

South
Cambridgeshire
District Council

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

COUNCIL MEETING THURSDAY, 25 NOVEMBER 2010

AGENDA AND REPORTS

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, 25 NOVEMBER 2010

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

DATED this 17th day of November 2010

JEAN HUNTER

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 a Long Service Award to Carol Ann Monteith, Sheltered Housing Officer, in recognition of her completion of 25 years' service with the Council.

On behalf of the Council and its key partners Cambridgeshire Horizons and Trumpington Meadows, the Chairman will receive the District, Borough and Parish Councils Regional Silver Winner Green Apple Award for work on the River Cam Habitat and Access Enhancement Project. The silver award recognises the regional benefits that the River Cam Habitat and Access Enhancement Project at Trumpington Meadows will provide. The improved river habitats will enable people to see and explore the river once the Country Park is opened and managed by the Wildlife Trust. The Chairman has invited Ecology Officer Rob Mungovan to address Council and provide information about the project and the benefits it is bringing to local residents and wildlife.

1. APOLOGIES

2. DECLARATIONS OF INTEREST

3. MINUTES

To authorise the Chairman to sign the Minutes of the meeting held on 23 September 2010 as a correct record.

(Pages 1 - 8)

4. ANNOUNCEMENTS

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

5. QUESTIONS FROM THE PUBLIC

None received.

6. PETITIONS

To note all petitions received since the last Council meeting.

7. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

7 (a) Review of the Organisational Change and Redundancy Policy (Cabinet, 11 November 2010) (Key)

Cabinet **RECOMMENDED TO COUNCIL** approval of the revised Organisational Change and Redundancy Policy.

The policy is available as part of the 25 November 2010 Council meeting agenda on the Council's website at www.scambs.gov.uk/meetings

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

7 (b) Adoption of s27 Policing and Crime Act 2009 (Leader's Portfolio Meeting, 11 November 2010 and Licensing Committee, 21 October 2010) (Key) The Leader, in agreement with the recommendation of the Licensing Committee, RECOMMENDED TO COUNCIL adoption of Schedule 3 of the Local Government (Miscellaneous Provisions Act) 1982 as amended by s27 of the Policing and Crime Act 2009 to apply in the district of South Cambridgeshire.

7 (c) Statement of Licensing Policy (Leader's Portfolio Meeting, 11 November 2010 and Licensing Committee, 21 October 2010) (Key)

The Leader, in agreement with the recommendation of the Licensing (2003 Act) Committee, **RECOMMENDED** to Council that the revised Statement of Licensing Policy, be adopted.

The policy is available as part of the 25 November 2010 Council meeting agenda on the Council's website at www.scambs.gov.uk/meetings

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

8. COUNCIL MEETING SCHEDULE 2011/12

(Pages 9 - 12)

9. APPOINTMENT TO THE STANDARDS COMMITTEE OF A PARISH COUNCIL MEMBER 2010-2014

(Pages 13 - 18)

10. APPOINTMENT OF INDEPENDENT REMUNERATION PANEL MEMBERS

There are currently three members of the IRP. The term of office for one member expired on 25 September 2010 and the other will expire on 26 November 2010. Both those members expressed a desire to stand-down from the IRP when their term of office concluded. An advertising campaign was therefore undertaken during the summer months, both on local radio and the media to attract new members; however, no response was received. On hearing of the Council's dilemma, both the

existing members were in agreement to continue for a further year. It is therefore **RECOMMENDED** that Council re-appoint Ms Ruth Rogers and Lady Valerie Bright to the IRP for a further period of one year, ending 30 November 2011 in order to conduct a review of Members' Allowances for the year 2011/12. A more vigorous campaign to seek new members will be undertaken during the forthcoming year.

11. NOTICE OF MOTION

11 (a) Standing in the name of Councillors Ben Shelton and Tony Orgee

We would like to request that the Council support and forward to central government the following proposal for a change in planning legislation, viz.:

That a designation in planning law be created of a "Dynamic Local Centre". The designation to be applied for, by a specified process, by communities wishing to protect their local shopping centre. A dynamic local centre will be deemed to have the necessary food retail provision to serve their local catchment area therefore movement from a non-food use to a food use in Class A1 of the Use Classes Order 2010 will require planning permission.

An appendix is attached.

We therefore believe that this change would be a valuable and popular addition to planning law, increasing local planning control.

(Pages 19 - 20)

12. QUESTIONS ON JOINT MEETINGS

Joint Body	Date of Meeting	Minutes Published in Weekly Bulletin
Joint Development Control Committee: Cambridge	8 September 2010	22 September 2010
Fringes Joint Development Control Committee: Cambridge	2 November 2010	17 November 2010
Fringes		

13. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

14. QUESTIONS FROM COUNCILLORS

14 (a) From Councillor Lynda Harford to the Leader of the Council

"At a time when some very difficult decisions are required of the administration and in recognition of the current fine balance of council membership what changes in internal communication policy does the Leader consider might need to be made in order to protect the reputation of this Council? On the assumption that when we say we are a listening council we mean that we listen to our internal as well as external customers it would be useful to hear what opportunities the Leader identifies for demonstrating this. It would be reassuring to hear from him that he sees the sharing of ideas as important to preserving the electorate's good opinion of this council particularly at a time when just one abstention could crucially affect the administration's ability to progress its policies."

