



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

COUNCIL MEETING
THURSDAY, 22 JULY 2010

AGENDA AND REPORTS

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

OUR VISION

- We will make South Cambridgeshire a safe and healthy place where residents are proud to live and where there will be opportunities for employment, enterprise and world-leading innovation.
- We will be a listening Council, providing a voice for rural life and first-class services accessible to all.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Trust
- Mutual respect
- A commitment to improving services
- Customer service

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 (as amended)."

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, 22 JULY 2010

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

DATED this 14th of July 2010

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

PRESENTATIONS

Prior to the start of the formal meeting, the Chairman will present Long Service Awards to Gail Cooke, Housing Services Officer, and Sean Geoffrey O'Connor, DSO Operative, in recognition of their completion of 25 years' respective service with the Council.

1. APOLOGIES

Apologies have been received from Councillor Janet Lockwood.

2. DECLARATIONS OF INTEREST

3. MINUTES

To authorise the Chairman to sign the Minutes of the meeting held on 27 May 2010 as a correct record.

(Pages 1 - 16)

4. ANNOUNCEMENTS

To receive any announcements from the Chairman, Leader, the executive or the head of paid service.

5. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

5 (a) From Councillor Deborah Roberts to the Environmental Services Portfolio Holder

"In the light of the public concern regarding unpleasant physical symptoms being experienced in and around Hauxton as well as the generally obnoxious odours being

Democratic Services Contact Officer: Holly Adams 03450 450 500

emitted day after day which are destroying the quality of life for so many residents of South Cambridgeshire and which goes against all the supposed values of SCDC will the council now take control of this situation, distance itself from the developers and their contractors, demand truly independent monitoring / evaluation, look at alternative methods of remediation that would not allow the airborne pollution to occur and thereby be seen to be acting in the public interest rather than as partners in the development of the former chemical works?"

5 (b) From Councillor Hazel Smith to the New Communities Portfolio Holder

"I was concerned to read in the *Cambridge News* that Dr Bard had decided to slow down even further the preparation of the Gypsy and Traveller Development Plan document (GTDPD). Policies on provision for this sizeable minority of the residents of South Cambs are referred to in our main LDF documents which were adopted many years ago now. We have looked into the needs of local Gypsies and Travellers at local and regional level to justify with evidence the numbers of pitches we were going to have to provide, just on the basis of families growing up and getting independent plots of their own. We know that the trajectory of new plots required was 69 from 2006 to 2011, another 27 up to 2016 and a further 31 to 2021 under the slimmed-down figures. As the RSS has now been abolished and neighbouring authorities in the East of England are now not having to make provision the need will be greater, perhaps up to half as much again.

"We have given permanent consent to 40 I know of, or perhaps a few more, up to now. There is also temporary consent to around 60 plots, many of them in Milton ward, and the GTDPD is now unlikely to be adopted in time for the end of the temporary permissions which have been given.

"Travellers have a justified expectation that this authority should have a proper policy, and tell them once and for all whether they can expect to be able to stay on their own land. Planning applications are increasingly likely to succeed on appeal, the longer we are without a credible strategy for providing for this community's needs. What is the administration's plan for the policy in this area?"

5 (c) From Councillor Sebastian Kindersley to the Planning Portfolio Holder

"Would the Portfolio holder please advise Council what the Administration's position is on Local Enterprise Partnerships? In particular I am interested to know with whom the Council expects to work; what the anticipated timeline for this is and what discussions have so far taken place."

5 (d) From Councillor Douglas de Lacey to the Planning Portfolio Holder

"Will the Portfolio Holder please tell us how it is possible that an upgrade of a perfectly-functioning planning website, on which many Parish Councillors rely to fulfil their duties, can take over three weeks rather than the three milliseconds which switching systems in the 21st century would normally be expected to take?"

5 (e) From Councillor Jose Hales to the New Communities Portfolio Holder

"Could the portfolio holder explain to members what this council's policy is now regarding housing provision numbers given, that the Regional Spatial Strategy policy has now been abolished?"

6. PETITIONS

To note all petitions received since the last Council meeting.

7. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

7 (a) Amendments to the Constitution - Article 9 - The Standards Committee (Standards Committee, 16 June 2010)

The Standards Committee unanimously **RECOMMENDED TO COUNCIL** adoption of the amendments made to Article 9 of the Constitution (The Standards Committee), as set out in the second column of the attached table.

