it is also not envisaged that a budget consultation exercise will be required. The government has provided a two-year financial settlement and the extensive consultation carried out last year has helped to inform the Council's budgetary plans now in place.

Alternative Options

13. The Council could decide not to carry out a further Gedling Conversation exercise but, given the importance residents clearly attach to the Council listening to their concerns, such an approach would not fit with residents' expectations.

14. Various techniques and initiatives could be included in the Conversation programme but on balance it is felt that the proposals set out above represent the best balance between need and available resource at the present time.

Financial Implications

15. The cost of the events and activities as outlined above can be accommodated from existing agreed budgets.

Appendices

Appendix A -Gedling Conversation 2013 – How would you describe your ideal Council? - Analysis summary

Background Papers

None

Recommendation(s)

Cabinet is **recommended** to: -

- a. Agree the proposed programme of activities for the 2014 Gedling Conversation
- b. Note the results of the 2013 Gedling Conversation

Reasons for Recommendations

To allow for the 2014 Gedling Conversation programme to be progressed and enable the Council to continue important and effective communication with residents of the Borough.



How would you describe your ideal council?

Analysis summary

Natasha Radovanovic

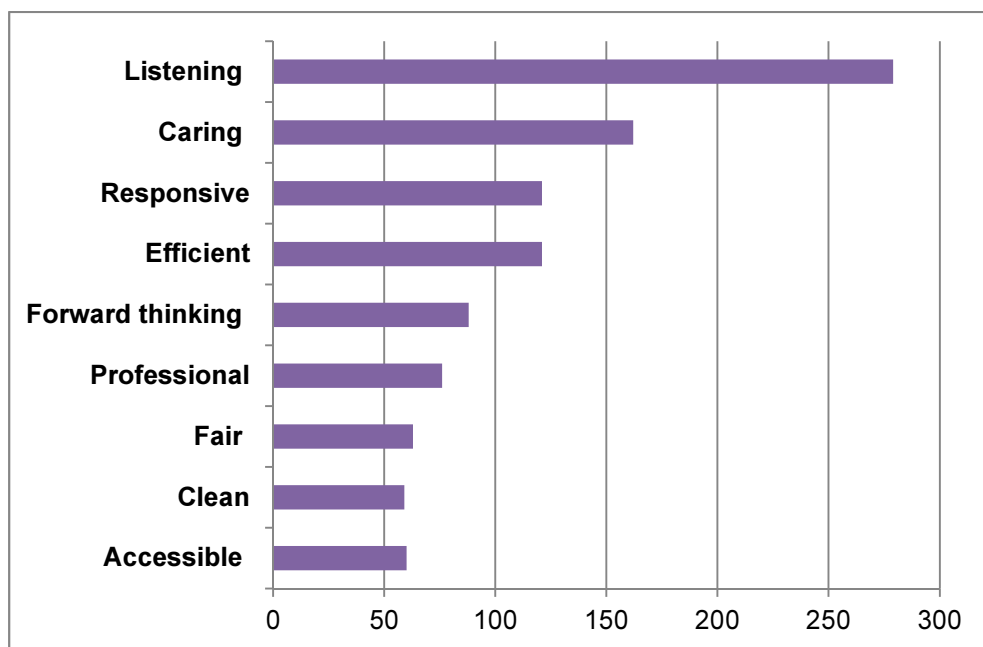
Customer Insight Officer

One of the questions in the Gedling Conversation satisfaction survey was 'How would you describe your ideal council?'. There were 1,567 replies to this question. Although this question allowed free text replies, it was apparent that a group of words appeared more frequently than others to describe the ideal council.

This report is based on the analysis of the replies to this question by selecting and presenting:

- a group of words that appear frequently to describe the ideal council
- the total number of times that each of those words were used to describe the ideal council in all replies
- and a short summary of additional comments commonly used to explain each of those words

The graph below shows the total number of times the frequent words were used to describe the ideal council.



Each frequently used descriptive word is presented below with a summary of the comments respondents used to explain what they mean by, for example, Listening Council, Caring Council etc. . Although the comments, due to the volume received, had to be edited for the purpose of this report, every effort was made to preserve their original tone. They should be, therefore, treated more like the quotes rather than interpretation of the text.

Listening council

- Listens and acts upon concerns
- Willing to be a listening ear
- Really listening and not consulting and then disregarding local opinion
- Listening – community minded
- Listens carefully and acts upon residents' views
- Listening – available and caring
- Not just listening but hearing
- Listening outside Arnold and Mapperley
- Consults more and then listens
- Listening to the community
- Listens and gives residents opportunity to comment
- Listens to its people and acts in its people's interest and not in its councillors' and managers' interest instead
- Listens and takes people seriously not talk down to them
- Improve rather than increase listening

Caring council

- Caring with foresight
- Caring and responsive
- Caring and helpful
- Caring for the community
- Caring for the community and individuals
- Caring - Customer friendly ; one size does not fit all
- Caring – sympathetic to people's worries
- Caring for most vulnerable people or groups
- Caring – efficient

Responsive council

- Responsive to local community
- Responsive to the needs of a change – not static
- Responsive but also rising and highly effective
- Responsive to changing needs to ensure / manage a hub of community spirit and good service
- Responsive to consultation results
- Responsive to the acute needs of the community

Efficient council

Efficient – value for money and customer focused

Efficient in dealing with residents' questions, comments and complains. Not afraid to tackle problems

Efficient with no bureaucracy and keeping expenses at reasonable level

Efficient services provided to both occupants and business in the area

One that runs business in a cost effective manner while being customer focused

Unobtrusively efficient

Quietly efficient

Efficient – cost effective, small footprint, works for the majority

Efficient- professional, cost effective, well informed, very aware of issues the public sees as important, approachable without undue bureaucracy

Forward thinking council

Forward thinking – creative, thinking outside the box, not satisfied with status quo

Open to change

Open minded

Forward thinking - led by views of people

Forward thinking on economic growth and jobs

Long term forward thinking – listening and responsive

Forward thinking – dynamic and responsive

Forward thinking – embracing change, fair, open and honest

Forward thinking – not afraid to make hard decisions, able to think holistically and consider all facts

Forward thinking – make money using many resources and attractions instead of cutting so much

Professional council

Professional services with acceptable budgets; without bureaucracy and inflexible thinking

Professional – made up of businessmen with knowledge

Professional team of people, who are in touch with their community, able to prioritise services and provide these services with the budgets provided

Hard working professionals with a vision

Professional and flexible approach

Professional and positive approach to the general public

A professional body managing its region without dogmatic political bias

Professional – quick off the mark with complaints

Fair council

Fair – campaigning for and promoting our area; focused on most vulnerable people

One that treats all area of the borough fairly and charges all on the same basis

A council who treats every part of the borough fairly and equally

Fair – consultative and one that takes action

The one that allocates the revenue from Council Tax equally between urban and rural parishes

Fair- just caring and democratic

The one which understands the views of the minority

Fair, open and honest

Environment in which everybody can live in harmony giving those who are disadvantaged encouragement to help themselves

Clean council

The one that takes local wishes seriously particularly with regard to the protection of green land and the adequate local facilities

One with the basic services: street cleaning, grass cutting etc.

One that delivers a good level of services to the community in relation to cleanliness, refuse collection and road maintenance

One that shows pride in the community, keeping it clean and well maintained within budgets

One that keeps clean, tidy and well-kept parks

Focused on a clean and pleasant borough with parks, opportunities for fitness

Provides public safety in terms of environment, crime and cleanliness

One that keeps the surrounding clean and pleasant

Clean streets and cut back trees

Accessible council

Unnoticeable but accessible when needed

One that is reliable and easy accessible

Accessible and accountable

Accessible and helpful

Less political more accessible

Accessible and less bureaucratic

Accessible and open minded

Accessible for both young and old

Accessible and listening

Better access to local councillors and officials

With more accessible transport

Adequately staffed and accessible

The one that is more accessible



Report to Cabinet

Subject: Review of complaints received by the Council and Annual Review Letter – Local Government Ombudsman 2013/14

Date: 7 August 2014

Author: Council Solicitor and Monitoring Officer & Corporate Director
(Chief Financial Officer)

Wards Affected

Not applicable.

Purpose

To inform Members of the receipt of the Annual Review letter from the Office of the Local Government Ombudsman and the complaints dealt with by the Council through the internal Complaints Procedure during the year 2013-14.

Key Decision

This is not a Key Decision

Background

1.1 Members will be aware of the Council's arrangements for dealing with formal complaints full details of which are available on the website. The departmental analysis of complaints by Service Manager appears below. Members are to note that some of the columns will not add up because some complaints have not been dealt with entirely within the year and therefore fall outside the monitoring period.

1.2 Between 1 April 2013 and 31 March 2014, the Council received 289 complaints which are broken down into individual service areas as follows:

Service	Number of complaints received	Upheld/partially upheld at Stage 1	Not Upheld at Stage 1
Customer Services and IT	47	35	12
Elections and Member Services	0	0	0
Housing and Localities	8	1	7

Service	Number of complaints received	Upheld/partially upheld at Stage 1	Not Upheld at Stage 1
Legal Services	2	2	0
Leisure and Culture	60	40	12
Parks and Street Care	10	9	0
Planning & Economic	14	6	1
Public Protection	13	3	6
Revenue Services	87	35	43
Sustainability and Assets	1	1	0
Waste Services	47	44	3
Totals	289	176	84

- 1.3 Where a complaint is not upheld in full or in part, the complainant may ask for it to be considered further under Stage 2 of the complaints procedure. 21 complaints were considered under Stage 2 between 1 April 2013 and 31 March 2014 as follows:

Service	Number of complaints considered at Stage 2	Upheld/partially upheld at Stage 2	Not Upheld at Stage 2
Customer Services and IT	0	0	0
Elections and Member Services	0	0	0
Housing and Localities	0	0	0
Legal Services	0	0	0
Leisure and Culture	6	3	2
Parks and Street Care	1	1	0
Planning & Economic	4	0	4
Public Protection	0	0	0
Revenue Services	10	5	4
Sustainability and Assets	0	0	0
Waste Services	0	0	0
Totals	21	9	10

- 1.4 If the complainant is not happy with the response at Stage 2 he or she is entitled to refer the complaint to the Local Government Ombudsman. Between 1 April 2013 and 31 March 2014, 13 complaints were received via the Ombudsman, which is an increase on the 4 complaints received the previous year. A summary of the decisions of the LGO appears in the table below.