14 (b) From Councillor John G Williams to the Leader of the Council

"Does the Leader of the Council, who is also the Chairman of the Windmill Estate Steering Group, agree that this Council has to re-visit its position regarding the use of Compulsory Purchase Order powers to enable the redevelopment of the Windmill Estate in Fulbourn to be completed as planned, to meet the needs of our many residents who desperately require social rented housing?"

14 (c) From Councillor Mike Mason to the Leader of the Council

In view of the cancellation of the A14 improvement, what will the Council now do to progress the study for the cycle/ pedestrian bridge at the B1049 intersection and to re-cover the "intersection 106 contribution" from the County Council to enable this scheme to proceed, noting that a "virement" anomaly was first identified by Scrutiny Committee in 2008?

15. CHAIRMAN'S ENGAGEMENTS

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

D (V 15 1
Date	Venue / Event Mayor of St Neets Charity Ball, St Neets
25 Sep 2010 26 Sep 2010	Mayor of St Neots Charity Ball, St Neots County Civic Service & Reception, St John's College Chapel,
20 3 c p 2010	Cambridge
29 Sep 2010	Cambridge News Community Awards Gala Dinner, Great Hall,
01 Oct 2010	Homerton College, Cambridge SCDC Best Kept Garden Awards Ceremony, Scotsdales Garden
01 Oct 2010	Centre, Great Shelford
02 Oct 2010	Chairman's Reception, Scotsdales Garden Centre, Great Shelford CRISP Launch Event, Arbury Community Centre, Cambridge
03 Oct 2010	The High Sheriff's Justice Service, Great St Mary's, The University Church, Cambridge
08 Oct 2010	East Cambridgeshire District Council Chairman's Civic Reception, The Maltings, Ely
10 Oct 2010	City of Ely Civic Service, Ely Cathedral
11 Oct 2010	Celebration of Age, Fen Ditton Primary School, Horningsea
	Anglia Ruskin University Court, Chelmsford Campus, Bishop Hall
	Lane, Chelmsford
13 Oct 2010	East Anglian Air Ambulance Recipe Book Mini-launch Event,
15 Oct 2010	Saltmarsh Rooms, King's College, Cambridge
15 Oct 2010	Swavesey Performance Venue Official Opening, Swavesey Village College
16 Oct 2010	Mayor of Wisbech Charity Ceilidh, St Peter's Church Hall, Wisbech
17 Oct 2010	Godmanchester Mayor's Civic Service, St Mary the Virgin Church,
18 Oct 2010	Godmanchester Addenbrooke's Charitable Trust, Seminar Room 5, The Clinical
	School, Addenbrooke's Hospital, Cambridge
19 Oct 2010	Diabetes Research in Cambridgeshire, Cambridge
22 0-4 2010	Celebration of Age, Meadow Way Sheltered Housing, Harston
22 Oct 2010 23 Oct 2010	Celebration of Age, Limes Sheltered Housing, Bassingbourn Bomber Command Lunch, Scotsdales, Great Shelford
25 Oct 2010	The Royal Society of Saint George, Pembroke College, Cambridge
27 Oct 2010	Addenbrooke's Road Opening, Trumpington
2. 00. 20.0	Celebration of Age, Clifton Way Sheltered Housing, Arrington
28 Oct 2010	Celebration of Age, Black Bull, Balsham
29 Oct 2010	Celebration of Age, The Pavilion, Girton
	Civic Dinner - Harlow Council, The Civic Centre, The Water
04 Nov 2010	Gardens, Harlow Addenbrooke's Charitable Trust - Peter Dalton & Marc Stowell,
51140V 2010	SCDC Offices, Cambourne
06 Nov 2010	Tribute Night- Dinner and Auction in honour of Rifleman Andrew
	Fentiman of Oakington , Girton College, Cambridge
11 Nov 2010	Veterans' Day Ceremony, Madingley American Military Cemetery

12 Nov 2010	St Ives Youth Theatre - Journey's End, The Corn Exchange, St Ives City Care Services Opening Ceremony, Kingfisher House, High Green, Great Shelford
14 Nov 2010	•
16 Nov 2010	AA DriverAware, St John's Innovation Centre, Cowley Road, Cambridge
17 Nov 2010	Opening of Marconi Building, Anglia Ruskin University, Chelmsford Campus
	Chief Constable Award Ceremony, Performing Arts Centre, Hinchingbrooke House, Huntingdon
19 Nov 2010	Children In Need Bake Sale and Show Your Spots Day, SCDC Offices, Cambourne
	Cambridge City Mayor's Reception, University Museum of Zoology, Downing Street, Cambridge
23 Nov 2010	Bridge the Gap Charity Walk / Prize Giving Ceremony, Syndicate Room, The Old Schools, Trinity Lane, Cambridge
24 Nov 2010	Chutney Tasting, Country Market
	Melbourn Village College Presentation Evening, Melbourn Village College
25 Nov 2010	,
26 Nov 2010	Huntingdonshire District Council Chairman's Reception

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, subcommittee 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.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Council held on Thursday, 23 September 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, Brian Burling, Tom Bygott, Nigel Cathcart, Jonathan Chatfield, Pippa Corney, Douglas de Lacey, Simon Edwards, Sue Ellington, Jose Hales,

Roger Hall, Sally Hatton, Tumi Hawkins, Liz Heazell, Mark Hersom, James Hockney, Mrs PE Jarvis, Sebastian Kindersley, Janet Lockwood,

