

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

At a meeting of the Council held on  
Thursday, 27 July 2006 at 2.00 p.m.

PRESENT: Councillor Mrs CAED Murfitt – Chairman  
Councillor JH Stewart – Vice-Chairman

Councillors: RE Barrett, Mrs PM Bear, AN Berent, NCF Bolitho, RF Bryant, EW Bullman, BR Burling, TD Bygott, NN Cathcart, Mrs PS Corney, NS Davies, Mrs SJO Doggett, SM Edwards, Mrs SM Ellington, Mrs VG Ford, Mrs JM Guest, R Hall, Dr SA Harangozo, Mrs SA Hatton, Mrs EM Heazell, JA Hockney, MP Howell, Mrs CA Hunt, Mrs HF Kember, SGM Kindersley, RMA Manning, MJ Mason, RB Martlew, RM Matthews, DC McCraith, CR Nightingale, R Page, EJ Pateman, A Riley, Mrs DP Roberts, NJ Scarr, Mrs HM Smith, Mrs DSK Spink MBE, RT Summerfield, RJ Turner, Dr SEK van de Ven, Mrs BE Waters, JF Williams, TJ Wotherspoon and NIC Wright

Apologies for absence were received from Councillor Dr DR Bard, JD Batchelor, JP Chatfield, PT Johnson, DH Morgan, Dr JPR Orme, JA Quinlan and Mrs VM Trueman.

### **PRESENTATIONS**

Before the start of the meeting the Chairman made the following presentations:

- Investors in People Award: received by Stuart Harwood-Clark, General Works Manager, on behalf of Environmental Services staff;
- Municipal Journal Employee Wellbeing Achievement of the Year Award: received by Kelly Quigley, Communications Officer, who had composed the wording in the Council's application to the Municipal Journal; and
- Planning and Regulatory Services Online (PARSOL) award for technical innovation for our "planning expert" on the web site – presented by the Resources, Staffing, Information & Customer Services Portfolio Holder and received by Steve Rayment, Assistant Director Finance and Resources (ICT), on behalf of IT and Planning staff.

### **1. MINUTES**

The minutes of the meeting held on 22 June 2006 were confirmed as a correct record and signed by the Chairman, subject to the inclusion of apologies for absence from Councillor Mrs HF Kember.

#### **Minutes of 25 May 2006 (Minute 3)**

Councillor R Page requested that the Democratic Services Officer's handwritten notes from the June meeting be retained, if still available, to form part of his complaint to the Standards Board for England about the conduct of Councillor SGM Kindersley. Councillor Page expressed his concern that the Council decision to record meetings had not been implemented. The Chairman confirmed that she had written letters to Councillors Kindersley and Page and asked that any further discussion on the topic be conducted outside of the meeting.

#### **Travellers' Needs Assessment (Minute 12a)**

In response to a query from Councillor Kindersley about a press report, Councillor Mrs DP Roberts explained that the consultants undertaking the Travellers' Needs Assessment had invited all parish councils to a presentation. The *Cambridge Evening*

News Foxton village correspondent had reported comments that she had made at the request of Foxton Parish Council, who had been unable to send a representative, and she assured members that she had given an overview of the presentation and highlighted that site allocation was yet to be decided. Members were asked to contact the press if they refuted what had been reported. Minutes of the presentation had been prepared by the consultants and were not available publicly.

## **2. DECLARATIONS OF INTEREST**

Councillors SGM Kindersley, DC McCraith and RJ Turner declared personal interests as elected Cambridgeshire County Councillors.

Councillors A Riley and Mrs DP Roberts declared personal interests in items 7(b), Revisions to the Constitution – Standards Committee (Article 9), and 8, Appointments to the Standards Committee District and Parish Members), as the subjects of investigations by the Standards Board for England.

Councillor NJ Scarr declared a personal and prejudicial interest in item 12c, minutes of Development and Conservation Control Committee 7 June 2006, in respect of application S/0636/06/F as an elected member of Fulbourn Football Club, but asked that it be noted that his election to the Club's committee was on 8 June 2006, the day after the Development and Conservation Control Committee meeting.

Councillor RT Summerfield declared a personal and prejudicial interest in minute 11 of item 12g, minutes of Audit Panel 30 June 2006, as he receives a pension from Deloitte and Touche: the Head of Legal Services had confirmed that this constituted a personal interest in discussions involving internal audit but also that a prejudicial interest should be declared on any discussions of a tender from Deloitte and Touche for the Council's contract for internal audit.

## **3. CHAIRMAN'S ANNOUNCEMENTS**

### **Susan May**

The Chairman announced that Susan May, Democratic Services Manager, would be retiring on 1 September 2006 after 28 years at South Cambridgeshire District Council, and that this was her final Council meeting. The Chairman added her personal thanks for Mrs May's support and assistance and noted that the Council would not be the same without her. There was a round of applause as the Chairman thanked Mrs May on behalf of all members and staff for her many years of kind and gracious service and wished her a happy retirement.