Service	Decision of LGO
Parks & Street Care	Not to initiate an investigation
Revenues Services	Not investigated
Parks & Street Care	Not investigated
Planning & Economic Development	Upheld: Maladministration and injustice

Revenues Services	Not in jurisdiction and discretion not exercised
Revenues Services	Not investigated
Revenues Services	Not investigated
Revenues Services	Not in jurisdiction and discretion not exercised
Housing	Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report
Revenues Services	Not investigated
Revenues Services	Not to investigate complaint because not in jurisdiction and discretion not exercised
Revenues Services	Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report
Revenues Services	Not to initiate an investigation

- 1.5 Members may notice that the descriptions of the decisions are not consistent. This is because the LGO made a change in how decisions are described. The table below describes the decision reasons used for 2013/14 (including some February changes) and the decision reasons used from 1 April 2014.

Decision Reasons from 1 April 2013	What changed in February 2014	Decision Reasons from 1 April 2014
<i>Not in jurisdiction (OJ) and no discretion</i>	<i>No Change</i>	<i>Closed after initial enquiries – out of jurisdiction</i>
<i>Not in jurisdiction (OJ) and discretion not exercised</i>		<i>Closed after initial enquiries – no further action</i>
<i>Not investigated</i>		<i>Not upheld: No further action</i>
<i>To discontinue investigation</i>		
<i>Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report S30(1B)</i>	<i>Investigation complete: Maladministration and Injustice</i>	<i>Upheld: Maladministration and Injustice</i>
	<i>Investigation complete: Maladministration, No Injustice</i>	<i>Upheld: Maladministration, No Injustice</i>
	<i>Investigation complete: No Maladministration</i>	<i>Not upheld: No Maladministration</i>
<i>Investigation complete and appropriate to issue a report S30(1)</i>	<i>Investigation complete and report issued: Maladministration and Injustice</i>	<i>Report issued: Upheld; maladministration and injustice</i>
	<i>Investigation complete</i>	<i>Report issued: Upheld;</i>

	<i>and report issued: Maladministration, No Injustice</i>	<i>maladministration, no injustice</i>
	<i>Investigation complete and report issued: No Maladministration</i>	<i>Report issued: Not upheld; no maladministration</i>

- 1.6 As a result of this change in decision reasons, complaints which would previously have been categorised as “local settlement” or “investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report” will now be categorised as “maladministration”. As a result, this triggers the obligation on the Monitoring Officer to prepare a report under Section 5 of the Local Government and Housing Act 1989 (in the case of non-executive functions) or Section 5A (in the case of executive functions). The legislation requires the Chief Executive as Head of Paid Service and the Corporate Director as s.151 Officer to be consulted as far as reasonably practicable in the preparation of a maladministration report.
- 1.7 Members will note that the Ombudsman’s decision on one of the complaints received this year was maladministration and injustice. A summary of the complaint is attached at Appendix 1. This relates to planning enforcement matter which is a non-executive function. In order to comply with the provisions of section 5, a copy of this report will be circulated to all members of the Council.
- 1.8 The Annual Review letter for the year ended 31 March 2014 is attached at Appendix 2. The statistics include all the complaints and enquiries received in 2013/14. Members are to note that the number of complaints and enquiries received do not match the number of decisions made as number of cases will have been received and decided in different business years. They also do not match the Council’s figures above for the same reason.
- 1.9 Since April 2013, the Ombudsman has been publishing all decisions on complaints they receive. Decision statements are published on the Ombudsman website at www.lgo.org.uk no earlier than three months after the date of the final decision. The information published does not name the complainant or any individual involved with the complaint. The Ombudsman also retains discretion not to publish a decision, for example where it would not be in the interests of the person complaining to publish or where there’s a reason in law not to.
- 1.10 In addition, the Ombudsman has published its review of local government complaints for 2013/14. For the first time the report provides complaint statistics for each English local authority, all in one place. A copy of the review is available on the Ombudsman website.

Proposal

- 2 It is proposed that Cabinet note the report.

Alternative Options

- 3 There are no Alternative Options.

Financial Implications

- 4 None arising from this report.

Appendices

- 5 Appendix 1 – Summary of complaint
Appendix 2 – Local Government Ombudsman Annual Review Letter.

Background Papers

- 6 None identified.

Recommendation

THAT Cabinet notes:

- a) the contents of the report;
- b) the Local Government Ombudsman's findings of maladministration and the steps already taken by Officers by way of offering a remedy; and
- c) that a copy of this Cabinet report has been circulated to all members of the Council.

Reasons for Recommendations

- 7.1 To alert the Executive to the contents of the Local Government Ombudsman Annual Review Letter and raise awareness of the complaints received by the Council during 2013-14.
- 7.2 To comply with the provisions of the Local Government and Housing Act 1989.

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Summary of complaint

Mr and Mrs X complained the Council has failed to enforce planning conditions properly for trees on their boundaries with a housing development. This has resulted in damage to the trees.

Ombudsman's Findings

The Ombudsman found that the Council acted properly in the way it took enforcement action on the developer's breach of planning conditions in damaging the roots of Mr and Mrs X's trees. It has also monitored the building of structures within Root Protection Areas appropriately.

The Ombudsman has found fault in its failure to provide Mr and Mrs X with professional reassurance that the damage to the trees was limited.

Agreed action

The Council has issued an apology to Mr and Mrs X for failing to provide information to them from the root survey and so give them professional reassurance that the damage to their trees was limited.

Decision of the Ombudsman

The investigation has been closed. Decision recorded as Upheld: Maladministration and Injustice.

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7 July 2014

By email

Mr John Robinson
Chief Executive
Gedling Borough Council

Dear Mr John Robinson

Annual Review Letter 2014

I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2014. This is the first full year of recording complaints under our new business model so the figures will not be directly comparable to previous years. This year's statistics can be found in the table attached.

A summary of complaint statistics for every local authority in England will also be included in a new yearly report on local government complaint handling. This will be published alongside our annual review letters on 15 July. This approach is in response to feedback from councils who told us that they want to be able to compare their performance on complaints against their peers.

For the first time this year we are also sending a copy of each annual review letter to the leader of the council as well as to the chief executive. We hope this will help to support greater democratic scrutiny of local complaint handling and ensure effective local accountability of public services. In the future we will also send a copy of any published Ombudsman report to the leader of the council as well as the chief executive.

Developments at the Local Government Ombudsman

At the end of March Anne Seex retired as my fellow Local Government Ombudsman. Following an independent review of the governance of the LGO last year the Government has committed to formalising a single ombudsman structure at LGO, and to strengthen our governance, when parliamentary time allows. I welcome these changes and have begun the process of strengthening our governance by inviting the independent Chairs of our Audit and Remuneration Committees to join our board, the Commission for Administration in England. We have also recruited a further independent advisory member.

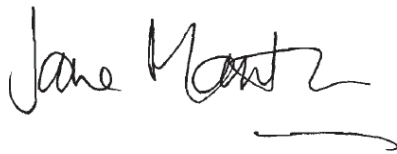
Future for local accountability

There has been much discussion in Parliament and elsewhere about the effectiveness of complaints handling in the public sector and the role of ombudsmen. I have supported the creation of a single ombudsman for all public services in England. I consider this is the best way to deliver a system of redress that is accessible for users; provides an effective and comprehensive service; and ensures that services are accountable locally.

To contribute to that debate we held a roundtable discussion with senior leaders from across the local government landscape including the Local Government Association, Care Quality Commission and SOLACE. The purpose of this forum was to discuss the challenges and opportunities that exist to strengthen local accountability of public services, particularly in an environment where those services are delivered by many different providers.

Over the summer we will be developing our corporate strategy for the next three years and considering how we can best play our part in enhancing the local accountability of public services. We will be listening to the views of a wide range of stakeholders from across local government and social care and would be pleased to hear your comments.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jane Martin', with a horizontal line underneath.

Dr Jane Martin
Local Government Ombudsman
Chair, Commission for Local Administration in England

Local authority report – Gedling Borough Council

For the period ending – 31/03/2014

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

Complaints and enquiries received

Local authority	Adult care services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection and regulation	Highways and transport	Housing	Planning and development	Total
Gedling BC	0	9	2	0	4	0	1	1	17

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Decisions made

	<u>Detailed investigations carried out</u>								
Local authority	Upheld	Not upheld	Advice given	Closed after initial enquiries	Incomplete/Invalid	Referred back for local resolution	Total		
Gedling BC	0	2	0	11	1	5	19		

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Report to Cabinet

Subject: Regulation of Investigatory Powers Act 2000 (RIPA) Annual Audit

Date: 7 August 2014

Author: Council Solicitor and Monitoring Officer

Wards Affected

Not applicable

Purpose of the Report

To inform Members of the annual audit of RIPA authorisations from April 2013 – March 2014, in accordance with the current policy.

Key Decision

This is not a Key Decision.