Mervyn Loynes, Ray Manning, Mike Mason, Raymond Matthews,

David McCraith, Lorraine Morgan, Cicely Murfitt, Alex Riley, Deborah Roberts,

Neil Scarr, Ben Shelton, Bridget Smith, Hazel Smith, Surinder Soond, Jim Stewart, Edd Stonham, Robert Turner, Bunty Waters, John F Williams,

John G Williams and Nick Wright

Officers: Holly Adams Democratic Services Team Leader

Alex Colyer Executive Director, Corporate Services

Steve Hampson Acting Chief Executive

Fiona McMillan Acting Legal & Democratic Services Manager and

Monitoring Officer

Apologies for absence were received from Councillors David Bird, Francis Burkitt, Jaime Dipple, Steve Harangozo, Lynda Harford, Mark Howell, David Morgan, Peter Topping and Tim Wotherspoon.

PRESENTATION

The Chairman invited the leaders of the political groups to sign the East of England Charter for Elected Member Development to confirm that the Council was working towards Charter Status for Elected Member Development, one of the corporate actions agreed by Council on 22 April 2010. Some Members indicated that they would not support their Group Leader signing the Charter without a debate on the issue, the East of England's standard wording appearing to form a Council resolution, and the matter was referred to the next meeting of the Environmental Services Portfolio Holder, as the lead Councillor for Member Development.

42. DECLARATIONS OF INTEREST

There were no declarations of interest.

43. MINUTES

The Chairman was authorised to sign the minutes of the 22 July 2010 Council meeting as a correct record, subject to incorporation of the following amendments:

- Appointment of a Chief Executive / Head of Paid Service, Electoral Registration Officer and Returning Officer (minute 33): "Councillor Ray Manning Councillor Simon Edwards, as Chairman of the Appointments Panel of the Employment Committee..."
- Fringe Sites Joint Development Control Committee Review of Site Boundaries (minute 35): "... opposed the site boundaries as development on the site could see Girton village parish become part of Cambridge City..."

In response to comments from Members, the Acting Chief Executive confirmed that the voting machines had been working properly at the previous meeting and was confident that the machines would continue to record accurately how Members had voted.

44. ANNOUNCEMENTS

The Chairman welcomed to the meeting Steve Hampson, Acting Chief Executive, and Jean Hunter, who would begin her appointment as Chief Executive on 27 September 2010.

Members' attention was drawn to the painting in the Council Chamber of a Hercules aircraft, donated by the Marshall Group to commemorate Council's 22 July 2010 resolution to recognise Marshalls' unique contribution to South Cambridgeshire. A copy of the illuminated scroll containing the text of the Council resolution had been hung beneath the painting.

The Village Hero and Best Kept Village Awards trophies, engraved and donated by local businesses and displayed at the meeting by the Chairman, would be awarded at a ceremony on 1 October 2010.

The Chairman announced that he had written on the Council's behalf to express condolences to the widow of the late Councillor Eustace Bullman on the recent loss of her son.

The Leader reported that the Treasury had approved a £750,000 grant for the Northstowe Eco-Town Demonstrator Project, of which £320,000 would be used by South Cambridgeshire District Council to enhance the homes of residents at Rampton Drift. The Council no longer would proceed with buying two homes to use as demonstrators after residents preferred to have the energy-saving devices installed in their own homes. A residents' group would guide the improvements, with the Climate Change Working Group providing input, and the Demonstrator Project would be linked to the Sustainable Parish Energy Project and to local universities assisting with monitoring.

45. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

45 (a) From Graham Ford to the Environmental Services Portfolio Holder

A revised question was not received, and therefore this question was not put.

45 (b) From Cllr John Batchelor to the Planning Portfolio Holder

Councillor Batchelor asked, "I would appreciate it if the Portfolio Holder would pass on my thanks to John Koch and his team for their excellent work in defending the District Council's position at the Linton Wind Farm Appeal. That said I have been shocked at the wasteful nature of the appeals process. The Linton appeal has been ongoing since February and only closed last week. Can the Portfolio Holder tell me how much this appeal has so far cost the tax payers of South Cambridgeshire?"

Councillor Nick Wright, Planning Portfolio Holder, replied that Councillor Batchelor's gratitude had been passed to officers and that the appeal costs had been calculated as approximately £75,000 in legal costs, consultants' fees and accommodation costs, and the equivalent of at least £20,000 in officer time. The Council had submitted an application for costs against the appellant on the grounds that the appellant had failed to address properly the issue of aircraft safety; the outcome was unlikely to be received before November 2010 at the earliest.

Councillor Batchelor, as a supplementary question, expressed concern about the expense of the appeals process and queried whether the Council would be able to afford further such appeals. Councillor Wright shared Councillor Batchelor's concerns, but said that the Council would defend to the best of its ability each decision the authority had taken. The Planning White Paper proposed changes to the Planning Inspectorate which could affect the way appeals were conducted, restricting appeals to determining whether or not the Council had been procedurally correct in how it reached a decision.

45 (c) From CIIr Bridget Smith to the Leader

Councillor Bridget Smith asked the Leader, "I know that I am not alone in wishing to congratulate the staff from every service area for showing such resilience during the past few extremely difficult months and in managing to carry out their duties to such very good effect. The October spending review is obviously going to cause great stress for us all. What is each of the portfolio holders planning to do in order to support their own departmental staff in these very challenging times?"

