



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.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Council held on
Thursday, 27 May 2010 at 2.00 p.m.

PRESENT: Councillor Charles Nightingale – Chairman
Councillor Tony Orgee – Vice-Chairman

Councillors: Frances Amrani, David Bard, Richard Barrett, Val Barrett, John Batchelor, Trisha Bear, David Bird, Francis Burkitt, Brian Burling, Tom Bygott, Nigel Cathcart, Jonathan Chatfield, Pippa Corney, Douglas de Lacey, Jaime Dipple, Simon Edwards, Sue Ellington, Jose Hales, Roger Hall, Steve Harangozo, Lynda Harford, Sally Hatton, Tumi Hawkins, Liz Heazell, Mark Hersom, James Hockney, Mark Howell, Mrs PE Jarvis, Peter Johnson, Sebastian Kindersley, Janet Lockwood, Mervyn Loynes, Ray Manning, Mike Mason, Raymond Matthews, David McCraith, David Morgan, Lorraine Morgan, Cicely Murfitt, Alex Riley, Deborah Roberts, Neil Scarr, Ben Shelton, Bridget Smith, Hazel Smith, Jim Stewart, Edd Stonham, Peter Topping, Robert Turner, Bunty Waters, John F Williams, John G Williams, Tim Wotherspoon and Nick Wright

Officers:	Holly Adams	Democratic Services Team Leader
	Alex Colyer	Executive Director, Corporate Services
	Steve Hampson	Executive Director, Operational Services
	Greg Harlock	Chief Executive
	Fiona McMillan	Acting Legal & Democratic Services Manager and Deputy Monitoring Officer

Apologies for absence were received from Councillor Surinder Soond.

1. ELECTION OF CHAIRMAN OF THE COUNCIL FOR THE 2010-2011 CIVIC YEAR

On the nomination of Councillor Ray Manning, seconded by Councillor Sebastian Kindersley, and there being no further nominations, Council

RESOLVED that Councillor Charlie Nightingale be re-elected Chairman of the Council for the 2010/11 Civic Year.

Councillor Nightingale took the Chair and signed the Declaration of Acceptance of Office.

2. APPOINTMENT OF VICE-CHAIRMAN OF THE COUNCIL FOR THE 2010-11 CIVIC YEAR

On the proposal of Councillor Ray Manning, seconded by Councillor Sebastian Kindersley and, there being no other nominations, Council

RESOLVED that Councillor Tony Orgee be re-appointed Vice-Chairman of the Council for the 2010/11 Civic Year.

Councillor Orgee accepted the role and signed the Declaration of Acceptance of Office.

3. DECLARATIONS OF INTEREST

Councillors John Batchelor, Sebastian Kindersley and Tony Orgee, all elected County Councillors, all declared personal non-prejudicial interests in any matters on the agenda

relating to Cambridgeshire County Council.

4. MINUTES

Council **RESOLVED** that the minutes of the meeting held on 22 April 2010 be approved as a correct record and signed by the Chairman.

5. REPORT OF THE RETURNING OFFICER

Council **RECEIVED** the Report of the Returning Officer and new members were introduced and welcomed. All new and returning members were congratulated on their election and Council paid tribute to the hard work of the Elections team, particularly the Electoral Services Manager, Laura Lock, for the successful administration of the general and local elections.

6. ANNOUNCEMENTS

Councillor Charlie Nightingale paid tribute to late former Councillor Eustace Bullman, who had served as member for Girton Ward from 1983 to 2008, and as Chairman of the Council from 1992 to 1994.

Councillor Nightingale confirmed that Help for Heroes and the East Anglian Air Ambulance would continue as the Chairman's Charities for 2010/11, and invited Members to attend his Proms-style fundraiser on 3 July 2010.

The Executive Director (Operational Services) updated Members on the progress of the clean-up works at the former Bayer CropScience site at Hauxton, for which the Council was working in partnership with the Environment Agency and the Health Protection Agency. Members were encouraged to use the Council's website for up-to-date information from all three statutory authorities.

The Leader stated that there had not been any changes made to the current Cabinet.

7. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

7 (a) From Councillor Bridget Smith to the Leader

Councillor Bridget Smith asked the Leader: "Cambridgeshire County Council have just informed users of the Home Meadow Day Care Centre in Toft that they are ceasing day care provision in a few months time. In the light of the well publicised cuts that County are going to make to adult social care, what are we in South Cambridgeshire District Council going to do to ensure that we do not take the brunt of these cuts and what actions may we take to mitigate their effects on our elderly residents suffering from dementia and their long suffering carers?" She added that she had asked the same question at a meeting of Cambridgeshire County Council and had received a written response.

Councillor Ray Manning, Leader of the Council, sympathised with families affected by the cuts, and offered to express this Council's concerns to Cambridgeshire County Council, but was reluctant to suggest to the County Council that the District Council should be involved in matters which were the direct responsibility of Cambridgeshire County Council.

Councillor Smith, in her supplementary question, expressed concern that the District Council seemed about to bear the brunt of any Cambridgeshire County Council cuts.

7 (b) From Councillor Mike Mason to the New Communities Portfolio Holder

Councillor Mike Mason asked the New Communities Portfolio Holder, "Members have noted the recent decision by Marshall of Cambridge to remain on their present site, together with ever increasing delays and doubts about new development on other Local Development Framework sites around the City and at the new town of Northstowe. In acknowledgement that the policies and house building targets defined in the LDF are now no longer practical or financially feasible within the plan period and noting the recent statement from the new Cabinet member and MP for South Cambridgeshire, will he now seek urgent talks with the government in order to facilitate an urgent and radical review of the LDF and other development plans for the Sub Region?"

Councillor David Bard, New Communities Portfolio Holder, noted that the recently-published Programme for Government raised a number of issues relating to planning policy and advised that the Council and neighbouring authorities were already in contact with central government, seeking more detailed information. In response to Councillor Mason's supplementary question of when more details would be known, Councillor Bard replied that a meeting was already being set up.

8. MAJOR OPPOSITION GROUP LEADER'S ANNUAL REPORT TO COUNCIL 2010

Councillor Sebastian Kindersley, Major Opposition Group Leader, delivered his Annual Report to the Council, noting specifically the need for the administration to engage with all Members, for all Members to work together, and the effect of budget cuts on service provision and public perception of the authority.

Council **RECEIVED** the Major Opposition Group Leader's Annual Report to Council.

9. ANNUAL SCRUTINY & OVERVIEW COMMITTEE REPORT TO COUNCIL 2010

Councillor John Batchelor, Scrutiny and Overview Committee Chairman, presented the Annual report to the Council, highlighting the Committee's growing reputation as a body delivering robust and detailed work, specifically its receipt of a national award for its 2008 review of Arbury Park (now Orchard Park). He paid tribute to Councillors James Hockney and Bridget Smith for their chairmanship of, respectively, the Finance and the Children and Young People Task and Finish Groups, and to former Councillor Richard Summerfield for his significant commitment to the review of the Council's budget-setting process. He also thanked Jackie Sayers, Scrutiny Development Officer, for her work, describing her as a great ambassador for the Committee.

Councillor James Hockney, Scrutiny and Overview Committee Vice-Chairman, echoed Councillor Batchelor's comments and thanked Councillor Batchelor for his hard work as Chairman over the past two years.

Council **RECEIVED** the Scrutiny and Overview Committee's Annual Report to Council.

10. ANNUAL STANDARDS COMMITTEE REPORT TO COUNCIL 2010

Mrs Kathy English, Chairman and Independent Member of the Standards Committee, presented the Annual Report to Council and highlighted some of the Committee's significant achievements in 2009/10: completing the initial assessment of allegations in an average of just over ten working days compared to the national indicator of twenty working days; being named as a finalist in the Local Government Chronicle's Standards and Ethics award; conducting training sessions on the day of each committee meeting;

and the Committee's additional work with parish councils through the Standards Committee Newsletter and establishment of the Parish Liaison Working Group.

Referring to the recent announcement in the Queen's Speech of the Government's plans to "abolish the Standards Board regime", Mrs English noted that there were no further details yet available, but that the Standards Committee would be fully involved in any consultation. She added her personal view that, as a member of the public, she welcomed retention of some system to address allegations of member misconduct.

Council **RECEIVED** the Standards Committee's Annual Report to Council.

11. PETITIONS

Council **NOTED** that one petition had been received and had been considered by the Housing Portfolio Holder at his 19 May 2010 meeting.

12. COUNCIL STANDING ORDERS 1.2(B) AND 4.1(B) (RECOMMENDATION FROM THE CONSTITUTION REVIEW WORKING PARTY, 27 APRIL 2010)

All three recommendations from the Constitution Review Working Party were proposed by Councillor Charlie Nightingale and seconded by Councillor Ray Manning. Any Executive Members serving as ex officio members on a committee would be appointed to seats from within their party's allocation, and that ex officio members would have full voting rights.

A vote was taken and, with thirty votes in favour, twenty-two against and four abstentions, Council **RESOLVED** that Council Standing Order 1.2(b) in Part 4 of the Council's Constitution be amended as follows (new wording in ***bold italics***):

1.2 Selection of Councillors on Committees and Outside Bodies

(b) ***Executive Members shall be entitled to sit on the following committees as ex officio members:***

- ***Employment Committee: Executive Member with responsibility for staffing matters;***
- ***Licensing Committee, Licensing Committee (2003 Act), Licensing Committee (2005 Gambling Act): Executive Member with responsibility for licensing matters;***
- ***Planning Committee: Executive Member with responsibility for development control matters.***

A vote was taken and, with forty-five votes in favour, eight against, one abstention, and two Members not voting, Council **RESOLVED** that Council Standing Order 1.2(c) in Part 4 of the Council's Constitution be amended as follows:

(c) Executive Members shall not be entitled to sit upon the following committees:

- Corporate Governance Committee;
- Electoral Arrangements Committee;
- Scrutiny and Overview Committee;
- any other scrutiny and overview committee.

In response to questions it was confirmed that the Constitution Review Working Party had considered the issue of Executive Members serving as substitute members of the Corporate Governance Committee, but had recommended to Council, with one voting against, that Executive Members could serve as substitutes on all bodies except the Scrutiny and Overview Committee or any other scrutiny and overview committees. Members debated whether it was appropriate to have Executive Members serving as substitutes on the Corporate Governance Committee, which monitored areas of

Executive responsibility, and the importance of ensuring that meetings could not be rendered inquorate if non-Executive substitutes could not be found when full committee Members were unable to attend. Members were advised that the Chartered Institute of Public Finance and Accountancy (CIPFA) guidance stated that Executive Members could serve on audit committees, but not as Chairmen. Substitute members on any Council bodies would have full voting rights.

A vote was taken and, with thirty votes in favour, twenty-five against and one Member not voting, Council **RESOLVED** that Council Standing Order 4.1(b) in Part 4 of the Council's Constitution be amended as follows:

- (b) *Executive Members shall be allowed to substitute on all committees other than the Scrutiny and Overview Committee or any other scrutiny and overview committee.***

Members noted that the proposal to have substitutes appointed by the full Council was a good management principle, and that all substitutes would be required to undertake the same training as full Committee members before being eligible to serve.

A vote was taken and, with fifty-one votes in favour, two against and two abstentions, Council **RESOLVED** that Council Standing Order 1(b) and 4.1(a) in Part 4 of the Council's Constitution be amended as follows:

1(b) The annual meeting will...

- (viii) *appoint up to four substitutes per committee from each political group in a hierarchical list to all committees and sub-committees other than the Standards Committee;***

[subsequent paragraphs to be renumbered accordingly]

4.1 Allocation

- (a) Substitutes will be allowed on committees and sub-committees, and Council may allocate seats for substitute members on outside or joint bodies, where those bodies allow. The substitute must be a member of the same political group as the member for whom they are substituting. ***Substitute members will be appointed in a hierarchical list by Council at its Annual Meeting.***

13. ESTABLISHMENT, SIZE OF, AND TERMS OF REFERENCE FOR, COMMITTEES FOR THE 2010-2011 CIVIC YEAR

Councillor Pippa Corney, Planning Committee Chairman, proposed that the Planning Committee size remain at 14 Members for the 2010/11 municipal year, as this size had worked well in previous years; Councillor Robert Turner, Planning Committee Vice-Chairman, seconded the proposal. Members queried whether having an even number on Committees should be avoided on principle, as it increased the opportunity to have decisions made on the Chairman's casting vote.

Councillor Alex Riley proposed an amendment, seconded by Councillor Douglas de Lacey, that the Planning Committee comprise 15 Members for the 2010/11 municipal year. In accordance with Council Standing Order 14.6(b), a vote was taken on the amendment and, with thirty votes in favour and twenty-six against, the amendment was **CARRIED**.

A vote was held and, with thirty in favour, twenty-two against and two Members not voting, Council **RESOLVED** that the Planning Committee comprise 15 Members for the 2010/11 municipal year.

Councillor Liz Heazell proposed an amendment to the text in the agenda, seconded by

Councillor Deborah Roberts, that the Scrutiny and Overview Committee be increased to 13 Members for the 2010/11 municipal year. In accordance with Council Standing Order 14.6(b), a vote was taken on the amendment and, with thirty votes in favour and twenty-five against, the amendment was **CARRIED**.

A vote was held and, with forty in favour, ten against, one abstention and three Members not voting, Council **RESOLVED** that the following committees be established for the 2010/11 municipal year, comprising the number of Members stated in brackets:

- Corporate Governance Committee (7 Members)
- Electoral Arrangements Committee (7 Members)
- Employment Committee (7 Members)
- Planning Committee (15 Members)
- Licensing Committee (15 Members)
- Scrutiny and Overview Committee (13 Members)

Council further **RESOLVED** that the Terms of Reference for the above committees be as set out in Article 6 and Part 3, Table One of the Council's Constitution, including the amendments made by Council's resolution at Agenda Item 13 (Council Standing Orders 1.2(b) and 4.1(b)).

