



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

COUNCIL MEETING
THURSDAY, 25 JANUARY 2007

REPORTS AND MINUTES

South Cambridgeshire Hall
Cambourne Business Park
Cambourne, Cambridge
CB23 6ES

If the press and public are likely to be excluded from the meeting during consideration of the following item on the grounds that exempt information is to be considered, it will be necessary to pass the following resolution: "That under Section 100(A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in paragraph (quoting relevant paragraph) of Part 1 of Schedule 12A (as amended) of the Act."

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

TO: The Chairman and Members of the
South Cambridgeshire District Council

NOTICE IS HEREBY GIVEN that the next meeting of the **COUNCIL** will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at **2.00 P.M.** on

THURSDAY, 25 JANUARY 2007

and I am, therefore to summon you to attend accordingly for the transaction of the business specified below.

DATED 17 January 2007

GJ HARLOCK
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

AGENDA

1. APOLOGIES

2. MINUTES

To authorise the Chairman to sign the Minutes of the meeting held on 23 November 2006 as a correct record.

(Pages 1 - 12)

3. DECLARATIONS OF INTEREST

4. PROPOSED CHANGES TO STANDING ORDERS (CONSTITUTION REVIEW WORKING PARTY, 12 JANUARY 2007)

The Constitution Review Working Party considered and supported a number of proposed changes to Council Standing Orders (Constitution Part 4, pages D1-D16). The proposed changes are set out in the attached document, marked in underlined text.

It is necessary for Council to consider changes to Standing Orders at this stage of the meeting in order to seek approval of the change which will allow Council to elect a Leader under Agenda item 5.

The Working Party **RECOMMENDED TO COUNCIL** that the revised Council Standing Orders be approved for incorporation into the Constitution.

(Pages 13 - 32)

5. ELECTION OF LEADER OF THE COUNCIL

(Consideration of this item is subject to Council agreeing changes to Standing Orders under item 4 above).

Following the resignation of Cllr Dr DR Bard on 11 January 2007 Council is

requested to elect the Leader of the Council.

6. CHAIRMAN'S ANNOUNCEMENTS AND PRESENTATIONS
Chartered Institute of Public Relations (CIPR) East Anglia, PRide Awards 2006/7

Best Small Team of the Year: SCDC Communications Team (Sally Carroll and Kelly Quigley)

Silver Award for the Communications Team (Sally Carroll and Kelly Quigley) and the Environmental Health Service (Carol Archibald and Iain Green) for their food and safety inspection, "Scores on the Doors" campaign in the Best Low Budget (CIPR) East Anglia PRide Awards 2006/7.

Kelly Quigley, Communications Officer
Highly Commended (second place)
Young Communicator of the Year (CIPR) East Anglia PRide Awards, 2006/7

HELA Award (Highly Commended)

Carol Archibald, Health and Safety and Food Safety Team, Environmental Health Service
(HELA = Health and Safety Executive Local Authority Enforcement Liaison Committee)

7. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

7 (a) From Mr David White to the Conservation, Sustainability and Community Planning Portfolio Holder

1. Wind turbines and solar panels are becoming readily available, even sold in B&Q now. Why are council and other grants only available if these energy saving devices are professionally installed when an installation inspection team already exist in your Building Control Department? Can the system be changed so that self installed units also receive any grants that may be available and thus encourage more people to save or generate energy. I feel sure there are many other people like me who are perfectly capable of installing this equipment and keen to do so.
2. It is now agreed that the effects of climate change are serious and will become more so. Quite rightly the required level of insulation in new buildings has to be of a much higher level but why do the Building Inspectors still not include this as one of their inspections? Most builders, I'm sure, meet the requirements but there must be some that do not. These are never caught.

Wouldn't it be good if South Cambs became a Beacon Council for its renewable energy and climate change initiatives?

7 (b) From Councillor RF Bryant to the Leader of the Council

"The Constitution (Part 5, Section F, Paragraph 4) makes reference to members not bringing their office into disrepute. Based on this Code of Conduct can the Leader of

the Council please provide me with justification for retaining a cabinet member who has been found guilty by the Standards Board for England on three separate counts of bringing her office into disrepute?"