(Pages 17 - 26)

7 (b) Government Review of Council Housing Finance: Proposals to Replace Housing Revenue Account (HRA) Subsidy System (Housing Portfolio Holder, 5 July 2010) (Key)

The Housing Portfolio Holder made a personal response (attached) to the consultation prospectus on the government's proposal to replace the Housing Revenue Account (HRA) Subsidy System, which offered this authority to take on £197 million of debt incurred by other councils, in return for which the authority would be able to retain 100% of housing rent collected locally, noting that the views of full Council would be sought on 22 July 2010 and any additional matters raised would be forwarded to the government.

Council is asked **TO ENDORSE** the Housing Portfolio Holder's response as the view of the authority and **TO AGREE** any further representations to be included.

(Pages 27 - 30)

7 (c) Capital Receipts Pooling: Equity Share (Cabinet, 8 July 2010) (Key)

Cabinet **RECOMMENDED TO COUNCIL** that:

- (a) direction be sought from the Secretary of State (under section 74 of the Local Government and Housing Act 1989) that the Council's residual interest in properties disposed of under pre-2006 equity share leases be removed from the Housing Revenue Account and transferred to the General Fund; and
- (b) an increase of £1,000,000 to the 2010/11 Capital Programme be approved for the re-purchase of equity share properties funded from either:
 - (i) capital receipts (up to 100% assuming that the direction at (a) is granted); or
 - (ii) the balance from an increase in the Council's borrowing limits.

7 (d) Clarifying Scrutiny Procedure and Related Definitions (Constitution Review Working Party, 22 July 2010)

The Constitution Review Working Party has been asked to make the following recommendations to Council at the Working Party's 22 July 2010 meeting:

Definitions

That Council add to the Definitions section of the Constitution, the following definitions of a whip and of a decision:

- "Whip: Any instruction given by or on behalf of a political group to any councillor who is a member of that group as to how that councillor shall speak or vote on any matter before the Council or any committee or sub-committee, or the application or threat to apply sanction by the group in respect of that councillor should he / she speak or vote in any particular matter"
- "Decision: A decision is when an issue is ultimately decided by the appropriate decision-maker. A recommendation is not a decision."

Scrutiny and Overview Committee Procedure Rules

That Council amend the Scrutiny and Overview Committee Procedure Rules as

follows:

- Paragraph 12.1: “Call-in ... can relate only to executive decisions made ~~or to be made~~ by the executive decision takers ...”.
- Paragraph 12.9: “If, having considered the decision, the Scrutiny and Overview Committee is concerned about it or agrees that the decision is a departure, it may take one of the following courses:
 - 12.9.1 “refer the decision back to the executive decision taker for re-consideration, setting out in writing the nature of its concerns. If referred back, the executive decision taker shall then re-consider within five working days, amending the decision or not, before adopting a final decision. ~~If the decision had been made before call-in, it~~, which may be implemented immediately [providing clarification and making this paragraph consistent with paragraph 12.13.2];
 - 12.9.2 “refer the matter to Council, ~~unless the executive decision taker has indicated a preparedness to reconsider the matter~~ [note: scrutiny committees have a statutory right to refer a matter to Council if they wish]; or
 - 12.9.3 “not refer the matter back or to Council, in which case the decision if made may be implemented immediately following the Scrutiny and Overview Committee meeting”

Any amendments or additions to these recommendations will be reported orally at Council.

7 (e) Review of Procedures for Public and Member Questions at Full Council (Constitution Review Working Party, 22 July 2010)

The Constitution Review Working Party has been asked to recommend to Council, at the Working Party’s 22 July 2010 meeting, the amendments in the attached document. Any alterations to these recommendations will be reported orally at Council.

(Pages 31 - 36)

8. APPOINTMENT OF A CHIEF EXECUTIVE / HEAD OF PAID SERVICE, ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER (Key)

This item may require the Chairman to exclude the public on the grounds that, if they were present, there would be disclosure to them of information defined as exempt from publication by virtue of paragraphs 1 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

8 (a) Appointment of a Chief Executive / Head of Paid Service, Electoral Registration Officer and Returning Officer (Recommendation of Employment Committee Appointments Panel)

(To Follow)

8 (b) Interim Arrangements for Chief Executive / Head of Paid Service, Electoral Registration Officer and Returning Officer

(To Follow)

9. FOOD SAFETY SERVICE PLAN 2010/11 (Key)

The plan is available on the Council’s website at www.scambs.gov.uk/meetings

Hard copies of the report and plan will be provided by Democratic Services if requested no later than 48 hours before the Council meeting date.