### **Chairman's Charity**

The Chairman's Charity for 2006-07 would be the Milton Children's Hospice.

### **Meeting in Cambridge**

Members had been invited to a presentation that evening at the Guildhall on the Cambridge Southern Fringe planning applications.

### **modern.gov**

The Council had been commended by the software developers for its use of the modern.gov minutes and agenda publication software, and had been asked to pilot new features. The Chairman reported a recent visit of staff from Breckland District Council in Norfolk to receive a presentation on the software from Democratic Services staff.

**4. QUESTIONS FROM COUNCILLORS AND THE PUBLIC****4 (a) From Councillor Dr SA Harangozo**

Councillor Dr SA Harangozo asked, "In view of the imminent departure of our excellent Strategic Development Officer, could the Conservation, Sustainability and Community Planning Portfolio Holder explain how the ongoing work on the SCDC corporate priority of the sustainable design of Northstowe and other growth areas - including feasibility work for the Northstowe Sustainable Energy Partnership that is due for completion early next year - will continue to be fully progressed?"

Councillor JA Hockney, Conservation, Sustainability and Community Planning Portfolio Holder, thanked Councillor Dr Harangozo for his question and agreed that the Council would be losing an excellent officer. The recruitment process would be officer-led and would start at the beginning of September 2006, although a replacement was not likely to be in post for at least two months. Although other officers would be asked to help move the sustainable development agenda forward, it would be impossible to predict accurately whether or not there would be any slippage, given the limited and already-stretched resources.

Councillor Dr Harangozo suggested that match funding be sought for the first tranche of funding for renewable energy technologies now received. Councillor Hockney would investigate this with the Sustainable Development Officer at his August portfolio meeting, to which he invited Councillor Dr Harangozo and any other interested members. Councillor Mrs DSK Spink noted that raising funds was within the remit of Cambridgeshire Horizons and undertook to ensure that that organisation understood the importance to this Council of investment in renewable energy technologies.

Councillor R Page felt that the Council should take advantage of recent central government changes to challenge as unsustainable the amount of growth and proposed new development in the district.

Councillor Hockney confirmed that he wanted the Sustainable Development Officer to be briefing **all** members on climate change, and reminded members of the presentation by Renewables East / Energy for Sustainable Development on 8 August.

**5. PETITIONS**

None received.

**6. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:****6 (a) Race Equality Scheme (Cabinet 13 July 2007)**

Councillor SM Edwards, Resources, Staffing, Information & Customer Services Portfolio Holder, hoped that the extensive Cabinet discussion of the Race Equality Scheme highlighted its importance to Council, as it had an effect across all bodies and services, and members had an obligation to promote it actively. He commended the amount of work officers had done on the scheme, which he saw as a key building block to future policies, such as the Council's strategic approach to Traveller issues. He confirmed that he would be setting up a Race Equality Scheme Member Working Group and encouraged members to read and promote the scheme.

Council **RESOLVED** that the Race Equality Scheme be adopted.

**6 (b) Renewal of Contract - Development Services (Cabinet 13 July 2007)**

Council **RESOLVED** that the contract for the administrative post (D.6.9) in the Major Developments Team be renewed for a further two years, accepting the financial risk arising from the temporary nature of Planning Delivery Grant funding.

**7. REVISIONS TO THE CONSTITUTION (CONSTITUTION REVIEW WORKING PARTY 13 JULY 2006)**

Councillor CR Nightingale requested that a recorded vote be taken on all revisions to the Constitution. On a show of hands, more than six members supported this request and Council **RESOLVED** that names be recorded for all decisions taken under item 7.

**7 (a) Textual Revisions to the Constitution**

The recommendations of the Constitution Review Working Party for textual revisions to the Constitution were presented and, in response to a question from Councillor RT Summerfield, the Executive Director confirmed that some recommendations had been deferred while senior management and Human Resources resolved any outstanding contractual issues following amendments to delegation and reporting lines. The recommendations would come before Council in due course.

Council **RESOLVED** that, in the interim until further amendments are made to the Constitution, "the Chief Executive may delegate any of his powers, functions and responsibilities in whole or in part that are capable of delegation to such other suitable experienced and qualified officer as he may think fit – but shall remain accountable and may himself continue to exercise or share those powers, functions or responsibilities."