14. **APPOINTMENTS OF MEMBERS AND SUBSTITUTE MEMBERS TO COMMITTEES OF THE COUNCIL, 2010-2011**

Council **RESOLVED**

- (1) That seats be allocated on committees in accordance with the table below:

Committee / Panel	Seats	Cons	Lib Dems	Ind	Non- Group
Corporate Governance Committee	7	4	2	1	0
Electoral Arrangements Committee	7	4	2	1	0
Employment Committee	7	4	2	1	0
Licensing Committee Licensing Committee (2003 Act) Licensing Committee (2005 Gambling Act)	15	7	4	2	2
Planning Committee	15	8	5	2	0
Scrutiny and Overview Committee	13	7	5	1	0
TOTAL	64	34	20	8	2

and;

- (2) That, based on the allocations at (1) above, and the requirement for political proportionality, the following appointments to Committees be made for the 2010/11 civic year:

Corporate Governance Committee

7 Members:

Conservative (4)	Lib Dems (2)	Ind (1)
Francis Burkitt	John Batchelor	Douglas de Lacey
Mervyn Loynes	John G Williams	
David McCraith		
Peter Topping		

Substitutes in hierarchical list:

Order	Conservative	Lib Dems	Ind
1	Richard Barrett	Jim Stewart	Alex Riley
2	Ben Shelton	Liz Heazell	
3	David Bird		
4	Charlie Nightingale		

Electoral Arrangements Committee**7 Members:**

Conservative (4)	Lib Dems (2)	Ind (1)
Roger Hall	Frances Amrani	Mike Mason
Raymond Matthews	John F Williams	
Robert Turner		
Bunty Waters		

Substitutes in hierarchical list:

Order	Conservative	Lib Dems	Ind
1	Charlie Nightingale	Hazel Smith	Neil Scarr
2	Tony Orgee	Surinder Soond	
3	Val Barrett		
4	James Hockney		

Employment Committee**7 Members:**

Conservative (4)	Lib Dems (2)	Ind (1)
Pippa Corney	Liz Heazell	Alex Riley
Simon Edwards*	Sebastian Kindersley	
Raymond Matthews		
Tony Orgee		

* as Finance and Staffing Portfolio Holder

Substitutes in hierarchical list:

Order	Conservative	Lib Dems	Ind
1	Val Barrett	Jim Stewart	Douglas de Lacey
2	Brian Burling	John Batchelor	
3	Charlie Nightingale		

Licensing Committee, Licensing Committee (2003 Act), Licensing Committee (2005 Gambling Act)**15 Members:**

Conservative (7)	Lib Dems (4)	Ind (2)	Non-Group (2)
Richard Barrett	Trisha Bear	Sally Hatton	Nigel Cathcart
Val Barrett	Liz Heazell	Alex Riley	Cicely Murfitt
Roger Hall	Janet Lockwood		
Mervyn Loynes	John F Williams		
Raymond Matthews			
David McCraith			
Charlie Nightingale			

Substitutes in hierarchical list:

Order	Conservative	Lib Dems	Ind	Non-Group
1		Hazel Smith	Neil Scarr	
2		Jose Hales		

Planning Committee**15 Members:**

Conservative (8)	Lib Dems (5)	Ind (2)
Val Barrett	Trisha Bear	Sally Hatton
Brian Burling	Lynda Harford	Deborah Roberts
Pippa Corney	Sebastian Kindersley	
Mervyn Loynes	Hazel Smith	
Charlie Nightingale	John F Williams	
Peter Topping		
Robert Turner		
Nick Wright*		

* as Planning Portfolio Holder

Substitutes in hierarchical list:

Order	Conservative	Lib Dems	Ind
1	David McCraith	Tumi Hawkins	Neil Scarr
2	Richard Barrett	Jose Hales	Mike Mason
3	Raymond Matthews	John Batchelor	Alex Riley
4	David Bard	Mark Hersom	

Scrutiny and Overview Committee

13 Members:

Conservative (7)	Lib Dems (5)	Ind (1)
Roger Hall	Jose Hales	Mike Mason
James Hockney	Tumi Hawkins	
Peter Johnson	Liz Heazell	
David Morgan	Mark Hersom	
Tony Orgee	Bridget Smith	
Ben Shelton		
Bunty Waters		

Substitutes in hierarchical list:

Order	Conservative	Lib Dems	Ind
1	Richard Barrett	John Batchelor	Deborah Roberts
2	Charlie Nightingale	Edd Stonham	Sally Hatton
3	David Bird	Lynda Harford	
4	Val Barrett		

15. APPOINTMENTS TO JOINT COMMITTEES FOR 2010-2011

Council considered the appointment of Members to joint committees for the 2010/11 municipal year. Councillor Douglas de Lacey raised an objection to the allocation of seats and he and Councillor Alex Riley submitted that the three joint committees were not bodies of the Council and therefore not subject to the requirement for proportional allocation of seats between the recognised political groups. Councillor Riley proposed that the allocation of seats on the Joint Development Control Committees be amended to 3 Conservatives, 2 Liberal Democrats and 1 Independent. The Chief Executive confirmed that the joint committees were not bodies of this Council exclusively, and explained that the principles of proportionality were established in the Local Government and Housing Act 1989 and could not be amended by the Council, although it was within the power of any of the political groups to offer to relinquish any of their allocated seats to other Members if they so wished.

Members noted the number of villages affected by the development areas and that local Members were able to attend and make representations at joint committee meetings.

Council, with nine votes against, **RESOLVED** that seats be allocated, and appointments

made, to the following Joint Committees:

Cambridge City Fringes Joint Committee

3 seats

Conservatives (2)

David Bard (substitute Nick Wright)

Ray Manning (substitute Simon Edwards)

Lib Dems (1)

Sebastian Kindersley (substitute Liz Heazell)

Joint Development Control Committee: Cambridge Fringes

6 seats

Conservatives (4)

David Bard

Tom Bygott

Charlie Nightingale

Ben Shelton

Lib Dems (2)

Liz Heazell

John F Williams

Substitutes

David McCraith

Mark Hersom

Northstowe Joint Development Control Committee

6 seats

Conservatives (4)

Brian Burling

Simon Edwards

David McCraith

Tim Wotherspoon

Lib Dems (2)

Lynda Harford

Hazel Smith

Substitutes

Nick Wright

Mark Hersom

16. APPOINTMENTS TO THE CONSTITUTION REVIEW WORKING PARTY 2010-2011

In response to queries about the reference to “Chairman or Vice-Chairman of the Scrutiny and Overview Committee”, Councillor Mark Howell explained that, when he was Scrutiny and Overview Committee Chairman, he had not been able to serve on the Constitution Review Working Party and so the appointment wording was amended to allow the Vice-Chairman to serve in his place. Members noted that the Constitution Review Working Party did not have any decision-making powers and that all its recommendations must be approved by full Council.

Council, with eight votes against, **RESOLVED** that the Chairman of the Council, Leader, Deputy Leader and Chairman of the Scrutiny and Overview Committee be appointed to the Constitution Review Working Party for the 2010/11 Civic Year, along with the following representatives from the political groups:

Conservatives (1)

Roger Hall

Lib Dems (1)

Jim Stewart

Ind (1)

Mike Mason

Substitutes

Conservatives

Lib Dems

John Batchelor

Ind

Alex Riley

17. APPOINTMENTS TO THE CLIMATE CHANGE WORKING GROUP 2010-2011

Council **RESOLVED** that the following Members be appointed to the Climate Change

Working Group for the 2010/11 civic year in accordance with the requirements of political proportionality:

Conservatives (5)

David Bard
Tom Bygott
Pippa Corney
Roger Hall
Peter Topping

Lib Dems (3)

Jose Hales
Stephen Harangozo
Bridget Smith

Ind (1)

Douglas de Lacey

Substitutes in hierarchical list:

Order	Conservatives	Lib Dems	Ind
1	Ben Shelton	Janet Lockwood	Sally Hatton
2	Richard Barrett	Trisha Bear	
3	David Morgan	John F Williams	
4	Tony Orgee		

18. **DISTRICT COUNCIL MEMBER APPOINTMENTS TO THE STANDARDS COMMITTEE 2010-2014**

Council **RESOLVED** that Councillors Alex Riley and Jim Stewart be appointed District Council Members of the Standards Committee for four-year terms from 2010 to 2014.

19. **ADJOURNMENT OF THE MEETING**

Council adjourned to allow its Committees, Sub-Committees and Working Groups to elect their Chairmen and Vice-Chairmen for the 2010/11 Civic Year. Chairmen and Vice-Chairmen were elected as follows:

Body	Chairman	Vice-Chairman
Climate Change Working Group	Peter Topping	Stephen Harangozo
Constitution Review Working Party	Charlie Nightingale	Jim Stewart
Corporate Governance Committee	Peter Topping	Francis Burkitt
Electoral Arrangements Committee	Robert Turner	Raymond Matthews
Employment Committee	Tony Orgee	Simon Edwards
Licensing Committee, Licensing Committee (2003 Act) and Licensing Committee (2005 Gambling Act)	Cicely Murfitt	John F Williams
Planning Committee	Pippa Corney	Robert Turner
Planning Enforcement Sub-Committee	Mervyn Loynes	Val Barrett
Scrutiny and Overview Committee	James Hockney	Bridget Smith

20. **APPOINTMENTS TO OUTSIDE, JOINT AND OTHER MEMBER BODIES 2010-2011**

Councillor David Morgan was proposed by Councillor Ray Manning and Councillor Bridget Smith was proposed by Council Sebastian Kindersley as the representative on the National Society for Clean Air and Environmental Protection. A vote was held and,

with twenty-nine votes in favour and twenty-four votes against, it was **RESOLVED** that Councillor David Morgan serve as the authority's representative on the National Society for Clean Air and Environmental Protection.

Council **RESOLVED** to appoint Members to joint and other Member bodies as follows:

Body	Members	Seats	Politically-balanced?
Joint Cambridgeshire Regional Spatial Strategy Review Panel (CReSSP)	David Bard (substitute Nick Wright) Sebastian Kindersley (substitute John Batchelor) Ray Manning (substitute Simon Edwards)	3	Yes
Joint Strategic Growth Implementation Committee (JSIC)	David Bart (substitute Nick Wright) Sebastian Kindersley (substitute John Batchelor) Ray Manning (substitute Simon Edwards)	3	Yes
Joint Transport Forum	David Bard (substitute Nick Wright) Ray Manning (substitute Simon Edwards) John G Williams (substitute John Batchelor)	3	Yes

Council **RESOLVED** to appoint Members to outside bodies for four years or until the end of the individual Member's term of office as follows:

Body	Members
Age Concern	Roger Hall
Cambridge University Joint Councils Forum (Addenbrooke's)	Janet Lockwood
Cambridgeshire and Peterborough Association of Local Councils (CPALC): South Cambs District	David McCraith
Cambridgeshire County Council Health and Adult Social Care Scrutiny Committee	Roger Hall (substitute Bridget Smith)
Cambridgeshire Museums Advisory Partnership	David McCraith
Farmland Museum Trustees	Peter Johnson
GVC (Gamlingay Village College) Leisure Limited	Bridget Smith
Linton Community Sports Centre (Linton Village College)	Trisha Bear
Local Area Agreement (LAA) Joint Accountability Committee (JAC)	Liz Hezell
Melbourn Community Sports Ltd	Val Barrett and Jose Hales

(MCSPLIM) – 2 members	
Mepal Outdoor Centre	David Morgan
National Society for Clean Air and Environmental Protection	David Morgan
North Hertfordshire and District Citizens' Advice Bureau	Surinder Soond
Sawston Village College Sports Users' Committee	Raymond Matthews and Ben Shelton
Swavesey Byeways Advisory Committee	Sue Ellington
Waterbeach Level Internal Drainage Board	Peter Johnson
West Anglia Crossroads for Carers	vacancy

21. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

21 (a) Amendment to Executive Procedure Rules (Constitution Review Working Party, 27 April 2010)

Councillor Ray Manning proposed and Councillor Simon Edwards seconded that the quorum for Cabinet be amended from “4 **plus** Leader or Deputy Leader” to “4 **including the** Leader or Deputy Leader”, stating that a possible future reduction in the Cabinet size could render the body inquorate if only one Member were absent. Councillor Alex Riley proposed and Councillor Douglas de Lacey seconded an amendment from “4 **plus** Leader or Deputy Leader” to “**the majority of the Cabinet including the** Leader or Deputy Leader”, which could address any changes to the Cabinet size without having to return to Council to review the quorum.

In accordance with Council Standing Order 14.6(b), a vote was taken on the amendment and, with forty-four votes in favour, nine against, two abstentions and one Member not voting, the amendment was **CARRIED**.

Council, with no Members voting against, **RESOLVED** that Executive Procedure Rule 1.4 (Quorum for Cabinet meetings) be amended from “4 **plus** Leader or Deputy Leader” to “**the majority of the Cabinet including the** Leader or Deputy Leader”.

21 (b) Model Petition Scheme (Policy and Performance Portfolio Holder's Meeting, 13 May 2010)

Councillor Tom Bygott, Policy and Performance Portfolio Holder, introduced the revised Petitions Scheme, which met the requirements of the Local Government, Economic Development and Construction Act 2009 and would replace the Council's existing Petition Scheme, and moved the recommendation, seconded by Councillor Tim Wotherspoon.

Councillor Sebastian Kindersley, feeling that the suggested thresholds were too demanding and could stifle opportunities for the public to raise issues with the Council, proposed, seconded by Councillor Alex Riley, that the following thresholds be amended:

- Minimum number of signatures required for an Ordinary Petition: from 100 to 50;
- Minimum number of signatures required for a Petition for Debate: from 500 to 100; and
- Minimum number of signatures required for a Petition to Hold an Officer to Account: from 500 to 300.

Members debated the requirements of the Petition Scheme and raised the following points:

- There was a danger of abuse of e-Petitions and no requirement for petitioners to be residents of South Cambridgeshire;
- Smaller villages might have an important local issue but not enough residents to reach the 100-signature threshold;
- The Scheme and the thresholds were to be reviewed annually;
- The Scheme must be adopted by 15 June 2010 and the Council would be in breach of its statutory obligations if it did not replace the previous Petition Scheme;
- There was no way to verify that electronic signatures were genuine;
- Members present at the Policy and Performance Portfolio Holder's meeting on 13 May 2010 had already debated the Scheme at length; and
- It was unreasonable to allow members of the public to call officers to account at public meetings and that the legislation did not set out how this was to be done without breaching employment law.

Councillors Kindersley and Riley withdrew the proposal to amend the number of signatures required for a Petition to Hold an Officer to Account, but kept the amendments to the number of signatures required for Ordinary Petitions and Petitions for Debate. In accordance with Council Standing Order 14.6(b), a vote was taken on the amendment and, with thirty-one votes in favour and twenty-one against, the amendment was **CARRIED**.

Council, with three votes against, **RESOLVED** that the Petition Scheme be adopted in respect of non-executive functions, replacing the existing Petition Scheme at Part 5, Section L of the Constitution, subject to the following amendments:

- Minimum number of signatures required for an Ordinary Petition: 50; and
- Minimum number of signatures required for a Petition for Debate: 100

21 (c) Government Review of Council Housing Finance: Proposals to Replace Housing Revenue Account (HRA) Subsidy System (Housing Portfolio Holder, 19 May 2010)

Councillor Mark Howell, Housing Portfolio Holder, reminded Council that, although the authority was debt-free, it had been asked to take on £197 million of debt incurred by other authorities and, as of his 19 May 2010 meeting, he had believed that the best possible solution was to accept in principle the proposal but to urge the Government to consider further the authority's circumstances. In light of the Programme For Government, published the day after the Housing Portfolio Holder's meeting, and the Queen's Speech, both of which referred to a forthcoming review of the Housing Revenue Account (HRA), Councillor Howell expressed concern that, if Council resolved to accept the offer, it would be given the full £197 million debt and become unable to negotiate for a lower settlement. He asked all Members for their support in lobbying Government ministers.

In response to Councillor Howell's proposal, seconded by Councillor Sebastian Kindersley, and in accordance with Council Standing Order 14.11, Council **ADJOURNED** further debate on this item and **DEFERRED** a decision on the response to the consultation prospectus for the Government Review of Council Housing Finance: Proposals to Replace Housing Revenue Account (HRA) Subsidy System.

21 (d) Continuation of the Meeting

In accordance with Council Standing Order 13(d), Council **RESOLVED** that the meeting continue beyond four hours in duration.

21 (e) RAMPTON DRIFT: Retro-Fit Project

Councillor Tim Wotherspoon, Northstowe Portfolio Holder, clarified that Council's approval was not being sought for the purchase of properties, but for the addition to the Council's Capital Programme of £920,000 grant funding from Communities and Local Government (CLG), which could be spent only on the Rampton Drift Retro-Fit project. He presented an overview of the retro-fit project, which would be used to gather data for application district- and nation-wide to identify viable improvements to existing housing at a reasonable outlay. He clarified that the Sustainable Energy Parish Partnership funds would not be used for this project, and that the CLG grant money was specific to potential eco-towns and could be used only within the eco-town footprint: the houses at Rampton Drift were the only properties currently within the Northstowe boundary. There was strong local support for the project, although concerns were expressed that the retro-fit adaptations would be on 1970s housing only and not the 1950s houses also on site. Members were encouraged to attend the Northstowe Portfolio Holder's meeting on 9 June 2010 at which the options would be discussed in detail.

On the proposal of Councillor Tim Wotherspoon, seconded by Councillor David Bard, Council, with no Members voting against, **RESOLVED** to approve the addition of £920,000 to the Council's Capital Programme for the Rampton Drift Retro-Fit project, funded by Communities and Local Government grant and match funding.

22. POLICY FOR CHARGING FEES FOR STREET NAMING

It was confirmed that adoption of the provisions of Section 64 of the Town Improvement Clauses Act 1847 would enable to Council to charge developers for street naming and numbering for new developments, a service which currently was being undertaken free of charge, yet which involved a significant amount of work for Council officers.

Council **RESOLVED** to give notice of an intent to adopt the provisions of Section 64 of the Town Improvement Clauses Act 1847, subject to the advertisement requirements.

23. WRITE-OFFS: ANNUAL REPORT TO COUNCIL 2010

Councillor Simon Edwards, Finance and Staffing Portfolio Holder, presented the annual report of debts written-off, explaining that debts would only be written-off once officers had exhausted every opportunity to collect the outstanding amount, and that it was a good accounting practise not to carry bad debts in the long term. The Executive Director (Corporate Services) confirmed his intention, during the current year, to involve local members before debts reached the write-off stage, particularly with respect to the collection of National Non-Domestic Rates.

