



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

COUNCIL MEETING
THURSDAY, 17 JULY 2008

AGENDA AND REPORTS

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

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, 17 JULY 2008

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

DATED 9 July 2008

GJ HARLOCK
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

AGENDA

PRESENTATION

Prior to the start of the formal meeting, the Chairman will present a certificate and gift to Juli Stallabrass, Assistant Licensing Officer, in recognition of her completion of 25 years' service with the Council.

1. APOLOGIES

2. DECLARATIONS OF INTEREST

3. MINUTES

To authorise the Chairman to sign the Minutes of the meeting held on 22 May 2008 as a correct record (**attached**).

(Pages 1 - 12)

4. ANNOUNCEMENTS

5. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

5 (a) From Councillor SGM Kindersley to the New Communities Portfolio Holder

'During the 2008 election campaign the Conservatives highlighted the importance of saving our Post Offices from closure. Now that the list of Post Offices selected for closure is in the public domain could the Conservative Executive please tell Council exactly what steps are being taken by the Conservatives to save the South Cambridgeshire Post Offices from closure? I would appreciate full timings and costings. In addition, an indication how much officer time the Conservatives intend to focus on this important issue (and election commitment) would be useful.'

5 (b) From Councillor Mrs HM Smith to the Environmental Services Portfolio Holder

I welcome the recent introduction of paper recycling at village colleges. Schools should be leading the way in recycling, and educating responsible citizens for the future. What are the council's plans for expanding recycling services for village colleges to include, for example, plastics, and kitchen waste?

5 (c) From Councillor Mrs BZD Smith to the Deputy Leader and Housing Portfolio Holder

This Council is presently engaged in an important and expensive consultation exercise with its tenants regarding the subject of possible housing stock transfer.

Surely sound communication must be at the heart of any credible consultation. Yet, we have seen an inconsistent manner of planning local drop-in sessions, in which the onus may be on the local community to request a drop-in session, and in which local members are not informed or consulted until invitations have gone out or indeed drop-in sessions have taken place. The announcement that the ballot for the shadow board was flawed and must be re-administered further undermines confidence in the council's ability to communicate effectively during this critical exercise. What reassurances can the PFH offer?

6. PETITIONS

To note all petitions received since the last Council meeting.

7. RECOMMENDATIONS FROM THE CABINET AND PORTFOLIO HOLDERS:

7 (a) Food Safety Service Plan (Cabinet, 3 July 2008)

Cabinet **RECOMMENDED TO COUNCIL** that the Food and Safety Plan 2008/09 be approved.

The Plan, recommended for approval by the Cabinet, is available to view using this [link to the Council's website](http://www.scambs.gov.uk) (www.scambs.gov.uk) Alternatively, please contact Democratic Services to receive a copy, telephone (01954) 713016, e-mail democratic.services@scambs.gov.uk

7 (b) Member Development Strategy 2008-2011 (Cabinet, 3 July 2008)

Cabinet **RECOMMENDED TO COUNCIL** that the Member Development Strategy 2008-2011 be adopted, subject to an amendment to Section one to reflect that consultation with group leaders on the development of the strategy had taken place on an informal basis.

The strategy, considered by the Cabinet, is available to view using this [link to the Council's website](http://www.scambs.gov.uk) (www.scambs.gov.uk). The final version will be included in the revised edition of the Members' Toolkit which will be distributed shortly to all Members. Please contact Democratic Services to receive a hard copy, telephone (01954) 713016, e-mail democratic.services@scambs.gov.uk

7 (c) Housing Futures: New landlord selection panel (Housing Portfolio Holder's meeting, 8 July 2008)

The Leader of the Council, exercising the powers of the Housing Portfolio Holder in his absence, **RECOMMENDED TO COUNCIL** that the conclusion of the New Landlord Selection Process be supported and that a new standalone local housing association be **AGREED** as the preferred model of a new local housing association landlord, should tenants vote in favour of a housing transfer.