Council further **RESOLVED** that the Constitution be amended as follows (amendments in ***bold italics***):

- (a) Change references to Finance and Resources Director to ***Chief Finance Officer*** throughout except as indicated below

(b) **ARTICLE 6, SCRUTINY AND OVERVIEW COMMITTEE**

**6.01 Composition and Terms of Reference** (page B-9)

Combine the first two sentences to read: "***The Council will appoint a Scrutiny and Overview Committee comprising between 14 and 16 councillors.***"

(c) **ARTICLE 11: JOINT ARRANGEMENTS**

**11.02(d) Joint Arrangements** (page B-18)

Delete "if the Council approves" and insert "***...where the joint committee has functions for a part only of the district, smaller than two-fifths of the district by area or population. In such cases the executive may appoint any councillor who is a member for a ward which is wholly or partly contained in the relevant area.***

***"In this case political balance requirements do not apply."***

**11.04(a) Delegation to and from other local authorities** (page B-18)

Add "***non-executive***" before "functions"

**11.05 Contracting Out** (page B-19)

Add "**Council or**" before "executive"; and "**their respective**" before "functions"

(d) **RESPONSIBILITY FOR EXECUTIVE FUNCTIONS:****Table 2A** (page C-9) and **Table 2B, Executive Delegations by Portfolio** (page C-17)

Combine Resources and Staffing and Information and Customer Services portfolios

**Table 2B****Staffing Matters No 3** (page C-11)

Amend so that Portfolio Holder approves pay awards or allowance adjustments within budget provision; Cabinet recommends to Council if they fall outside budget provision. The Chief Executive could approve the implementation of national allowance adjustments provided they are within budget.

**Financial matters 7** (page C-12)

Delete detailed reference to Rule 5, Budget and Policy Framework Rules and insert "**See Rule 5...**"

**Housing** (page C-18)

To delegate to officers, on a permanent basis, the following delegated powers of the Housing Portfolio Holder:

No 65	Management Transfers	Housing Services Manager
	Assignment of tenancies	Housing Services Manager
	Discretionary points award outside normal allocations policy	Housing Advice and Options Manager

**Table 3**

Pending a further review of officer delegated powers, insert the table agreed by Cabinet on 9 June 2005 for powers delegated to officers in relation to the provisions of the Anti-Social Behaviour Act 2003 for high hedges.

(e) **COUNCIL STANDING ORDERS****1.1 Annual Meeting – Timing and Business** (page D-2)

Delete item (x) "approve a programme of ordinary meetings of the Council for the year;"

**2 Ordinary Meetings** (page D-4)

Amend first sentence to:

"Ordinary meetings of the Council will take place in accordance with a programme **agreed by** Council." (i.e. delete "decided at the Council's annual meeting")

**6 Notice of Summons** (page D-4)

Second sentence – amend to "**the Chief Executive will send a summons...**"

**10.3 Notice of Questions by the Public** (page D-7)

Amend first sentence to:

"A question.....by delivering it in writing or by electronic mail to the proper officer no later than midday **€ 3** days before the day of the meeting."

**10.4 Number of questions** (page D-5)

Add "**at the meeting**" at the end of the 1<sup>st</sup> sentence

**10.10 Reference of question to the executive or committee** page D-8)

Replace first 2 sentences with “***Discussion can only take place on a question if the Chairman agrees.***”

**18.1, Record of Attendance** (page D-13)

Amend to: “***All members are required to sign the attendance sheet before the conclusion of the meeting to assist with the record of attendance.***”

**22.1 Suspension of Standing Orders** (page D-15)

Add “***SO17.2***” to the exceptions.

*This is a required SO, previously omitted from this paragraph*

(f) **FINANCIAL REGULATIONS** (pages I-1 to I-13)

Amend references to the Finance and Resources Director to ***Chief Executive*** in paragraphs: **17.2 Land and Property, 19. Data Protection, 22. Information Technology and 23. Risk Management** (pages I-10 – I-13)

**1.2 General** (page I-1)

Amend “Section 1(1) of the Local Government Act 1992” to “***Section 44(1) of the Audit Commission Act 1998 for the collection, recording and publication of information relating to standards of performance.***”

**2.4 Accounting** (page I-1)

Amend 1<sup>st</sup> sentence to “***The Chief Finance Officer shall be consulted...***”

**3 Financial Control** (page I-2)

**3.2** Amend 1<sup>st</sup> sentence to “***The Chief Finance Officer shall be informed immediately...***”

**3.6** Amend second sentence to “***The Chief Finance Officer shall be consulted...***”

Delete “(who shall in turn report as soon as reasonably practicable to the Management Team)”

**16.3 Insurances** (page I-10)

Delete “following consultation with the Chief Executive”

**18 Internal Audit** (page I-11)

**18.2** Amend the last sentence to “***The Chief Finance Officer shall consider whether to refer any irregularity to the Police.***” (deleting reference to the Chief Executive)

**18.4** Insert after “Chief Executive” at the end of the paragraph, “***and/or the Leader of the Council.***”

(g) **CONTRACT STANDING ORDERS** (pages J-2 – J-11)

Amend references to the Finance and Resources Director to ***Chief Executive*** in paragraphs: **7.1 Submission, Receipt and Custody of Tenders, 8.3 Opening** (page J-6), **19.1 & 5 Legal Services and 20.3 Form of Contract** (pages J-9&10).