In response to questions about debts incurred at Smithy Fen, Cottenham, Councillor Edwards confirmed that none of the debts had been written off, but the Council had Local Land Charges on all 37 plots, which would remain with the land even if it were sold on, until the debt had been paid.

Council **NOTED** the amounts written off under delegated powers.

24. QUESTIONS ON JOINT MEETINGS

Councillor Ray Manning confirmed that he had been appointed the lead member for the Road Safety Partnership, but that the limited budget available was insufficient for extensive road repairs. He confirmed that the establishment of the South Cambridgeshire Crime and Disorder Reduction Partnership was a statutory obligation

and, unlike the Local Strategic Partnership, could not be merged with Cambridge City's Partnership even though both bodies comprised most of the same representatives.

25. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

25 (a) Children and Young People's South Cambridgeshire and City Area Partnership - Cllr Bridget Smith

Councillor **RECEIVED** the report of Councillor Bridget Smith on the Children and Young People's South Cambridgeshire and City Area Partnership, and **NOTED** that it had already been considered by the Cabinet. Councillor Smith asked Members to bring her information of any residents who had experienced difficulty accessing mental health services after turning sixteen.

25 (b) Cambridgeshire Children's Trust Board - Cllr Bridget Smith

Council **RECEIVED** the report of Councillor Bridget Smith on the Cambridgeshire Children's Trust Board and **NOTED** the issues relating to South Cambridgeshire.

25 (c) Marshall Airport Cambridge Consultative Committee - Cllr Frances Amrani

Council **RECEIVED** the draft minutes of the Marshall Airport Cambridge Consultative Committee meeting of 19 May 2010, as provided by Councillor Frances Amrani, the Council's representative on that Committee.

26. CHAIRMAN'S ENGAGEMENTS

Council **NOTED** the Chairman's Engagements since the last Council meeting.

The Meeting ended at 6.57 p.m.

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Original Wording	Revised Wording Recommended by Standards Committee on 16 June 2010	Notes
<p>9.01 Standards Committee The Council will establish and maintain a Standards Committee. Under the regulations, Standards Committees are not subject to the political balance requirements of sections 15-17 of the Local Government and Housing Act 1989. This is to allow the Standards Committee to be seen as being above party politics and comprised of representatives that command the support of the whole authority, regardless of party political loyalties. The Standards Committee should include representatives from all groups represented on the Council and should be constituted to ensure that no one political group dominates.</p>	<p>9.01 Standards Committee The Council will establish and maintain a Standards Committee. Under the regulations, Standards Committees are not subject to the political balance requirements of sections 15-17 of the Local Government and Housing Act 1989. This is to allow the Standards Committee to be seen as being above party politics and comprised of representatives that command the support of the whole authority, regardless of party political loyalties. The Standards Committee should include representatives from all groups represented on the Council and should be constituted to ensure that no one political group dominates.</p>	<p>No change.</p>
<p>9.02 Composition (a) Membership. The Standards Committee will be composed of at least:</p> <ul style="list-style-type: none"> • 6 councillors, with no more than one being a member of the Executive (Council Members). • 4 persons who are not councillors or officers of the council or any other relevant body (Independent Members¹) • 3 members of parish councils in the Council's area; (Parish Members) <p>At least 25% of the members of the Standards Committee must be Independent Members.</p>	<p>9.02 Composition (a) Membership. The Standards Committee will be composed of:</p> <ul style="list-style-type: none"> • at least 6 councillors, with no more than one being a member of the Executive (Council Members). • at least 4 persons who are not councillors or officers of the council or any other relevant body (Independent Members¹) • at least 3 members of parish councils² in the Council's area; (Parish Members) <p>At least 25% of the members of the Standards Committee must be Independent Members.</p>	<p>Removal of words 'at least' from this line. Addition of words 'at least' after each bullet point to provide clarity: when written above, the words 'at least' were often overlooked whenever the Committee size and composition was considered.</p> <p>Addition of footnote to broaden definition of 'Parish Councils' to include community councils.</p>

¹ 'Independent' in this context means simply a person who is not a member or officer of the Council, any parish council in the district or any other relevant authority – "the relevant authorities". It has no connotation with political independence from any party or political group

² 'Parish councils' in this context refers to any parish or community councils within South Cambridgeshire.

Original Wording	Revised Wording Recommended by Standards Committee on 16 June 2010	Notes
<p>9.02 (b) The Council will appoint the Council Members.</p>	<p>9.02 (b) The Council will appoint the Council Members. The Council reserves the right to remove any councillor from a Council committee or subcommittee if it considers that it is no longer in the best interests of the Council for that member to remain. Written notice of motion, giving reasons, signed by five members of the Standards Committee must be delivered to the proper officer not later than 7 working days before the date of the council meeting. Any such motion shall be carried only if at least two thirds of the members present at the meeting are in favour. (Council Standing Order 2.2)</p>	<p>Additional text is copied directly from Council Standing Order 2.2, other than amendment of “the parent committee” to “the Standards Committee” for additional clarity. The Standards Committee is already subject to the Council’s Standing Orders and addition of this text does not affect the appointment or removal of council members, but provides clarification of the process.</p>
<p>9.02 (c) Independent Members.</p> <ul style="list-style-type: none"> • Independent Members will be entitled to vote at meetings; • Their appointment shall be ratified by Council on the recommendation of the appointments panel of the Standards Committee, its size and composition to be determined by the committee • Independent Members shall not be closely connected to any councillors or to the Parish Members 	<p>9.02 (c) Independent Members.</p> <ul style="list-style-type: none"> • Independent Members will be entitled to vote at meetings; • The Council will co-opt the Independent Members on the recommendation of the appointments panel of the Standards Committee, the panel’s size and composition to be determined by the committee • Independent members must meet all criteria specified in the relevant legislation and in associated Standards for England guidance, and any additional criteria which the Standards Committee may from time to time agree. 	<p>Clarification that the Council must co-opt rather than ratify the appointment.</p> <p>Clarification that this refers to the panel’s size and composition.</p> <p>The Local Government Act 2000 and the 2001 and 2008 Regulations, as well as various Standards for England guidance papers (which the authority is required to follow) all set out the criteria for independent members. This addition reflects the mandatory requirements for independent membership, but retains the flexibility for the Standards Committee to consider at any time whether or not it wants additional criteria, and to accommodate any future legislative changes without having to return to Council whenever a revision is necessary.</p>

Original Wording	Revised Wording Recommended by Standards Committee on 16 June 2010	Notes
<p>9.02 (d) Parish Members</p> <ul style="list-style-type: none"> • At least one Parish Member must be present when matters relating to parish councils or their members are being considered; • Parish Members will be entitled to vote at meetings on matters relating to the discharge of the functions set out in Article 9.04 below • A district councillor may not be a Parish Member • Parish Members may not be closely connected to district councillors • The Parish Members shall be nominated by parish councils at their annual parish council meeting, nominations to include a statement supporting the candidate, not exceeding one side of A4 paper. In the case of more than the requisite number being nominated by the deadline set, the candidates' statements will be sent with a voting paper to all parish councils in the District and the votes received by the deadline set will determine the candidates to be elected • In the event of a tied vote, the position will be filled by the Monitoring Officer drawing lots • A clear and strict deadline will be set for both receipt of nominations and, if a vote is required, voting slips. These deadlines will apply equally to all parish councils, including those of existing or retiring Parish Members 	<p>9.02 (d) Parish Members</p> <ul style="list-style-type: none"> • At least one Parish Member must be present when matters relating to parish councils or their members are being considered; • Parish Members will be entitled to vote at meetings on matters relating to the discharge of the functions set out in Article 9.04 below • A district councillor may not be a Parish Member • Parish Members may not be closely connected to district councillors • Parish Member candidates shall be nominated by parish councils at their Annual Meeting, where an election has been held for that parish council, or at the earliest scheduled parish council meeting after the commencement of the appointments process, nominations to include a statement supporting the candidate, not exceeding one side of A4 paper. In the case of more than the requisite number being nominated by the deadline set, the candidates' statements will be sent with a voting paper to all parish councils in the District and the votes received by the deadline set will determine the candidates to be elected • In the event of a tied vote, the successful candidate will be identified by the Monitoring Officer drawing lots • The Council will co-opt the candidate elected by the parish councils or identified by the Monitoring Officer drawing lots. • A clear and strict deadline will be set for both receipt of nominations and, if a vote is required, voting slips. These deadlines will apply equally to all parish councils, including those of existing or retiring Parish Members 	<p>Clarification: Candidates, rather than parish members, are nominated by parish councils at their Annual Meeting (not the Annual Parish Meeting, which is a separate event), plus addition of flexibility for nominations to be made at other scheduled meetings should a vacancy arise mid-year.</p> <p>Clarification that the Monitoring Officer drawing lots does not fill the position, but identifies the candidate for co-option.</p> <p>Clarification that the final stage in the process is Council's co-option of the successful candidate.</p>

Original Wording	Revised Wording Recommended by Standards Committee on 16 June 2010	Notes
<p>9.02 (e) Chairing the Committee. An Independent Member shall chair the committee.</p>	<p>9.02 (e) Chairing the Committee. An Independent Member shall chair the committee.</p>	<p>No change.</p>
<p>9.02 (f) Term of Appointment: A Council Member shall cease to be a member of the committee if he / she is no longer a member of the Council. Otherwise he / she shall retire after a term of four years' service, but shall be eligible for re-appointment for a further term or terms. A Parish Member shall cease to be a member of the committee if he / she is no longer a member of the parish council which nominated him / her. Otherwise he / she shall retire after a term of four years' service, but shall be eligible for re-nomination and appointment for a further term or terms. An Independent Member shall retire after four years (but remain eligible for re-appointment for one further term only, a maximum of eight years).</p>	<p>9.02 (f) Term of Appointment: A Council Member shall cease to be a member of the committee if he / she is no longer a member of the Council. Otherwise he / she shall retire after a term of four years' service, but shall be eligible for re-appointment for a further term or terms. A Parish Member shall cease to be a member of the committee if he / she is no longer a member of a parish council. Otherwise he / she shall retire after a term of four years' service, but shall be eligible for re-nomination and appointment for a further term or terms. An Independent Member shall retire after four years but shall be eligible for re-appointment for a further term or terms.</p>	<p>Removal of the requirement that the parish member be a member of the parish council which nominated him / her: the legislative requirement is only that s/he be a parish councillor.</p> <p>Guidance on Standards Committees (Standards Board for England, July 2008) recommended that independent members serve for no longer than two terms – a maximum of eight years. This recommendation was removed from the more recent publication, independent members (Standards for England, January 2010), and this paragraph has been updated accordingly.</p>
	<p>9.02 (g) Removal of a Member due to non-attendance: The Council may remove a Council, Independent or Parish Member from the Standards Committee if that member has missed four consecutive meetings of the body concerned (see Council Standing Order 23).</p>	<p>Copied directly from Council Standing Order 23, to which the Standards Committee already is subject, to provide clarification of the potential for removal due to non-attendance, but does not change existing practise. Such removal would not be automatic: the Council may remove the member.</p>
	<p>9.02 (h) Removal of a parish council member: The Council reserves the right to remove any parish member from the Standards Committee if it considers that it is no longer in the best interests of the Council, the parish councils and the residents of South Cambridgeshire for that member to remain. Written notice of motion, giving reasons, signed by or on behalf of at least fifteen parish councils from within South Cambridgeshire, or by five members of the Standards Committee, must be delivered to the</p>	<p>Text is copied directly from Council Standing Order 2.2, to which the Standards Committee already is subject, including an additional process to ensure that Parish Councils also have the right to request that a member be removed, but that the final decision will rest with the Council. Without the addition, parish members could be removed only by Council upon written notice of motion signed by or on behalf of any five members of the Standards Committee.</p>

Original Wording	Revised Wording Recommended by Standards Committee on 16 June 2010	Notes
	Monitoring Officer not later than seven working days before the date of the Council meeting. Any such motion shall be carried only if at least two thirds of the members present at the Council meeting are in favour.	
	9.02 (i) Removal of an independent member due to disqualification: An independent member will be removed automatically from the Standards Committee immediately upon a change of circumstance which would prevent that member from being qualified to continue serving as an independent member (see 9.02(c)) and notification of the removal of the independent member due to disqualification will be reported to the next meeting of full Council.	Reflects statutory requirements that an independent member would automatically cease to be a member of the Standards Committee if they no longer met the established criteria. This process has already been in place since the establishment of the Standards Committee and the wording has been added to Article 9 to provide clarity, but does not change existing practise.
	9.02 (j) Removal of an independent member: The Council reserves the right to remove any independent member from the Standards Committee if it considers that it is no longer in the best interests of the Council, the parish councils and the residents of South Cambridgeshire for that member to remain. Written notice of motion, giving reasons, signed by at least five members of the Standards Committee, at least three of whom must be independent members, must be delivered to the Monitoring Officer not later than seven working days before the date of the Council meeting. Any such motion shall be carried only if at least two thirds of the members present at the Council meeting are in favour.	Text is copied directly from Council Standing Order 2.2, to which the Standards Committee already is subject, including an additional process to address concerns raised at the March 2010 Standards Committee meeting that an independent member could be removed by a coalition of district and parish members. The final decision for removing a member of the Standards Committee will rest with the Council. Without the addition, Council could remove any independent members upon written notice of motion signed by or on behalf of any five members of the Standards Committee.
9.02 (g) Quorum and Deputies. <ul style="list-style-type: none"> • The quorum for any meeting of the Standards Committee or any sub-committee of the Standards Committee shall be three members of whom at least one shall be an Independent Member (and one must be a Parish Member if parish councils or parish 	9.02 (k) Quorum and Deputies. <ul style="list-style-type: none"> • The quorum for any meeting of the Standards Committee or any sub-committee of the Standards Committee shall be three members of whom at least one shall be an Independent Member (and one must be a Parish Member if parish councils or parish 	Renumbered to reflect additional paragraphs. Text remains unchanged.

Original Wording	Revised Wording Recommended by Standards Committee on 16 June 2010	Notes
<p>councillors are being considered). For hearings panels under the hearing procedure described in Part 5, Section Q, the number of members on the panel shall be three.</p> <ul style="list-style-type: none"> • Except in the case of hearings panels, normally where the number of members of any sub-committee is less than the number of the committee, any Standards Committee councillor, Independent Member or Parish Member who is not a member of the sub-committee may be appointed by the equivalent sub-committee member to act as his or her deputy in his or her place to attend and vote at any meeting of the sub-committee; the minutes of any sub-committee meeting shall record deputised attendance. 	<p>councillors are being considered). For hearings panels under the hearing procedure described in Part 5, Section Q, the number of members on the panel shall be three.</p> <ul style="list-style-type: none"> • Except in the case of hearings panels, normally where the number of members of any sub-committee is less than the number of the committee, any Standards Committee councillor, Independent Member or Parish Member who is not a member of the sub-committee may be appointed by the equivalent sub-committee member to act as his or her deputy in his or her place to attend and vote at any meeting of the sub-committee; the minutes of any sub-committee meeting shall record deputised attendance. 	
<p>9.03 Sub-Committees of the Standards Committee The Standards Committee must appoint sub-committees from its membership to:</p> <ul style="list-style-type: none"> • Assess new complaints that councillors have breached the Code of Conduct (the “Assessment Panel”) • Review decisions to take no action over a complaint (the “Review Panel”) <p>The membership of both these Panels must be entirely separate.</p> <p>The Standards Committee may appoint sub-committees to:</p> <ul style="list-style-type: none"> • consider a Monitoring Officer’s final investigation report • consider determination hearings (the “Hearings Panel”) in accordance with 	<p>9.03 Sub-Committees of the Standards Committee The Standards Committee must appoint sub-committees from its membership to:</p> <ul style="list-style-type: none"> • Assess new complaints that councillors have breached the Code of Conduct (the “Assessment Panel”) • Review decisions to take no action over a complaint (the “Review Panel”) <p>The membership of both these Panels must be entirely separate.</p> <p>The Standards Committee may appoint sub-committees to:</p> <ul style="list-style-type: none"> • consider a Monitoring Officer’s final investigation report • consider determination hearings (the “Hearings Panel”) in accordance with 	<p>No change.</p>

Original Wording	Revised Wording Recommended by Standards Committee on 16 June 2010	Notes
<p>the hearings procedure set out in Part 5 Section Q of the Constitution</p> <ul style="list-style-type: none"> • determine any matter relating to parish councils or Parish Members (the “Parish councils sub-committee”) <p>At least three members of the Standards Committee must be present throughout a meeting of any sub-committee for it to be valid. These three members must include at least one member of the council and one independent member, who must be the chair. At least one parish representative must be present if the matter relates to a parish council.</p>	<p>the hearings procedure set out in Part 5 Section Q of the Constitution</p> <ul style="list-style-type: none"> • determine any matter relating to parish councils or Parish Members (the “Parish councils sub-committee”) <p>At least three members of the Standards Committee must be present throughout a meeting of any sub-committee for it to be valid. These three members must include at least one member of the council and one independent member, who must be the chair. At least one parish representative must be present if the matter relates to a parish council.</p>	
<p>9.04 Role and Function The Standards Committee will have the following roles and functions:</p> <ul style="list-style-type: none"> (a) Promote and maintain high standards of conduct by councillors and co-opted members; (b) Assist the councillors and co-opted members to observe the Members’ Code of Conduct; (c) Advise the Council on the adoption or revision of the Members’ Code of Conduct; (d) Monitor the operation of the Members’ Code of Conduct; (e) Advise, train or arrange to train councillors and co-opted members on matters relating to the Members’ Code of Conduct; (f) Initial assessment of all complaints relating to breach of the Code of Conduct by a district or parish councillor in South Cambridgeshire; (g) Instruct the Monitoring Officer to 	<p>9.04 Role and Function The Standards Committee will have the following roles and functions:</p> <ul style="list-style-type: none"> (a) Promote and maintain high standards of conduct by councillors and co-opted members; (b) Assist the councillors and co-opted members to observe the Members’ Code of Conduct; (c) Advise the Council on the adoption or revision of the Members’ Code of Conduct; (d) Monitor the operation of the Members’ Code of Conduct; (e) Advise, train or arrange to train councillors and co-opted members on matters relating to the Members’ Code of Conduct; (f) Initial assessment of all complaints relating to breach of the Code of Conduct by a district or parish councillor in South Cambridgeshire; (g) Instruct the Monitoring Officer to 	No change.