Background

- 1.1 Under the Regulation of Investigatory Powers Act 2000 (RIPA) local authorities have the power to authorise directed surveillance (usually covert cameras or covert observations by officers) and the use of Covert Human Intelligence Sources (CHIS – essentially undercover officers conducting surveillance) if the authorisation is necessary for the prevention and detection of crime or preventing disorder and if the surveillance is proportionate to the aims it seeks to achieve. In respect of directed surveillance, save for a small number of licensing offences, any crime or disorder being prevented or detected by RIPA must be a criminal offence which attracts a minimum of 6 months in custody, the so-called “serious crime” threshold. The authorisations under RIPA can only be given by Corporate Directors or the Chief Executive and the entire process is overseen by the Council Solicitor and Monitoring Officer as the Senior Responsible Officer for RIPA (SRO) with assistance from the RIPA Co-ordinating Officer. Since 1st November 2012, any RIPA authorisations or renewals must also have judicial approval from a Justice of the Peace. This is done at the Nottingham Magistrates’ Court.

1.2 The Council's RIPA process is subject to intense scrutiny and every three years the Council is inspected by the Office of the Surveillance Commissioner. The Council was last inspected on 6th September 2012. The Inspector produced a very favourable report and commended the Council on its "sound RIPA structure, good policies and procedures and high standard of authorisation paperwork." The outcome of this inspection was reported to Cabinet in November 2012.

1.3 The current RIPA Policy and Procedure document was approved by Cabinet, on 8th November 2012. The Policy states;

Elected members of the Council will review the authority's use of the 2000 Act and the Authority's Policy and Guidance documents at least once a year. They will also consider internal reports on the use of the 2000 Act on at least a quarterly basis to ensure that it is being used consistently with the local authority's policy and that the policy is fit for purpose. The members will not however be involved in making decisions on specific authorisations.

In line with this clause, annual reports on RIPA are produced to Cabinet and quarterly reports should also be made to the Portfolio Holder for Communications and Public Protection as the majority of RIPA usage historically fell under the remit of this Portfolio. In reality from April 2013-February 2014 the Council did not utilise its powers under RIPA at all, so quarterly reports on RIPA usage were not provided to the Portfolio Holder every quarter.

1.4 The RIPA process is audited internally every year by the SRO. A full internal audit of the Council's use of RIPA between April 2013 and March 2014 at the financial year end has been undertaken and the findings are summarised within the Proposal section of this report.

1.5 There have been no changes to RIPA or any secondary legislation introduced from 2013-2014 which would have any implications for this Authority's use of its powers under RIPA. As such, the current RIPA Policy and Procedure document approved by Cabinet on 8th November 2012 remains fit for purpose.

Proposal

It is proposed that Members consider the findings outlined below following the internal audit of the RIPA process for the year 2013-2014:

2.1 There have been 5 authorisations granted for Directed Surveillance under RIPA between April 2013 and March 2014. All five of these authorisations

were given in the last quarter of the financial year. As of 31st March 2014 there was one authorisation still on going, this was cancelled on 24th April 2014. All applications related to Directed Surveillance, there were no authorisations of Covert Human Intelligence Sources (CHIS). All authorisations for directed surveillance under RIPA last for a period of 3 months from the date of approval by the Magistrates. Authorisations should be reviewed on at least monthly basis and should be cancelled as soon as it is apparent that surveillance is no longer necessary or proportionate.

- 2.2 All of the applications for authorisation were from Revenues Services and involved officers carrying out covert observations for investigations into Benefit Fraud Offences, namely allegations of individuals failing to declare a partner at the claim address. The authorisations were all authorised by Mark Kimberley and subsequently approved by a Justice of the Peace at the Nottingham Magistrates' Court on 13th February 2014. Offences in respect of Benefit Fraud prosecuted under s.111A of the Social Security Administration Act 1992 can attract a custodial sentence in excess of 6 months and thereby pass the serious crime threshold for directed surveillance to be carried out under RIPA.
- 2.3 Four of the authorisations were reviewed after one month and surveillance was authorised to continue by Mark Kimberley. The other authorisation was cancelled by Mark Kimberley, before review, after one month, as surveillance was no longer necessary or proportionate. The outstanding four authorisations were all subsequently cancelled well within the 3 month authorisation period. Three were cancelled by Mark Kimberley and one by Dave Wakelin.
- 2.4 There have been no authorisations coming forward from Public Protection in respect of anti-social behaviour since the legislative changes on 1st November 2012. The "serious crime threshold" has restricted the Council's ability to utilise RIPA in cases involving anti-social behaviour and historically this type of application has formed the bulk of the authorisations given.
- 2.5 In terms of the authorisation paperwork, the standard remains high. The detail in the authorisations in respect of necessity and proportionality and covert techniques is commendable. Similarly at review, the justification for continued surveillance was detailed and evidentially sound.
- 2.6 There were some minor errors on the authorisation forms in relation to expiry dates. This is largely due to the fact that historically the authorising officer would give the expiry date, but now, the authorisation does not start until approved by the Justice of the Peace, so the authorising officer will not necessarily know at the point of signing the authorisation when the

authorisation will start and expire.

- 2.7 The cancellations of the authorisations were detailed but more detail could have been included in relation to what product was actually obtained from the surveillance and how the product would be kept secure and utilised.
- 2.8 All officers involved in the RIPA process received training in March 2013. Training will be delivered again in this financial year to officers, to ensure that practices and procedures remain of a high standard. Any minor issues in respect of paperwork for RIPA authorisations will be addressed through this training.

Alternative Options

3. The alternative option is that Members do not receive and consider feedback in respect of the RIPA Policies and Procedures. This would go against the Council's current RIPA Policy which requires annual review of the Council's Policy and procedure by Members. This process of annual review by Members came into being as a result of recommendations in the Home Office Codes of Practice for RIPA which suggested greater input from Members in terms of the RIPA process and procedures (not the authorisation of surveillance) and more of a consultative approach with Members.

Financial Implications

4. None arising from this report. Applications to the Magistrates' Court for RIPA authorisation do not attract a fee, the only cost considerations are officer time but this is minimal as there are not a significant number of authorisations.

Appendices

5. None.

Background Papers

6. None identified.

Recommendation

THAT Cabinet notes the contents of the report.

Reasons for Recommendations

7. To ensure the Executive is updated in respect of the Council's use of RIPA and any changes to Policy and Procedure in line with the Council's current RIPA Policy document.

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Report to Cabinet

Subject: Local Government Transparency Code 2014

Date: 7 August 2014

Author: Council Solicitor and Monitoring Officer

Wards Affected

Borough wide.

Purpose

To notify Cabinet of the requirements of the Local Government Transparency Code and the action the Council intends to take to secure compliance.

Key Decision

This is not a key decision.

Background

- 1.1 On 28 September 2011, the Department of Communities and Local Government [DCLG] issued a Code of Recommended Practice for Local Authorities on Data Transparency to meet a desire to place more power into citizen's hands, increase democratic accountability and make it easier for local people to contribute to local decision making. The Code was not legally binding, but the Council did publish certain data in line with the Code. In the main, this was data the Council was already required to publish as part of its Publication Scheme or data the Council already held which was easy to publish. However the following categories of data were not published:
 - Copies of contracts and tenders to businesses and to the voluntary community and social enterprise sector
 - The location of public land and building assets and key attribute information that is normally recorded on asset registers
- 1.2 In May 2014, DCLG issued the Local Government Transparency Code, a copy of which is attached at **Appendix 1**. A Frequently asked questions document issued by DCLG is also available at

<https://www.gov.uk/government/publications/local-government-transparency-code-2014> . This is a statutory code issued under the Local Government, Planning and Land Act 1980, which the Council must comply with. DCLG has decided to make Regulations to make compliance with certain aspects of the Code a legal requirement for local authorities. Part 2 of the Code will become mandatory when those Regulations come into force. The reason for this is that publication of datasets under the previous code have been inconsistent and mandating key datasets is designed to address the main barriers to publishing open data: Lack of resources, data protection and organisational culture.

1.3 As at the time of writing this report, the Local Government (Transparency)(Descriptions of Information)(England) Order 2014 has been made but is not yet in force. This Order will require the following descriptions of information to be published:-

- Information about any expenditure incurred by authorities; and
- Information about any legally enforceable agreement entered into by authorities and any invitations to tender for such agreement

Further legislation is expected in due course to require the Council to comply with the rest of the requirements in Part 2 of the Code, although it is not known when this may be.

1.4 Members will note that the Code sets out two categories of information: information which must be published and information recommended for publication. The types of data falling within these 2 categories are set out concisely in Appendix A to the Code. The Code also details what format the data should be published in. Data covered by Part 2 of the Code must be published in an open and machine-readable format (such as excel instead of pdf). The Code recommends that Councils go further than this and data should be published in three star formats alongside open and machine-readable format within 6 months of the Code being issued (i.e. October 2014).

1.5 Once the data is published in accordance with the Code, there is an ongoing requirement to publish up to date data on an annual or quarterly basis. There is also a requirement to publish revised information where errors are discovered or data amended for other reasons. Legal Services will monitor that this is being done on an annual basis. The Council has a separate obligation to publish information as part of its Publication Scheme and it would seem sensible that the two are monitored together.

1.6 Much of the information which must be published under Part 2 the Code is already published on the Council's website although not in an open and machine readable format in all cases, so some work will need to be carried out to change the format in some cases. The main categories of

information which are not currently published are:

- Procurement information;
- Local authority land;
- Trade union facility time;
- Parking revenues; and
- Controlled parking places.

- 1.7 The Information Commissioner's Officer will not monitor compliance with the Code, but will react to complaints from the public. The public may also complain to the Local Government Ombudsman if the Council fails to discharge its duty under the Regulations. The Council could also become subject to judicial review for failing to comply with a statutory obligation.