The Leader agreed with Councillor Smith's commendation of staff, which he hoped was shared by all Members, and assured Council that the Executive would continue to support staff. He felt that the Comprehensive Spending Review ought to have been concluded earlier in the year to end councils' uncertainty. Councillor Smith felt that this had not addressed her question and asked that the Leader detail how each Portfolio Holder individually supported staff in their service areas.

The Leader, noting that Members would have their own individual approaches and that the pressures facing areas could be service-specific, felt confident that all Executive Members had been supporting and would continue to support staff. He encouraged Members to attend Portfolio Holders' meetings and contribute to their discussions, especially if they had concerns about a particular service area.

45 (d) From Cllr Steve Harangozo to the New Communities Portfolio Holder

Councillor Sebastian Kindersley, on behalf of Councillor Stephen Harangozo, asked, "In view of the need to use all opportunities to reduce the district's carbon emissions, will the portfolio holder agree that the awarding of capital grants to local organizations be made conditional on their committing (in writing and with a follow-up 'method statement') to reduce their carbon emissions by at least 10% in total within two financial years?"

Councillor David Bard, New Communities Portfolio Holder, agreed with the sentiments behind the question, and felt that this approach would have been useful when the Council was able to offer large capital grants, but current grants were more modest and the suggested requirement could discourage smaller organisations from applying. He asked the Climate Change Working Group to consider how such a proposal could be introduced practically.

45 (e) From CIIr Tumi Hawkins to the Housing Portfolio Holder

Councillor Tumi Hawkins asked the Leader on behalf of the Housing Portfolio Holder, "This Council has up till now obtained valuations for its property and land assets from just one Agent. Could the Housing Portfolio Holder please explain when and why the Council selected Pocock & Shaw for this task, and why it pays the company to carry out valuations, considering the fact that householders wanting to sell properties often get this service free and from multiple agents."

The Leader explained that a tender exercise was carried out every three years and the contract was awarded to a single organisation to provide consistency of results. Householders would be offered the service free because the agents hoped to market the property; the Council did not sell its property through external agencies and therefore was charged for valuations.

In response to Councillor Hawkins' supplementary question, asking whether the Council would revise its arrangements and seek alternatives, the Leader explained that the current contract would run until 2011, after which time it would be reviewed. He emphasised that a valuation was a guide only and the market ultimately determined the sale price.

45 (f) From CIIr Lynda Harford to the Northstowe Portfolio Holder

Councillor Sebastian Kindersley, on behalf of Councillor Lynda Harford asked, "There would appear to be mixed messages coming from cabinet about the future of Northstowe. It has always been understood that there was an interdependence between this new development and the proposal to upgrade the A14 which is now on hold. Could the portfolio holder please take this opportunity to define the probability of the Northstowe project proceeding independently of the A14 upgrade?"

The Leader, on behalf of the Northstowe Portfolio Holder, replied that the Northstowe Area Action Plan reflected the interdependence of development at Northstowe and the upgraded A14, but did make allowance for 1,800 homes to be built in advance of road improvements. It was his personal opinion that this would be unviable as infrastructure such as sewerage for the entire development would need to be laid before construction of the first homes, but that a decision on commencement of development rested with the joint promoters.

45 (g) From Cllr Frances Amrani to the Housing Portfolio Holder

Councillor Frances Amrani asked, "Teversham Parish council and myself have been informed in writing that just over £6K per year is allocated from a commuted sum from the original developers for the Foxgloves estate in Teversham for land maintenance. Over the past two years residents have received an average of three rough grass cuts per year; with no tree or shrub maintenance. £2000 per cut doesn't seem to offer good value for a relatively small amount of grasscutting. Discussions and complaints on this topic have used up a disproportionate amount of officer time. What reassurance can the Housing PFH give that residents can expect a better service next year and beyond, and that officers will be supported in securing this delivery?"

The Leader, on behalf of the Housing Portfolio Holder, replied that the grounds maintenance at the Foxgloves estate was funded entirely from a commuted sum from the developers, which produced an annual income of approximately £6,000, with the Council's contractors carrying out the work. In 2008 the Council instigated a special project to ensure that trees and shrubs on all its land were cut back to ensure safe clearance of pathways, clear views of play areas and removal of any planting likely to cause property damage. This project cost in excess of £28,000 from the Council's General Fund and the scale of the work meant that no significant pruning would be required for several years. The Leader explained that the General Fund was used to cross-subsidise grounds maintenance on the Foxgloves estate last year, but that the need to reduce spending overall meant that the cross-subsidy had not continued. As there were no Council houses in the vicinity of the Foxgloves estate, the Council made a formal offer to the Parish Council to take over the responsibility for grounds maintenance and to transfer the commuted sum to the Parish Council, but the offer was declined.

In response to Councillor Amrani's supplementary question, which asked if the £6,000 commuted sum were being used to fund grounds maintenance elsewhere, the Leader replied that it was not, and repeated the offer to transfer responsibility for grounds maintenance and the commuted sum to the Parish Council.

45 (h) From CIIr Mike Mason to the Environmental Services Portfolio Holder

Councillor Mike Mason asked, "With reference to the continuing problems experienced by many members using the new secure email system, together with the changes introduced on the Web Site, would Councillor Ellington now agree to give IT training and competence, top priority in the Member Development Task and Finish Group."