Original Wording	Revised Wording Recommended by Standards Committee on 16 June 2010	Notes
<p>carry out an investigation into whether the Code of Conduct has been breached following a complaint (in accordance with the Procedure for the Local Investigation of Referred Complaints set out at Part 5 Section P of the Constitution);</p> <p>(h) Referral of complaints to Standards for England where appropriate;</p> <p>(i) Instruct the Monitoring Officer to take other action regarding a complaint instead of carrying out an investigation;</p> <p>(j) Review on request decisions of the Assessment Panel to take no further action in relation to a complaint that a district or parish councillor has breached the code of Conduct;</p> <p>(k) Receive the investigation report of the Monitoring Officer on any matter which is referred by the Assessment Panel to the Monitoring Officer and make a decision on whether it agrees with the report's findings;</p> <p>(l) Receive and take a decision where necessary on any other report from the Monitoring Officer on any matter which is referred by the Assessment Panel to the Monitoring Officer</p> <p>(m) Hold hearings to determine complaints in which an investigation report has held that the Code of Conduct has been breached (in accordance with the hearings procedure set out in Part 5 Section Q of the Constitution) and, where appropriate, to impose a sanction on a councillor;</p> <p>(n) Refer determinations to the First-tier Tribunal (Local Government</p>	<p>carry out an investigation into whether the Code of Conduct has been breached following a complaint (in accordance with the Procedure for the Local Investigation of Referred Complaints set out at Part 5 Section P of the Constitution);</p> <p>(h) Referral of complaints to Standards for England where appropriate;</p> <p>(i) Instruct the Monitoring Officer to take other action regarding a complaint instead of carrying out an investigation;</p> <p>(j) Review on request decisions of the Assessment Panel to take no further action in relation to a complaint that a district or parish councillor has breached the code of Conduct;</p> <p>(k) Receive the investigation report of the Monitoring Officer on any matter which is referred by the Assessment Panel to the Monitoring Officer and make a decision on whether it agrees with the report's findings;</p> <p>(l) Receive and take a decision where necessary on any other report from the Monitoring Officer on any matter which is referred by the Assessment Panel to the Monitoring Officer</p> <p>(m) Hold hearings to determine complaints in which an investigation report has held that the Code of Conduct has been breached (in accordance with the hearings procedure set out in Part 5 Section Q of the Constitution) and, where appropriate, to impose a sanction on a councillor;</p> <p>(n) Refer determinations to the First-tier Tribunal (Local Government</p>	

Original Wording	Revised Wording Recommended by Standards Committee on 16 June 2010	Notes
<p>Standards in England) (formerly the Adjudication Panel for England) for a greater sanction if considered necessary;</p> <p>(o) Grant dispensations to councillors and co-opted members from requirements relating to interests set out in Members' Code of Conduct;</p> <p>(p) The exercise of (a) to (o) above in relation to the parish councils in its area and the members of those parish councils;</p> <p>(q) Receiving reports from time to time from the Monitoring Officer concerning the operation of Members' Code of Conduct and in respect of his / her statutory functions under the Local Government and Housing Act 1989;</p> <p>(r) Overview of the Council's 'whistle-blowing' policy;</p> <p>(s) Overview of complaints handling and Ombudsman investigations;</p> <p>(t) Supervise, receive applications and make directions in relation to politically restricted posts under section 3A of the Local Government and Housing Act 1989.</p>	<p>Standards in England) (formerly the Adjudication Panel for England) for a greater sanction if considered necessary;</p> <p>(o) Grant dispensations to councillors and co-opted members from requirements relating to interests set out in Members' Code of Conduct;</p> <p>(p) The exercise of (a) to (o) above in relation to the parish councils in its area and the members of those parish councils;</p> <p>(q) Receiving reports from time to time from the Monitoring Officer concerning the operation of Members' Code of Conduct and in respect of his / her statutory functions under the Local Government and Housing Act 1989;</p> <p>(r) Overview of the Council's 'whistle-blowing' policy;</p> <p>(s) Overview of complaints handling and Ombudsman investigations;</p> <p>(t) Supervise, receive applications and make directions in relation to politically restricted posts under section 3A of the Local Government and Housing Act 1989.</p>	

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Covering Letter

Please find enclosed the consultation response to the proposed reform of the HRA. This response is a personal response in my role as Portfolio Holder for Housing. The Council have yet to debate the issue in full but will be asked to consider their position in the Council meeting scheduled for 22 July 2010. I will write to you again if there is any update required to our position after that meeting.

The attached consultation response has been drafted by officers of the Council and also reflects a consultation exercise with the Tenant Participation Group.

While I support in principle the move to a self-financing system for council housing, I strongly oppose the imposition of such a significant debt on the Council as the price to be paid for that settlement. The response to the individual consultation questions sets out my reasons for this concern.

Yours sincerely
Councillor Mark Howell
Housing Portfolio Holder

HRA Reform Consultation – response from the Portfolio Holder for Housing South Cambridgeshire District Council.

- 1. What are your views on the proposed methodology for assessing income and spending needs under self –financing and for valuing each council’s business?**
 - 1.1 The Council welcomes the proposal to unpool rents and service charges and create greater transparency.
 - 1.2 The proposed uplift to the Management and Maintenance (M&M) allowance of 0.1% is disappointing. The impact of this on calculating the potential for debt transfer is compounded by the use of a notional rental income figure which is higher than that actually charged by the Council. This proposed uplift does not take account of the particular challenges faced by this Council with regard to providing services to a dispersed rural housing stock or the older age profile of our tenants.
 - 1.3 Whilst the proposed uplift to the Major Repairs Allowance (MRA) of 50.4% is welcome, the low starting base of the MRA for South Cambridgeshire means that this figure does not reflect the true cost of maintaining our homes. With the uplift the MRA would be approximately £5M pa set against a spending need of £12M pa identified by the most recent stock condition survey.
 - 1.4 Whilst the Council is still on course to meet the Decent Homes Standard before the end of 2010, there remains a backlog of essential works totalling £16M.
 - 1.5 The Council is particularly concerned about the exclusion of disabled adaptations from the proposed financial model. South Cambridgeshire has a particularly high demand for disabled adaptations and in the STATUS tenant survey as well as a more recent survey of tenants it is reported that 40 - 50% of all households contain a member with a disability. The exclusion of disabled adaptations and spending on environmental works from the Government’s calculations provides a false picture of the resources available to meet debt repayments.
 - 1.6 By basing the reform proposal on the notional assumptions used for the subsidy regime the disadvantages for South Cambridgeshire have been carried forward. The Council accepts the need for a formula that properly reflects the differences in stock condition and management challenges across the country. It is felt however that these reasonable

underlying assumptions produce an extreme outcome for South Cambridgeshire and that a limit to the percentage of total income that is allocated to debt should be set.

- 1.7 The Council welcomes the proposal to cease pooling of capital receipts. The Council has lost £9.5m over the past 6 years of house sale receipts to Government, and as a consequence has not been able to spend that money on maintaining and improving its housing stock.
- 2. What are your views on the proposals for the financial, regulatory and accounting framework for self-financing?**
- 2.1 The proposal that local authorities maintain a separate balance sheet clearly setting out assets and liabilities is accepted as sensible accounting practice.
- 2.2 The rationale for a separate loan pool for housing is understood but the Council has concerns that this may limit its ability to use its finances flexibly to achieve overall best value for the Council. The Council seeks the power to invest, on commercial terms, its general fund investment pool in the HRA so minimising transaction costs and reducing credit risk overall.
- 2.3 The Council welcomes the flexibility to balance investment needs against debt reduction. With the high level of the proposed opening debt, this flexibility is essential to ensure the viability of the HRA in the first few years of a self-financing regime.
- 2.4 The proposed cap on borrowing at the opening self-financing level would not be problematic for the Council. It should be noted, however, that in the modelled debt curve provided with the prospectus, South Cambridgeshire is shown as having an increasing debt over the first four years as projected income is insufficient to meet the initial interest rate charges.
- 2.5 The Council has tested the proposed model using a range of assumptions and our actual spending figures. This shows that provided there is no requirement to repay any principal in the first few years and interest rates remain at the current low levels, then the HRA should be sustainable and there should be sufficient funding to maintain the decent homes standard. However, if interest rates were higher (say 6.5%) then, for the first few years, investment would fall below the level that the latest stock condition information shows is required.
- 2.6 Whilst the spend profile pattern at South Cambridgeshire District Council does follow that identified by the BRE, there is a significant discrepancy between the investment assumptions contained within notional model (around £4.6 M pa after the uplift) and the investment figures identified by the Council's stock condition survey (around £12M pa).
- 2.7 It is recognised that the Government needs to retain control over public sector borrowing and the Council accepts the need for the continued use of 'Item 8 determinations' to achieve this.
- 2.8 The Council's proposed business plan for stock transfer put to the tenants in June 2009 provided a capital sum to the Council and allowed a fully funded capital programme of around £12m per annum, a 15% uplift on revenue spending, and a peak debt of £80M. The self-financing proposal provides tenants with a considerably less favourable option. The proposed requirement to meet the self-financing sum of £188M if stock transfer were undertaken ahead of the scheme coming into operation would render a transfer of the Council's homes unviable.
- 2.9 The greater clarity offered on accounting for HRA and General Fund activity is welcome. The Council believes that it already meets this level of demarcation.

- 2.10 The Council accepts that the establishment of a self-financing system would mean the end of the 'safety net' of the HRA subsidy system. It is also appropriate that the housing regulator, the Tenant Services Authority (TSA), should play an important role in ensuring that landlords do not fail in their obligations to tenants.
- 2.11 Housing associations benefit from the TSA's regulatory framework and also have a range of options open to them such as mergers, to protect their service delivery obligations. These safeguards and options will not be in place for local authorities yet the HRA ring fence means that they are essentially stand alone businesses. It is not clear at present how the role of the Audit Commission or Government Office can be extended to incorporate these dimensions. If the sustainability of a self-funding regime is to be protected these issues will need to be addressed and the Council would welcome some clarification of these issues.
- 2.12 The Council welcomes the announcement that future guidance will be forthcoming on the issue of leaseholder sinking funds.
- 3. How much new supply could this settlement enable you to deliver, if combined with social housing grant?**
- 3.1 The lack of headroom in the early years and the potential for an increasing backlog of investment spending will limit the number of new homes that could be completed in the first 5 years. New supply is likely to occur in small incremental additions that arise out of remodelling opportunities.
- 3.2 The Council welcomes the opportunity that a 7% discount rate in the model provides to create headroom for the construction of new council housing. Later in the 30 year programme it may be possible to produce some new homes and over 30 years this could support up to 300 new homes, mainly in years 15 to 30 of the plan but with the possibility of two or three homes a year being built after year 5.
- 3.3 The local land supply is however very limited. The Council currently makes good use of S106 opportunities and rural exception sites to produce around 300 new affordable homes each year in partnership with local housing associations. It is not immediately obvious how the Council could improve upon this performance or offer better value for money by building homes itself particularly if this were reliant upon Homes & Communities Agency (HCA) grant funding.
- 4. Do you favour a self-financing system for council housing or the continuation of a nationally redistributive subsidy system?**
- 4.1 The Council supports in principle the move to a self-financing system.
- 4.2 While this Council supports in principle the move to a self-financing system for council housing, it strongly opposes the imposition of such a significant debt on the Council as the price to be paid for that settlement. This Council paid off its debt in the early 1990's through the application of prudent financial planning and management and since that time it has been subject to capital receipts pooling which has reduced considerably its ability to fund the required capital programme to maintain and improve its housing stock. In taking over half of tenants' rents, the housing subsidy system has also had the effect of starving the Council's revenue funded management and maintenance services. The Council has brought this unfair taxation of its tenants to the Government's attention on a number of occasions.
- 4.3 In order to offer tenants an alternative means of securing future investment in the Council's housing stock, the Council made a stock transfer offer and this was rejected, meaning that

self financing offers the only prospect at this time of increasing the resources available for the Council's housing stock.

- 4.4 Given the Council's experience above, it is concerned that future nationally determined changes may result in the self financing rules being amended at a later date and changing the basis upon which the Council is taking on self financing responsibilities.
- 5. Would you wish to proceed to early voluntary implementation of self-financing on the basis of the methodology and principles proposed in this document? Would you be ready to implement self-financing in 2011/12? If not, how much more time do you think is required to prepare for implementation?**
- 5.1 The Council recognises that the self financing proposal is preferable in the long term to the current HRA subsidy regime. It is, however, reluctant to proceed to an early voluntary implementation.
- 5.2 Self financing could be implemented in time for 2011/12.
- 6. If you favour self financing but do not wish to proceed on the basis of the Proposals in this document, what are the reasons?**
- 6.1 For the reasons given in this consultation response the Council is concerned that the opening level of debt proposed has not fully taken into account all of the spending needs of the Council.
- 6.2 The scale of the proposed opening debt would leave the Council very vulnerable to fluctuations in key variables such as interest rates and inflation.
- 6.3 The Council would wish to have some certainty from the CLG on the interest rates to be applied. The time period between the Council agreeing to the implementation of self financing and the date of the Government's confirmation would pose a critical period of exposure to interest rate movements. The Council, therefore, seeks a mechanism that provides some certainty of the rates to be applied on the settlement date.

Council Standing Orders

1. Annual Meeting of the Council

1.1 Timing and business

...

- (b) The annual meeting will:
- (i) elect a person to preside if the Chairman of Council is not present;
 - (ii) elect the Chairman of Council;
 - (iii) elect the Vice-Chairman of Council;
 - (iv) approve the minutes of the last meeting;
 - (v) in a year when there is an ordinary election of councillors, receive the Returning Officer's Return of councillors elected.
 - (vi) receive any announcements from the Chairman and / or Head of Paid Service;
 - (vii) upon the expiry of the Leader's normal term of office as Leader, elect the Leader including, where available, notification by the Leader of the number of members he / she is appointing to the Executive (Cabinet), their names and their portfolios, and the Leader's Scheme of Delegation of Executive Functions;
 - (viii) appoint up to four substitute members per committee from each political group in a hierarchical list to all committees and sub-committees other than the Standards Committee;
 - (ix) appoint at least one scrutiny and overview committee, a Standards Committee, the Licensing Committee (2003 Act) and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions (as set out in Part 3 of this Constitution);
 - (x) agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution);
 - (xi) receive questions from, and provide answers to, the public ~~and members~~ in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting, in accordance with Standing Orders 10 ~~and 11~~ below;
 - (xii) receive reports and recommendations from the Executive and the Council's committees and receive questions and answers on any of those reports;
 - (xiii) receive the Leader of the Major Opposition Group's Annual Report.
 - (xiv) consider any business set out in the notice convening the meeting including consideration of proposals from the Executive in relation to the Council's budget and policy framework and reports of the Scrutiny and Overview Committee for debate; and
 - (xv) receive questions from, and provide answers to, members in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting, in accordance with Standing Order 11 below.