Proposal

- 2.1 It is proposed that the Council takes steps to publish the data which must be published (Part 2 of the Code) in an open and machine readable format. However due to the burden on resources, it is not proposed that the Council publish the recommended data (Part 3 of the Code) at the present time.
- 2.2 It is proposed that the service area responsible for the data, with the support of Legal Services, should gather the data and ensure that it is published on the website and kept up to date. Legal Services will put processes in place to enable the Open Government licence to be used to allow open re-use of the data published.
- 2.3 The Council does not currently have an up to date record of its landholdings which can be published in accordance with the Code and as a result collecting the data to be published is likely to be a significant piece of work requiring input from Estates, Legal Services and Public Protection (GIS). This cannot be contained within existing resources and further discussions need to take place to determine how this can be delivered.
- 2.4 Currently the Council holds data relating to contracts over £50,000 on its Contracts Register. However the threshold for publishing data regarding contracts is relatively low (£5,000), which means that contracts which are not tendered/quotes are not sought will be caught. The Procurement Officer and Legal Services are not involved in the preparation of all contracts and there is currently no central database. As a result this information can only be produced with input from all service areas.

Alternative Options

- 3.1 Not to comply with the mandatory provisions of the Code, however to do so would expose the Council to complaints or judicial review.

To publish all of the data recommended in the Code in a full open format, however this could not be accommodated within existing resources

Financial Implications

- 4.1 Compliance with the Code is likely to require additional resources but the exact figure is not known at the present time. Work is being undertaken to assess the resource implications and indicative costs. The Council has already received an initial payment of £2,588 from Government under the new burdens principle as a contribution towards the implementation costs and more funding is to follow. DCLG has estimated that the set up costs per authority will be £2,600 with ongoing costs (per annum) per district council at £7,900. These figures are based on the assumption that there will be no set up costs other than the land and building assets data. It is not known whether the funding will be sufficient to cover the actual costs and if so, further funding may need to be sought from elsewhere. Funding for this additional burden will form part of the Council's annual financial settlement from Central Government.

Appendices

- 5 **Appendix 1 – Local Government Transparency Code 2014**

Background Papers

None.

Recommendations

THAT:

- a) the provisions of the Local Government Transparency Code 2014 be noted; and
- b) the Council takes steps to publish the data detailed in Part 2 of the Code in accordance with statutory requirements.

Reasons for Recommendations

- 7.1 To alert the Executive to the introduction of the Code and forthcoming legislation and raise awareness of the implications.
- 7.2 To comply with legislative requirements.



Department for
Communities and
Local Government

Local Government Transparency Code 2014

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Part 1: Introduction

Policy context

1. This Code is issued to meet the Government's desire to place more power into citizens' hands to increase democratic accountability and make it easier for local people to contribute to the local decision making process and help shape public services. Transparency is the foundation of local accountability and the key that gives people the tools and information they need to enable them to play a bigger role in society. The availability of data can also open new markets for local business, the voluntary and community sectors and social enterprises to run services or manage public assets.
2. The Government believes that in principle all data held and managed by local authorities should be made available to local people unless there are specific sensitivities (eg. protecting vulnerable people or commercial and operational considerations) to doing so. It encourages local authorities to see data as a valuable resource not only to themselves, but also their partners and local people.
3. Three principles have guided the development of this Code:
 - **Demand led** – there are growing expectations that new technologies and publication of data should support transparency and accountability. It is vital that public bodies recognise the value to the public of the data they hold, understand what they hold, what their communities want and then release it in a way that allows the public, developers and the media to use it
 - **Open** – provision of public data should become integral to local authority engagement with local people so that it drives accountability to them. Its availability should be promoted and publicised so that residents know how to access it and how it can be used. Presentation should be helpful and accessible to local people and other interested persons, and
 - **Timely** – the timeliness of making public data available is often of vital importance. It should be made published as soon as possible following production even if it is not accompanied with detailed analysis.
4. Respondents to the Government's consultation on '*Improving Local Government Transparency: Making 'The Code of Recommended Practice for Local Authorities on Data Transparency' enforceable by regulations*'¹ suggested datasets that should be included in this Code. The Government has decided not to include them. However, local authorities are encouraged to consider what respondents said and look to go further than this Code, in line with the principle that all data held and managed by local authorities should be made open and available to local people unless there are specific sensitivities to doing so. Annex A summarises the publication requirements for datasets covered by this Code.

¹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/14855/Making_the_Code_of_Recommended_Practice_mandatory_-_consultation.pdf

5. Fraud can thrive where decisions are not open to scrutiny and details of spending, contracts and service provision are hidden from view. Greater transparency, and the provisions in this Code, can help combat fraud. Local authorities should also use a risk management approach with strong internal control arrangements to reduce the risk of any payment fraud as a result of publishing public data. Local authorities should refer to the Chartered Institute of Public Finance and Accountancy Red Book 2 – Managing the Risk of Fraud – Actions to Counter Fraud and Corruption². Annex B provides further information on combating fraud.

Application

6. This Code is issued by the Secretary of State for Communities and Local Government in exercise of his powers under section 2 of the Local Government, Planning and Land Act 1980 (“the Act”) to issue a Code of Recommended Practice (the Code) as to the publication of information by local authorities about the discharge of their functions and other matters which he considers to be related. It is issued following consultation in accordance with section 3(11) of the Act. It replaces any previous Codes issued in relation to authorities in England under those powers.
7. The Code does not replace or supersede the existing legal framework for access to and re-use of public sector information provided by the Freedom of Information Act 2000 (as amended by the Protection of Freedoms Act 2012), the Environmental Information Regulations 2004, the Re-use of Public Sector Information Regulations 2005 and Infrastructure for Spatial Information in the European Community Regulations 2009. This Code does not apply to Police and Crime Commissioners, for whom a separate transparency framework applies.
8. This Code only applies to local authorities in relation to descriptions of information or data where that type of local authority undertakes the particular function to which the information or data relates.
9. The Code applies in England only.

Definitions

10. In this Code:

“local authority” means:

- a county council in England
- a district council
- a parish council which has gross annual income or expenditure (whichever is the higher) exceeding £200,000
- a London borough council

²

http://www.cipfanetworks.net/governance/documentation/default_view.asp?library=157&category=1255&content_ref=7550

- the Common Council of the City of London in its capacity as a local authority
- the Council of the Isles of Scilly
- a National Park authority for a National Park in England
- the Broads Authority
- the Greater London Authority so far as it exercises its functions through the Mayor
- the London Fire and Emergency Planning Authority
- Transport for London
- a fire and rescue authority (constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies, and a metropolitan county fire and rescue authority)
- a joint authority established by Part IV of the Local Government Act 1985 (fire and rescue services and transport)
- a joint waste authority, i.e. an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007
- an economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009
- a combined authority established under section 103 of that Act
- a waste disposal authority, i.e. an authority established under section 10 of the Local Government Act 1985, and
- an integrated transport authority for an integrated transport area in England.

“voluntary and community sector organisations” means a non-governmental organisation that are value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives.

“a social enterprise³” means a business that trades for a social and/or environmental purpose and is a business which:

- aims to generate its income by selling goods and services, rather than through grants and donations
- is set up to specifically make a difference, and
- reinvests the profits it makes for the purpose of its social mission.

“a small or medium sized enterprise” means an undertaking which has fewer than 250 employees.

³ <https://www.gov.uk/set-up-a-social-enterprise>

Scope

11. 'Public data' means the objective, factual data, on which policy decisions are based and on which public services are assessed, or which is collected or generated in the course of public service delivery. This should be the basis for publication of information on the discharge of local authority functions. Public data can only include personal information if disclosure would not contravene the Data Protection Act 1998 and disclosure of personal information is necessary to meet a legitimate public interest, for example, to enable the scrutiny of councillors and senior local authority officials. The Information Commissioner's Office has published guidance on anonymisation of datasets, enabling publication of data which can yield insights to support public service improvement, whilst safeguarding individuals' privacy⁴.
12. Public data should be as accurate as possible at first publication. While errors may occur, the publication of information should not be unduly delayed to rectify mistakes. Instead, publication should be used to help address any imperfections and deficiencies. This concerns errors in data accuracy, not errors in redacting personal data, which is covered below. The best way to achieve this is by having robust information management processes in place.
13. Where errors in public data are discovered, or files are changed for other reasons (such as omissions), local authorities should publish revised information making it clear where and how there has been an amendment. Metadata on data.gov.uk should be amended accordingly.

Exclusions and exemptions

14. Where local authorities are disclosing information which potentially engages the Data Protection Act 1998, they must ensure that the publication of that information is compliant with the provisions of that Act. The Data Protection Act 1998 does not restrict or inhibit information being published about councillors or senior local authority officers, because of the public interest in the scrutiny of such senior individuals and decision makers. Authorities should also ensure that they do not contravene the provisions of sections 100A, 100B or 100F of the Local Government Act 1972. Where information would otherwise fall within one of the exemptions from disclosure under the Freedom of Information Act 2000, the Environmental Information Regulations 2004, the Infrastructure for Spatial Information in the European Community Regulations 2009 or falls within Schedule 12A to the Local Government Act 1972 then it is in the discretion of the local authority whether or not to rely on that exemption or publish the data. However, the Government believes that local transparency can be implemented in a way that complies with the Data Protection Act 1998.

⁴http://www.ico.org.uk/for_organisations/data_protection/topic_guides/~media/documents/library/Data_Protection/Practical_application/anonymisation_code.ashx

Further guidance and support

15. The Department for Communities and Local Government will work with sector led organisations such as the Local Government Association and the Local eGovernment Standards Body, the Local Public Data Panel and the Information Commissioner's Office to ensure guidance on transparency (eg. technical guidance notes, best practice examples and case studies) is available to local authorities.