7 (c) From Councillor RB Martlew to the Planning and Economic Development Portfolio Holder

A settlement was agreed, I believe in May 2006, between this Council and TKA Tallent of Bourn Airfield concerning the noise nuisance experienced by residents of Caldecote. A meeting was held in September last to explain the agreement to Caldecote Parish Council and the residents. At my request Planning Officers as well as officer from Environmental Services and the Legal Section attended.

On behalf of the residents I asked what the position was regarding the ground for an applicant seeking permission to apply for Lawful Development status; specifically what measure needed to be taken to prevent a four-year claim from becoming established. The planning officers present were unable to provide this information but promised to do so as a result of that meeting. In spite of various approaches to me to various officers, no explanation has been received to date. I have discovered various factors however and ask the Portfolio Holder to confirm the following:

- (i) to prevent an unauthorised development from establishing a right after 4 years to a Lawful Development Certificate, an enforcement notice must be served by the Planning Authority.
- (ii) Complaints from residents and the Parish Council together with photographic and other evidence about the timing of the installation of the conveyor were received by the Council from 2001.
- (iii) An application for lawful development was received from TKA Tallent and refused in or around September 2005.
- (iv) A further application was received around September 2006.

Could the Portfolio Holder tell us:

- (i) Why no enforcement notice was issued before, or at least following, the first rejection of the application for a certificate?
- (ii) Whether the second application has been accepted?
- (iii) What is the present status of the conveyor?
- (iv) At what stages Members were involved in the decision-making process?
- (v) If, as I suspect, there was no Member involvement, why was this so?

8. PETITIONS

To note all petitions received since the last Council meeting.

9. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

9 (a) Workforce Plan 2006/07 TO 2008/09 (Cabinet, 14 December 2006)

Cabinet **RECOMMENDED TO COUNCIL** that the Workforce Plan 2006/07 to 2008/09 be approved.

9 (b) Discretionary Rate Relief other than for Charitable Organisations (Cabinet, 11 January 2007)

Cabinet **RECOMMENDED TO COUNCIL** that the policy for the award of

discretionary rate relief set out in the appendices to the Cabinet report be adopted in order to facilitate future awards of relief from the financial year 2007/08 onwards.

10. REVIEW OF THE CONSTITUTION

10 (a) Terms of Reference and Future Reporting Arrangements for the Audit Panel (Constitution Review Working Party, 12 January 2007)

The Constitution Review Working Party **RECOMMENDED TO COUNCIL:**

(1) That the following changes be approved with effect from the 2007-2008 Civic Year and that Article 6 (Scrutiny and Overview Committee) and Part 3 (Responsibility for Functions) of the Constitution be amended accordingly:

- (a) That the Audit Panel report directly to Council.
- (b) That membership of the Panel be no longer restricted to Members of the Scrutiny and Overview Committee.
- (c) That Cabinet Members be not eligible to sit on the Panel.
- (d) That the Chairman of the Scrutiny and Overview Committee be not eligible to Chair the Panel.

(2) That revised Terms of Reference, attached to this Agenda, be approved with effect from the 2007-2008 Civic Year.

The changes supported by the working party have been incorporated as an addition to Table One of Part 3 of the Constitution (Responsibility for functions). The document is attached to this Agenda.

(Pages 33 - 36)

10 (b) Revisions to Article 12 - Officers (Constitution Review Working Party 12 January 2007)

The Constitution Review Working Party **RECOMMENDED TO COUNCIL:**

- (1) That the changes to Article 12, set out in the Appendix, be approved.
- (2) That the Officer Employment Procedure Rules be amended to reflect the following:

- (a) That the appointment and dismissal of the Executive Director be reserved to full Council following a recommendation by the Employment Committee.
- (b) That Corporate Managers' appointments be undertaken by the Employment Committee and their dismissal by Council with a recommendation from the Employment Committee.