2. Ordinary Meetings

2.1 Agenda for Ordinary Meetings

Ordinary meetings of the Council will take place in accordance with a programme agreed by Council. Ordinary meetings will:

- (i) elect a person to preside if the Chairman and Vice-Chairman are not present;
- (ii) approve the minutes of the last meeting;
- (iii) receive any declarations of interest from members;
- (iv) elect the Leader of the Council, in the event that the position becomes vacant during the Civic Year including, where available, notification by the Leader of the number of members he / she is appointing to the Executive (Cabinet), their names and their portfolios, and the Leader's Scheme of Delegation of Executive Functions;
- (v) appoint members to committees and outside bodies where vacancies have arisen, except where appointment to outside bodies has been delegated by the Council or is exercisable only by the Executive;
- (vi) receive any announcements from the Chairman, Leader, the Executive or the Head of Paid Service;

- (vii) receive questions from, and provide answers to, the public ~~and members~~ in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting, in accordance with Standing Orders 10 ~~and 11~~ below;
- (viii) deal with any business from the last Council meeting;
- (ix) receive reports and recommendations from the Executive and the Council's committees and receive questions and answers on any of those reports;
- (x) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (xi) receive questions from, and provide answers to, members in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting, in accordance with Standing Order 11 below;
- (xii) consider motions; and
- ~~(xii)(xiii)~~ consider any other business specified in the summons to the meeting, including consideration of proposals from the Executive in relation to the Council's budget and policy framework and reports of the Scrutiny and Overview Committee for debate.

10. Questions by the Public

10.1 General

At the discretion of the Chairman, members of the public may ask questions of any member at ordinary meetings of the Council. ~~A This~~ standard protocol is to be observed by questioners ~~is given in the footnote below.⁴~~

- ~~(a) Questioners will not be permitted to raise the competence or performance of a councillor or officer, nor any matter involving exempt information or normally considered 'confidential'. Questioners cannot make any abusive or defamatory comments.~~
- ~~(b) Each questioner must make it clear whether he or she is speaking as a private individual or as a representative of an organisation.~~
- ~~(c) If any clarification of what the questioner has said is required, the Chairman will have the discretion to allow councillors to ask questions.~~
- ~~(d) The questioner will not be permitted to participate in any subsequent discussion and will not be entitled to vote.~~
- ~~(e) The Chairman will decide when and what time will be set aside for questions depending on the amount of business on the agenda for the meeting. Normally public questions will be dealt with as the first substantive item of the meeting. A maximum of thirty minutes will be allowed for public questions, although this may be extended at the Chairman's discretion.~~
- ~~(f) Individual questioners will be permitted to speak for a maximum of three minutes.~~

10.2 Order of questions

Questions will be asked in the order notice of them was received, except that the Chairman may group together similar questions.

-
- ~~1. Questioners will not be permitted to raise the competence or performance of a councillor or officer, nor any matter involving exempt information or normally considered 'confidential'. Questioners cannot make any abusive or defamatory comments.~~
 - ~~2. Each questioner must make it clear whether he or she is speaking as a private individual or as a representative of an organisation.~~
 - ~~3. If any clarification of what the questioner has said is required, the Chairman will have the discretion to allow councillors to ask questions.~~
 - ~~4. The questioner will not be permitted to participate in any subsequent discussion and will not be entitled to vote.~~
 - ~~5. The Chairman will decide when and what time will be set aside for questions depending on the amount of business on the agenda for the meeting. Normally questions will be dealt with as the first substantive item of the meeting. A maximum of ten minutes will be allowed for public questions on any specific agenda item.~~
 - ~~6. Individual questioners will be permitted to speak for a maximum of three minutes.~~

10.3 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the proper officer no later than midday ~~three~~ six working days before the day of the meeting. The proper officer shall acknowledge the receipt of each question in writing. Each question must give the name and address of the questioner. The Chairman may permit a question to be asked if shorter notice is given. If a substantive answer cannot be given at the meeting, the Chairman may refer the question to any other body of the Council or for a written response by the member or by the relevant Chief Officer.

10.4 Number of questions

At any one meeting no person may submit more than one question but one supplementary question may also be asked at the meeting. More than one question shall not be submitted on behalf of any organisation.

10.5 Scope of questions

The Chairman, having regard to the advice of the proper officer may reject a question if it:

- is not about a matter for which the local authority has a responsibility or which affects the district;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at the meeting or a meeting of the Council in the past six months; ~~or~~
- raises issues about the competence or performance of a councillor or officer;
- requires the disclosure of confidential or exempt information; or
- relates to a planning application which has yet to be determined.

The Chairman shall have the discretion to limit the length of preamble or other background information supplied with the question.

10.6 Record of questions

The proper officer will keep a record of submitted questions open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection.

10.7 Asking the question at the meeting

The Chairman will invite the questioner to put the question. If a questioner who has submitted a written question is unable to be present, they may ask the Chairman to put the question on their behalf or appoint a representative to do so. The Chairman may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

10.8 Supplementary question

A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chairman may reject a supplementary question on any of the grounds in Standing Order 10.5 above.

10.9 Written answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer. Written answers shall be circulated to the questioner within five working days of the meeting and shall be included as an appendix to the minutes.

10.10 Reference of question to the Executive or a committee

Discussion can take place on a question only if the Chairman agrees. However, any member may move, in accordance with Standing Order 13(d) that a matter raised by a

question be referred to the Executive or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

10.11 Public participation at Planning Committee

Members of the public shall be entitled to address the Planning Committee in accordance with a scheme agreed by Council which may be amended by the committee from time to time.

11. Questions by Members

11.1 On reports of the Executive or committees

A member of the Council may ask the Leader, portfolio holder or the Chairman of a committee any question without notice upon an item of the report of the Executive or a committee when that item is being received or under consideration by the Council.

11.2 Questions on notice at full Council

Subject to Standing Order 11.4, a member of the Council may ask:

- the Chairman;
- a member of the Executive the Leader, who may respond on behalf of the Cabinet or who may appoint a member of the Executive to respond; or
- the Chairman of any committee or sub-committee

a question on any matter in relation to which the Council has powers or duties or which affects the district.

11.3 Questions on notice at committees and sub-committees

Subject to Standing Order 11.4, a member of a committee or sub-committee may ask the Chairman of it a question on any matter in relation to which the Council has powers or duties or which affect the district and which falls within the terms of reference of that committee or sub-committee.

11.4 Notice of questions

A member may only ask a question under Standing Order 11.2 or 11.3 if either:

- (a) they have given to the proper officer at least six working days' notice in writing of the question; or
- (b) the question relates to urgent matters, they have the consent of the Chairman of Council and member to whom the question is to be put and the content of the question is given to the proper officer by 9.30 a.m. on the day of the meeting.

11.5 Order of questions

Questions will be asked in the order notice of them was received, except that the Chairman may group together similar questions.

11.511.6 Scope of questions

The Chairman, having regard to the advice of the proper officer may reject a question if it:

- is not about a matter for which the local authority has a responsibility or which affects the district;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at the meeting or a meeting of the Council in the past six months;
- raises issues about the competence or performance of a councillor or officer;
- requires the disclosure of confidential or exempt information; or
- relates to a planning application which has yet to be determined.

The Chairman shall have the discretion to limit the length of preamble or other background information supplied with the question.

11.76 Response

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written response which will be circulated within five working days to the questioner and included as an appendix to the minutes.

11.87 Supplementary question

A member asking a question under Standing Order 11.2 or 11.3 may ask one supplementary question without notice of the member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply. It may be rejected by the Chairman on any of the grounds set out in Standing Order 11.5 above.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council

22 July 2010

AUTHOR/S: Executive Director, Operational Services

**FRAMEWORK AGREEMENT ON LOCAL AUTHORITY FOOD LAW ENFORCEMENT
FOOD SAFETY SERVICE PLAN****Purpose**

1. To seek the Council's approval of a Food Service Plan for 2010/11. This is a key decision because:
 - It is likely to be significant in terms of its effects on communities living or working in all wards of the District.
 - It is of such significance to a locality, the Council or the services that it provides that the decision-taker is of the opinion that it should be treated as a key decision.and it was published in the April 2010 Forward Plan.

Recommendation and Reason

2. That Council approve of the Food Safety Service Plan 2010/11, which is **attached** to this report. There is a Food Standards Agency (FSA) expectation that all Local Authorities will take their 'Food Service Plan' to full Council for endorsement.

Background

3. This report is being presented as it is a requirement of the FSA and they will consider the Food Service Plan as part of any audit of the service.
4. Food Safety aspects of the Council's work have been included within the 2010/11 Health & Environmental Services Service Plan. However, the Food Standards Agency in the Framework Agreement on Local Authority Food Law Enforcement requires the production of a specific Food Service Plan to a common format. The Food Service Plan attached to this report meets this requirement. The latest Local Authorities Coordinators of Regulatory Services (LACORS) guidance has been used this year and consequently the Food Safety Service Plan is laid out differently to previous years. This new format has resulted in a much briefer document that still meets the FSA requirements. Background papers to the Food Service Plan are available in the office of the Executive Director, Operational Services.
5. The Framework Agreement sets out what the Foods Standards Agency expects from local authorities in their delivery of official controls on feed and food law. This agreement has been updated to take account of the Agency's New Vision ¹ for food law enforcement, and the FSA Framework for Regulatory Decision Making ², which takes account of the Government's better regulation agenda and of principles of good regulation.

Considerations

6. The FSA has stated the following in their framework documentation:
"... Service plans are an expression of the Local Authority's own commitment to the development of food service. However, it is also important to consider the use made

of the plans by the Food Standards Agency, which will need information about Local Authority food law enforcement activities in a common format to enable it to assess Local Authority's delivery of the service."

7. Guidelines were then given as to the details and expected content of the Food Service Plan. The Service Plan simply identifies in one single document the work and structure of the service relating to food safety.
8. This plan is included within the Policy Framework of the Council and as such the responsibility for agreeing the Food Service Plan lies with the Council.

Options

9. Members can accept, reject or amend the proposed plan. However, failure to adopt the plan would leave the service and the Council open to criticism by the FSA if they choose to conduct an audit.

Implications

10. Financial	Within existing resources and referred to in the body of the service plan. Financial provision has been included within 2010/2011 budget.
Legal	Adoption of a food safety service plan although not technically a legal requirement makes clear reference to food law enforcement and legal requirements that are to be discharged.
Staffing	At this time it is anticipated that existing staff will meet the fieldwork targets set for the service in the food safety area.
Risk Management	Failure to adhere to the Food Service Plan could result in adverse media comment. The FSA could name and shame the Local Authority nationally. In extreme circumstances if we fail to carry out this work the FSA may take over our inspection and enforcement duties and charge the Local Authority for the work.
Equal Opportunities	In line with general and specific duties under the Race Relations Act 1976 and the Race Relations Amendment Act 2000, the Council operates a Race Equality Scheme (RES) in order to eliminate unlawful discrimination and to promote race equality and good race relations. The Scheme gives priority to actions relating to Travellers as the biggest ethnic minority in the district. Statistics from the 2001 census also shows that, whilst only 2.9% of the district's population is made up of black and minority ethnic groups, there are greater ethnic minority communities in three wards in particular. These are the villages of Girton, Milton and Teversham where the black and minority ethnic groups are two or three times as much. An assessment of SCDC services in terms of their relevance to the statutory duty to promote race equality, which is featured in the Race Equality Scheme, rates food safety issues as of 'medium' relevance. An equality impact assessment (partial) was conducted on the 'Food Safety Service' and satisfactorily signed off on 1 December 2009.
Climate Change	No implications identified.

Consultations

11. None.

Effect on Strategic Aims

12.	<p>Commitment to being a listening council, providing first class services accessible to all.</p> <p>The plan refers to many ways in which the food safety service works towards this aim, i.e. Access to services through the Contact Centre and quality benchmarking. Customers of food businesses, the public, staff and business operators all receive benefit from an effective Food Service. The plan details areas where customer service standards are applied.</p> <p>Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for you and your family.</p> <p>Good quality, safe to eat food is an essential requirement of good health. The plan will contribute to ensuring the communities in SCDC are provided with safe and wholesome food.</p> <p>Commitment to assisting provision for local jobs for you and your family.</p> <p>The plan supports the development and maintenance of small and medium sized enterprises through appropriate measured enforcement, advice and education. It is concerned with the maintenance of economic prosperity in the District.</p>
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Conclusions / Summary

13. This service plan meets the FSA requirements under relevant legislation and guidance. This legislation includes the Food Safety Act 1990 and the Food Hygiene (England) Regulations 2006.

Background Papers:

The following background papers were used in the preparation of this report & copies of these documents can be viewed in the Executive Directors office:

The Framework Agreement on Local Authority Food Law Enforcement
The Food Standards Agency Annual Report of Incidents 2009

Contact Officer: Geoff Keerie, Principal Environmental Health Officer
Telephone: (01954) 713133

¹ The Agency's New Vision for food law regulation is set out in paper PRO06/10/02, approved by the FSA Board on 12 October 2006. This is available on the Agency's website.

² <http://food.gov.uk/multimedia/pdfs/FSAregframework.pdf>

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Council	22 July 2010
AUTHOR/S:	Executive Director, Operational Services / Corporate Manager, Planning and New Communities / Joint Planning Director	

**REVIEW OF JOINT DEVELOPMENT CONTROL COMMITTEE
(CAMBRIDGE FRINGES) TERMS OF REFERENCE****Purpose**

1. To consider extending the Terms of Reference of the Joint Development Control Committee (City Fringes) to include the site formerly known as ' NIAB extra, now known as NIAB 2' (National Institute of Agricultural Botany).

Recommendations and Reasons

3. Council is recommended to:
 - (a) approve the amended Terms of Reference for the Cambridge Fringes Joint Development Control Committee as included in **Appendix A**; and
 - (b) agree that the Terms of Reference for the Joint Development Control Committee are kept under review and any proposals for revision be brought back to Council when appropriate.

This will ensure a co-ordinated approach to the planning of this part of North-west Cambridge.