Part 2: Information which must be published

16. Part 2 is recommended practice for parish councils whose gross annual income or expenditure (whichever is the higher) does not exceed £6.5 million.

Part 2.1: Information to be published quarterly

17. Data covered by this section includes:

- expenditure exceeding £500 (see paragraphs 19 and 20)
- Government Procurement Card transactions (paragraph 21), and
- procurement information (see paragraphs 22 and 23).

18. The data and information referred to in this Part (2.1) must be published not less than quarterly and not later than one month after the quarter to which the data and information is applicable.

Expenditure exceeding £500

19. Local authorities must publish details of each individual item of expenditure that exceeds £500⁵. This includes items of expenditure⁶, consistent with Local Government Association guidance⁷, such as:

- individual invoices
- grant payments
- expense payments
- payments for goods and services
- grants
- grant in aid
- rent
- credit notes over £500, and
- transactions with other public bodies.

20. For each individual item of expenditure the following information must be published:

- date the expenditure was incurred
- local authority department which incurred the expenditure
- beneficiary

⁵ The amount should be, where possible, the net amount excluding recoverable Value Added Tax.

⁶ Salary payments to staff normally employed by the local authority should not be included. However, local authorities should strongly consider publishing details of payments to individual contractors (e.g. individuals from consultancy firms, employment agencies, direct personal contracts etc) either here or under contract information.

⁷ <http://www.local.gov.uk/practitioners-guides-to-publishing-data>

- summary of the purpose of the expenditure⁸
- amount⁹
- Valued Added Tax that cannot be recovered, and
- merchant category (eg. computers, software etc).

Government Procurement Card transactions

21. Local authorities must publish details of every transaction on a Government Procurement Card. For each transaction, the following details must be published:

- date of the transaction
- local authority department which incurred the expenditure
- beneficiary
- amount¹⁰
- Value Added Tax that cannot be recovered
- summary of the purpose of the expenditure, and
- merchant category (eg. computers, software etc).

Procurement information

22. Local authorities must publish details of every invitation to tender for contracts to provide goods and/or services with a value that exceeds £5,000^{11, 12}. For each invitation, the following details must be published:

- reference number
- title
- description of goods and/or services sought
- start, end and review dates, and
- local authority department responsible.

⁸ This could be the descriptor that local authorities use in their accounting system providing it gives a clear sense of why the expenditure was incurred or what it purchased or secured for the local authority.

⁹ Where possible, this should be the net amount excluding recoverable Value Added Tax. Where Value Added Tax cannot be recovered – or the source of the data being used cannot separate out recoverable Value Added Tax – then the gross amount should be used instead with a note stating that the gross amount has been used.

¹⁰ Where possible, this should be the net amount excluding recoverable Value Added Tax. Where Value Added Tax cannot be recovered – or the source of the data being used cannot separate out recoverable Value Added Tax – then the gross amount should be used instead with a note stating that the gross amount has been used.

¹¹ The amount should be, where possible, the net amount excluding recoverable Value Added Tax.

¹² This includes contracts for staff who are employed via consultancy firms or similar agencies.

23. Local authorities must also publish details of any contract, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5,000¹³. For each contract, the following details must be published:
- reference number
 - title of agreement
 - local authority department responsible
 - description of the goods and/or services being provided
 - supplier name and details
 - sum to be paid over the length of the contract or the estimated annual spending or budget for the contract¹⁴
 - Value Added Tax that cannot be required
 - start, end and review dates
 - whether or not the contract was the result of an invitation to quote or a published invitation to tender, and
 - whether or not the supplier is a small or medium sized enterprise and/or a voluntary or community sector organisation and where it is, provide the relevant registration number¹⁵.

Part 2.2: Information to be published annually

24. Data covered by this section includes:

- local authority land (see paragraphs 26 and 27)
- grants to voluntary, community and social enterprise organisations (see paragraphs 28 and 29)
- organisation chart (see paragraph 30)
- trade union facility time (see paragraph 31)
- parking revenues (see paragraph 32)
- controlled parking spaces (see paragraph 33)
- senior salaries (see paragraphs 34 and 35)
- constitution (see paragraph 36), and
- the pay multiple (see paragraphs 37 and 38).

¹³ The amount should be, where possible, the net amount excluding recoverable Value Added Tax.

¹⁴ Where possible, this should be the net amount excluding recoverable Value Added Tax. Where Value Added Tax cannot be recovered – or the source of the data being used cannot separate out recoverable Value Added Tax – then the gross amount should be used instead with a note stating that the gross amount has been used.

¹⁵ For example, this might be the company or charity registration number.

25. The data and information in this section (2.2) must be published not less than annually and not later than one month after the year to which the data and information is applicable¹⁶.

Local authority land

26. Local authorities must publish details of all land and building assets including:

- all service and office properties occupied or controlled by user bodies, both freehold and leasehold
- any properties occupied or run under Private Finance Initiative contracts
- all other properties they own or use, for example, hostels, laboratories, investment properties and depots
- garages unless rented as part of a housing tenancy agreement
- surplus, sublet or vacant properties
- undeveloped land
- serviced or temporary offices where contractual or actual occupation exceeds 3 months, and
- all future commitments, for example under an agreement for lease, from when the contractual commitment is made.

However, information about the following land and building assets are to be excluded from publication:

- social housing¹⁷
- rent free properties provided by traders (such as information booths in public places or ports)
- operational railways and canals
- operational public highways (but any adjoining land not subject to public rights should be included)
- assets of national security, and
- information deemed inappropriate for public access as a result of data protection and/or disclosure controls (eg. such as refuge houses).

27. For each land or building asset, the following information must be published together in one place:

- Unique Property Reference Number

¹⁶ In relation to parking revenues, where the local authority's annual accounts have not been finalised, the authority should publish estimates within one month after the year to which the data is applicable and subsequently publish final figures as soon as the authority's accounts are finalised.

¹⁷ To avoid data protection issues it is recommended that the specific location details of social housing is not included in the published list.

- Unique asset identity - the local reference identifier used by the local body, sometimes known as local name or building block. There should be one entry per asset or user/owner (eg. on one site there could be several buildings or in one building there could be several users floors/rooms etc – where this is the case, each of these will have a separate asset identity). This must include the original reference number from the data source plus authority code
- name of the building/land or both
- street number or numbers - any sets of 2 or more numbers should be separated with the ‘-’ symbol (eg. 10-15 London Road)
- street name – this is the postal road address¹⁸
- postal town
- United Kingdom postcode
- easting and northing (geocoding in accordance with ISO 6709 Standard Representation for Geographic Point Location by Coordinates, usually a centre point of the asset location)
- whether the local authority owns the freehold or a lease for the asset and for whichever category applies, the local authority must list all the characteristics that apply from the options given below:

for freehold assets:

- occupied by the local authority
- ground leasehold
- leasehold
- licence
- vacant.

for leasehold assets:

- occupied by the local authority
- ground leasehold
- sub leasehold
- licence.

for other assets:

- free text description eg. rights of way, access etc¹⁹.

- whether or not the asset is land only (i.e. without permanent buildings) or it is land with a permanent building.

¹⁸ Local authorities should use the official postal address. Exceptionally, where this is not available, local authorities should use the address they hold for the asset.

¹⁹ Where a local authority feels unable to verify rights of way information, for example, it should add a short narrative explaining why they are unable to identify and verify the information.

Grants to voluntary, community and social enterprise organisations

28. Local authorities must publish details of all grants to voluntary, community and social enterprise organisations. This can be achieved by either:

- tagging and hence specifically identifying transactions which relate to voluntary, community and social enterprise organisations within published data on expenditure over £500 or published procurement information, or
- by publishing a separate list or register.

29. For each identified grant, the following information must be published as a minimum:

- date the grant was awarded
- time period for which the grant has been given
- local authority department which awarded the grant
- beneficiary
- beneficiary's registration number²⁰
- summary of the purpose of the expenditure, and
- amount.

Organisation chart

30. Local authorities must publish an organisation chart covering staff in the top three levels of the organisation²¹. The following information must be included for each member of staff included in the chart:

- grade
- job title
- local authority department and team
- whether permanent or temporary staff
- contact details
- salary in £5,000 brackets, consistent with the details published under paragraph 34, and
- salary ceiling (the maximum salary for the grade).

²⁰ For example, this might be the company or charity registration number.

²¹ This should exclude staff whose salary does not exceed £50,000.

Trade union facility time

31. Local authorities must publish the following information on trade union facility time:

- total number (absolute number and full time equivalent) of staff who are union representatives (including general, learning and health and safety representatives)
- total number (absolute number and full time equivalent) of union representatives who devote at least 50 per cent of their time to union duties
- names of all trade unions represented in the local authority, and
- a basic estimate of spending on unions as a percentage of the total pay bill (calculated as the number of full time equivalent days spent on union duties multiplied by the average salary divided by the total pay bill).

Parking revenues

32. Local authorities must already maintain accounts that include parking revenue data. They should already, therefore, collect and publish data on revenue collected from on-street parking, off-street parking and parking enforcement notices under the General Fund Revenue Account Outturn Guidance and the Department for Transport's statutory guidance to local authorities on the Civil Enforcement of Parking Contraventions under Traffic Management Act 2004. Local authorities must place a link on their website to these published data or place the data itself on its website.

Controlled parking spaces

33. Local authorities must publish the number of marked out controlled on and off-street parking spaces within their area, or an estimate of the number of spaces where controlled parking space is not marked out in individual parking bays or spaces.

Senior salaries

34. Local authorities are already required to publish, under the *Accounts and Audit (England) Regulations 2011* (Statutory Instrument 2011/817)²²:

- the number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000
- details of remuneration and job title of certain senior employees whose salary is at least £50,000, and
- employees whose salaries are £150,000 or more must also be identified by name.