- (3) That, subject to approval of (1) and (2) above, the Chief Executive be authorised to make further minor textual revisions to the Constitution required for consistency.

Revisions to Article 12 supported by the working party are included with this Agenda.

(Pages 37 - 44)

10 (c) Procedure for the local Investigation of Referred Complaints (Standards Committee 8 November 2006, Constitution Review Working Party, 12 January 2007)

The Standards Committee and Constitution Review Working Party **RECOMMENDED**

TO COUNCIL that the Procedure for Local Investigations, be approved for incorporation into the Constitution.

A copy of the procedure is attached to this Agenda.

(Pages 45 - 54)

10 (d) Procedure for local Standards Hearings (Standards Committee 8 November 2006, Constitution Review Working Party, 12 January 2007)

The Standards Committee and Constitution Review Working Party **RECOMMENDED TO COUNCIL** that the Procedure for local Standards Committee hearings be approved and incorporated into the Constitution.

A copy of the local procedure is attached to this Agenda.

(Pages 55 - 74)

10 (e) Revision to Article 14 - Common Seal of the Council (Constitution Review Working Party, 12 January 2007)

The Constitution Review Working Party **RECOMMENDED TO COUNCIL** that the last sentence of Article 14.05 be amended as follows:

“The affixing of the Common Seal will be attested by the Chief Executive.”

11. SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

To consider a report recommending that Council adopt the Core Strategy Development Plan Document.

The strategy is attached in hard copy as Appendix 1. Appendices 2-4 are available electronically on the Council's website, www.scambs.gov.uk, or by contacting the Planning Policy Manager on the number/e-mail set out in the report.

(Pages 75 - 128)

12. CHIEF EXECUTIVE CONDITIONS OF APPOINTMENT

Council is requested to consider whether it wishes to extend the contract with Mr GJ Harlock to continue to serve as Chief Executive, Chief Finance Officer and Returning Officer for a further period to 30 June 2009.

Mr Harlock was initially appointed on a 1-year fixed-term contract from 1 July 2006, extendable by mutual consent. Mr Harlock has indicated his willingness to continue to serve in the combined posts of Chief Executive, Chief Finance Officer and Returning Officer for a further period of two years.

If Council is minded to approve Mr Harlock's reappointment, it is suggested that negotiations on the detailed Terms and Conditions be delegated to be undertaken by the Leader of the Council and Resources, Staffing, Information and Customer Services Portfolio Holder in consultation with the Chairmen of the Employment and Scrutiny and Overview Committees.

RECOMMENDATION

That Council determine whether it wishes to extend the contract with Mr GJ Harlock to continue to serve as Chief Executive, Chief Finance Officer and Returning Officer for a further period to 30 June 2009. If Council is minded to approve Mr Harlock's

reappointment, it is recommended that negotiations on the detailed Terms and Conditions be delegated to be undertaken by the Leader of the Council and Resources, Staffing, Information and Customer Services Portfolio Holder in consultation with the Chairmen of the Employment and Scrutiny and Overview Committees.

13. CLIMATE CHANGE GROUP

Following the Resolution by Council in September 2006 to establish a climate change group, to consider a report recommending approval of details of various matters necessary to establish the group.

(Pages 129 - 132)

14. MEMBERS' ALLOWANCES 2007-08

To consider the recommendation of the Independent Panel that basic and special responsibility allowances should increase by 2.5% on the 2006/07 rates. The Panel also recommended that the special responsibility allowance paid to the Chairman of the Licensing Committee be reduced to £2,100 per annum. The minutes of the Remuneration Panel meeting held on 20 December 2006 are attached for information.