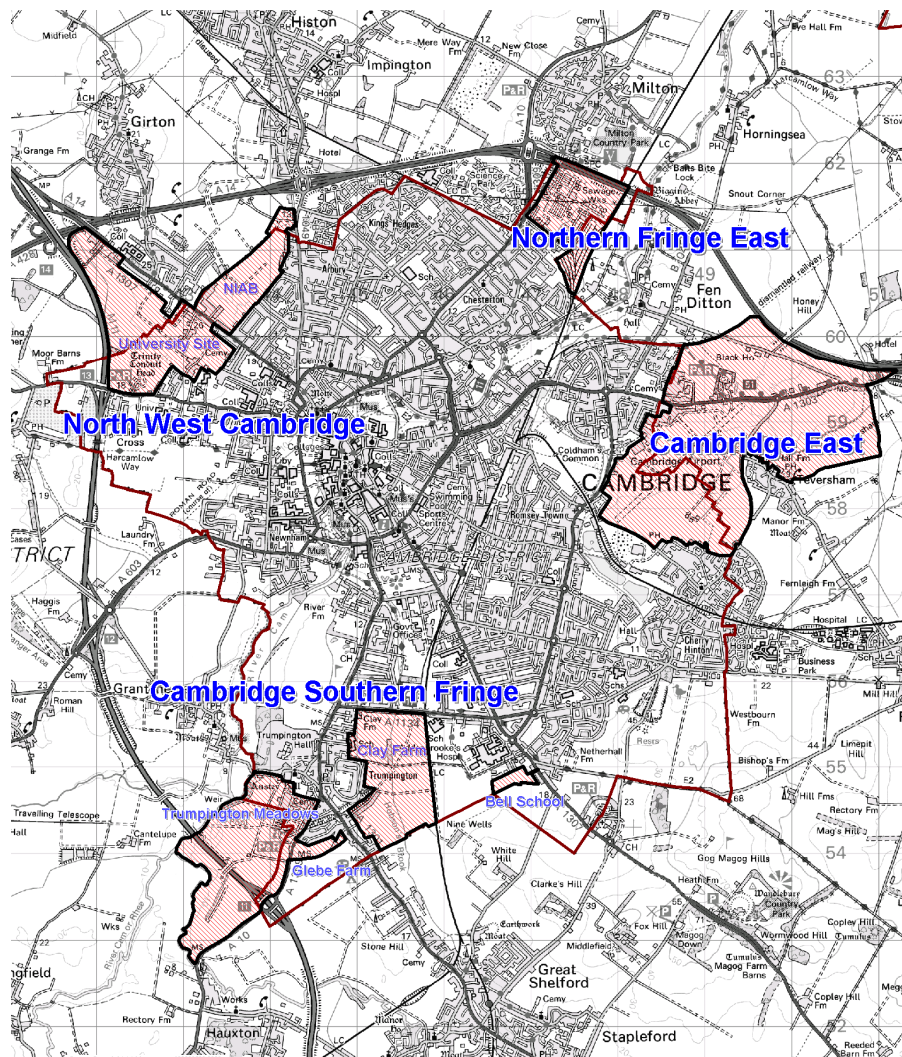
Executive Summary

4. The Joint Development Control Committee (JDCC) was set up in 2007. It has the power delegated from Cambridge City, South Cambridgeshire District and Cambridgeshire County Councils (the Councils) to exercise development control functions on major developments within Cambridge East, Cambridge Northern Fringe East, North West Cambridge and Cambridge Southern Fringe, as set out in the Terms of Reference (**Appendix A**).
5. A review of the JDCC's boundaries was undertaken following the adoption of this Council's Site Specific Development Plan Document (DPD), which allocated additional land for housing and associated uses on NIAB 2.
6. This report sets out the background to the review and the changes that are being proposed. Council is asked to approve the amended Terms of Reference included as **Appendix A**. These include the 'NIAB 2' site within the remit of JDCC. Other minor amendments are proposed for clarification. Cambridge City Council and Cambridgeshire County Council agreed these amendments at their respective Cabinet and Council meetings in March and April 2010. The terms of reference will come into effect when all three Councils have agreed them.
7. This item was initially considered by Cabinet at its meeting on 8 April 2010 but deferred to allow for the implications of Marshall Aerospace's announcement made on 1 April 2010 to remain in Cambridge and not to relocate in the immediate future to be assessed. (Refer to paras 15 and 16 below)

Background and considerations

8. In 2007 the Cambridge Fringes Joint Development Control Committee was established to carry out planning functions for the major growth sites and the fringes of Cambridge City. It determines all planning applications for major developments and ancillary applications relating to the major developments that are received by Cambridge City, South Cambridgeshire District (SCDC) or Cambridgeshire County Councils for the following sites as shown on Map 1:

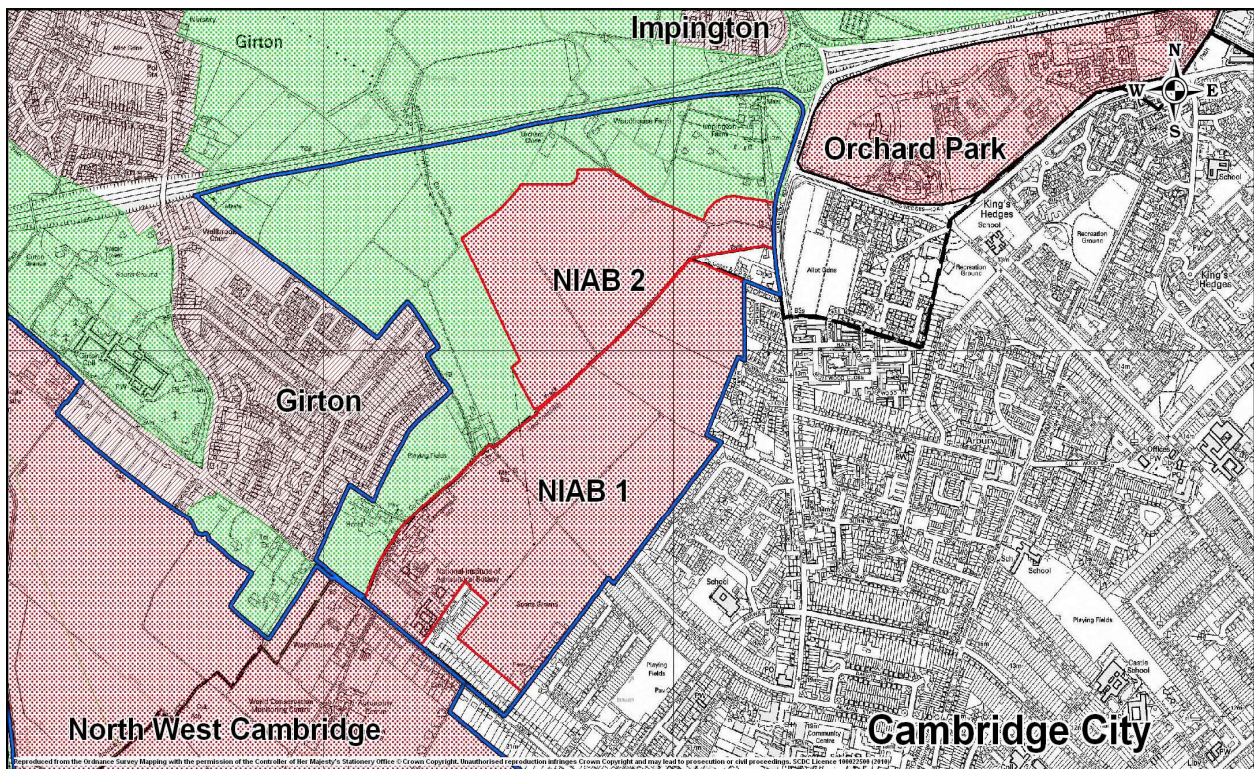
- North West – including NIAB 1 and North West Cambridge (University)
- Cambridge East (Marshall Aerospace)
- Cambridge Northern Fringe East
- Southern Fringe – including Trumpington Meadows, Clay Farm, Glebe Farm and Bell School



Map 1: Existing JDCC boundaries

9. The Council's Site Specific DPD was formally adopted on 28 January 2010. This removes the NIAB 2 site as shown on Map 2 from the Green Belt and allocates it for approx 1100 houses as part of a sustainable housing led urban extension to Cambridge. It also requires a scheme of Countryside Enhancement for the remaining green belt land between Histon Road, the A14 and Huntingdon Road to provide landscape, biodiversity and public access improvements. The Secondary School for this site and the previously allocated main NIAB 1 site is to be located within the 'NIAB 2 site.

10. The main NIAB 1 scheme comprises 1780 houses and falls wholly within Cambridge City. Development of the 'frontage site' for the first 187 homes has already commenced on site. The remainder of the site is currently the subject of an application for up to 1593 dwellings, a primary school, community uses and local centre, which will shortly be considered by the JDCC.
11. The area to come under JDCC needs to include not only the NIAB 2 development site but also all the land that is likely to be subject of the planning applications. This will ensure that JDCC is able to secure all requirements set out in the Site Specific DPD including for example a scheme for Countryside Enhancement and conversely is able to refuse inappropriate development in this area.
12. It is therefore proposed that the JDCC boundary is extended to include all the land up to the A14 and to the edge of the Girton village framework as shown in Map 2.



Map 2: Proposed extension to JDCC area to include NIAB 2 site

13. The terms of reference include the voting rights on applications. It is proposed that all JDCC Members have voting rights on NIAB 2 site.
14. The proposed Terms of Reference and associated appendices and annexes are attached at Appendix A. For ease of understanding **Appendix B** shows where changes have been made by way of 'tracked changes'.
15. With regards to Cambridge East, the implications of Marshall Aerospace's announcement made on 1 April 2010 to remain in Cambridge and not to relocate in the immediate future are not yet clear, and are unlikely to be for quite some time. Discussions are due to be held between Marshall Aerospace and Chief Executives of both South Cambridgeshire District and Cambridge City Councils; the implications will also need to be considered in the context of changes to the planning systems, details of which are still emerging.
16. At this stage it would be premature to make any judgement in relation to Cambridge East. It is therefore recommended that the JDCC current Terms of Reference in this

regard remain and any review be left for a later stage. The uncertainty over Cambridge East should not delay the suggested amendments to include NIAB 2.

Options (including other sites):

17. The possibility of extending the remit of the JDCC to include Orchard Park has been considered. Planning permission was originally given in 2005 for 900 homes, community uses, open space and some mixed use including B1 offices. Approximately three quarters of Orchard Park now has detailed planning permission. This Council's Site Specific DPD allocates a further 220 houses within this development. This site is within SCDC, and has recently become a parish in its own right. The proposed boundary review between SCDC and Cambridge City includes the transfer of Orchard Park into Cambridge City, but the timing of this remains uncertain.
18. It is not considered appropriate to include Orchard Park within the JDCC boundaries at this time. There is an existing and growing community at Orchard Park, which SCDC Members and officers continue to work hard to support. SCDC's Planning Committee is very familiar with the site and its planning history and wishes to continue to oversee future planning applications, particularly given that all but six land parcels now have the benefit of detailed planning permission.
19. JDCC boundaries can only be extended with agreement by all the Councils. It is therefore not considered appropriate at this time to seek to include Orchard Park. This Council will continue to consult with Cambridge City Council on Orchard Park applications and will work closely with them on policy matters.
20. Consideration has also been given to extending the boundary of the Southern Fringe to include the proposed site for the Household Waste Recycling Centre (HWRC). However, the County Council's Minerals and Waste Local Development Framework (LDF) has not yet been adopted, so it is considered that this would be premature at this stage. Consultation on the Submission Draft of the Minerals and Waste LDF ended on 29 March 2010. South Cambridgeshire District Council's views on the allocation of this site were made through this process. All representations will now be passed to the Inspector (to be appointed), who will make the final decision after an Examination in Public, likely to be held in 2011.

Future Reviews

21. It is recommended that the JDCC Terms of Reference be reviewed periodically. Through this there will be scope to review boundaries to include sites such as Orchard Park should this be considered appropriate at that time, or possibly the Southern Fringe HWRC, dependent on the approved site allocation and if necessary, to review existing sites such as to Cambridge East.

Delegation

22. The JDCC Terms of Reference sets out the functions delegated from the Councils to the JDCC. All functions relating to major developments falling wholly or partially within the relevant area are delegated to JDCC. As a point of clarification, the determination of reserved matters has been added to these functions, to ensure that a reserved matters application for 9 dwellings relating to an outline permission granted by the JDCC would come under the remit of that Committee.
23. Regarding the definition of major development, the footnote has been amended to refer to and reflect correctly the General Development Procedure Order (GDPO). This has resulted in the addition of mining and minerals development and the deletion of Regulation 3 developments. These relate to developments by one of the Councils'

individually or jointly with any other person. These applications are covered under the functions of the JDCC as set out in **Appendix 1** of the Terms of Reference.

- 24. The JDCC has its own scheme of delegation to Officers, which is included in **Appendix C**. It is proposed that the JDCC will be asked to review this at a later stage.
- 25. For clarification it has been added that decision notices are signed by the Director of Joint Planning. For information, S106 Agreements are sealed by all relevant Councils, as directed by the JDCC. This is set out in the functions of the Committee (Appendix 1 of the Terms of Reference).

Implications

- 26. The continued delegation of applications relating to the Fringe Sites will ensure that the growth of Cambridge and its Fringes will be addressed in a coherent manner. There are no financial implications of this review other than as included above. There are no direct staffing, procurement, community safety or equal opportunities implications.
- 27. A Cost Sharing Protocol has been included as Annex C to the Standing Orders. This will need to be agreed by the JDCC. The protocol sets out the cost sharing arrangements between the Councils; which in the first instance are to be met by the Joint Planning Budget which is administered through Cambridgeshire Horizons, and for which revenue funding has been secured up to March 2011.

28. Financial	A cost sharing protocol is in place between the three local authorities to cover costs incurred in relation to the administration of the Committee, legal support and planning consultancy e.g. planning appeals. This will need to be reviewed as and when future funding arrangements for 2011 and beyond are known.
Legal	Through agreement, Cambridge City Council provides legal advice to the JDCC.
Staffing	The JDCC is advised by the Joint Planning Director, supported by planning officers from all three councils as required.
Risk Management	Ensuring periodic review of Terms of Reference, Standing Orders and Scheme of Delegation is good practice and reduces opportunities for challenge.
Equal Opportunities	No equal opportunities implications have been identified at this time.

Effect on Strategic Aims

29.	Commitment to being a listening council, providing first class services accessible to all. The JDCC administers planning functions on behalf on all three local Councils, and will carefully consider all representations made. All three councils actively encourage participation in the planning process. In addition, protocols are in place to encourage and enable public speaking at its meetings as well as development control forums.
	Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for all. Considerations of community safety and health will be taken into account when the JDCC considers planning applications for new development on this site.
	Commitment to making South Cambridgeshire a place in which residents can feel proud to live. The JDCC will consider the NIAB site as a whole, ensure that appropriate services and facilities are provided and that the development is coordinated and relates well to the neighbouring villages in accordance with SCDC's LDF.
	Commitment to assisting provision for local jobs for all. Future residents living in housing on this site, including affordable housing, will support the local economy.

Commitment to providing a voice for rural life.
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The JDCC will oversee consideration of planning applications relating to this site. Protocols in place to encourage and enable public speaking at its meetings as well as development control forums.

Conclusions / Summary

30. This proposal represents a logical extension to the terms of reference of the JDDC. It reinforces the Council's partnership approach and will allow a coordinated approach to be taken to the determination of planning applications relating to all of the NIAB site.
31. The implications of Marshalls' announcement in relation to Cambridge East are not yet clear and any decision relating to this element should be left for a later review and not hold up consideration to include NIAB 2.

Appendices

Appendix A: PROPOSED TERMS OF REFERENCE FOR JOINT DEVELOPMENT CONTROL COMMITTEE including Functions (Appendix 1), Standing Orders (Appendix 2), Public Speaking Rights (Annex A), development Control Forums (Annex B) and Costs Sharing Protocol (Annex C).

Appendix B: PROPOSED TERMS OF REFERENCE FOR JOINT DEVELOPMENT CONTROL CAMBRIDGE FRINGES showing changes from the Terms of Reference approved in 2007.

Appendix C: SCHEME OF DELEGATION TO OFFICERS agreed 18 July 2007

Contact Officer: Jane Green, Head of New Communities
Telephone: (01954) 714164
Fiona McMillan, Acting Legal & Democratic Services Manager
Telephone: (01954) 713027

Appendix A of Report to Cabinet

**Joint Development Control Committee
Cambridge Fringes**

PROPOSED TERMS OF REFERENCE

DOCUMENT	<i>page</i>
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Appendix 1: Functions Delegated to the Committee	4
Appendix 2: Standing Orders	5
Annex A: Public Speaking Rights	9
Annex B: Development Control Forums	11
Annex C: Costs Sharing Protocol	15
Appendix 3: Plans	16

**TERMS OF REFERENCE FOR
JOINT DEVELOPMENT CONTROL COMMITTEE
CAMBRIDGE FRINGES
*To be adopted on 22 July 2010***

1. Parties:

Cambridge City Council
Cambridgeshire County Council
South Cambridgeshire District Council
(‘the Councils’)

2. Status:

The Joint Development Control Committee (‘the Committee’) is a joint committee formed by resolutions of the Councils pursuant to section 101(5), Local Government Act, 1972.

3. Membership:

6 Members appointed by Cambridge City Council
4 Members appointed by Cambridgeshire County Council
6 Members appointed by South Cambridgeshire District Council

4. Terms of reference:

- 4.1 The Committee’s remit is to discharge the functions (‘the functions’) set out in Appendix 1, the exercise of which have been delegated to the Committee by the parties, subject to the limitation in paragraph 4.2.
- 4.2 The Committee shall discharge the functions in respect of major developments¹ and related applications falling wholly or substantially within the areas shown edged in blue on the plans forming Appendix 3 and ancillary developments relating to such Major Developments

¹ A major development is defined by reference to Article 1 of the Town and Country Planning (General Development Procedure) Order 1995 as in force on 1 March 2010 or as subsequently amended or replaced and means development including any one or more of the following:

- (a) the mining and working of minerals
- (b) waste development;
- (c) the provision of dwelling-houses where
 - (i) the number of dwelling-houses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more.

referred to it by the relevant Head of Planning of the Council issuing the consent for the Major Development in question.