²² These Regulations are to be replaced by Regulations made under the Local Accountability and Audit Act 2014.

35. In addition to this requirement, local authorities must place a link on their website to these published data or place the data itself on its website, together with a list of responsibilities (for example, the services and functions they are responsible for, budget held and number of staff) and details of bonuses and 'benefits-in-kind', for all employees whose salary exceeds £50,000. The key differences between the requirements under this Code and the Regulations referred to above is the addition of a list of responsibilities, the inclusion of bonus details for all senior employees whose salary exceeds £50,000 and publication of the data on the authority's website.

Constitution

36. Local authorities are already required to make their Constitution available for inspection at their offices under section 9P of the Local Government Act 2000. Local authorities must also, under this Code, publish their Constitution on their website.

Pay multiple

37. Section 38 of the Localism Act 2011 requires local authorities to produce Pay Policy Statements, which should include the authority's policy on pay dispersion – the relationship between remuneration of chief officers and the remuneration of other staff. Guidance produced under section 40 of that Act²³, recommends that the pay multiple is included in these statements as a way of illustrating the authority's approach to pay dispersion.

38. Local authorities must, under this Code, publish the pay multiple on their website, defined as the ratio between the highest paid salary and the median salary of the whole of the authority's workforce. The measure must:

- cover all elements of remuneration that can be valued (eg. all taxable earnings for the given year, including base salary, variable pay, bonuses, allowances and the cash value of any benefits-in-kind)
- use the median earnings figure as the denominator, which should be that of all employees of the local authority on a fixed date each year, coinciding with reporting at the end of the financial year, and
- exclude changes in pension benefits, which due to their variety and complexity cannot be accurately included in a pay multiple disclosure.

Part 2.3: Method of publication

39. Public data should be published in a format and under a licence that allows open re-use, including for commercial and research activities, in order to maximise value to the public. The Open Government Licence published by the National Archives should be used as the recommended standard. Where any copyright or data ownership concerns exist with public data these should be made clear. Data covered by Part 2 of this Code must be published in open and machine-readable formats.

²³ Openness and accountability in local pay: Guidance under Section 40 of the Localism Act (February 2012) - <https://www.gov.uk/government/publications/openness-and-accountability-in-local-pay-guidance>

Part 3: Information recommended for publication

40. Part 2 of this Code set out details of the minimum data that local authorities must publish. The Government believes that in principle all data held and managed by local authorities should be made available to local people unless there are specific sensitivities to doing so. Therefore, it encourages local authorities to go much further in publishing the data they hold, recognising the benefits of sharing that data both for local people, more effective service delivery and better policy making. Part 3 of this Code sets out details of data that the Government recommends local authorities publish.

Part 3.1: Information recommended for publication

41. Data covered by this section includes:

- expenditure data (see paragraph 42)
- procurement information (see paragraphs 43, 44 and 45)
- local authority land (see paragraph 46 and 47)
- parking information (see paragraph 48 and 49)
- organisation chart (see paragraph 50)
- grants to voluntary, community and social enterprise organisations (see paragraphs 51 and 52), and
- fraud (see paragraph 53).

Expenditure data

42. It is recommended that local authorities go further than the minimum publication requirements set out in Part 2 and:

- publish information on a monthly instead of quarterly basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as 'real-time' publication)
- publish details of all transactions that exceed £250 instead of £500. For each transaction the details that should be published remain as set out in paragraph 20
- publish all transactions on all corporate credit cards, charge cards and procurements, including those that are not a Government Procurement Card. For each transaction the details that should be published remain as set out in paragraph 21
- publish the total amount spent on remuneration over the period being reported on, and

- classify expenditure using the Chartered Institute of Public Finance and Accountancy Service Reporting Code of Practice to enable comparability between local authorities.

Procurement information

43. It is recommended that local authorities place on Contracts Finder²⁴, as well as any other local portal, every invitation to tender or invitation to quote for contracts to provide goods and/or services with a value that exceeds £10,000. For each invitation, the details that should be published are the same as those set out in paragraph 22.

44. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish:

- information on a monthly instead of quarterly basis, or ideally, as soon as it is generated and therefore becomes available (commonly known as 'real-time' publication)
- every invitation to tender for contracts to provide goods and/or services with a value that exceeds £500 instead of £5,000. The details that should be published are the same as those set out in paragraph 22
- details of invitations to quote where there has not been a formal invitation to tender. The details that should be published are the same as those set out in paragraph 22
- all contracts in their entirety where the value of the contract exceeds £5,000²⁵
- company registration number at Companies House
- details of invitations to tender or invitations to quote that are likely to be issued in the next twelve months. The details that should be published are the same as those set out in paragraph 22
- details of the geographical (eg. by ward) coverage of contracts entered into by the local authority
- details of performance against contractual key performance indicators, and
- information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, Charity or Charitable Incorporated Organisation, Community Interest Company, Industrial and Provident Society, Housing Association, etc).

45. It is recommended that local authorities publish details of their existing waste collection contracts, in line with paragraph 23, at the point they first publish quarterly contract information under Part 2 of the Code.

²⁴ Documentation for all procurements valued at over £10,000 is stored on Contracts Finder for public viewing as part of government's transparency commitment. <https://online.contractsfinder.businesslink.gov.uk/>

²⁵ Where a contract runs into several hundreds of pages or more, a local authority should publish a summary of the contract or sections of the contract, if this would be more helpful to local people and businesses.

Local authority land

46. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish information on a monthly instead of annual basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as 'real-time' publication). It is also recommended that local authorities should publish all the information possible on Electronic Property Information Mapping Service.

47. It is further recommended that local authorities also go further than the minimum publication requirements set out in paragraph 27 by publishing, alongside them in one place, the following information:

- size of the asset measured in Gross Internal Area (m²) for buildings or hectares for land, in accordance with the Royal Institute of Chartered Surveyors Code of Measuring Practice. The Gross Internal Area is the area of a building measured to the internal face of the perimeter walls at each floor level. Local authorities using Net Internal Area (m²) should convert measurements to Gross Internal Area using appropriate conversion factors²⁶ and state the conversion factor used
- services offered from the asset using the services listed from the Effective Services Delivery government service function list
<http://doc.esd.org.uk/FunctionList/1.00.html> (listing up to five main services)
- reason for holding asset such as, it is occupied by the local authority or it is providing a service on the authority's behalf, it is an investment property, it supports economic development (eg. provision of small businesses or incubator space), it is surplus to the authority's requirements, it is awaiting development, it is under construction, it provides infrastructure or it is a community asset
- whether or not the asset is either one which is an asset in the authority's ownership that is listed under Part 5 Chapter 3 of the Localism Act 2011 (assets of community value) and/or an asset which the authority is actively seeking to transfer to the community
- total building operation (revenue) costs as defined in the Corporate value for money indicators for public services at
<http://www.vfmindicators.co.uk/guidance/2010-11-Estates-Management.pdf>
- required maintenance - the cost to bring the property from its present state up to the state reasonably required by the authority to deliver the service and/or to meet statutory or contract obligations and maintain it at the standard. This should exclude improvement projects but include works necessary to comply with new legislation (eg. asbestos and legionella)
- functional suitability rating using the scale:
 - good – performing well and operating efficiently (supports the needs of staff and the delivery of services)

²⁶ Local authorities are not expected to re-measure buildings. Research undertaken for the Scottish Government offers one method of converting Net Internal Area to Gross Internal Area and can be found at: <http://www.scotland.gov.uk/Resource/Doc/217736/0121532.pdf>

- satisfactory – performing well but with minor problems (generally supports the needs of staff and the delivery of services)
- poor – showing major problems and/or not operating optimally (impedes the performance of staff and/or the delivery of services)
- unsuitable – does not support or actually impedes the delivery of services
- energy performance rating as stated on the Display Energy Certificate under the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007.

Parking information

48. It is recommended that local authorities should publish the number of free parking spaces available in their areas which are provided directly by the local authority or an estimate of the number of spaces where free parking space is not marked out in individual parking bays or spaces.

49. It is recommended that local authorities should annually publish a breakdown of how they spend or use revenue from parking charges and enforcement activities.

Organisation chart

50. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish:

- charts including all employees of the local authority whose salary exceeds £50,000
- the salary band for each employee included in the chart(s), and
- information about current vacant posts, or signpost vacancies that are going to be advertised in the future.

Grants to voluntary, community and social enterprise organisations

51. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish information on a monthly instead of annual basis where payments are made more frequently than a single annual payment, or ideally, as soon as the data becomes available and therefore known to the authority (commonly known as 'real-time' publication).

52. It is further recommended that local authorities publish information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, charity or charitable incorporated organisation, community interest company, industrial and provident society, housing association, etc).

Fraud

53. It is recommended that local authorities annually publish the following details of their counter fraud work:

- number of occasions they use powers under the Prevention of Social Housing Fraud (Power to Require Information)(England) Regulations 2014, or similar powers
- number of counter fraud staff employed by the authority
- amount spent by the authority on counter fraud work
- number of fraud cases investigated
- number of occasions on which fraud was identified, and
- monetary value of the fraud detected and recovered.

Part 3.2: Method of publication

54. The Government endorses the five step journey to a fully open format:

One star	Available on the web (whatever format) but with an open license
Two star	As for one star plus available as machine-readable structured data (eg. Excel instead of an image scan of a table)
Three star	As for two star plus use a non-proprietary format (eg. CSV and XML)
Four star	All of the above plus use open standards from the World Wide Web Consortium (such as RDF and SPARQL ²¹)
Five star	All the above plus links an organisation's data to others' data to provide context

55. The Government recommends that local authorities publish data in three star formats where this is suitable and appropriate²⁷, alongside open and machine-readable format, within six months of this Code being issued.