(Pages 37 - 40)

10. FRINGE SITES JOINT DEVELOPMENT CONTROL COMMITTEE - REVIEW OF SITE BOUNDARIES

Cambridgeshire County Council and Cambridge City Council have agreed these amendments at their Council meetings on, respectively, 30 March 2010 and 22 April 2010. The terms of reference will come into effect when all three Councils have agreed them.

The maps are available on the Council's website at www.scamb.gov.uk/meetings

Hard copies will be provided by Democratic Services if requested no later than 48 hours before the Council meeting date.

(Pages 41 - 62)

11. FORMAL ADOPTION OF SECTION 64 OF THE TOWN IMPROVEMENT CLAUSES ACT 1847

(Pages 63 - 66)

12. APPOINTMENT TO THE STANDARDS COMMITTEE OF INDEPENDENT AND PARISH COUNCIL MEMBERS 2010-14

(Pages 67 - 72)

13. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

14. NOTICES OF MOTION

14 (a) Standing in the name of Councillor Ray Manning, seconded by Councillor Sebastian Kindersley

This Council publicly recognises the unique contribution that the Marshall Group has made to South Cambridgeshire for more than 100 years, both in economic terms by the provision of local employment opportunities and the supply of goods and services, but also by its direct and indirect investment in the local community, and calls upon the Chairman and Chief Executive to mark this special relationship in the form of a commemorative illuminated scroll.

14 (b) Standing in the name of Councillor Sebastian Kindersley

This Council agrees to immediately cancel the competitive tendering exercise for Responsive Repairs on the basis that the exercise is costing this Council money unnecessarily and destabilising a profitable arm of the Council.

14 (c) Standing in the name of Councillor Mike Mason

Council requests and requires that written replies be provided for elected members and the public in answer to questions submitted at Council Meetings and that these answers be recorded in the minutes of the meeting.

15. CHAIRMAN'S ENGAGEMENTS

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

Date	Venue / Event
May 26	Cambridgeshire County Forum Briefing
May 30	Breathe Easy Dog Show, The White Horse, Waterbeach
May 31	Madingley Memorial Day Ceremony, Cambridge American Military Cemetery
June 2	Cambridge City Mayor Outgoing Dinner, Corpus Christi

	College
June 6	150th Anniversary - Army Cadet Force, Ely Cathedral
June 12	My Big Fat Gypsy Festival, Milton Country Park
June 13	St Ives Town Council Civic Service & Parade, All Saints Parish Church, St Ives
June 14	Royal Anglian Regiment Welcome Home Parade, Cambridge
June 16	Royal Anglian Regiment Homecoming, Ely Cathedral
June 16	Cruse Bereavement Care AGM, Arbury Community Centre
June 21	Armed Forces Day Flag Ceremony, Cambourne
June 23	Proclamation for Midsummer Fair
June 25	Royal Society of Saint George Summer Reception, Buckden Towers
June 26	Huntingdon Town Council Banquet, Commemoration Hall
June 27	St Neots Annual Civic Service and Parade
June 28	Impington Sheltered Housing Coffee Morning
July 1	What We Are Proud Of Awards Dinner, Newmarket
July 3	SCDC Chairman's Proms Concert, Great Shelford
July 6	Opening Shelford Feast
July 7	COPE AGM, Guildhall, Cambridge
July 7	Cambridge Classworks Theatre Company, Fulbourn
July 12	CAB Official Opening at Devonshire Road, Cambridge
July 13	Cambourne Church Centre official opening
July 13	Breathe Easy Strawberry Tea, Denson Close, Waterbeach

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

Members of the public attending meetings in non-public areas of the Council offices must report to Reception, sign in, and at all times wear the Visitor badges issued. Before leaving the building, such visitors must sign out and return their Visitor badges to Reception.

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. 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

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. 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 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.

Smoking

Since 1 July 2008, the Council has operated a new Smoke Free Policy. Visitors are not allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. Visitors are not allowed to bring food or drink into the meeting room.

Mobile Phones

Visitors are asked to make sure that their phones and other mobile devices are set on silent / vibrate mode during meetings or are switched off altogether.