**8.1 Opening** (page J-6)

Amend first sentence to “***...by officers from the procuring service and a legal***”

***officer or an officer designated at the time for the purpose by the Chief Executive.***

- (h) **DELEGATION RULES** (pages M-1 – M-5)  
Add a new paragraph after the existing paragraph 1.2:  
***“The Leader and in his/her absence, the Deputy Leader, shall have all the delegated powers, functions and responsibilities of any portfolio holder in their absence.”***
- (i) **MEMBERS’ ALLOWANCE SCHEME** (pages Y-1 – Y-7)  
Insert revised scheme as agreed by Council on 23 February 2006 – allowance rates only amended.

#### **4. Renunciation** (page Y-1)

Amend Finance and Resources Director to ***Chief Executive***

The voting was as follows:

#### **For the recommendations:**

RE Barrett	Mrs JM Guest	DC McCraith	
Mrs PM Bear	R Hall	CR Nightingale	
AN Berent	Dr SA Harangozo	EJ Pateman	
NCF Bolitho	Mrs SA Hatton	A Riley	
RF Bryant	Mrs EM Heazell	Mrs DP Roberts	
BR Burling	JA Hockney	Mrs HM Smith	
TD Bygott	MP Howell	Mrs DSK Spink	
NN Cathcart	Mrs CA Hunt	JH Stewart	
Mrs PS Corney	SGM Kindersley	RT Summerfield	
NS Davies	RMA Manning	RJ Turner	
Mrs SJO Doggett	RB Martlew	JF Williams	
SM Edwards	MJ Mason	TJ Wotherspoon	
Mrs SM Ellington	RM Matthews	NIC Wright	
Mrs VG Ford			<b>40</b>

#### **Against the recommendations:**

**0**

#### **Abstained:**

Dr SEK van de Ven **1**

#### **Not voted:**

NJ Scarr **1**

### **7 (b) Revisions to the Constitution - Standards Committee (Article 9)**

The Deputy Monitoring Officer confirmed that, in the context of the Standards Committee, “independent member” did not refer to a member of the Independent Group on the Council, but to a person who did not belong to any political party and who was not a councillor or an officer of the council or any other relevant body. The description of other “relevant bodies” was defined in statute and Councillor NCF Bolitho felt that the definition in full should be included in the Constitution. There were no legal restrictions on political group membership of parish members of the Standards Committee.

### Article 9.01: The Committee

Councillor TJ Wotherspoon, seconded by Councillor Mrs HM Smith, proposed that the last sentence of the first paragraph of the recommendation be deleted. Councillor A Riley, seconded by Councillor Mrs DP Roberts, proposed that the last sentence be amended to read, "The Standards Committee should include representatives from all groups represented on Council...". Councillor Wotherspoon expressed his support for this amendment and **WITHDREW** his proposal.

On the proposal of Councillor A Riley, seconded by Councillor Mrs DP Roberts, Council **RESOLVED** that Article 9.01 of the Constitution be amended as follows (amendments in ***bold italics***):

- (a) "The Council will establish ***and maintain*** a Standards Committee. ***Under the regulations, Standards Committees are not subject to the political balance requirements of sections 15-17 of the Local Government and Housing Act 1989. This is to allow the Standards Committee to be seen as being above party politics and comprised of representatives that command the support of the whole authority, regardless of party political loyalties. The Standards Committee should include representatives from all groups represented on the Council and should be constituted to ensure that no one political group dominates.***"

The voting was as follows:

#### For the recommendations:

RE Barrett	Mrs JM Guest	CR Nightingale
Mrs PM Bear	R Hall	EJ Pateman
AN Berent	Dr SA Harangozo	A Riley
NCF Bolitho	Mrs SA Hatton	Mrs DP Roberts
RF Bryant	Mrs EM Heazell	NJ Scarr
EW Bullman	JA Hockney	Mrs HM Smith
BR Burling	MP Howell	Mrs DSK Spink
TD Bygott	Mrs CA Hunt	JH Stewart
NN Cathcart	SGM Kindersley	RT Summerfield
Mrs PS Corney	RMA Manning	RJ Turner
NS Davies	RB Martlew	Dr SEK van de Ven
Mrs SJO Doggett	MJ Mason	JF Williams
SM Edwards	RM Matthews	TJ Wotherspoon
Mrs SM Ellington	DC McCraith	NIC Wright
Mrs VG Ford		

**43**

#### Against, abstained or not voted:

**0**

### Article 9.02(a): Composition

The Chairman confirmed that the wording of the recommendation to increase council membership to "at least 6" was chosen to allow flexibility to reflect the future political make-up of the Council. It was noted that the wording could allow flexibility in the current situation.