- 4.3 The Committee may exercise the subsidiary powers authorised pursuant to section 111, Local Government Act 1972 in connection with the discharge of the functions.
- 4.4 The Committee may exercise the powers of delegation contained in section 101(2), Local Government Act 1972.
- 4.5 All members shall be entitled to vote on the following applications: Trumpington Meadows; Cambridge Northern Fringe East; Cambridge East; Northwest Cambridge including all of the NIAB site; Glebe Farm. Only the City and County members shall be entitled to vote on Clay Farm-Showground and Bell School.

5. Standing Orders

- 5.1 The Committee shall be governed by the Standing Orders set out in Appendix 2, as amended from time to time.

6. Administration

- 6.1 The Party which is the local planning authority shall receive applications in the usual way and shall be responsible for all consequential administration.
- 6.2 Cambridge City Council's staff shall be responsible for all matters connected with the administration of the Committee, including the preparation and dispatch of agendas and securing premises at which the committee may meet. Decision notices shall be signed by the Director of Joint Planning.
- 6.3 Costs shall be shared in accordance with the Cost Sharing Protocol set out in Annex C to the Standing Orders.

Appendix 1

Functions of the Committee

1. The exercise of each of the Councils' powers and duties in relation to development control on Major Developments, ancillary developments, related applications and requests and Reserved Matters applications including but not limited to:

- i) the determination of planning applications by virtue of Regulation 3 of the Town and Country Planning General Regulations 1992.
- ii) the power to approve authorise and direct the respective Councils to negotiate and enter into agreements regulating the development or use of land pursuant to S106 of the Town and Country Planning Act 1990.

2. The review, change, amendment or modification of the scheme of delegation to Officers.

JOINT DEVELOPMENT CONTROL COMMITTEE (CAMBRIDGE FRINGES) Standing Orders

[Amended by the Committee on 18 July 2007]

1 Appointment of Chair and Vice-Chair

- 1.1 The Committee shall, at its first meeting, and from time to time as it considers necessary, elect a Chair and Vice-Chair.
- 1.2 In the absence from any meeting of the Chair and Vice-Chair, a Chair for that meeting shall be appointed by the meeting, but shall relinquish the chair if the Chair or Vice Chair subsequently arrives at the meeting.
- 1.3 Members appointed to the Committee by South Cambridgeshire District Council shall not chair meetings of the Committee during consideration of the applications relating to Clay Farm Showground and Bell School sites.

(1.3 added by Committee 11 Jun 2008)

2. Appointment of Spokespersons

- 2.1 Each of the councils shall nominate one of the committee members which it appoints as its spokesperson.

3. Notice Of And Summons To Meetings

- 3.1 The Administrator will give notice to the public of the time and place of any meeting in accordance with the access to information rules applicable to local authorities. At least five clear days before a meeting, the Administrator will send an agenda by post and/or electronically to every member of the Committee. The agenda will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such details as are available.
- 3.2 The Administrator will take reasonable steps to ensure that a copy of the agenda and accompanying papers are placed on deposit at the offices of each of the councils for public inspection at least five clear days before the meeting. The Administrator will ensure that arrangements are put in place for the inspection of background papers in accordance with section 100D, Local Government Act, 1972 and to ensure compliance with all other provisions of Part VA, of that Act.
- 3.3 Dates, times and venues for meetings shall be determined by the committee. In the absence of agreement or in cases of urgency, meetings may be called by the Administrator following consultation with the Chair and Vice Chair.

4. Membership

- 4.1 Committee members shall be appointed by the councils from time to time in accordance with the terms of reference. A council may at any time replace one or more of its nominated members by notice given to the Administrator.

5. Alternate Members

- 5.1 Each council will, by resolution, appoint one alternate member in respect of each political group which represents their council on the committee, but shall not appoint an alternate member for a political group which declines to nominate an alternate member. Each council will notify the Administrator] of alternate members appointed.
- 5.2 Alternate members will have all the powers and duties of any ordinary member of the committee. For the purposes of briefing meetings and circulation of papers, alternate members shall be treated in the same manner as ordinary members.
- 5.3 Alternate members may attend meetings in that capacity only to take the place of a member of the same political group who is an ordinary member of the relevant committee or sub-committee. The alternate member should withdraw from participation as a member of that committee or sub-committee in the business at that meeting during any period during which the principal member is in fact in attendance.

6. Quorum

- 6.1 The quorum of a meeting will be as follows:-

3 Members from South Cambridgeshire District Council

2 Members from Cambridgeshire County Council

3 Members from Cambridge City Council

[South Cambridgeshire District Councillors do not need to attend meetings in respect of applications for which they do not have voting rights]

7. Public speaking rights

- 7.1 Members of the public have the public speaking rights set out in Annex A.

8. Voting

- 8.1 Every question shall be decided by a show of hands, subject to Rule 8.2
- 8.2 If any member demands a vote by roll-call and is supported by two other members, the question shall be determined by a vote by roll-call and the Administrator shall record and enter in the minutes the names of each member present and whether s/he voted for or against or abstained.
- 8.3 Any member may, immediately after any vote is taken, require a record to be made in the minutes of whether s/he voted for or against or abstained.
- 8.4 If there are equal numbers of votes for and against, the Chair will have a second or casting vote.

9. Minutes

- 9.1 The Chair will sign the minutes of the committee at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record.

10. Exclusion Of Public

- 10.1 Members of the public and press may only be excluded either in accordance with the Access to Information provisions of the Local Government Act 1972 (consideration of 'exempt information') or Rule 12 (Disturbance by Public).

11. Disorderly Conduct: Misconduct Of A Member

- 11.1 If at any meeting of the committee any member, in the opinion of the Chair, misconducts him/herself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the committee, the Chair or any other member may move "That the member named be not further heard", and the motion if seconded shall be put and determined without discussion.
- 11.2 If the member named continues his/her misconduct after a motion under the foregoing Rule has been carried, the Chair shall either move "that the member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion); or adjourn the meeting of the Council or committee for such period as s/he is in his/her discretion shall consider expedient.
- 11.3 In the event of a general disturbance which in the opinion of the Chair renders the due and orderly despatch of business impossible, the Chair, in addition to any other power vested in him/her, may adjourn the meeting of the committee for such period as s/he is in his/her discretion shall consider expedient.

12 Disorderly Conduct: Disturbance by members of the public

- 12.1 If a member of the public interrupts the proceedings at any meeting the Chair shall warn him/her. If s/he continues the interruption the Chair shall order his/her removal from the meeting.
- 12.2 In case of a general disturbance in any part of the Room open to the public the Chair shall order that part to be cleared.

13 Suspension Of Standing Orders

- 13.1 Any of these Standing Orders may, so far as is lawful, be suspended by motion passed unanimously by those entitled to vote on the application in question. Any motion to suspend any part of these rules shall specify the purpose of their suspension. Any suspension shall only be to the extent and for the length of time necessary to achieve the stated purpose.

14. Attendance at the Committee by other members of the Councils

- 14.1. A member of any of the councils who is not a member of the committee or a member of a parish council (in respect of applications relating to sites in their own parish) may speak at a meeting of the committee at the request or with the permission of that committee or of its Chair made or obtained before the meeting.

Such request or permission shall specify the matters in respect of which the member shall be permitted to speak;

[Explanatory note: There might be circumstances in which the Committee may wish to permit a city, district or county councillor to speak on applications even if the application does not relate to her/his ward or division. For instance an executive councillor with relevant strategic responsibility may want to address the committee.]

15. Development Control Forums

15.1 The Committee will operate a scheme for development control forums in accordance with Annex B.

16. Statements of Community Involvement

16.1 Public consultation in relation to pre application matters shall be dealt with in accordance with the SCI or other appropriate procedures of the Council responsible for issuing the consent

Annex A: Public Speaking Rights

(Amended by Committee on 16 April 2008)

Public Speaking

Members of the public, or applicants or their agents, who want to speak about an application which is to be considered at a meeting of the committee can do so if they have:

- In the case of members of the public, already submitted a written representation on an application; and
- Notified the Administrator by 12.00 noon on the day before the meeting.

A member of the public who has made a written representation on a planning application which is to be determined by the committee, will be notified in writing about the committee date and their public speaking rights in the week before the committee meeting.

At the Committee Meeting

A list of public speakers is available at the meeting. Agenda items for which there are public speakers are taken first, normally in the order of the agenda.

Each speaker will be allowed three minutes in which to make their representation. The Chair will tell the speaker when the three minutes has elapsed and the speaker must stop when requested by the Chair. The Chair has discretion to extend this time limit.

If more than one person wants to make a representation about the same application, then they should choose someone to act as a spokesperson. When several people wish to speak on the same application but wish to raise different issues, the Chair may agree to those speakers making representations. In these circumstances, less time may need to be given to each speaker.

The Chair will ask the speaker to come to the table at the beginning of the discussion of the report on the relevant application. The Chair will then invite them to speak following the Officer's introduction to the report on the application.

The speaker should address the Chair of the Committee, which is the normal convention for Committees.

At the conclusion of a statement by a public speaker, members may ask the Chair to put questions in order to seek clarification on matters of fact but not matters of opinion, of points made by the speaker in his or her statement. A public speaker may be asked by the Chair to clarify matters of fact but not matters of opinion after he or she has made a statement. The conclusion of the period of questioning will be at the Chair's discretion. Public speakers will be expected to answer questions briefly and directly, will be asked to leave the committee table at the conclusion of the period of questioning and they will not be permitted to participate in the committee's discussion. At the conclusion of statements by public speakers, the Committee will proceed to discuss and determine the planning application.

Speakers should remember to:

- Keep to 3 minutes or whatever other period has been agreed.
- Keep to the planning issues raised by the application.
- Highlight the main points they wish to raise and be as brief and concise as possible.
- Be courteous.
- At the end of public speaking, the Committee will discuss and determine the planning application.

Annex B: Development Control Forums.**Development Control Forums are triggered by receipt of a qualifying petition**

Receipt of Petitions and Notification of Development Control Forum

1. Neighbour consultation letters on planning applications within the remit of the committee shall include information about the scheme for development control forums and the relevant consultation period.
2. A Petition should be sent to the Administrator and should identify the matter to which it relates and the grounds of concern.
3. The Administrator will:
 - (a) Liaise with the Planning case officer to obtain the following information:
 - * The expiry date of the relevant consultation period;
 - * The addresses of the applicant and agent.
 - (b) Check whether the petition meets the criteria established in the scheme – i.e.:
 - * It contains at least 25 signatures of residents and/or business owners in the County;
 - * It includes the addresses of those who have signed it;
 - * It has been received within 7 working days following the end of the relevant consultation period (in the case of petitions of objection) and no later than 6 working days before a Forum meeting (in the case of petitions of support);
 - * The application is not: a householder application; an application for a certificate of lawful use; or an application for advertisement consent.

[Note:

- (i) If any of these criteria are not met, the petitioners should be informed in writing that their petition will be reported to the committee, and that a Development Control Forum will not be held.
- (ii) Normally, a Forum will not be convened in the case of petitions relating to amendments to applications, or to applications which have already been the subject of a Forum. However, the Administrator, following consultation with the Chair and Vice Chair, is authorised to decide whether significant new issues are raised, making a Forum appropriate.
- (iii) A Forum will not be held to hear a petition of support alone, except where an application, which has not already been subject to a Forum

meeting, is resubmitted following an earlier refusal of planning permission.

(iv) Petitions may be submitted by email subject to the following:

- An e-mail petition must consist of individual e-mails, showing the sender's e-mail address.
- An e-mail petition must include the sender's postal address.
- The e-mails must be addressed to the organiser (rather than a council or the committee or its members) who must then let the [administrator to be appointed] have print-outs of the requisite number of supporting e-mails.
- Random checks will be carried out on petitioners that have used the e-mail procedure.]

(c) Liaise with the Planning case officer and Chair and spokespersons about the date of the Development Control Forum and fix a date, time and venue. So far as practical at least 10 days (not working days) notice should be given to all those attending under (d). For the avoidance of doubt dates for possible Development Control Forum meetings may be programmed in advance of receipt of petitions.

(d) Send written invitations to:

- * The lead petitioners;
- * The applicants and agents;
- * Committee members;
- * Ward councillors;
- * Planning officers;

The press will also be informed.

The invitations to the meeting should include:

- * A short summary of the application details (to be provided by the planning case officer);
- * The case officer as a contact point for planning enquiries and the Administrator for queries about the petition process;
- * An explanation of the fact that up to three representatives of the petitioners and up to three representatives of the applicants may attend and speak;
- * Petitioners to be invited to contact the officers for a briefing on the procedures at the Forum.

(e) Inform all other councillors of the three councils that the meeting is taking place.

4. If two or more petitions are received relating to the same planning application, the following procedure should be applied:

- * In the case of two or more petitions opposed to the application, or two or more petitions in support of the application, the petitioners will be encouraged to make a

joint presentation. If agreement on this is not possible between the petitioners, they would share the time allocations given in paragraph 9.

Development Control Forum Meetings

5. The Press and Public are entitled to attend meetings as observers.
6. The Development Control Advisor or other A senior planning officer (other than one of the case officers involved in dealing with the application) will chair the meeting.
7. The style of the Forum will be informal, but the authority of the Chair must be recognised. The decision of the Chair on any question of procedure will be final. No votes will be taken.
8. The main purpose of Forum meetings is to enable petitioners and applicants to give their views and to provide the means by which consensus can be built between the parties.
9. The format of the Forum will be as follows for each application:
 - * Presentation of the application by the applicant/agent (up to three representatives) - up to 20 minutes;
 - * Presentation of the views of the petitioners against the application (up to three representatives) - up to 20 minutes;
 - * Presentation of the views of the petitioners in support of the application (where applicable) (up to three representatives) - up to 20 minutes;
 - * Presentation by the case officer - up to 10 minutes;
 - * Member questions and issues arising - up to 30 minutes;
 - * Summing up by the applicants/agents - up to 5 minutes;
 - * Summing up by the petitioners against the application - up to 5 minutes;
 - * Summing up by the petitioners in support of the application - up to 5 minutes;
 - * Final comments of the Chair.

After the Meeting of the Forum

10. The Administrator will take minutes of the meeting. The minutes will be a summary of the issues raised and should not be taken to express a view or decision which is in any way binding on the committee. The minutes will be circulated in draft to the Chair of the Forum, the Chair and Vice Chair of the committee and the case officer and finalised within 5 working days of the Forum. Copies of the finalised minutes will be sent, for information, to:
 - * The petitioners' representatives at the meeting;
 - * The applicants' representatives at the meeting;
 - * Ward councillors;
 - Committee members
 - the Parish Councils of the areas to which the application relates.

The minutes, and the text of the petition, will also be appended to the report to the committee which invites it to determine the application.

11. The case officer should contact the applicants/agent after the meeting to discuss whether a meeting would be helpful to discuss the issues raised at the Forum and to discuss any changes that may be necessary to the application. The applicant will be encouraged to keep in direct contact with the petitioners and to seek their views on any amendment/s.
12. The case officer will inform the petitioners' representatives of any amendments to the application. Normally, no further Development Control Forum will be held if the planning application is amended - see paragraph 3 (b) (ii).
13. The petitioners' representatives will be informed of the date of the meeting at which the application is to be considered by the committee and will be sent copies of the committee report. The petitioners and applicants will be asked to send any further comments they may have on the report to the planning case officer as soon as possible, so that they can be circulated in good time to members of the committee.

Annex C: Costs Sharing Protocol

The ongoing costs incurred in relation to the administration of the Committee, legal support and planning consultancy costs shall be borne initially from the joint planning budget administered through Cambridgeshire Horizons and thereafter in equal shares by the participating authorities.

Exceptional costs that arise in relation to, for example, appeals and legal proceedings will be borne:

i) from the joint planning budget;

ii) where there is insufficient funds within the joint planning budget, then the costs shall be shared proportionally by the Councils which are entitled to vote on the matters which give rise to the costs.

