



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

COUNCIL MEETING
THURSDAY, 27 NOVEMBER 2008

AGENDA AND REPORTS

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

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, 27 NOVEMBER 2008

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

DATED 19 November 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 formal start of the meeting, the Chairman will present Georgina Hayward, Communications Manager, with a Diploma from the Chartered Institute of Public Relations, a qualification in which Miss Hayward achieved a merit.

1. APOLOGIES

2. DECLARATIONS OF INTEREST

3. MINUTES

To authorise the Chairman to sign the Minutes of the meeting held on 25 September 2008 as a correct record (**attached**).

(Pages 1 - 10)

4. ANNOUNCEMENTS

5. REPORT OF THE RETURNING OFFICER

To advise of the outcome of the by-election for the Teversham Ward held on Thursday 20 November 2008.

6. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

6 (a) From Councillor CR Nightingale to the Planning Portfolio Holder

Please will the Portfolio Holder support me in requesting that a Section 215 Amenity

Notice be placed on Sites on Orchard Park and Cambourne where work has stopped, specifically to ensure that all site safety fencing and access paving is completed to allow access to all completed properties, and to leave all sites safe, clean and tidy?

6 (b) From Councillor VG Ford to the Environmental Services Portfolio Holder

Given the falling commodity prices for both recyclable plastics and paper, please could the Portfolio Holder provide an update on whether the Council faces a potential shortfall in budget or increase in cost for 2008/9 or 2009/10?

6 (c) From Councillor Mrs HM Smith to the Housing Portfolio Holder

Given that Peterborough City Council is reducing the required percentage of affordable housing to get development moving, can the Portfolio Holder tell us what the Council is doing to encourage the development of affordable housing in the area, without losing the high percentage of affordable housing needed here which is written into our Local Development Framework? Equity share houses are going to be more difficult for people to afford. If they are expected to bring in funding for affordable housing to subsidise the social rented houses, how does the Housing Portfolio Holder envisage those houses being financed? How can the Council encourage more private rented housing in the area?

6 (d) From Councillor SGM Kindersley to the New Communities Portfolio Holder

In the light of recent research showing this Authority was the 28th worst performer in the UK in terms of its carbon footprint, can we be advised (a) what immediate steps if any are being taken by the Administration to better our performance and (b) what steps are being taken in relation to the Development Agenda to ensure it does not impact adversely on climate change?

6 (e) From Councillor R Hall to the Chairman of the Electoral Arrangements Committee

Considering that the Electoral Arrangements Committee accepted the recommendation of the Arbury Park Scrutiny Review that a new Parish Council for the development called the Orchard Park Community Council should be put in place as soon as possible, a recommendation confirmed by this Council on 25 September 2008, why have councillors only recently been informed that this is not possible before April next year?

6 (f) From Councillor MJ Mason to the New Communities Portfolio Holder

Please could the New Communities Portfolio Holder:

- (a) Confirm that the Electoral Arrangements Section 106 contribution of £24,800 has now been claimed and received from the developer and that these monies will be properly used for expenditure directly related to the electoral review and not for other incidental items such the purchase of new software?
- (b) Give an undertaking that Council will reimburse Impington Parish Council for all expenditure, incurred as a direct result of the delay, and for the

- governance of the new community in the interim period to June 2009?
- (c) Confirm that the Principal Solicitor has now fully briefed the Chairman and members of Electoral Arrangements Committee of all the circumstances and implications of the delay in the creation of the new Parish?

7. PETITIONS

To note all petitions received since the last Council meeting.

8. TO CONSIDER THE FOLLOWING RECOMMENDATIONS BY THE CABINET:

8 (a) Council Aims, Approaches and Actions (9 October 2008)

Cabinet **RECOMMENDED** to Council:

- A)** That the **attached** Aims, Approaches and Actions be adopted with effect from 1 April 2009;
- B)** That the Corporate Plan, existing service plans and strategies based on the current Corporate Objectives remain in force until they would normally be revised;
- C)** That, for the remainder of the current financial year, new and revised policies and strategies should be tested for compatibility with the Aims, Approaches and Actions agreed in (A) above, and also with the existing Corporate Objectives.