Councillor Sue Ellington, as lead Member for Member Development, supported the need for further training, but noted that when officers organised five computer training sessions for Members, set at different times and dates to accommodate as many Members as possible, only fifteen Members expressed an interest, of whom only twelve attended. Councillor Ellington felt that the sessions had been extremely useful and that Members needed to accept that it was their responsibility to ensure that they had the training necessary to undertake their role. In response to Councillor Mason's supplementary question about how to address the lack of response from Members, Councillor Ellington expressed her disappointment at the Council's decision not to sign the Member Development Charter at this time, and said that the Member Development Task and Finish Group would be reviewing the responses received to the Member Training Needs Assessment, which could help establish individual development programmes.

45 (i) From John Toomey, UNISON Regional Officer, to the Finance and Staffing Portfolio Holder

Mr Phil Gooden, the outgoing Regional Officer for UNISON, was given leave by the Chairman to ask this question instead of Mr Toomey. Mr Gooden stated that, in light of the proposal to defer until November a decision on the Revised Redundancy Policy, he would withdraw the question if the Leader could provide assurance that valuable lessons had been learnt about the need for consultation.

Councillor Simon Edwards, Finance and Staffing Portfolio Holder, concurred that thorough consultation with unions and staff was essential, and confirmed that this would be undertaken before the matter returned to Cabinet and Council in November. He explained that Cabinet, at the time of its recommendation to Council, had understood that the consultation already undertaken had been adequate, but that they were willing to engage in further discussions if it were the will of Council to defer the matter.

46. PETITIONS

None received.

47. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

47 (a) Review of the Organisational Change and Redundancy Policy (Cabinet, 9 September 2010)

Cabinet had recommended that Council adopt the revised Organisational Change and Redundancy Policy, but, following concerns expressed by the unions and officers that the consultation had been insufficient, the Leader proposed, seconded by the Deputy

Leader, that the recommendation be referred back to Cabinet for reconsideration following further consultation. Councillor Edwards undertook to arrange a Member briefing on the existing policy and the changes proposed in advance of the 11 November 2010 Cabinet meeting.

Council **DEFERRED** a decision on the review of the Organisational Change and Redundancy Policy until 25 November 2010.

47 (b) Clarifying Scrutiny Procedures and Related Definitions (Constitution Review Working Party, 8 September 2010)

Councillor James Hockney, Scrutiny and Overview Committee Chairman, presented the Constitution Review Working Party's recommendations, which had been referred by Council back to the Working Party after concerns had been expressed that the proposed changes could weaken the scrutiny function. Councillor John Batchelor, seconding the proposal, explained that the changes, which had been supported unanimously by the Working Party, would actually strengthen the Scrutiny and Overview Committee by enabling it to refer a matter to Council when it felt that the original decision-taker was unprepared to consider the recommendations made by the Scrutiny and Overview Committee after a call-in.

Council **RESOLVED** that the following changes be incorporated into the Council's Constitution:

Definitions (the two following paragraphs to be added)

"Whip" means 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 on any particular matter.

A **Decision** is when an issue ultimately is decided by the appropriate decision-maker. A recommendation is not a decision.

Scrutiny and Overview Committee Procedure Rules (new text in **bold italics**)

- 12.1 Call-in should be used only in exceptional circumstances and can relate only to executive decisions made or to be made by the executive decision takers referred to in the Budget and Policy Framework Rules, Rule 7
- 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 reconsideration, setting out in writing the nature of its concerns. If referred back, the executive decision taker shall then re-consider respond within five working days, amending re-considering the decision-or not, before confirming the original decision, adopting a final an alternative decision or adopting a course of action leading to a final decision, such as but not limited to further consultation or exploration of other options, and confirming the deadline by which the final decision will be taken. If the decision had been made before call-in, it The final decision, once taken, may be implemented immediately.
 - 12.9.2 refer the matter to Council, unless the executive decision taker has indicated a preparedness to reconsider the matter; 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.

Councillors Douglas de Lacey, Deborah Roberts and Neil Scarr recorded their opposition to the decision.

47 (c) Review of Procedures for Public and Member Questions at Full Council (Constitution Review Working Party, 8 September 2010)

Councillor Charlie Nightingale, Chairman of the Constitution Review Working Party, proposed that Council adopt the revised procedures for questions at Council meetings. Councillor John Batchelor seconded the proposal, explaining that Council had referred the changes back to the Working Party after expressing concern that the extent of public involvement could be limited, but that the Chairman would retain the discretion to accept questions after the deadline. The earlier deadline would enable additional time for officers to co-ordinate a detailed response, which often required input from across Council departments and from the Council's partners.

Council unanimously **RESOLVED** that the revised procedures for public and Members' questions at full Council, amending Council Standing Orders 1, 2, 10 and 11, be adopted.

47 (d) Climate Change Working Group: Revised Terms of Reference (Climate Change Working Group, 8 July 2010)

Councillor David Bard, seconded by Councillor Simon Edwards, presented the revised Terms of Reference, which would strengthen the focus of the Climate Change Working Group and clarify its reporting lines and Council unanimously **RESOLVED** to adopt the revised Climate Change Working Group Terms of Reference.