The effect of accepting the Panel's recommendations would be:

Allowance	2006/07	2007/08
Basic	£4,404 (inc expenses)	£4,514 (inc expenses)
Leader	£11,091	£11,368
Deputy Leader	£8,319	£8,527
Cabinet member	£7,394	£7,579
Chairman of Council	£3,697	£3,789
Vice-Chairman of Council	£1,631	£1,672
Chairman of Scrutiny & Overview Cttee	£3,167	£3,246
Vice-Chairman of Scrutiny & Overview Cttee	£1,584	£1,624
Chairman of Development & Conservation Control Committee	£4,223	£4,329
Vice-Chairman of Development & Conservation Control Committee	£2,375	£2,434
Chairman of Licensing Committee	£3,075	£2,100
Chairman of Standards Committee	£410	£420
Chairman of Employment Committee	£410	£420
Independent Member of Standards Cttee	£262	£269
Parish Member of Standards Cttee	£210	£215

A 2.5% increase is in line with the allowance for inflation applied to the estimates generally and has been provided for in the proposed allowances budget for 2007/08 of £337,112.

RECOMMENDATION

That the recommendations of the Independent Panel be approved and the following allowances paid for 2007-2008:

Allowance	2007/08
Basic	£4,514 (inc

	expenses)
Leader	£11,368
Deputy Leader	£8,527
Cabinet member	£7,579
Chairman of Council	£3,789
Vice-Chairman of Council	£1,672
Chairman of Scrutiny & Overview Cttee	£3,246
Vice-Chairman of Scrutiny & Overview Cttee	£1,624
Chairman of Development & Conservation Control Committee	£4,329
Vice-Chairman of Development & Conservation Control Committee	£2,434
Chairman of Licensing Committee	£2,100
Chairman of Standards Committee	£420
Chairman of Employment Committee	£420
Independent Member of Standards Cttee	£269
Parish Member of Standards Cttee	£215

(Pages 133 - 136)

15. **CONFIRMATION OF COUNCIL MEETING DATES: JULY AND OCTOBER 2007**
Council, at its meeting on 26 October 2006, agreed its schedule of meetings for the 2007-2008, subject to the dates in July and October 2007 being given further consideration to avoid clashes with school holidays.

RECOMMENDATION

That the Council meetings in July and October 2007 be held on Thursday 19 July and Thursday 18 October 2007.

16. **REPORTS OF MEETINGS**
(* indicates that the Minutes have already been confirmed as a correct record)
- 16 (a) **Minutes of meeting, Tuesday 21st November 2006, of the Transformation Committee**
(Pages 137 - 140)
- 16 (b) **Minutes of meeting Thursday, 14th December 2006 of Cabinet**
(Pages 141 - 152)
- 16 (c) **Minutes of meeting Wednesday, 6th December 2006 of Planning Committee**
(Pages 153 - 158)
- 16 (d) **Minutes of meeting Thursday, 16th November 2006 of Scrutiny and Overview Committee**
(Pages 159 - 164)
- 16 (e) **Minutes of meeting Thursday, 21st December 2006 of Scrutiny and Overview Committee**
(Pages 165 - 170)

16 (f) Minutes of meeting Thursday, 11th January 2007 of Cabinet

(Pages 171 - 174)

17. QUESTIONS ON JOINT MEETINGS

Joint Body	Date of Meeting	Minutes Published in Weekly Bulletin
South Cambridgeshire Local Strategic Partnership Board	10 October 2006	20 December 2006
South Cambridgeshire Traffic Management Area Joint Committee	27 November 2006	20 December 2006
Cambridge East Member Reference Group	28 November 2006	13 December 2006
South Cambridgeshire Crime and Disorder Reduction Partnership	4 December 2006	20 December 2006

18. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

19. NOTICES OF MOTION

19 (a) Standing in the name of Councillor JP Chatfield

“This Council regrets the loss of any post offices in South Cambridgeshire and notes with concern the announcement by the Government on 14 December 2006 of Ministers’ plans to close 2,500 Post Office branches across the UK.

“This Council further notes the social importance of Post Offices to the well being of communities and individuals in South Cambridgeshire.

“This Council believes that the recently announced closure programme is unnecessary and calls on the government to end the branch closure programme, open up further business opportunities for the network and carry out a review of which additional Government functions could be carried out through Post Offices.