With no members voting in opposition and there being agreement that a recorded vote was consequently not necessary, Council **RESOLVED** that Article 9.02(a) of the Constitution be amended as follows (amendments in ***bold italics***):



- (b) “The Standards Committee will be composed of **at least**:
- 6** councillors, **excluding members of the executive**, (council members)
  - 4** persons who are not councillors or officers of the council or any other relevant body (independent members)
  - 3** members of parish councils in the Council’s area (parish members);
- At least 25% of the members of the Standards Committee must be independent members.**

#### **Article 9.02(b): Council Members**

Members queried how an equal number of Council members could be appointed from each political group, as recommended, if any particular group had only one member. It was confirmed that one person could not be recognised as a political group: there were three recognised groups currently on the Council. In response to a query from Councillor Mrs CA Hunt, the Chairman explained that Council could not approve the recognition of each independent councillor as a separate political “group”. Councillor A Riley suggested that the words “wherever possible” be inserted before “an equal number being appointed”, but was assured by the Deputy Monitoring Officer that the wording agreed at Article 9.01 would ensure that no one political group dominated the Standards Committee.

Councillor NN Cathcart had signed a statement confirming that he was an elected Labour member of the Council, but for the administrative purposes of committee appointments would be considered a member of the independent group. He expressed his wish to complete the four-year term to which Council had appointed him in 2004. Councillor Mrs EM Heazell, seconded by Councillor MP Howell, proposed that Councillor Cathcart complete his term on the Standards Committee and that appointments be reviewed in 2008. The Deputy Monitoring Officer confirmed that the Standards Board for England had not issued specific guidance on appointments to the Standards Committee as long as the basic requirements were met.

Councillor Mrs HM Smith expressed concern that the appointment of the sole representative of one political party could set a precedent where members of parties having only one seat on Council were automatically appointed to the Standards Committee. The Deputy Monitoring Officer explained that full Council made all Standards Committee appointments, and that Council could choose not to approve the nomination of any member it did not deem suitable to serve.

Following a number of suggestions for amendment of the wording, on the proposal of Councillor SGM Kindersley, seconded by Councillor Mrs VG Ford, Council **RESOLVED** that Article 9.02(b) of the Constitution be amended as follows (amendments in **bold italics**):

- (c) “***The Council will appoint the Council Members.***”

The voting was as follows:

#### **For the recommendations:**

RE Barrett	R Hall	CR Nightingale
Mrs PM Bear	Dr SA Harangozo	EJ Pateman
AN Berent	Mrs SA Hatton	A Riley
NCF Bolitho	Mrs EM Heazell	Mrs DP Roberts

RF Bryant	JA Hockney	NJ Scarr	
BR Burling	MP Howell	Mrs DSK Spink	
TD Bygott	Mrs CA Hunt	JH Stewart	
NN Cathcart	Mrs HF Kember	RT Summerfield	
Mrs PS Corney	SGM Kindersley	RJ Turner	
Mrs SJO Doggett	RMA Manning	Dr SEK van de Ven	
SM Edwards	MJ Mason	JF Williams	
Mrs SM Ellington	RM Matthews	TJ Wotherspoon	
Mrs VG Ford	DC McCraith	NIC Wright	
Mrs JM Guest			<b>40</b>
<b>Against:</b>			
RB Martlew	Mrs HM Smith		<b>2</b>
<b>Not Voted:</b>			
EW Bullman			<b>1</b>

### Article 9.02(c): Independent Members

Council **RESOLVED** that Article 9.02(c) of the Constitution be amended as follows (amendments in ***bold italics***):

- (d) Second bullet point: "Their appointment shall be ***ratified*** by Council on the recommendation of the appointments panel ***of the Standards Committee, its size and composition to be determined by the Committee Chairman in consultation with the Monitoring Officer.***"

The voting was as follows:

#### For the recommendations:

RE Barrett	R Hall	CR Nightingale	
Mrs PM Bear	Dr SA Harangozo	EJ Pateman	
AN Berent	Mrs SA Hatton	A Riley	
NCF Bolitho	Mrs EM Heazell	Mrs DP Roberts	
RF Bryant	JA Hockney	Mrs HM Smith	
BR Burling	MP Howell	Mrs DSK Spink	
TD Bygott	Mrs CA Hunt	JH Stewart	
NN Cathcart	Mrs HF Kember	RT Summerfield	
Mrs PS Corney	SGM Kindersley	RJ Turner	
Mrs SJO Doggett	RMA Manning	Dr SEK van de Ven	
SM Edwards	RB Martlew	JF Williams	
Mrs SM Ellington	MJ Mason	TJ Wotherspoon	
Mrs VG Ford	DC McCraith	NIC Wright	
Mrs JM Guest			<b>40</b>
<b>Against:</b>			
EW Bullman			<b>1</b>
<b>Abstained:</b>			
RM Matthews			<b>1</b>
<b>Not Voted:</b>			
NJ Scarr			<b>1</b>