48. FINANCIAL REGULATIONS

Councillor Simon Edwards, on behalf of the Corporate Governance Committee Chairman and Vice-Chairman, proposed amendments to the Financial Regulations of the Constitution. Councillor Manning seconded the proposal. The amendments arose from a restructure of the Accountancy Service and would ensure the continuing prompt payment of invoices by extending signing authority to more officers. The amendments did not require the addition of any new posts to the establishment.

Council **RESOLVED** that the following changes be incorporated into Paragraph 6 (Operation of Bank Accounts) of the Financial Regulations in the Constitution:

- the addition with immediate effect of the post of Principal Accountant (Housing);
- the deletion of the posts of Finance Project Officer and Principal Accountant (General Fund and Costing) with effect from 30 September;
- the addition of the post of Principal Accountant (General Fund and Projects) with effect from 1 October 2010; and
- the deletion with immediate effect of the posts of Corporate Manager (Finance and Support Services) and Head of Revenues.

49. CHANGE OF APPOINTED MEMBERS AND SUBSTITUTE MEMBERS TO THE PLANNING COMMITTEE 2010/2011

On the proposal of Councillor Pippa Corney, seconded by Councillor Ray Manning, Council **RESOLVED** to appoint Councillor David McCraith to the Planning Committee in place of Councillor Peter Topping, and to appoint Councillor Ben Shelton as the

Conservative Group's fourth substitute member.

50. CHANGE OF APPOINTED MEMBERS TO THE SCRUTINY AND OVERVIEW COMMITTEE 2010/11

On the proposal of Councillor James Hockney, seconded by Councillor Ray Manning, Council **RESOLVED** to appoint Councillor Richard Barrett to the Scrutiny and Overview Committee in place of Councillor David Morgan and to amend the Conservative Group's substitute list to (in order): Councillors Charlie Nightingale, David Bird, Valerie Barrett and Mervyn Loynes.

51. TO MAKE TWO APPOINTMENTS TO THE SOUTH CAMBRIDGESHIRE DIRECT LABOUR ORGANISATION (DLO) MANAGEMENT BOARD

Council considered a request to make a formal appointment of two councillors to the Direct Labour Organisation (DLO) Management Board. Councillors Richard Barrett and Hazel Smith had already been attending these meetings without formal appointment.

On the proposal of Councillor Ray Manning, seconded by Councillor Simon Edwards, Council **RESOLVED** to appoint Councillors Richard Barrett and Hazel Smith to the South Cambridgeshire Direct Labour Organisation (DLO) Management Board for the remainder of their current terms of office.

52. QUESTIONS ON JOINT MEETINGS

The Leader was asked to comment on the future of the Local Authority Agreement (LAA) reward grants to the Connexions bus service. He replied that the Cambridgeshire Together Board would be meeting on 24 September and would be receiving an update, but that it was his understanding that no further funding would be forthcoming from Government. He also noted that the Board would be considering the number of partnership groups it had established, with a view towards amalgamation of workstreams to reduce the overall number of meetings.

53. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

Councillor Mike Mason, the Council's appointee to the Old West, Swaffham and Waterbeach Level Internal Drainage Boards, expressed his gratitude to the Chairman for his letter of condolence to the family of Mr Ross Chilvers, the late engineer for the Ely Group of Internal Drainage Boards, with whom the Council had worked for many years. Councillor Mason, along with Councillors Peter Johnson and Tim Wotherspoon, had attended Mr Chilvers' funeral on behalf of the Council.

Councillor Mason reported that he and Councillor Wotherspoon had attended the Association of Drainage Authorities Annual General Meeting on 22 September 2010.

54. CHAIRMAN'S ENGAGEMENTS

The Chairman's announcements, with the inclusion of the August 2010 presentation to the Council by the Marshall Group of the painting of a Hercules aircraft, were **NOTED**.

The Meeting ended at 3.35 p.m.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council 25 November 2010

AUTHOR/S: Executive Director (Corporate Services) / Acting Legal and Democratic

Services Manager

CALENDAR OF COUNCIL MEETINGS FOR THE 2011/12 CIVIC YEAR

Purpose

1. To recommend a programme of meetings for the 2011/12 Civic Year (May-May) for consideration and agreement by Council in accordance with Standing Order 2.1. This is not a key decision.

Recommendations

- 2. That Council resolve that meetings during the 2011/12 Civic Year be scheduled to take place at 2 pm on the following dates:
 - (a) Thursday 21 July 2011
 - (b) Thursday 22 September 2011
 - (c) Thursday 24 November 2011
 - (d) Thursday 26 January 2012
 - (e) Thursday 23 February 2012 (Budget)
 - (f) Thursday 26 April 2012
 - (g) Thursday 24 May 2012 (Annual)

Reasons for Recommendations

3. It is considered that a schedule of seven Council meetings per year best provides a timely forum in which all Councillors can debate issues of concern to the district.