Shehla Husain

A Senior Civil Servant in the Department for Communities and Local Government

Department for Communities and Local Government

1 May 2014

²⁷ Statistical data, lists etc should be capable of being published in this format but others (eg. organisation charts) may be more difficult.

Annex A: Table summarising all information to be published

Information title	Information which must be published	Information recommended for publication
Expenditure exceeding £500	<p>Quarterly publication</p> <p>Publish details of each individual item of expenditure that exceeds £500, including items of expenditure, consistent with Local Government Association guidance, such as:</p> <ul style="list-style-type: none"> • individual invoices • grant payments • expense payments • payments for goods and services • grants • grant in aid • rent • credit notes over £500 • transactions with other public bodies. <p>For each individual item of expenditure the following information must be published:</p> <ul style="list-style-type: none"> • date the expenditure was incurred • local authority department which incurred the expenditure • beneficiary • summary of the purpose of the expenditure • amount • Value Added Tax that cannot be recovered • merchant category (eg. computers, software etc). 	<ul style="list-style-type: none"> • Publish information on a monthly instead of quarterly basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as 'real-time' publication) • Publish details of all transactions that exceed £250 instead of £500 (same individual information items) • Publish the total amount spent on remuneration over the period being reported on • Classify expenditure using the Chartered Institute of Public Finance and Accountancy Service Reporting Code of Practice to enable comparability between local authorities.

Information title	Information which must be published	Information recommended for publication
Government Procurement Card transactions	<p>Quarterly publication</p> <p>Publish details of every transaction on a Government Procurement Card. For each transaction, the following details must be published:</p> <ul style="list-style-type: none"> • date of the transaction • local authority department which incurred the expenditure • beneficiary • amount • Value Added Tax that cannot be recovered • summary of the purpose of the expenditure • merchant category (eg. computers, software etc). 	<p>Publish all transactions on all corporate credit cards, charge cards and procurements, including those that are not a Government Procurement Card (same individual information items).</p>
Procurement information	<p>Quarterly publication</p> <p>Publish details of every invitation to tender for contracts to provide goods and/or services with a value that exceeds £5,000. For each invitation, the following details must be published:</p> <ul style="list-style-type: none"> • reference number • title • description of goods and/or services sought • start, end and review dates • local authority department responsible. <p>Quarterly publication</p> <p>Publish details of any contract, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5,000. For each contract, the following details must be published:</p> <ul style="list-style-type: none"> • reference number • title of agreement • local authority department responsible 	<p>Place on Contracts Finder, as well as any other local portal, every invitation to tender or invitation to quote for contracts to provide goods and/or services with a value that exceeds £10,000.</p> <p>Publish:</p> <ul style="list-style-type: none"> • information on a monthly instead of quarterly basis, or ideally, as soon as it is generated and therefore becomes available (commonly known as ‘real-time’ publication) • every invitation to tender for contracts to provide goods and/or services with a value that exceeds £500 instead of £5,000 • details of invitations to quote where there has not been a formal invitation to tender • all contracts in their entirety where the value of the contract exceeds £5,000

Information title	Information which must be published	Information recommended for publication
	<ul style="list-style-type: none"> • description of the goods and/or services being provided • supplier name and details • sum to be paid over the length of the contract or the estimated annual spending or budget for the contract • Value Added Tax that cannot be recovered • start, end and review dates • whether or not the contract was the result of an invitation to quote or a published invitation to tender • whether or not the supplier is a small or medium sized enterprise and/or a voluntary or community sector organisation and where it is, provide the relevant registration number. 	<ul style="list-style-type: none"> • company registration number at Companies House • details of invitations to tender or invitations to quote that are likely to be issued in the next twelve months • details of the geographical (eg. by ward) coverage of contracts entered into by the local authority • details of performance against contractual key performance indicators • information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, charity or charitable incorporated organisation, community interest company, industrial and provident society, housing association, etc) • details of existing waste collection contracts, at the point they first publish quarterly contract information under Part 2 of the Code.
Local authority land	<p>Annual publication</p> <p>Publish details of all land and building assets including:</p> <ul style="list-style-type: none"> • all service and office properties occupied or controlled by user bodies, both freehold and leasehold • any properties occupied or run under Private Finance Initiative contracts • all other properties they own or use, for example, hostels, laboratories, investment properties and depots • garages unless rented as part of a housing tenancy agreement 	<p>Publish information on a monthly instead of annual basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as 'real-time' publication).</p> <p>It is also recommended that local authorities should publish all the information possible on Electronic Property Information Mapping Service.</p>

Information title	Information which must be published	Information recommended for publication
	<ul style="list-style-type: none"> • surplus, sublet or vacant properties • undeveloped land • serviced or temporary offices where contractual or actual occupation exceeds three months • all future commitments, for example under an agreement for lease, from when the contractual commitment is made. <p>However, there are some exclusions:</p> <ul style="list-style-type: none"> • social housing • rent free properties provided by traders (such as information booths in public places or ports) • operational railways and canals • operational public highways (but any adjoining land not subject to public rights should be included) • assets of national security • information deemed inappropriate for public access as a result of data protection and/or disclosure controls (eg. such as refuge houses). <p>For each land or building asset, the following information must be published together in one place:</p> <ul style="list-style-type: none"> • Unique Property Reference Number • Unique asset identity - the local reference identifier used by the local body, sometimes known as local name or building block. There should be one entry per asset or user/owner (eg. on one site there could be several buildings or in one building there could be several users, floors/rooms etc – where this is the case, each of these will have a separate asset identity). <p>This must include the original reference number from the data source plus authority code</p> <ul style="list-style-type: none"> • name of the building/land or both 	<p>Publish the following additional information:</p> <ul style="list-style-type: none"> • the size of the asset measured in Gross Internal Area (m²) for buildings or hectares for land, in accordance with the Royal Institute of Chartered Surveyors Code of Measuring Practice. The Gross Internal Area is the area of a building measured to the internal face of the perimeter walls at each floor level. Local authorities using Net Internal Area (m²) should convert measurements to Gross Internal Area using appropriate conversion factors and state the conversion factor used • the services offered from the asset, using the services listed from the Effective Services Delivery government service function list http://doc.esd.org.uk/FunctionList/1.00.html (listing up to five main services) • the reason for holding asset such as, it is occupied by the local authority or it is providing a service in its behalf, it is an investment property, it supports economic development (eg. provision of small businesses or incubator space), it is surplus to the authority's requirements, it is awaiting development, it is under construction, it provides infrastructure or it is a community asset • whether or not the asset is either one which is an asset in the authority's ownership that is listed under Part 5

Information title	Information which must be published	Information recommended for publication
	<ul style="list-style-type: none"> street number or numbers - any sets of 2 or more numbers should be separated with the '-' symbol (eg. 10-15 London Road) street name – this is the postal road address postal town United Kingdom postcode easting and northing (geocoding in accordance with ISO 6709 Standard Representation for Geographic Point Location by Coordinates, usually a centre point of the asset location) whether the local authority owns the freehold or a lease for the asset and for whichever category applies, the local authority must list all the characteristics that apply from the options given below: <ul style="list-style-type: none"> <i>for freehold assets:</i> <ul style="list-style-type: none"> occupied by the local authority ground leasehold leasehold licence vacant <i>for leasehold assets:</i> <ul style="list-style-type: none"> occupied by the local authority ground leasehold sub leasehold licence <i>for other assets:</i> <ul style="list-style-type: none"> free text description eg. rights of way, access etc. whether or not the asset is land only (without permanent buildings) or it is land with a permanent building. 	<p>Chapter 3 of the Localism Act 2011 (assets of community value) and/or an asset which the authority is actively seeking to transfer to the community</p> <ul style="list-style-type: none"> total building operation (revenue) costs as defined in the corporate value for money indicators for public services at http://www.vfmindicators.co.uk/guidance/2010-11-Estates-Management.pdf required maintenance - the cost to bring the property from its present state up to the state reasonably required by the authority to deliver the service and/or to meet statutory or contract obligations and maintain it at the standard. This should exclude improvement projects but include works necessary to comply with new legislation (eg. asbestos and legionella) functional suitability rating using the scale: <ul style="list-style-type: none"> good – performing well and operating efficiently (supports the needs of staff and the delivery of services) satisfactory – performing well but with minor problems (generally supports the needs of staff and the delivery of services) poor – showing major problems and/or not operating optimally (impedes the performance of staff and/or the delivery of services) unsuitable – does not support or

Information title	Information which must be published	Information recommended for publication
		<p>actually impedes the delivery of services</p> <ul style="list-style-type: none"> energy performance rating as stated on the Display Energy Certificate under the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007.
Grants to voluntary, community and social enterprise organisations	<p>Annual publication</p> <p>Publish details of all grants to voluntary, community and social enterprise organisations. This can be achieved by either:</p> <ul style="list-style-type: none"> tagging and hence specifically identifying transactions which relate to voluntary, community and social enterprise organisations within published data on expenditure over £500 or published procurement information or, by publishing a separate list or register. <p>For each identified grant, the following information must be published as a minimum:</p> <ul style="list-style-type: none"> date the grant was awarded time period for which the grant has been given local authority department which awarded the grant beneficiary beneficiary's registration number summary of the purpose of the expenditure amount. 	<ul style="list-style-type: none"> Publish information on a monthly instead of annual basis where payments are made more frequently than a single annual payment, or ideally, as soon as the data becomes available and therefore known to the authority (commonly known as 'real-time' publication). information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, charity or charitable incorporated organisation, community interest company, industrial and provident society, housing association etc).