## 7 (c) Substantive Revisions to the Constitution

*Before the consideration of this item a brief electrical failure arising from a lightning strike caused the computer recording the names to restart. **The numbers reported in the minutes are those which were displayed in the Council Chamber at the time of the meeting.** Members have been asked to state how they voted on each resolution and the names received have been published accordingly. Members who have not responded or who have not provided specific answers are:*

- *Dr SA Harangozo*
- *Mrs CA Hunt (has confirmed only that she voted the same way as RJ Turner)*
- *CR Nightingale*
- *RJ Turner (has confirmed only that he voted the same way as Mrs CA Hunt)*

### Principles of Proportionality and Council Standing Orders

It was confirmed that a recorded vote would be taken only if any members objected to a proposal. With no members voting in opposition, Council **RESOLVED**

- (a) that amendments be made to the Constitution as follows (amendments in ***bold italics***):

#### **Principles of Proportionality** (page N-1)

Amend the First Principle to read: “**Appointments to all constituent bodies of the Council (except the Standards Committee) shall be in the same proportion as the numbers in each recognised political group are to the overall membership of the Council, members independent of the main political parties being recognised as a single group for this purpose. The nominations of the groups shall be accepted by Council (other than in the case of the Standards Committee).**”

Delete the Second Principle.

Amend the first sentence of the Third Principle to: “If any political group or party withdraws from ***any constituent body of the Council...***”

Amend the first sentence of the Fourth Principle to: “If any member of a ***constituent body of the Council*** resigns...”

#### **Council Standing Orders**

Add sub-paragraph (a) to SO7, Chairman of Meeting: “***The Chief Executive or an officer nominated by him or her may preside at the election of the Chairman.***”

- (b) that the Constitution does not obstruct the Cabinet holding informal meetings; and
- (c) that the Constitution Review Working Party recommend a mechanism for removing a group nomination where the nominee loses the confidence of the group or changes group allegiance during the year.

### Formal Recognition of an Opposition

Councillor RF Bryant, Chairman of the Constitution Review Working Party, explained that the Working Party had asked the Liberal Democrat group to justify in writing why the

Council should recognise formally in the Constitution the existence of an opposition. Councillor Mrs VG Ford spoke against the recommendation, and commented on the amount of officer time involved in conducting separate briefings for portfolio holders, Scrutiny and Overview Committee monitors and opposition spokesmen. The Executive Director confirmed the intention that officer time was not expended on this report.

Councillor RB Martlew explained that he had suggested at the Working Party meeting the possibility of special responsibility allowances for opposition members, but that this had been a comment rather than proposal. Councillor Mrs EM Heazell reminded members that the Council might not always be without overall control and that the recommendations in the paper might be for the good of all members. She asked that Council wait to read the paper before voting on it.

Councillor SGM Kindersley stated that it was acceptable practice in a democracy to have a political control and an opposition and reminded members that they had been elected as members of political parties or as independents. He urged members to acknowledge the existence of a political dimension in the Council as representing the way the electors had voted.

On the proposal of Councillor JA Hockney, seconded by Councillor Mrs Ford, Council **RESOLVED** that the recommendation from the Constitution Review Working Party, "that Councillor Batchelor, with his group, prepare a paper setting out the reasons why the Council should formally recognise the existence of an opposition, and the areas of the Constitution which would be affected" be deleted.

The voting was as follows:

**For the proposal:**

RE Barrett	R Hall	Mrs DP Roberts	
NCF Bolitho	JA Hockney	NJ Scarr	
EW Bullman	MP Howell	Mrs DSK Spink	
BR Burling	RMA Manning	TJ Wotherspoon	
TD Bygott	MJ Mason	NIC Wright	
Mrs PS Corney	RM Matthews		
Mrs SJO Doggett	DC McCraith		
Mrs SM Ellington	CR Nightingale		
Mrs VG Ford	EJ Pateman		
Mrs JM Guest	A Riley		<b>26</b>

**Against:**

Mrs PM Bear	Mrs HF Kember	RT Summerfield	
AN Berent	SGM Kindersley	Dr SEK van de Ven	
RF Bryant	RB Martlew	JF Williams	
Mrs SA Hatton	Mrs HM Smith		
Mrs EM Heazell	JH Stewart		<b>14</b>

**Abstained:**

NN Cathcart	SM Edwards		<b>2</b>
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**Provision of Substitutes**

On the proposal of Councillor R Hall, seconded by Councillor RB Martlew, Council further **RESOLVED** that the Constitution provide for substitutes for committee meetings with full voting rights.