“This Council welcomes the decision of the Government to withdraw its previous proposals to scrap completely the Post Office Card Account (POCA), but calls on Ministers to ensure that any replacement POCA should be open freely to all pensioners and benefit recipients who want one. This Council calls on the Government to avoid putting pressure on current and future POCA users to switch to having benefits and pensions paid directly into bank accounts.”

Note: This motion will require a seconder before it may be debated.

19 (b) Standing in the names of Councillor Dr SEK van de Ven and Councillor RB Martlew

“In the interest of accountability to the electorate, all decisions made by Full Council should have the votes recorded and retained to be accessed on request, accessibility to be in accordance with the Access to Information Procedure Rules.”

19 (c) Standing in the names of Councillors Mrs HM Smith and RT Summerfield

“This Council congratulates the volunteers behind the Save Milton Country Park

campaign on raising the issue of the future of the Park to front page news in the local paper. This Council supports the Save Milton Country Park campaign and deplores the decision taken by Cabinet to instruct officers to close the park if no suitable partnership to take on the management of the park could be arranged or appeared likely by 31st August.”

20. CHAIRMAN'S ENGAGEMENTS

To note the Chairman's engagements since the last Council meeting:

Date	Venue / Event
23 November	Ely Cathedral, Lord Lieutenant's Dinner
27 November	Addenbrooke's Hospital, Celebration of the acquisition and clinical implementation of the da Vinci Robot, formally received by Prince Michael of Kent.
29 November	Tree planting, Victoria Way, Melbourn Affordable Housing Scheme
30 November	Chartered Institute of Public Relations Awards Evening, Norwich
1 December	Mid-Bedfordshire District Council Civic Reception, Chicksands
5 December	Viewing of the Art Loan Scheme Autumn Collection from Linton and Sawston Village Colleges, SCDC Hall
8 December	Huntingdonshire District Council Civic Reception, Hinchingsbrooke House,
10 December	Fenland District Council Carol Service, Whittlesey
10 December	Cambridgeshire County Council Civic Reception, Shire Hall
11 December	Presentation of gifts donated by officers for patients at Fulbourn Hospital, SCDC Hall
11 December	Melbourn Parish Council: reception on the occasion of retirement of longstanding Member.
13 December	Mayor of Huntingdon's Civic Carol Service
18 December	Demolition of Airey houses, Sawston
20 December	Visit to officers at Milton Country Park, with the Chief Executive
20 December	First Officer/Member Christmas lunch
21 December	Visit to Officers at Waterbeach depot
21 December	Second Officer/Member Christmas lunch
22 December	Chairman's reception for Officers and judging of decorated offices and office furniture
5 January	Official opening, Melbourn Community Sports facilities
17 January	Rotary Club lecture on the Governance of the UK
20 January	Cambridgeshire British Legion AGM, Cottenham

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Whilst the District Council endeavours to ensure that you come to no harm when visiting South Cambridgeshire Hall you also have a responsibility to ensure that you do not risk your own or others' safety.

Security

Visitors should report to the main reception desk where they will be asked to sign a register. Visitors will be given a visitor's pass that must be worn at all times whilst in the building. Please remember to sign out and return your pass before you leave. The visitors' book is used as a register in cases of emergency and building evacuation.

Emergency and Evacuation

In the event of a fire you will hear a continuous alarm. Evacuate the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park.

Do not use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.

Do not re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

If someone feels unwell or needs first aid, please alert a member of staff.

Access for People with Disabilities

All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Hearing loops and earphones are available from reception and can be used in all meeting rooms.

Toilets

Public toilets are available on each floor of the building next to the lift.

Recording of Business

Unless specifically authorised by resolution, no audio and / or visual or photographic recording in any format is allowed at any meeting of the Council, the executive (Cabinet), or any committee or sub-committee of the Council or the executive.

Banners / Placards / Etc.

No member of the public shall be allowed to bring into or display at any Council meeting any banner, placard, poster or other similar item. The Chairman may require any such item to be removed.

Disturbance by Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

Smoking

The Council operates a NO SMOKING policy.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts. There shall be no food and drink in the Council Chamber.

Mobile Phones

Please ensure that your phone is set on silent / vibrate mode during meetings.