Considerations

- 4. It is proposed that five ordinary meetings be scheduled during the 2011/2 Civic Year, plus a meeting to set the budget in February 2012 and an Annual Meeting in May 2012.
- 5. The meeting dates proposed take into account meetings of the County Council and school term dates for 2011/2.
- 6. The proposed meeting dates are set out in the following table:

Date	Type of meeting
21 July 2011	Ordinary
22 September 2011	Ordinary
24 November 2011	Ordinary
26 January 2012	Ordinary
22 February 2012	Budget
26 April 2012	Ordinary
24 May 2012	Annual

7. The proposal provides for the same number of meetings as in 2009/10 and 2010/11.

Implications

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8.	Financial	The cost of Members' travelling expenses is around £375 per meeting. The cost of paper and postage is around £100 per meeting. The agreement of additional Council meetings would result in these costs rising proportionally.
	Legal	There is a legal requirement for the whole Council to meet at certain times to carry out functions only it can perform such as appointing committees, deciding the budget and approving the Performance Plan. There is no required number for ordinary meetings. In years where elections are held the Annual Meeting must be held within 21 days of the retirement of the outgoing councillors (Standing Order 1.1 and the Local Government Act 1972).
	Staffing	A higher number of meetings would entail a proportionately greater demand on senior officer time.
	Risk Management	None specific.
	Equality and Diversity	None specific.
	Equality Impact	No.
	Assessment completed	Setting the meetings schedule is largely an administrative process.
	Climate Change	The Council meeting schedule is dictated by the business needs of the authority to ensure that there is a regular forum for members' debates. Workshops, training events and other meetings are regularly scheduled on the same day as meetings of the full Council to maximise attendance and opportunities for car sharing or use of public transportation, and to minimise the number of journeys to and from the Council office. These are also scheduled during the day to minimise additional heating / cooling, lighting and electricity requirements outside of regular office hours, in accordance with the 2010/11 Council's priority to be an exemplar by reducing its annual carbon emissions by 10% by the end of the 2010/11 Council year (see also Nottingham Declaration on Climate Change, South Cambridgeshire Climate Change Action Plan and 10:10 commitment).

Consultations

- 9. The following were consulted on the provisional schedule of meetings and start times:
 - (a) Leader of Council;
 - (b) Major Opposition Group Leader;
 - (c) Convenor of the Independent Group;
 - (d) Senior Management Team;
 - (e) Executive Management Team;
 - (f) Head of Accountancy, who has confirmed that the proposed schedule does not pose any problem, particularly for the date of the February 2012 budget-setting meeting;
 - (g) Equality and Diversity Officer;
 - (h) Team Leader (Communities) as lead officer for sustainability and climate change issues; and
 - (i) Cambridgeshire County Council.

Effect on Strategic Aims

10. The scheduling of an appropriate number of Council meetings at which the policy and budgetary frameworks are agreed (and amended where necessary) and other business dealt with in accordance with Article 4 of the Constitution, is essential to the efficient and effective operation of the whole organisation. It is considered that a schedule of seven Council meetings per year best provides a timely forum in which all Councillors can debate issues of concern to the district, whilst allowing Officers and Members sufficient time between formal meetings to progress work towards meeting the Council's strategic aims.

Conclusions / Summary

11. With the exception of the April 2011 date, which has been returned to the end of the month to accommodate Easter and spring half-term holidays, the proposed meeting dates are almost identical to those of previous years, and which have provided a timely forum for conducting Council business.

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

SCDC Constitution

Nottingham Declaration on Climate Change, South Cambridgeshire Climate Change Action Plan and 10:10 Campaign carbon reduction commitment

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council 25 November 2010

AUTHOR/S: Executive Director (Corporate Services) / Acting Legal and Democratic

Services Manager

APPOINTMENT OF PARISH COUNCIL MEMBER TO THE STANDARDS COMMITTEE 2010-14

Purpose

- 1. To seek Council's co-option to the Standards Committee of the parish council candidate identified for appointment by a ballot of South Cambridgeshire parish and community councils and meetings.
- 2. This is not a key decision but has 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

3. That Council resolve to co-opt Councillor Alan Brett, Melbourn Parish Council, to the Standards Committee as a parish council member for four years, 2010-14. Councillor Brett has provided a brief biographical note for the information of Council, which is appended to this report.

Reasons for Recommendations

4. The recommendation shows Council agreement to the results of the ballot of South Cambridgeshire parish and community councils and meetings to identify their representative.

Background

- 5. Where an authority has a responsibility for parish council matters, it is a legislative requirement that the Standards Committee have at least one parish council representative. Any committee or panel meetings considering parish council matters are required to have at least one parish council member present to be quorate.
- 6. 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 is also 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.
- 7. Until current legislation is repealed and new legislation is enacted, the responsibilities of the Standards Committee remain unchanged. The Decentralisation and Localism

Bill will, by the end of 2011, abolish Standards for England and will see allegations of breaches of a new Code of Conduct dealt with by the courts as criminal offences. It is possible that an expansion of the responsibilities of the Local Government Ombudsman will see parish council matters referred to his office. What role, if any, for local Standards Committees is unknown at the time of publication of this report.

- 8. 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. An exercise conducted during the summer of 2010 saw Councillor lain Booth, Cambourne Parish Council, elected by the parishes for co-option by the District Council; however, a change in his employment limited his ability to attend any Standards Committee or sub-committee meetings and he withdrew his name before the formal co-option.
- 9. A second request for nominees was sent to all parishes on 22 July 2010 and four names were put forward. Ballots were issued to all parishes on 27 September 2010, with a return deadline of noon on Friday 22 October 2010. The Chief Executive counted the ballots and declared that Councillor Alan Brett, Melbourn Parish Council, had been elected as the parish councils' nominee for co-option.

Options

- 10. To co-opt the candidate as identified by the parish council ballot, bringing 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 parish council member will be undertaken before the 8 December 2010 Standards Committee meeting.
- 11. Not to co-opt the candidate 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 parish council member to undertake a greater proportion of the Committee's workload, increasing the risk of conflicts of interest arising.