Information title	Information which must be published	Information recommended for publication
Organisation chart	<p>Annual publication</p> <p>Publish an organisation chart covering staff in the top three levels of the organisation. The following information must be included for each member of staff included in the chart:</p> <ul style="list-style-type: none"> • grade • job title • local authority department and team • whether permanent or temporary staff • contact details • salary in £5,000 brackets, consistent with the details published for Senior Salaries • salary ceiling (the maximum salary for the grade). 	<p>Local authorities should publish:</p> <ul style="list-style-type: none"> • charts including all employees in the local authority whose salary exceeds £50,000 • the salary band for each employee included in the chart(s) • information about current vacant posts, or signpost vacancies that are going to be advertised in the future.
Trade union facility time	<p>Annual publication</p> <p>Publish the following information:</p> <ul style="list-style-type: none"> • total number (absolute number and full time equivalent) of staff who are union representatives (including general, learning and health and safety representatives) • total number (absolute number and full time equivalent) of union representatives who devote at least 50 per cent of their time to union duties • names of all trade unions represented in the local authority • a basic estimate of spending on unions as a percentage of the total pay bill (calculated as the number of full time equivalent days spent on union activities multiplied by the average salary divided by the total pay bill). 	
Parking revenues	<p>Annual publication</p> <p>Local authorities must place a link on their website to the following published data or place the data itself on its website:</p> <ul style="list-style-type: none"> • revenue collected from on-street and off-street parking • parking enforcement notices. 	<p>Local authorities should publish a breakdown of how they spend or use revenue from parking charges and enforcement activities.</p>

Information title	Information which must be published	Information recommended for publication
Controlled parking spaces	<p>Annual publication</p> <p>Publish the number of marked out controlled on and off-street parking spaces within their area, or an estimate of the number of spaces where controlled parking space is not marked out in individual parking bays or spaces.</p>	<p>Local authorities should publish the number of free parking spaces available in its area which are provided directly by the local authority or an estimate of the number of spaces where free parking space is not marked out in individual parking bays or spaces.</p>
Senior salaries	<p>Annual publication</p> <p>Local authorities must place a link on their website to the following data or must place the data itself on its website:</p> <ul style="list-style-type: none"> the number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000 details of remuneration and job title of certain senior employees whose salary is at least £50,000 employees whose salaries are £150,000 or more must also be identified by name. a list of responsibilities (for example, the services and functions they are responsible for, budget held and number of staff) and details of bonuses and 'benefits in kind', for all employees whose salary exceeds £50,000. 	
Constitution	<p>Annual publication</p> <p>Local authorities must publish their Constitution on their website.</p>	
Pay multiple	<p>Annual publication</p> <p>Publish the pay multiple on their website defined as the ratio between the highest paid salary and the median salary of the whole of the authority's workforce. The measure must:</p> <ul style="list-style-type: none"> cover all elements of remuneration that can be valued (eg. all taxable earnings for the given year, including base salary, variable pay, bonuses, allowances and the cash value of any benefits-in-kind) use the median earnings figure as the denominator, which 	

Information title	Information which must be published	Information recommended for publication
	<p>should be that of all employees of the local authority on a fixed date each year, coinciding with reporting at the end of the financial year</p> <ul style="list-style-type: none"> • exclude changes in pension benefits, which due to their variety and complexity cannot be accurately included in a pay multiple disclosure. 	
Fraud		<p>Local authorities should publish annually the following details of their counter fraud work:</p> <ul style="list-style-type: none"> • number of occasions they use powers under the Prevention of Social Housing Fraud (Power to Require Information)(England) Regulations 2014, or similar powers • number of counter fraud staff employed by the authority • amount spent by the authority on counter fraud work • number of fraud cases investigated • number of occasions on which fraud was identified, and • monetary value of the fraud detected and recovered.

Annex B: Detecting and preventing fraud

Tackling fraud is an integral part of ensuring that tax-payers money is used to protect resources for frontline services. The cost of fraud to local government is estimated at £2.1 billion a year. This is money that can be better used to support the delivery of front line services and make savings for local tax payers.

A culture of transparency should strengthen counter-fraud controls. The Code makes it clear that fraud can thrive where decisions are not open to scrutiny and details of spending, contracts and service provision are hidden from view. Greater transparency, and the provisions in this Code, can help combat fraud.

Sources of support to tackle fraud include:

Fighting Fraud Locally, The Local Government Fraud Strategy (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118508/strategy-document.pdf), was drafted by the National Fraud Authority and CIPFA (the Chartered Institute of Public Finance and Accountancy). The document calls for the adoption of a tougher approach to tackle fraud against local authorities. The strategy is part of a wider collaboration on counter fraud and is the local authority contribution to the national fraud strategy – *Fighting Fraud Together* (<https://www.gov.uk/government/publications/nfa-fighting-fraud-together>) which encompasses both the public and private sectors response to fraud in the UK.

Local authorities should use a risk management approach with strong internal control arrangements to reduce the risk of any payment fraud as a result of publishing public data. Local authorities should refer to the *Chartered Institute of Public Finance and Accountancy Red Book 2 – Managing the Risk of Fraud – Actions to Counter Fraud and Corruption* (http://www.cipfa.org/-/media/files/topics/fraud/cipfa_corporate_antifraud_briefing.pdf). The document sets out a step by step toolkit to tackling fraud: identifying and understanding your fraud risks and potential exposure to fraud loss; assessing current resilience to fraud; evaluating the organisation's ability to respond to potential or identified fraud; and developing a strategy. Developing an anti-fraud culture is an important part of improving resilience; the benefits of improving resilience to fraud include reduced exposure to fraud and an organisation that is better able to identify attempted frauds or vulnerabilities.

The National Fraud Authority have produced a guide on procurement fraud, *Procurement Fraud in the Public Sector*, (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118460/procurement-fraud-public-sector.pdf) which deals with the whole process, from bidding during the pre-contract award phase through to false invoicing in the post-contract award phase.

There are some specific steps local authorities can take to prevent procurement fraud. These might include:

- Only accepting requests for changes to supplier standing data in writing.
- Seeking confirmation from the supplier that the requested changes are genuine, using contact details held on the vendor data file or from previous and legitimate

correspondence; and not contacting the supplier via contact details provided on the letter requesting the changes.

- Ensuring that there is segregation of duties between those who authorise changes and those who make them.
- Only authorising changes when all appropriate checks have been carried out with legitimate suppliers and only making the changes when the proper authorisations to do so have been given.
- Maintaining a suitable audit trail to ensure that a history of all transactions and changes is kept.
- Producing reports of all changes made to supplier standing data and checking that the changes were valid and properly authorised before any payments are made.
- Carrying out standard checks on invoices before making any payments.
- Regularly verifying the correctness of standing data with suppliers.

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Report to Cabinet

Subject: Forward Plan

Author: Service Manager, Elections and Members' Services

Wards Affected

Borough-wide.

Purpose

To present the Executive's draft Forward Plan for the next four month period.

Key Decision

This is not a Key Decision.

Background

- 1 The Council is required by law to give to give notice of key decisions that are scheduled to be taken by the Executive.

A key decision is one which is financially significant, in terms of spending or savings, for the service or function concerned (more than £500,000), or which will have a significant impact on communities, in two or more wards in the Borough.

In the interests of effective coordination and public transparency, the plan includes any item that is likely to require an Executive decision of the Council, Cabinet or Cabinet Member (whether a key decision or not). The Forward Plan covers the following 4 months and must be updated on a rolling monthly basis. All items have been discussed and approved by the Senior Leadership Team.

Proposal

- 2 The Forward Plan is ultimately the responsibility of the Leader and Cabinet as it contains Executive business due for decision. The Plan is therefore presented at this meeting to give Cabinet the opportunity to discuss, amend or delete any item that is listed.

Alternative Options

- 3.1 Cabinet could decide not agree with any of the items are suggested for inclusion in the plan. This would then be referred back to the Senior Leadership Team.
- 3.2 Cabinet could decide to move the date for consideration of any item.

Financial Implications

- 4 There are no financial implications directly arising from this report.

Appendices

- 5 Appendix 1 – Forward Plan

Background Papers

- 6 None identified.

Recommendation(s)

It is recommended THAT Cabinet note the contents of the draft Forward Plan making comments where appropriate.

Reasons for Recommendations

- 7 To promote the items that are due for decision by Gedling Borough Council's Executive over the following four month period.

Forward Plan for the period August 2014 - November 2014

Issue	Key Decision or Council Decision?	Who will decide and date of decision	Documents to be considered (only applicable to executive Key decisions)	Who will be consulted?	From whom can further information be obtained and representations made?
Gedling Conversation 2014	Not Key	Cabinet 7 August 2014	Gedling Conversation 2014		Stephen Bray, Corporate Director stephen.bray@gedling.gov.uk
Response to Inspector's report on Aligned Core Strategy	Key	Cabinet 28 August 2014 Council 10 September 2014	Report	Has already taken place	Jo Gray, Planning Policy Manager joanna.gray@gedling.gov.uk
Action Plan for Killisick	Not Key	Cabinet 18 December 2014	Action Plan for Killisick		Alison Bennett, Service Manager, Housing and Localities alison.bennett@gedling.gov.uk

Issue	Key Decision or Council Decision?	Who will decide and date of decision	Documents to be considered (only applicable to executive Key decisions)	Who will be consulted?	From whom can further information be obtained and representations made?
Update on the Newstead Locality Plan	Not Key	Cabinet 18 December 2014	Update on the Newstead Locality Plan		Alison Bennett, Service Manager, Housing and Localities alison.bennett@gedling.gov.uk
Update on the Wetherfield Locality Plan	Not Key	Cabinet 18 December 2014	Update on the Netherfield Locality Plan		Alison Bennett, Service Manager, Housing and Localities alison.bennett@gedling.gov.uk