The report and appendices considered by the Cabinet can be accessed using the following links to the Council's website, www.scambsgov.uk:

- [- Report](#)
- [- Appendix](#)

A hard copy of the papers is available to view in the Members' Room. Please contact Democratic Services if you wish to obtain a hard copy – telephone (01954) 713016 e-mail democratic.services@scambsgov.uk

(Pages 11 - 14)

8 (b) Review of Medium Term Financial Strategy (13 November 2008)

Cabinet **RECOMMENDED TO COUNCIL** that Option B, **attached** as Appendix 2, (with the amendment of the cost of the Aims, Approaches and Actions and Inescapable Bids, plus inflation for 2008/09 from £100,000 to £50,000) and the following assumptions, be approved as the basis for the Medium Term Financial Strategy and planning of the budget for 2009/10 onwards:

- a) the base budget and carry forward of expenditure approved for 2008/09 being rolled forward;
- b) an increase in pay inflation to 3% from 2.5% for 2008/09;
- c) inflation at 2.5% for 2009/10 onwards and increased employer's pension contributions of 2.1% each year (cumulative) until 2010/11;
- d) from 2010/11 a further increase of 3% on the pay budget as an estimation of the effect of the pay and grading review;
- e) 2.5% for non-pay budgets (officers are reviewing actual inflation requirements rather than applying the general increase to all budget areas. This will lead to increases in some areas based on contract

increases and inflation pressures, off-set by no increases in some budget headings);

- f) the substantial efficiency savings targets (of which some are still unidentified) will be achieved;
- g) the maintenance of debt free status;
- h) the continued use of capital receipts to finance capital expenditure not met by grants, contributions and reserves;
- i) formula grant increases from 2008/09 to 2010/11 based on the three year settlement. From 2011/12 an estimated increase of 2.5%, plus allowance for growth at half the rate of increase in the tax base;
- j) a revised tax base, based on the current tax base growth in 2008/09 and taking into account the slow down in the housing market;
- k) no allowance for LABGI;
- l) increases of Council Tax at 4.9% per annum (at Band D);
- m) the Housing and Planning Delivery Grant will continue at the same level as the 2007/08 allocations, as the additional grant received in 2008/09 is unlikely to continue in future years. The additional grant received will be used to offset the lower income projections for planning and land charges over the next few years contributing to a balanced budget.

The full report and appendices considered by Cabinet can be accessed using the following [link to the Council's website, www.scams.gov.uk](http://www.scams.gov.uk). Item 5 refers. A hard copy of Appendix 2 is attached; hard copies of the full papers are available to view in the Members' Room. Alternatively, to obtain a hard copy, please contact Democratic Services, telephone (01954) 713016 e-mail democratic.services@scams.gov.uk.

(Pages 15 - 16)

8 (c) Housing Futures: Developing the Council's Offer to tenants (13 November 2008)

Cabinet **RECOMMENDED TO COUNCIL:**

- (a) That the Council seeks to make the best possible transfer offer to tenants by reflecting tenants' aspirations as expressed through the extensive Housing Futures consultation activities, while having regard to the financial impact on the Council.
- (b) That the outline proposals set out in paragraph 33 of the report are fully supported as Cabinet considers that transfer to South Cambridgeshire Village Homes, a new local not for profit Housing Association, is in the best interests of the Council's tenants.
- (c) That officers be instructed to develop the details of those proposals, in consultation with tenants, staff and the shadow board of South Cambridgeshire Village Homes for inclusion in the formal consultation (or 'offer') document for presentation to the Housing Portfolio Holder and Council early in 2009.
- (d) That the Council is prepared to consider reducing its places on the board of South Cambridgeshire Village Homes from five to three, in order to allow for a higher number of tenant board members, if principles from the Community Gateway Association model are incorporated in future.
- (e) That the Council supports in principle, a commitment that the housing transfer proposal should deliver an increase in the supply of affordable

homes in the district's villages.

