

COUNCIL

THURSDAY, 17 JULY 2008

DECISIONS

Set out below is a summary of the decisions taken at the meeting of the Council held on Thursday, 17 July 2008. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

If you have any queries about any matters referred to in this decision sheet please contact Richard May.

FOOD SAFETY SERVICE PLAN (CABINET, 3 JULY 2008)

Council **RESOLVED** that the Food and Safety Plan 2008/09 be approved.

MEMBER DEVELOPMENT STRATEGY 2008-2011 (CABINET, 3 JULY 2008)

Council **RESOLVED** 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.

HOUSING FUTURES: NEW LANDLORD SELECTION PANEL (HOUSING PORTFOLIO HOLDER'S MEETING, 8 JULY 2008)

Council **RESOLVED** 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.

HOUSING FUTURES - MANAGING CONFLICTS OF INTEREST (HOUSING PORTFOLIO HOLDER'S MEETING, 8 JULY 2008)

Council **RESOLVED** 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 changes:

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

Paragraph 4.2.3: Deletion of this paragraph:

'(Members will) Not undertake any formal role on behalf of tenants in connection with the possible establishment of the new local housing association. For example acting as a formal or informal tenants advisor, or act for or on behalf of a tenants lobby group.'

APPOINTMENT OF INDEPENDENT MEMBERS TO THE STANDARDS COMMITTEE (STANDARDS COMMITTEE, 11 JUNE 2008)

Council **RESOLVED** 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.

REVIEW OF CONTRACT STANDING ORDERS (CORPORATE GOVERNANCE COMMITTEE, 30 JUNE 2008)

Council **RESOLVED** 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.

CALL-IN: SERVICE CONTINUITY ARRANGEMENTS FOR DECEMBER AND JANUARY HOLIDAY PERIOD (SCRUTINY AND OVERVIEW COMMITTEE, 3 JULY 2008)

Council made no objection to the Portfolio Holder's original decision, therefore the following decision may be implemented immediately:

'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.'

PROPOSALS FOR REVIEW OF THE BOUNDARY BETWEEN SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL AND CAMBRIDGE CITY COUNCIL (ELECTORAL ARRANGEMENTS COMMITTEE, 8 JULY 2008)

Council **RESOLVED**:

(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 plan attached at Agenda page 13, 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.

ARBURY PARK PARISH REVIEW (ELECTORAL ARRANGEMENTS COMMITTEE, 8 JULY 2008)

Council **RESOLVED** 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 plan of the proposed changes attached at Agenda page 16;

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.

CHANGES TO COUNCIL STANDING ORDERS (CONSTITUTION REVIEW WORKING PARTY, 1 JULY 2008)

Council **RESOLVED** 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 shall not 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

Council **RESOLVED** 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 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.”

AMENDMENT TO ARTICLE 15 - REVIEW AND REVISION OF THE CONSTITUTION (CONSTITUTION REVIEW WORKING PARTY, 1 JULY 2008)

Council **RESOLVED**:

- (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 detailing 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.**”

CONSULTATIONS ON MOVE TO FOUR-YEARLY ELECTIONS AND CHANGES TO EXECUTIVE ARRANGEMENTS

Council **RESOLVED**:

- (a) Not to pursue a move to four-yearly elections further at this time.
- (b) That an article explaining proposed changes to executive arrangements, based on 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.
- (c) That revised proposals in (b) above be submitted to the Annual Meeting of Council on 21 May 2009 for adoption, such changes to have effect from this date.

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

Council **NOTED** 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.

STANDARDS COMMITTEE PROCEDURES

Council:

- (1) **NOTED** the incorporation of the revised procedures for the local investigation and hearing of complaint into Part 5 of the Constitution;
- (2) **APPROVED** the Procedures for the Local Assessment and Review of Complaints, attached to the electronic copy of the Agenda as agreed by the Standards Committee, for incorporation into Part 5 of the Constitution.

APPOINTMENT TO THE SCRUTINY AND OVERVIEW COMMITTEE

Council **RESOLVED** that Councillor Mrs DP Roberts be appointed to the Scrutiny and Overview Committee in place of Councillor NS Davies.

APPOINTMENT TO THE PAPWORTH HOSPITAL NHS FOUNDATION TRUST

Council **RESOLVED** that Councillor NIC Wright be appointed to the Papworth Hospital NHS Foundation Trust for a 4-year period ending on the date of the Annual Council Meeting in May 2012.

MOTION STANDING IN THE NAME OF COUNCILLORS PW TOPPING AND RE BARRETT

The Motion, on being put, was declared lost on the casting vote of the Chairman.

MOTION STANDING IN THE NAMES OF COUNCILLORS SGM KINDERSLEY AND JF WILLIAMS

The Motion, on being put, was declared lost.

MOTION STANDING IN THE NAME OF COUNCILLOR MRS DP ROBERTS

Following the consideration of issues relevant to the Motion by the Assessment Panel of the Standards Committee, the Chairman rejected the Motion under Standing Order 12.4 on the grounds that it would, if carried, represent a determination which would be contrary to, and therefore prejudice, the proper process for the consideration of complaints against councillors by the Standards Committee.