Implications

12.	Financial	As part of the Members' Allowances Scheme, parish council members receive a co-optees' allowance of £220 per annum and are eligible to claim the same for travel, subsistence and carers' expenses as members of the Council. Other than inflationary adjustments, this amount has remained unchanged since their introduction on 1 April 2004. An independent panel reviews the Scheme annually and the final agreement rests with Council.
	Legal	The Standards Committee is required by statute to have parish council representation at any meeting considering parish council matters. The Constitution requires the Standards Committee to have 'at least three' parish members.
	Staffing	None specific.
	Risk Management	It is also legislative requirement that a parish council member be present for any meetings considering parish council matters. Having a greater number of parish council members reduces the risk of meetings becoming inquorate or of conflicts of interest arising.

Page 15

Equality and Diversity	None specific.
Equality Impact	No.
Assessment completed	Process is open to all serving parish and community councillors in South Cambridgeshire.
Climate Change	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 and parish council members car share.

Consultations

13. South Cambridgeshire parish and community councils and meetings via ballot, resulting in the election of Councillor Brett as the nominee for co-option.

Effect on Strategic Aims

- 14. 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.
- 15. 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.
- 16. 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

17. The parish council member candidate has received the support of South Cambridgeshire parish and community councils and meetings. Council is asked to co-opt Parish Councillor Alan Brett 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 and Parish Council Members – Monitoring Officer's Reports to Council 22 November 2001, 28 September 2006, 22 July 2010 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

"Corrupt councillors will go to court not Standards committees" Communities and Local Government press release, 20 September 2010

Hansard (House of Commons Debates), 21 October 2010

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Page 17

Councillor Alan Brett

Melbourn Parish Council has agreed to nominate Councillor Alan Brett.

Supporting Statement

My wife and I have lived in Melbourn for over 25 years, and our two daughters were mainly brought up there. I joined the Melbourn Parish Council in July, 2009, and currently serve on its Planning (Vice-Chairman) and Conservation Committees. I am also a member of the Steering Committee responsible for producing the Melbourn Village Plan.

Before my retirement in September 2009, I practised as a solicitor for 37 years, the last 32 of which were spent as a partner in a large regional law firm which has offices in Cambridge, Northampton and Milton Keynes. I served as Managing Partner of the firm for exactly 10 years, followed by a term as Senior Partner. I have LLM degrees from Cambridge and Birmingham Universities, and an MBA degree obtained by part-time study in 1998. After graduating in the early 1970s, I supervised in law at two Colleges of Cambridge University, and have occasionally lectured to law students since that time. I have served as a Governor of a school in Cambridge, and have been a member or chairman of various professional and property groups there.

I would like to serve as a member of the Standards Committee of South Cambridgeshire because I think it is very important that proper and uniform standards are maintained in public roles at the local as well as national level. I think my legal and management background and experience should enable me to interpret and apply rules and principles in a fair and appropriate way, so as best to achieve their objectives and maintain their integrity. It would also be a stimulating challenge.

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Definition of the Dynamic Local Centre

The designation would apply to a village centre, small market town or neighbourhood shopping centre which consists of a variety of predominantly small local retail enterprises which

- ensure a diversity of produce and products for sale. Generally a greater diversity of products is available from a multitude of small individual businesses such as butchers, bakers, greengrocers and newsagents than from a one-stop convenience store;
- provide a threshold level of services making the shopping centre relatively self-sufficient and thus reducing journeys, especially car journeys, for shopping;
- source a high proportion of their produce locally, via local producers and wholesalers, and contribute to a lower carbon footprint by moving goods smaller distances;
- are fully integrated into the life of the community, offering friendly and personal service, of particular benefit to the elderly and those without cars; offer deliveries not based on internet ordering; offer service to the community by supporting local events and not-for-profit ventures by displaying posters, selling tickets, fundraising items etc, and offering sponsorship to local events;
- keep money spent circulating within the local community via local suppliers and local employers.

How the Dynamic Local Centre would operate

Where a dynamic local centre has been designated, proposals for duplication of retail services within that centre would require planning permission. This would give the opportunity to assess the likely impact of the proposal on the viability and sustainability of the local centre.

Why we believe the change is needed

A recent letter from Tesco informed the parish councillors and residents of Great Shelford that they would shortly open a Tesco Express store in the village centre. The proposal has caused a large number of parishioners to express opposition to the opening of the store, based on fears that the existing small shops would be adversely affected, leading to closures and the loss of much-valued local businesses. Great frustration has been expressed that there is no avenue for opposing the store's opening. Because the opening involves no change of use, there is indeed no current avenue for opposing it within planning law, in spite of a number of policy documents within the LDF which are specifically designed to protect Rural Centres in exactly the way we seek. None of these policy documents can be invoked unless there is some designation, such as a Dynamic Local Centre, which is part of the statutory planning process.

Not only are many of our own parishioners concerned about the issue, but those in Little Shelford, Stapleford and other surrounding villages with little shopping have also expressed concern, as have a number of Trumpington residents.

A cursory glance at the website tescopoly.org makes it plain that, all across the country, communities are attempting to fight the loss of local small shops in the face of the arrival of supermarkets and convenience stores opened by the large supermarket chains.

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