The report and appendix considered by the Cabinet can be accessed using the following links to the Council's website, www.scambbs.gov.uk:

[- Report](#)
[- Appendix](#)

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8 (d) Pay Award 2008/09 (13 November 2008)
Cabinet **RECOMMENDED TO COUNCIL:**

- (1) That a 3% increase be implemented to conclude the annual pay negotiations (*backdated 1 to April 2008*).
- (2) That the matter of future negotiating frameworks be referred to the Staffing and Finance Portfolio Holders for consideration.

The report and appendix considered by the Cabinet can be accessed using the following links to the Council's website, www.scambbs.gov.uk:

[- Report](#)
[- Appendix](#)

A hard copy of the papers is available to view in the Members' Room. Alternatively, to obtain a hard copy, please contact Democratic Services, telephone (01954) 713016 e-mail democratic.services@scambbs.gov.uk.

9. TO CONSIDER THE FOLLOWING RECOMMENDATIONS BY THE STANDARDS COMMITTEE

9 (a) Recruitment of additional Independent Member to the Standards Committee (24 September 2008)

The Standards Committee, at its meeting on 24 September 2008, noted that successful interviews had resulted in the recommendation of two candidates for appointment by Council as Independent Members on 25 September 2008. These appointments were subsequently confirmed by Council. In considering the issue, the Committee noted the high calibre of the candidates and resolved that the Appointments Panel might recommend a third appointment, should a suitable appointee be identified.

Following a subsequent interview, the Appointments Panel **RECOMMENDED TO COUNCIL** that Mr. Alan Charles Hampton be appointed to the Standards Committee as an Independent Member to serve a four-year term ending 27 November 2012.

9 (b) Procedure for Initial Assessment of Complaints (24 September 2008)

The Standards Committee **RECOMMENDED TO COUNCIL** that the procedure for the Initial Assessment of Complaints, set out at Part 5 M(2) of the Constitution, be amended to give discretion to the Monitoring Officer as to whether a Subject Member should be informed of receipt of a complaint against them, the relevant part being

amended to read (amendment marked in ***bold italics***):

Acknowledging receipt of a complaint

On receiving a complaint and after determining that it is a Code complaint, the Monitoring Officer:

- (a) Shall send written acknowledgement to the complainant,
- (b) ***Has the discretion to*** inform the subject member of that complaint, (*having due regard to the Data Protection Act 1998 and Section 63 of the Local Government Act 2000 as modified by Regulation 12 of the regulations*) including:
 - i. The name of the complainant (unless the complainant has requested confidentiality and the standards committee has not yet considered whether or not to grant it)
 - ii. The relevant paragraphs of the Code of Conduct that are alleged to have been breached.
 - iii. A statement explaining that a written summary of the allegation will only be provided to the subject member once the assessment sub-committee has met to consider the complaint,
 - iv. And the date of the meeting of the Assessment Panel, if known.

10. ORCHARD PARK COMMUNITY COUNCIL - AMENDMENT TO REORGANISATION ORDER

At its last meeting, Council resolved that a reorganisation order be made in the following terms:

- i) To create a new parish at Arbury Park with a Council, thus amending the parish boundaries of Impington Parish and Milton Parish, by reference to a plan of the proposed changes,
- ii) The Parish created be called Orchard Park and the council created be styled Orchard Park Community Council,
- iii) The Parish created to be not warded,
- iv) The council created to consist of 9 councillors,
- v) First elections to take place on 27 November 2008 and the ordinary year of elections to be 2012,
- vi) No changes to be made to the electoral arrangements of Impington Parish and Milton Parish,
- vii) The Principal Solicitor of the authority to calculate the budget requirement for the created authority through negotiations with the Finance Section of the District Council and Impington Parish Council.