The papers considered by the Leader of the Council can be viewed using the following [link to the Council's website](#) (Agenda item 3 refers), www.scambs.gov.uk. Alternatively please contact Democratic Services to obtain a hard copy, telephone 01954 713016 e-mail democratic.services@scambs.gov.uk.

7 (d) Housing Futures - Managing conflicts of interest (Housing Portfolio Holder's meeting, 8 July 2008)

The Leader of the Council, exercising the powers of the Housing Portfolio Holder in his absence, **RECOMMENDED TO COUNCIL** that the protocol to guide members and employees involved in a potential housing transfer, attached to the report submitted to the Portfolio Holder's meeting, be adopted subject to the following change:

Paragraph 4.1.5: Refer to 'commercially sensitive' not 'confidential' information.

The report and protocol considered by the Leader of the Council can be viewed using the following [link to the Council's website](#) (www.scambs.gov.uk). Please contact Democratic Services to obtain a copy of the protocol, telephone (01954) 713016 e-mail democratic.services@scambs.gov.uk

8. RECOMMENDATIONS FROM COMMITTEES

8 (a) Appointment of Independent Members to the Standards Committee (Standards Committee, 11 June 2008)

The Standards Committee **RECOMMENDED TO COUNCIL** that Article 9.02(c) of the Constitution be amended to provide for the size and composition of Appointments Panels of the Standards Committee to be determined by the Standards Committee and not by its Chairman.

8 (b) Review of Contract Standing Orders (Corporate Governance Committee, 30 June 2008)

The Corporate Governance Committee **RECOMMENDED TO COUNCIL** that revised Contract Regulations be adopted as set out at Appendix 1 to the report and incorporated into Part 4 of the Constitution, subject to the correction of minor typographical errors identified by the Committee.

The revised Contract Regulations recommended for approval by the Corporate Governance Committee are available to view using the following [link to the Council's website](#) (www.scambs.gov.uk) Alternatively please contact Democratic Services to

obtain a copy, telephone (01954) 713016 e-mail
democratic.services@scambs.gov.uk

8 (c) Call-in: Service Continuity Arrangements for December and January Holiday Period (Scrutiny and Overview Committee, 3 July 2008)

The Scrutiny and Overview Committee, at its meeting on 3 July 2008, considered the call-in of the following decision of the Staffing Portfolio Holder:

'The Staffing Portfolio Holder **AGREED** that for this year volunteers will be sought from service areas to provide a skeleton service during the Christmas period. The extra statutory days will be added to employee leave entitlement. The concessionary day will be used to close the offices on Friday 2 January 2009. For future Christmas periods, the offices will be open as normal, and application of the concessionary day will be decided annually by the Staffing Portfolio Holder.'

The Committee, *inter alia*:

- (1) **RESOLVED**, in accordance with Scrutiny and Overview Committee Procedure Rule 12.9.2, to refer the decision of the Staffing Portfolio Holder in respect of Service Continuity Arrangements for the December and January holiday period 2008-2009 to Council for consideration.
- (2) **RECOMMENDED TO COUNCIL** that an alternative recommendation be made to the Staffing Portfolio Holder that a decision on whether to open the Cambourne offices be deferred until 2009 to enable any subsequent proposal to be supported by a business case, based on firm evidence and subject to appropriate consultation with unions and staff.

Council is invited to consider the Portfolio Holder's decision and recommendation by the Scrutiny and Overview Committee. It may:

- (1) Not object to the Portfolio Holder's original decision, in which case it may be implemented immediately.
- (2) Refer the decision back to the Portfolio Holder with an alternative recommendation. The Portfolio Holder has arranged a meeting on 23 July 2008 at which he may re-consider the matter, amend or confirm his original decision.