Appendix 3 Maps

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council

22 July 2010

AUTHOR/S: Executive Director (Corporate Services)

STREET NAMING AND NUMBERING**Purpose**

1. To ask Council to make a resolution to adopt Section 64 of the Town Improvement Clauses Act 1847. This is not a key decision.

Recommendations and Reasons

2. That Council resolves to adopt the provisions of Section 64 of the Town Improvement Clauses Act 1847.

Executive Summary

3. Across the country and within Cambridgeshire a number of local authorities are reviewing the way they provide their street naming and numbering service and considering what actions could be taken to ensure that the full cost of this activity is not carried by the wider community.
4. The Council resolved on the 31st January 2008 to adopt the provisions of Sections 17, 18 and 19 of the Public Health Act 1925 to allow the Authority to name or re-name streets within the District Council area.
5. Having adopted the provisions of the 1925 Act the Council may now, under Section 93 of the Local Government Act 2003, charge for anything done for the provision of such a service, provided the person to whom the service is given has agreed to its provision. This excludes the statutory elements of the function for which there should be no charge.
6. On 27th May 2010 the Council resolved to give notice of its intention to adopt the provisions of Section 64 of the Town Improvement Clauses Act, subject to advertisement provisions. Section 64 of the Town Improvement Clauses Act 1847 requires the Council to ensure houses and buildings are "to be marked with numbers as they think fit". This will ensure that the Council has the statutory authority to also charge for its services in relation to street numbering.

Considerations

7. After examining the legislative requirements for notice in more detail it has become apparent that the Council does not have the same notice requirements under the Town Improvement Clauses Act as it had under the Public Health Act 1925. The Council can therefore move to adopt the section of the Town Improvement Clauses Act without any consultation period or requirements to advertise and the adoption will have immediate effect.

Implications

8.	Financial	There are positive financial implications as revenue will be generated to supplement the current budget for the street naming and numbering service including the street nameplate repair and replacement programme, which is insufficient to meet current demand.
	Legal	Current legislation does not provide a right to charge for the statutory SNN service but there are powers to charge to cover the cost of providing the non-statutory service.
	Staffing	There are no staffing related implications although a full staffing compliment will need to be retained to offer a fee generating and improved service.
	Risk Management	Charges will not be popular with those affected but as they are modest and non-profit making the risk of alienating residents or businesses is small.
	Equal Opportunities	None specific.
	Climate Change	None specific.

Consultations

9. Adoption of Section 64 of the Town Improvement Clauses Act 1847 does not require prior advertisement and consideration of any responses received before resolving to adopt.

Effect on Strategic Aims

10. Being a listening Council, providing first class services accessible to all: Additional revenue will allow an improved service and help meet the demands being placed upon the service.
11. Ensuring that South Cambridgeshire continues to be a safe and healthy place for all: Street nameplates and logical numbering are important so that the emergency services and the public can find locations quickly and effectively. Damaged signs pose a safety risk to the public and may delay emergency services in finding the correct location.
12. Making South Cambridgeshire a place in which residents can feel proud to live: Damaged signs not only pose a safety risk but may present an unkempt appearance to an area.
13. Assisting with provision for local jobs for all: The provision of street nameplates and their erection support local jobs.

Conclusions / Summary

14. The introduction of a scale of charges for the provision of street naming and numbering services will allow for service improvement and provide revenue in future years.
15. In order to ensure that the Council has the legal powers to entitle it to charge for elements of its street naming and numbering service it is necessary to adopt the 1847 legislation.

Background Papers: the following background papers were used in the preparation of this report:

Council Agenda, 31st January 2008

Report to Senior Management Team, 13th January 2010

Council Agenda 27th May 2010

Contact Officer: Fiona McMillan – Acting Legal & Democratic Services Manager
Telephone: (01954) 713027
Paul Grainger – Planning & GIS Manager
(01954) 713294

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council

22 July 2010

AUTHOR/S: Chief Executive / Executive Director (Corporate Services)

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

Purpose

1. To seek Council's co-option to the Standards Committee of the independent candidates recommended for appointment by the Standards Committee Appointments Panel, and of the parish council candidate identified for appointment by a ballot of South Cambridgeshire parish and community councils and meetings.
2. These are not key decisions but have been brought to Council because only the full Council may co-opt members to any constituent body of the authority (other than the Scrutiny and Overview Committee).

Recommendations and Reasons

3. That, in agreement with the recommendations of the Standards Committee Appointments Panel, Council resolve to co-opt Mrs Diane Best, Mr Raith Overhill and Mr Eric Revell to the Standards Committee as independent members for four years, 2010-14; and
4. That, in agreement with the results of the ballot of South Cambridgeshire parish and community councils and meetings, Council resolve to co-opt Councillor Iain Booth, Cambourne Parish Council, to the Standards Committee as a parish council member for four years, 2010-14. The potential new members have provided brief biographical notes for the information of Council, which are appended to this report.
5. That Council formally thank Ms Georgina Butcher, independent member 2006-10 and Chairman 2008/09, and Councillor Dave Kelleway, parish council member 2006-10, for their contribution to the Standards Committee and service to the residents of South Cambridgeshire.

Background

6. Standards for England writes that the role of the independent member¹ "is to help increase public confidence and provide a clear signal that the committee is fair. The independent representative also brings a wider perspective from outside experiences." It is a legislative requirement that independent members chair the Standards Committee and all its panels, and that the Standards Committee have a minimum 25% independent membership; independent members serve a four-year term on the Standards Committee and remain eligible for re-appointment.
7. Where an authority has a responsibility for parish council matters, it is also a legislative requirement that the Standards Committee have at least one parish council

¹ 'Independent' in this context means simply a person who is not a member or officer of the Council, any parish council in the district or any other relevant authority – "the relevant authorities". It has no connotation with political independence from any party or political group.

representative. Any committee or panel meetings considering parish council matters are required to have at least one parish council member present to be quorate.

8. The role of the Standards Committee has transformed dramatically since its initial establishment in 2000, and in 2008 it assumed responsibility for the initial assessment of all misconduct allegations. The Committee also is responsible for directing the investigations for, and final determination of, most allegations, with Standards for England retaining responsibility only for assessing and investigating the most serious misconduct allegations. Given the large numbers of parish councillors in South Cambridgeshire, all of whom fall within the remit of the Standards Committee, the workload for this committee has increased greatly, and the Council has responded by increasing the size of the Standards Committee to ensure that the workload is evenly spread.
9. Until current legislation is repealed and new legislation is enacted, the responsibilities of the Standards Committee remain unchanged. The government's forthcoming Decentralisation and Localism Bill will, between November 2010 and November 2011, abolish Standards for England and transfer to local authorities all responsibility for assessing and investigating the most serious misconduct allegations. Existing legislation, if not amended or repealed, will enable the establishment of joint standards committees with neighbouring authorities to ensure that such matters can be handled without any potential conflicts of interest.
10. This Council's procedure for recruitment and retention of independent members, with a formal application pack, job description and person specification, was singled out as an example of notable practise in Standards for England's 2008-09 Annual Review. In accordance with the Standards Committee (England) Regulations 2008, the vacancies were advertised in the spring 2010 edition of *South Cambs magazine*, in the *Cambridge News* on 26 May 2010, and on the Council's website, from which the application pack could be downloaded. Three applicants were shortlisted for interviews, following which the Appointments Panel recommended that all three be appointed.
11. This Council's procedure for recruitment of parish council members also has a clear job description and guideline person specification listing those qualities which *might* be beneficial to a person serving on the Standards Committee. This information was sent to all parishes on 15 February 2010 along with a request for nominations. Ballots were issued to all parishes on 11 June 2010, with a return deadline of noon on Friday 9 July 2010. The Monitoring Officer counted the ballots and declared that Councillor Iain Booth had been elected for co-option by the Council.

Options

12. To co-opt the candidates as recommended by the Appointments Panel and identified by the parish council ballot. This would bring membership of the Standards Committee to nineteen, of whom seven would be council members, four would be parish members and eight would be independent members. Training of the new council, parish and independent members will be undertaken before the 15 September 2010 Standards Committee meeting.
13. Not to co-opt the candidates recommended by the Appointments Panel and identified by the parish council ballot. This would not leave the Council in breach of the legal requirement to have at least 25% independent membership and one parish council member, but could require the continuing independent and parish council members to

undertake a significant proportion of the Committee's workload, increasing the risk of conflicts of interest arising.

Implications

14.	Financial	<p>As part of the Members' Allowances Scheme, independent members receive a co-optees' allowance of £276 per annum, and parish council members receive a co-optees' allowance of £220 per annum, reflecting the different requirements of the two roles. Both are eligible to claim the same for travel, subsistence and carers' expenses as members of the Council. The independent member who serves as the Standards Committee Chairman also receives a special responsibility allowance of £443. Other than inflationary adjustments, these amounts have remained unchanged since their introduction on 1 April 2004. An independent panel reviews the Scheme annually and the final agreement rests with Council.</p> <p>The Association of Independent Members of Standards Committees in England (AIMSce) was established in 2006 to provide peer group support, champion the role of independent members and represent their interests. The Council pays the £20 per member annual fee.</p>
	Legal	<p>The Standards Committee is required by statute to have at least 25% independent membership and parish council representation at any meeting considering parish council matters. The Constitution requires the Standards Committee to have 'at least four' independent members and 'at least three' parish members.</p>
	Staffing	<p>None specific.</p>
	Risk Management	<p>Standards Committee and panel meetings require that at least one independent member be present, and that an independent member serve as Chairman, in order to be quorate; it is also a legislative requirement that a parish council member be present for any meetings considering parish council matters. Having a greater number of independent and parish council members reduces the risk of meetings becoming inquorate.</p>
	Equal Opportunities	<p>None specific.</p>
	Climate Change	<p>Training sessions are arranged for all members of the Standards Committee, including training on hearings panels and procedures, and most training is held either immediately before or after a Standards Committee meeting to minimise travel, and the majority of independent members car share.</p>

Consultations

15. None.

Effect on Strategic Aims and Values

16. Making South Cambridgeshire a place in which residents can feel proud to live: the Standards Committee has an important role to play in the promotion and maintenance of high standards of conduct.

17. Providing a voice for rural life: The Standards Committee works with neighbouring authorities and the Cambridgeshire and Peterborough Association of Local Councils (CPALC) to offer training and advice to district and parish councillors.
18. Customer Service: Names and contact information of Standards Committee members are published on the Council's website, and committee members may act as a point of contact for members of the public seeking advice about ethical standards in local government.

Conclusions / Summary

19. The three independent member candidates have demonstrated via their applications and interviews particularly useful previous experience that would be useful to the Standards Committee and had researched the roles of the Standards Committee and of the independent member. The parish council member candidate has received the support of South Cambridgeshire parish and community councils and meetings. Council is asked to co-opt these members onto the Standards Committee for four-year terms, 2010-14.

Background Papers: the following background papers were used in the preparation of this report:

Appointments of Independent Members – Monitoring Officer's Reports to Council 22 November 2001, 28 September 2006
Local Government Acts 2000, 2003
Relevant Authorities (Standards Committee) Regulations 2001
Standards Committee (England) Regulations 2008
SCDC Constitution
Standards for England Guidance on Standards Committees

Contact Officer: Holly Adams – Democratic Services Team Leader
Telephone: (01954) 713030

Independent Members 2010-14***Diane Best***

I was born and brought up in Cambridge. Apart from the six years I spent in London at college and then teaching in Hackney, I have lived in Cambridge.

My career, from which I have recently retired, has been in Education as a teacher. For the last 10 years I have worked as a part – time tutor at Cambridge Arts and Sciences teaching GCSE Biology, together with Personal, Social and Health Education. I enjoyed the challenge of teaching international students many of whom used English as a second language. Prior to this I worked full time in the state sector at St. Bede's School. During my career I have always been a classroom teacher, but have also had middle management pastoral responsibilities. One of these responsibilities was a designated responsibility for Child Protection.

One of my teachers inspired me to become involved in voluntary work when I was still at school. I have always focussed my volunteering on activities that aim to benefit the community. I am currently a Governor of Cherry Hinton Infants School and the Leaseholder representative on Cambridge City Council's Housing Management Board. From 2000 to 2005, I served the Cambridge Federation of Tenants, Leaseholders and Residents as Company Secretary in a voluntary capacity.

During my career and voluntary activities I have experience of committee work and the procedures for meetings. I am keenly interested in local issues. There have been occasions in both my career and voluntary activities when I have sensitively had to promote high standards and offer support and training to ensure they were maintained.

I have knowledge and skills which I can use to make a positive contribution to the work of the Standards Committee as an Independent Member. In my designated role for child protection I had to handle sensitive matters with tact and diplomacy. Developing good communication skills, both written and oral have been very important to me. There have been situations when I needed to be assertive, such as meetings with some parents. I have an impartial, unbiased and objective approach to issues and review all the facts before making a decision.

As an Independent Member of the Standards Committee I would be part of the team that ensures high standards are maintained, particularly with regard to integrity, objectivity, accountability, openness and honesty. I will have the opportunity to use my experience, knowledge and skills to make a significant contribution to an aspect of public life which I feel is very important. It is also an opportunity to broaden my experience. I fully understand the need for confidentiality and can be relied on to comply with it, as I have done both professionally and in my voluntary activities.

Raith Overhill

Born in Cambridge, married to Morag SRN; with two grown up sons. Professionally, worked as a Medical / Scientific Illustrator and Publisher for some 40 years, now semi-retired.

Qualifications include BA Graphic Design, Human Anatomy, Professional member of The Institute of Medical Illustration; Registered Medical Illustration Practitioner.

I have served as a Cambridge City Councillor, with some 16 years' service, having chaired Housing, Environmental Health, Direct Works, Licensing and Staff committees. Stepping down in 2002 to move to Scotland for family reasons. I have also served on many public

bodies. Cambridgeshire Rating Valuation Tribunal, Health Council and School governorships to name a few.

Previous Board memberships: 100 Housing Association 1999-2004, Scottish Institute of Medical Illustration, Syllabus Chairman 2003-2007; South Cambridgeshire Village Homes Shadow Board Chairman 2008-2009.

Trustee & Directorships: Dialogue Trust 1995-2004; Angus Independent Advocacy 2004-2007; Fife – Community Volunteer Service, 2003-2007.

Current positions: Cambridge City Magistrate, appointed 1996-to date; Bench Chairman of Appraisal & Mentor Panel; Volunteer, Huntingdon Coroners Court; Editorial Board Member, 'Journal of Visual Communications in Medicine'.

Interests: Sailing, Rowing, Gardening, Charity work and my local Church.

Eric Revell

Eric Revell moved to Little Eversden 32 years ago upon appointment to the University of Cambridge where he specialised in human resource management. His career spanned time in industry as well as the public sector.

Until June 2006 Mr Revell was Non Executive Director and Vice Chairman of Hinchingsbrooke Hospital Trust. Appointments are for a maximum of Ten years.

Because of his wide experience in human resource management he was called upon to Chair all inquiries into probity, integrity and general levels of conduct amongst clinicians, nursing and technical staff and all administrative staff. He also Chaired disciplinary hearings and hearings regarding Serious Untoward Incidents in hospital. Mr Revell believes much of this work is similar to that of an Independent Member.

Mr Revell also has experience of local government and in the early 1970s was a Councillor in a Non County Borough. He has not been active in politics since that time.

In July 2006 he was elected as a Governor on the Board of Addenbrooke's Hospital and was re-elected for a further three years in 2009.

Mr Revell has been an independent member of the Standards Committee since 2006 and currently chairs the Assessment Panel which is the first stage of the complaints procedure.

Parish Council Member 2010-14

Councillor Iain Booth, Cambourne Parish Council

I have been a Cambourne resident since 2000 and in that time I have seen many changes in the community and the impact they have had on residents, some positive and others not so. I am very committed to Cambourne and enjoy living here and have always felt I could give something back and help shape and develop the community in the future. Through my varied work experience I believe I would bring a balanced, fair, and considered view to the standards board. I have a hands on approach coupled with an analytical and enquiring mind which I hope would add to the debate and assist in achieving effective solutions. I would be committed to the role and carry it out to the best of my ability.

Kind regards

Cllr Iain Booth Cambourne Parish Council