The Principal Solicitor has since established, in consultation with the Department for Communities and Local Government and Electoral Commission, that it is not legally possible for mid-year elections to be held for the establishment of the new parish council at Orchard Park. The new Council has to come into effect on 1st April in any year.

It was hoped that the new Council could come into being as soon as possible to lift the burden of the additional workload on Impington Parish Council by

the new development at Orchard Park.

However, the Reorganisation Order can be made in advance of 1st April to allow for preparations to be made for the creation of the new community council after the elections are held in June 2009.

RECOMMENDATION

That the Reorganisation Order approved at the last meeting be amended to reflect that Orchard Park Parish will come into effect on 1 April 2009 and that the Council elections will be held on 4 June 2009, being the ordinary date of elections for 2009.

11. JOINT PLANNING POLICY COMMITTEE: CONSULTATION ON DRAFT REGULATIONS

To consider the report of the Executive Director (**attached**).

Recommendation (from paragraph 11 of the report)

Council is recommended to agree the draft regulations set out at Appendix 3 (**attached**), with the addition of a requirement that a joint Local Development Scheme be submitted to the Secretary of State within 6 months of the order coming into effect.

(Pages 17 - 32)

12. APPOINTMENTS TO THE CAMBRIDGESHIRE REGIONAL SPATIAL STRATEGY REVIEW PANEL (CRESSP)

To consider the report of the Executive Director (**attached**).

Recommendation (from paragraph 11 of the report)

Council is **RECOMMENDED** to appoint three Members to the Regional Spatial Strategy Review Panel, in accordance with the Council's political proportionality and including the Portfolio Holder with responsibility for Regional Planning.

(Pages 33 - 36)

13. COUNCIL SCHEDULE OF MEETINGS 2009-2010

To consider the report of the Chief Executive (**attached**).

RECOMMENDATION (from paragraph 7 of the report)

Council is asked to resolve that meetings during the 2009-2010 Civic Year be scheduled as follows:

Date	Type of meeting
16 July 2009	Ordinary
24 September 2009	Ordinary
26 November 2009	Ordinary
28 January 2010	Ordinary
25 February 2010	Budget

14. APPOINTMENT OF EXECUTIVE DIRECTOR AND CHIEF FINANCE OFFICER

The Council is currently undertaking the recruitment and selection process for the position of Executive Director for Corporate Services. Article 12.01 of the Constitution provides that the appointment of Chief Officers is a matter reserved to the Council. The Appointments Panel of the Employment Committee will be carrying out interviews for the role on Wednesday 26 November and will be requested to make a preliminary offer to the candidate selected. Given the time required to complete key elements of the process following an offer, however, it is not considered that the Council will be in a position to make an appointment at this meeting.

On account of the length of time until the next Council meeting, Council is **RECOMMENDED** to delegate authority to the Appointments Panel of the Employment Committee to undertake the following steps:

- (1) To make an appointment to the position of Executive Director for Corporate Services, the detailed terms and conditions to be agreed by the Chief Executive.
- (2) To designate the successful candidate as Chief Finance Officer of the Council in accordance with the requirements of Section 151 of the Local Government Act 1972.
- (3) To designate the successful candidate as the Council's Lead Officer in respect of Risk Management, Procurement and Electronic Service Delivery, future appointments to these roles to be delegated to the Chief Executive as an operational staffing matter.

15. 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 and Returning Officer for a further period following the expiry of his present contract on 30 June 2009.

At its meeting on 25 January 2007, Council resolved 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. Members are requested to note that, subject to the appointment of an Executive Director under Agenda Item 14 above, Mr. Harlock will no longer hold the position of Chief Finance Officer.

In response to a request by the Leader of the Council for flexibility, and in the interests of effective succession planning, Council is **RECOMMENDED** to appoint Mr. GJ Harlock to the positions of Chief Executive, Electoral Registration Officer and Returning Officer for an indefinite period from 1 July 2009, with access to the previously-agreed termination package at the expiry of six months' notice in writing by Mr. Harlock.