Relevant papers considered by the Staffing Portfolio Holder and Scrutiny and Overview Committee are available to view using the following [link to the Council's website \(www.scambs.gov.uk\)](http://www.scambs.gov.uk) Please contact Democratic Services if you wish to receive a hard copy – telephone (01954) 713016 e-mail Richard.may@scambs.gov.uk

8 (d) Proposals for review of the boundary between South Cambridgeshire District Council and Cambridge City Council (Electoral Arrangements Committee, 8 July 2008)

The Electoral Arrangements Committee **RECOMMENDED TO COUNCIL**:

- (1) That the submission of a request for a review of the administrative boundary between Cambridge City Council and South Cambridgeshire District Council be agreed in principle, on the basis of the proposals outlined previously and

shown on the **attached** plan, subject to definitive assurances from central government that the housing targets fixed in the Regional Spatial Strategy will be readjusted to take account of the numbers of planned new housing going to the City as a result of a boundary review.

- (2) That delegated authority be granted to the Leader and Cabinet to determine the adequacy of any assurances that may be forthcoming and consequently the decision as to whether or not to submit the request.

The report and appendices considered by the Committee are available to view using the following [link to the Council's website \(www.scambs.gov.uk\)](http://www.scambs.gov.uk) - Agenda item 6 refers. Appendix 1 to the report is attached to this Agenda as the proposal recommended by the Committee for agreement (see above). For hard copies of any other relevant paperwork, please contact Democratic Services, telephone (01954) 713016 or e-mail democratic.services@scambs.gov.uk.

(Pages 13 - 14)

8 (e) Arbury Park Parish Review (Electoral Arrangements Committee, 8 July 2008)
Electoral Arrangements Committee **RECOMMENDED TO COUNCIL** that;

- i) A reorganisation order be made creating a new parish at Arbury Park with a Council thus amending the parish boundaries of Impington Parish and Milton Parish, by reference to the **attached** plan of the proposed changes;
- ii) The Parish created be called Orchard Park and the council created be styled Orchard Park Community Council;
- iii) Consultation take place on the following electoral arrangements for the new parish council for subsequent confirmation by South Cambridgeshire District Council:
 - The Parish created should not be warded.
 - The council created should consist of 9 councillors, to be elected as soon as is practicable.
 - No changes are required to the electoral arrangements of Impington Parish and Milton Parish.

The report and appendices considered by the Committee are available to view using the following [link to the Council's website \(www.scambs.gov.uk\)](http://www.scambs.gov.uk) - Agenda item 7 refers. The document entitled 'Parish Review – Arbury leaflet' is attached to this Agenda as it contains the proposal recommended by the Committee for agreement (see above). For hard copies of any other relevant paperwork, please contact Democratic Services, telephone (01954) 713016 or e-mail democratic.services@scambs.gov.uk.

(Pages 15 - 16)

9. RECOMMENDATIONS BY THE CONSTITUTION REVIEW WORKING PARTY:

9 (a) Changes to Council Standing Orders (Constitution Review Working Party, 1 July 2008)
(A) COUNCIL STANDING ORDERS 7 AND 16 – ELECTION OF CHAIRMAN AND VOTING ON APPOINTMENTS

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

- (1) The following wording be added to Standing Order 7.1 (proposed additions marked in bold):

“The person presiding at the meeting may exercise any power or duty of the Chairman, **except where there is equality of votes on an appointment, in which case the provisions of Standing Order 16.7 below shall be followed.** Where these Standing Orders apply to committee or sub-committee meetings, references to the Chairman also include the Chairman of committees and sub-committees.”

- (2) The following wording be added to Standing Order 7.2:

“The Chairman of Council shall preside over the election of Chairmen of Committees and Sub-Committees of the Council. Where the Chairman of Council is not present, the Chief Executive or an officer nominated by him or her may preside at the election of the Chairman but **neither** shall be entitled to vote. In the event of a tie, the provisions of Standing Order 16.7 below shall be followed.”