The voting was as follows:

**For the proposal:**

RE Barrett	Mrs VG Ford	Dr SEK van de Ven	
Mrs PM Bear	Mrs JM Guest	JF Williams	
AN Berent	R Hall		
NCF Bolitho	Mrs HF Kember		
BR Burling	RB Martlew		
TD Bygott	DC McCraith		
NN Cathcart	EJ Pateman		
Mrs PS Corney	Mrs HM Smith		
SM Edwards	Mrs DSK Spink		
Mrs SM Ellington	JH Stewart		<b>27</b>

**Against:**

RF Bryant	MP Howell	Mrs DP Roberts	
Mrs SJO Doggett	SGM Kindersley	NJ Scarr	
Mrs EM Heazell	RMA Manning	RT Summerfield	
JA Hockney	A Riley		<b>11</b>

**Abstained:**

Mrs SA Hatton			<b>1</b>
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**Not Voted:**

RM Matthews	TJ Wotherspoon		<b>2</b>
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**Cannot Remember:**

<i>EW Bullman</i>	<i>MJ Mason</i>	<i>NIC Wright</i>	
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**Development and Conservation Control Committee**

After a proposal from Councillor NN Cathcart that the word "Conservation" be retained in the committee title received no seconder, Council **RESOLVED** that, for simplicity, the Development and Conservation Control Committee should be renamed the Planning Committee.

The voting was as follows:

**For the recommendations:**

RE Barrett	Mrs JM Guest	A Riley	
Mrs PM Bear	R Hall	Mrs DP Roberts	
AN Berent	Mrs SA Hatton	NJ Scarr	
NCF Bolitho	Mrs EM Heazell	Mrs HM Smith	
RF Bryant	JA Hockney	Mrs DSK Spink	
EW Bullman	MP Howell	JH Stewart	
BR Burling	Mrs HF Kember	RT Summerfield	
TD Bygott	SGM Kindersley	Dr SEK van de Ven	
Mrs PS Corney	RMA Manning	JF Williams	
Mrs SJO Doggett	RB Martlew	TJ Wotherspoon	
SM Edwards	MJ Mason	NIC Wright	
Mrs SM Ellington	DC McCraith		
Mrs VG Ford	EJ Pateman		<b>34*</b>

(\*see note at start of this minute regarding discrepancy between number recorded at the time of the meeting and names received after the meeting)

<b>Against:</b>	<b>2</b>
<b>Abstained:</b>	
NN Cathcart	<b>1</b>
<b>Not Voted:</b>	
RM Matthews	<b>2</b>

### Further Revisions to the Constitution

In response to a query from Councillor Dr SEK van de Ven, Councillor Bryant explained that the Constitution Review Working Party was not seeking to discourage questions from members of the public, just that it felt that numerous opportunities already were provided through the website, *South Cambs Magazine* and other sources. The Chairman confirmed that the intent had been that no further measures be sought at the present time. Councillor Dr van de Ven feared that the existing opportunities were not being communicated effectively, as evidenced by the infrequency of public questions, and encouraged members to explore other ways to publicise the right of the public to ask questions at meetings.

It was clarified that discretion lay with the chairman of a meeting to determine whether it was appropriate for councillors who were not members of that body to remain in a meeting when the press and public were excluded.

With no members opposing the decision, Council **RESOLVED** that:

- (d) no formula be required for achieving "best fit" in the sizes of committees;
- (e) deciding between group nominations on outside bodies when representatives and one substitute are required be left to the groups;
- (f) no amendment to the Constitution be required to permit councillors who are not members of the relevant body to remain in a meeting when the public have been excluded, but that the chairman at the time invite members to remain where this is appropriate;
- (g) the appropriate forum for raising concerns of a confidential or individual nature be left to the discretion of individual members;
- (h) no further measures be required at the present time to encourage the public to ask questions;
- (i) consideration of further amendments to executive delegated powers be deferred to a later date;
- (j) portfolio holder meetings not be open to the public;
- (k) specific functions not be delegated to the Leader other than the existing overall responsibility for travellers issues;
- (l) there be no requirement to make provision for a state of the district debate;
- (m) no decision be made on the size of the Planning Committee and that the ability to attend site visits not be mandatory for membership;
- (n) the Planning Committee not be divided into two; and
- (o) consideration of the number of portfolios be deferred pending finalisation of the officer structure.

### 8. APPOINTMENTS TO THE STANDARDS COMMITTEE (DISTRICT AND PARISH MEMBERS)

On the proposal of Councillor Mrs DSK Spink, seconded by Councillor RF Bryant, Council **RESOLVED** that Councillor NN Cathcart (LAB) remain on the Standards Committee until the conclusion of his four-year term in 2008.

Council further **RESOLVED** that Councillors RF Bryant (IND), Mrs CA Hunt (CON), A Riley (IND) and Dr SEK van de Ven (LD) be appointed to the Standards Committee to serve until May 2010.