16. APPOINTMENTS TO COMMITTEES

Following the resignation from the Council of Mrs Caroline Hunt, Council is **RECOMMENDED** to approve the nominations of the Conservative Group to fill vacancies which have arisen on the Planning Committee and Licensing Committee.

17. APPOINTMENT TO THE CLIMATE CHANGE WORKING GROUP

Following the resignation from the working group of Councillor JA Hockney, Council is **RECOMMENDED** to approve the nomination of the Conservative Group to fill this vacancy.

18. APPOINTMENTS TO OUTSIDE AND JOINT BODIES

Following the resignation of Mrs. Caroline Hunt from the Council, vacancies have arisen on the following outside and joint bodies:

(1) Cambridge Airport Consultative Committee

The appointment of a district councillor to sit on the consultative Committee.

(2) Farmland Museum Trustees

The appointment of a district councillor to act as representative of the Council on the Board of Trustees. The Curator of the Museum has requested that a local Ward Member be appointed.

(3) Cambridge East Joint Member Reference Group

This group is appointed in accordance with the Council's political balance, therefore Council is requested to appoint a Member of the Conservative Group.

RECOMMENDATIONS

(1) That Council make appointments of elected Members to the following outside bodies, nominees to serve until the date of the Annual Meeting of Council in 2011 or until they are no longer a district councillor, whichever is the sooner:

- Cambridge Airport Consultative Committee.
- Farmland Museum Trustees.

(2) That Council appoint a Member of the Conservative Group to the Cambridge East Joint Member Reference Group.

19. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

20. NOTICE OF MOTION

20 (a) Standing in the name of Councillor R Hall

'In the village of Dry Drayton, the local pub, the Black Horse, has recently closed and residents are concerned as to the long-term future of its school. This Council, therefore, welcomes proposals to build affordable housing for local people in our villages so that they will continue to be inhabited by people across the age range and village facilities will remain open and viable.'

21. CHAIRMAN'S ENGAGEMENTS

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

Events attended by the Chairman of the Council

Date	Venue / Event
1 October	Celebrating Age, services for older people, Salvation Army Community Centre, Cambridge
5 October	High Sheriff's Justice Service, Ely Cathedral
11 October	Addenbrokes NHS Trust afternoon tea to thank the WRVS for voluntary work, Scotsdales Garden Centre
22 October	Opening extension/refurbishment at Fowlmere Village Hall
3 November	Presenting Best Kept Garden Awards, Scotsdales Garden Centre
6 November	Presenting Health and Safety Certificates, South Cambs Hall
12 November	Laying wreath, Veterans' Day, American Military Cemetary, Madingley
14 November	Mayor of Cambridge's reception, Fitzwilliam Museum, Cambridge
19 November	Visit to the Womens' Institute Country Market at the Memorial Hall, Great Shelford
24 November	Recreation Ground Opening, Guilden Morden

Events attended by the Vice-Chairman of the Council

Date	Venue / Event
1 October	Celebrating Age, services for older people, Salvation Army Community Centre, Cambridge (with Chairman)
11 October	Addenbrokes NHS Trust afternoon tea to thank the WRVS for voluntary work, Scotsdales Garden Centre (with Chairman)
2 November	East Cambridgeshire District Council Civic Service, Soham
3 November	Cambridgeshire Constabulary Awards Evening
9 November	Remembrance Day Service, Great Shelford
20 November	Cambridge Community Mediation Service Annual General Meeting
22 November	Opening of Cambridge Steiner School

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

While the District Council endeavours to ensure that visitors come to no harm when visiting South Cambridgeshire Hall, those visitors also have a responsibility to make sure that they do not risk their own or others' safety.

Security

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Emergency and Evacuation

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- **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.

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Access for People with Disabilities

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Toilets

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

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, sub-committee or other sub-group of the Council or the executive.

Banners, Placards and similar items

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.

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