- (3) The following wording be added to Council Standing Order 16.2:

“If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote. **This Standing Order shall not apply to situations in which there is equality of voting between two candidates on an appointment. In such cases, the provisions of Standing Order 16.7 below shall apply.**”

(B) COUNCIL STANDING ORDER 14.6 – AMENDMENTS TO MOTIONS

The Constitution Review Working Party **RECOMMENDED TO COUNCIL** that the following wording be added to Standing Order 14.6:

“14.6(b – subsequent paragraphs re-numbered accordingly):

The Chairman may request the mover and seconder of the original Motion to indicate whether they are prepared to accept the amendment through its incorporation into their Motion. If they are willing to do so, and the mover of the amendment gives their consent, the original Motion will stand altered accordingly, the amendment shall be deemed withdrawn and debate proceed on the original Motion, as altered. If they are not willing to do so, consideration of the amendment shall proceed in accordance with the normal rules of debate.”

9 (b) Amendment to Article 15 - Review and revision of the Constitution (Constitution Review Working Party, 1 July 2008)

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

- (1) That the following additional paragraph to Article 15.03 be agreed:

‘The Chief Executive is authorised, in consultation with the Chairman and Leader of Council and Monitoring Officer, to agree and incorporate:

- (a) Factual changes to the Constitution, for example to reflect changes in job titles or the management structure, and
- (b) Changes which are required by new legislation which the Council has

no choice but to make
A schedule detailed changes made under this provision shall be reported
to the Annual Meeting of the Council.”

- (2) That the following change to Article 15.04 (Constitution Review Working Party) be agreed:

“The Council may establish a Constitution Review Working Party to bring forward proposals **which, in the opinion of the Chief Executive and Monitoring Officer, entail substantive** changes to the Constitution for consideration by the Council, **excluding matters which are specifically included within the remit of other bodies of the Council.**”

10. CONSULTATIONS ON MOVE TO FOUR-YEARLY ELECTIONS AND CHANGES TO EXECUTIVE ARRANGEMENTS
Report and appendices **attached.**

Recommendations – Move to Four-yearly elections (from paragraph 18 of the report)

Council is recommended to consider the issues set out in paragraphs 1-9 of the report and resolve:

- (a) To consult on a move to four-yearly elections.
- (b) That, subject to additional information being included explaining why the issue is being revisited at this time, the consultation exercise be undertaken based on the methods and timescale used 2006, final details to be agreed by the Chief Executive in consultation with the Chairman and Leader.
- (c) That the results of the consultation be submitted to an Extraordinary Meeting of Council in May 2009 for consideration.

Recommendations – Changes to Executive arrangements (from paragraph 19 of the report)

Council is recommended to resolve:

- (a) That an article explaining the proposed changes described in paragraph 13 of the report be included in the Winter 2008 issue of the Council's residents' magazine, and that the proposals be also publicised on the Council's website and available to view at the Council Offices.
- (b) That the revised proposals be submitted to the Annual Meeting of Council on 21 May 2009 for adoption, such changes to have effect from this date.

(Pages 17 - 32)

11. APPOINTMENT OF PARISH COUNCIL REPRESENTATIVES TO THE STANDARDS COMMITTEE 2008/09-2012/13

To note the appointments of Councillor Bob Bryant, Orwell Parish Council, and Councillor Chris Tomsett, Gamlingay Parish Council, to the Standards Committee as Parish Council Members to serve four-year terms ending 11 June 2012.

12. STANDARDS COMMITTEE PROCEDURES

At its Annual Meeting on 22 May 2008, Council resolved, *inter alia*:

‘That authority be delegated to the Standards Committee to make all necessary amendments to the "Procedure for Local Investigation of Referred Complaints" and "Procedure for Local Standards Hearings" currently contained in Part 5 Section M and N of the Council's Constitution to take effect as amendments to the constitution immediately after the meeting of the Standards Committee on 11 June 2008 with the new procedures to be reported back to the next meeting of Council for information.’