Council **NOTED** the election by parish councils and meetings of Dave Kelleway, Teversham Parish Council, to the third parish member position on the Standards Committee, to serve until May 2010 or until he ceases to be a member of Teversham Parish Council, whichever is sooner.

## 9. **APPOINTMENTS MADE BY THE COUNCIL TO EXISTING OUTSIDE AND JOINT BODIES**

Councillor Mrs HM Smith requested that she be appointed to the Cambridge East Member Reference Group if Councillor RJ Turner were a Cambridgeshire County Council representative, but Councillor Turner stated that he wished to serve as a District Council representative on that body.

Council **RESOLVED** to make the following appointments to outside and joint bodies:

<b>Cambridge East Member Reference Group</b>	RJ Turner
<b>Gypsy and Traveller Development Plan Document Member Reference Group</b>	Mrs SJO Doggett
<b>Mepal Outdoor Centre</b>	NCF Bolitho

## 10. **APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER**

Council **RESOLVED** that, with effect from 1 July 2006:

- (a) Gregory John Harlock be appointed Electoral Registration Officer for this Council for the purpose of the registration of Parliamentary and Local Government Electors (Section 8(2)(a) of the Representation of the People Act 1983); and
- (b) Gregory John Harlock be appointed Returning Officer for this Council for the election of District and Parish Councillors (Section 35(1) of the Representation of the People Act 1983).

## 11. **ANNUAL AUDIT AND INSPECTION LETTER 2004/05**

The Resources and Staffing, Information and Customer Services Portfolio Holder explained that the letter referred to the 2004/05 accounts, and therefore was a year out of date. He asked that future letters be received by the Audit Panel as soon as they were available, with the use of resources and direction of travel reports received later in the year.

In response to a query from Councillor SGM Kindersley, the Portfolio Holder stated that no work had been done to identify where cuts might fall in order to increase the audit assessment to a score of 3 out of 4. It was not at this stage certain that cuts would be necessary: a review of the Medium Term Financial Strategy would be required. The Deputy Leader, however, commented that all departments were looking at saving money.

In answer to Councillor Mrs CA Hunt, the Portfolio Holder reported that the Audit Commission set a range for audit fees and that auditors could charge up to +/- 30% of

the mid-range. This Council's external audit fees were 3% above the mid-range figure, being seen as a high-risk authority because of capping. The Audit Panel had agreed that tenders be sought for the next internal audit contract.

Council **RECEIVED** the Annual Audit Letter 2004/05.

## 12. REPORTS OF MEETINGS

The Minutes of the following meetings were **RECEIVED**, subject to matters outlined in minute 12(a) below:

Cabinet	13 July 2006
Transformation Committee	17 July 2006
Development and Conservation Control Committee	7 June 2006
Employment Committee	22 June 2006
Licensing Committee	26 June 2006
Scrutiny and Overview Committee	15 June 2006
Audit Panel	30 June 2006

### 12 (a) Minutes of meeting Thursday, 15th June 2006 of Scrutiny and Overview Committee

#### **Concessionary Bus Fares** (Minute 7)

The Planning and Economic Development Portfolio Holder reported that joint meetings were being held to try to resolve the funding issue and that she would advise members as soon there was any definite agreement. In response to Councillor MJ Mason's enquiry about government funding for the extended Citi 7 bus service, the Portfolio Holder stated that this was a matter entirely between the government and the County Council and had no bearing on the concessionary fares problem, although she had given her views.

#### **Monitoring the Executive** (Minute 8)

Councillor Mrs DP Roberts asked that the Committee clarify how monitoring was to work, in particular how the monitors were to report back when they saw only part of the work of the executive at portfolio holder meetings. The Vice-Chairman of the Committee noted these comments.

## 13. QUESTIONS ON JOINT MEETINGS

No questions were received.

## 14. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

Councillor Kindersley asked that the Leader give an update on the meeting of the Regional Assembly in July, and the Deputy Leader undertook to provide him with a relevant press release.

Councillor R Hall reported from the Archives Advisory Group. Cambridgeshire Archive Service had now received numerous village documents. Cambridge Central Library and the Lion Yard archives would be closed from January 2007 to spring 2008, during which time a reduced Cambridgeshire Collection would operate from another city library. The new Archive Centre near the railway station would open in summer 2008 and it was intended that the Records Office (except for Huntingdonshire records) and the Cambridgeshire Collection would be combined at this Centre.



**15. CHAIRMAN'S ENGAGEMENTS**

The Chairman reported that she had waited to greet all forty-four Bustards on their return from the London – Cambridge bike ride, including former Councillor SJ Agnew. She reminded members of the Breakthrough Breast Cancer sponsorship forms in the Council offices.

The Chairman's engagements since the last Council meeting were **NOTED**.

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**The Meeting ended at 4.53 p.m.**

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