The Committee agreed the necessary changes to these procedures at its meeting on 11 June 2008. The Committee also agreed new procedures for the local assessment and review of complaints, which, for consistency, Council is recommended to approve for incorporation in the Constitution alongside the investigation and hearing procedures.

RECOMMENDATION

That Council:

- (1) **NOTE** the incorporation of the new and revised procedures in Part 5 of the Constitution.
- (2) **APPROVE** the Procedures for the Local Assessment and Review of Complaints for incorporation into Part 5 of the Constitution.

The assessment, review, investigation and hearing procedure documents have been published with the electronic version of this agenda. To obtain a hard copy, please contact Democratic Services, telephone (01954) 713016 e-mail democratic.services@scambs.gov.uk

13. APPOINTMENT TO THE SCRUTINY AND OVERVIEW COMMITTEE

To receive a request by the Convenor of the Independent Group to alter his group's representation on the Scrutiny and Overview Committee through the appointment of Councillor Mrs DP Roberts in place of Councillor NS Davies.

14. APPOINTMENT TO THE PAPWORTH HOSPITAL NHS FOUNDATION TRUST

Council, at its last meeting, deferred the appointment of a representative to the Papworth Hospital NHS Foundation Trust pending clarification of meeting dates and times for the Board of Governors.

Meetings of the Board of Governors are scheduled to take place on **Thursday 18 September** and **Thursday 25 November 2008**, both at **10.30am**. Meeting dates for 2009 have yet to be confirmed, however it is anticipated that they will continue to be held on Thursday mornings at 10.30am.

Council is **RECOMMENDED**, in light of this additional information, to appoint a representative to the Papworth Hospital NHS Foundation Trust for a 4-year period ending on the date of the Annual Council Meeting in May 2012.

15. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

16. NOTICES OF MOTION

16 (a) Standing in the name of Councillors PW Topping and RE Barrett

'Council considers that the current Standing Order 4.1(b) preventing substitution by Executive (Cabinet) members on committees is unduly restrictive and should be removed. The rule was introduced for consistency with the rule preventing Executive Members from sitting as ordinary members of committees. In several cases, application of this rule has prevented full attendance at committees which could otherwise have been achieved through substitution by experienced Councillors who have received the appropriate training. Such a situation is damaging for local democracy and has the potential to detract from the overall quality of decisions, therefore this Council resolves that Standing Order 4.1(b) be deleted.'

16 (b) Standing in the names of Councillors SGM Kindersley and JF Williams

'This Council deplores the appointment of a non-Executive Councillor to represent this Council's interests at the East of England Regional Assembly.'

16 (c) Standing in the name of Councillor Mrs DP Roberts

'This Council is greatly concerned about the effect on its reputation following the disclosures that Cabinet Members' very public pronouncements regarding its policy and procedures on bin collection have proven not to have been true.'

17. CHAIRMAN AND VICE-CHAIRMAN'S ENGAGEMENTS

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

CHAIRMAN OF THE COUNCIL	
Date	Venue / Event
23 May	Handover event at Milton Country Park
26 May	Laid wreath at American Cemetery, Madingley
27 May	Greeting HRH The Duchess of Gloucester at Papworth Hospital to celebrate 50 years of cardiac surgery
29 May	Cambridge City Council dinner in honour of the outgoing Mayor
25 June	Beating Retreat, Bassingbourn Barracks
27 June	Bourn Airfield to greet Swavesey Village College students receiving a community project award
1 July	Comberton Village College to greet the Earl of Wessex
VICE-CHAIRMAN OF THE COUNCIL	
Date	Venue / Event
23 May	Handover event at Milton Country Park
8 June	TA 100-year at Ely Cathedral with Councillor Richard Barrett
20 June	Annual Tea Party with Mayor of Cambridge
21 June	Opening of Moat, Stapleford Primary School
6 July	Civic Service at Huntingdon with the Town Mayor
15 July	Civic Reception with the High Sheriff of Cambridgeshire

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

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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

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Toilets

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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.