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30 November 2022

To: Chair – Councillor Anna Bradnam
Vice-Chair – Councillor Paul Bearpark
Members of the Civic Affairs Committee – Councillors Henry Batchelor,
Dr. Martin Cahn, Mark Howell, Bridget Smith, Dr Susan van de Ven,
Dr. Aidan Van de Weyer and Heather Williams

Quorum: 3

Substitutes: Councillors Graham Cone, Dr. Richard Williams, Sue Ellington,
Bunty Waters, Lina Nieto, Dr. Tumi Hawkins, Brian Milnes, Judith Rippeth,
Michael Atkins and Peter Fane

Dear Councillor

You are invited to attend the next meeting of **Civic Affairs Committee**, which will be held in **Council Chamber - South Cambs Hall** at South Cambridgeshire Hall on **Thursday, 8 December 2022 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution ***in advance of*** the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully

Liz Watts

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

Pages

Procedural Items

- 1. Apologies for Absence**
To receive Apologies for Absence from Committee members.
- 2. Declarations of Interest**

- 3. Minutes of Previous Meeting** **1 - 2**
To authorise the Chairman to sign the Minutes of the meeting held on 15 June 2022 as a correct record.

Information Items

- 4. Update on Code of Conduct Complaints** **3 - 6**

Standing Items

- 5. Date of Next Meeting**
Thursday 2 March 2023 at 10 am.

Guidance Notes for Visitors to South Cambridgeshire Hall

Notes to help those people visiting the South Cambridgeshire District Council offices

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

Security

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic Services on 03450 450 500 or e-mail democratic.services@scambs.gov.uk

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Leave 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 opposite the staff entrance

- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from 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 you feel unwell or need first aid, please alert a member of staff.

Access for People with Disabilities

We are committed to improving, for all members of the community, access to our 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. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

Toilets

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

Recording of Business and Use of Mobile Phones

We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

Banners, Placards and similar items

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

Disturbance by Public

If a member of the public interrupts proceedings at a meeting, 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. The meeting will be suspended until order has been restored.

Smoking

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is 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. You are not allowed to bring food or drink into the meeting room.

6. Declaration of Interests - Information for Councillors

DECLARATIONS OF INTEREST

As a Councillor, you are reminded of the requirements under the Council's Code of Conduct to register interests and to disclose interests in a meeting. You should refer to the requirements set out in the Code of Conduct which are summarised in the notes at the end of this agenda frontsheet.

Disclosable pecuniary interests

A "disclosable pecuniary interest" is an interest of you or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) which falls within the categories in [Table 1 of the code of conduct, which is set out in Part 5 of the Constitution](#).

Where a matter arises at a meeting which directly relates to one of your disclosable pecuniary interests you must:

- disclose the interest;
- not participate in any discussion or vote on the matter; and
- must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

It is a criminal offence to:

- fail to notify the monitoring officer of any disclosable pecuniary interest within 28 days of election
- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register
- fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting
- participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting.

Other registerable interests

These are categories of interest which apply to the Councillor only (not to their partner) and which should be registered. Categories are listed in [Table 2 of the code of conduct, which is set out in Part 5 of the Constitution](#). Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter; and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of non-registerable interests

Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which affects – a. your own financial interest or well-being; b. a financial interest or well-being of a relative or close associate; or c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in Table 2 you must disclose the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied. Where a matter (referred to in the paragraph above) affects the financial interest or well-being: a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and; b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

[Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.]

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6. Code of Conduct Update Report

The Monitoring Officer introduced this report which updated the Committee on complaints cases regarding alleged breaches of the Code of Conduct. He explained that the complainant who had alleged that two District Councillors (one now a former member) had breached the Code of Conduct at a Planning Committee meeting on 29 September 2021 had been contacted on 30 May for their view. The opinion of the Monitoring Officer and the Independent Person was that this matter was suitable for summary resolution. One of the Members under review had now retired and the other member had undergone Code of Conduct training last month. The Monitoring Officer now considered this matter to be closed.

The Monitoring Officer explained that following consultation with the Independent Person it had been agreed that neither the complaint about a Waterbeach Parish Councillor nor the complaints about Great Shelford Parish Councillors merited a formal investigation as there had not been a breach of the code. Complaints had been received about a Cambourne Town Councillor and three Waterbeach Parish Councillors and these investigations were ongoing.

The Chair thanked the Monitoring Officer for a thorough and detailed report. The Committee **noted** the report.

7. Date of the Next Meeting

Tuesday 13 September at 10 am.

The Meeting ended at 10.15 a.m.

Agenda Item 4



REPORT TO: Civic Affairs Committee

8 December 2022

LEAD OFFICER: Monitoring Officer

Update on Code of Conduct Complaints

Executive Summary

1. To update the Civic Affairs Committee on complaint cases regarding alleged breaches of the Code of Conduct.

Recommendations

2. That the Civic Affairs Committee **note** the progress of any outstanding complaints and the conclusion of cases resolved since the last meeting.

Details

3. Progress since the last meeting in relation to Code of Conduct complaints is set out in the below table:

Matter Number	District/Parish Council	Allegation/complaint	Outcome
21518	Cambourne Town Council	Allegations from the complainant against a Town Councillor that their actions were promoting hate through social media and therefore breached the Code of Conduct.	<p>The Investigator determined that all of the posts which are the subject of the complaint were published prior to the Town Councillor's election and therefore was not subject to the Code. It follows that none of the posts which are the subject of the complaint constituted a breach of the Code</p> <p>The Investigating Officer's report has been reviewed and I have also consulted with the Independent Person in line with the</p>

			requirements of the Code of Conduct Complaints Procedure. We are satisfied that the report is sufficient and that no further action is required.
21525	Waterbeach Parish Council	Allegations from the complainant against three members of the Parish Council (one now former) that their actions breached the Code of Conduct.	After consultation with the Independent Person, it was determined that the complaint did not merit a formal investigation as the Parish Councillors (one former) have not breached the Code.
21833	Cambourne Town Council	Allegations from the complainant against a Parish Councillor that their actions were promoting " <i>discrimination on religious and ethnical grounds</i> " and therefore breached the Code of Conduct.	The complainant wanted to take their complaint forward on a confidential basis. Following consultation with both the Independent and Deputy Independent Persons, we were all in agreement that there was not a clear public interest in investigating the complaint whilst allowing them to remain confidential.
21840	Waterbeach Parish Council	Allegations from the complainant against a Parish Councillor that they stated during a parish council meeting that they would not abide by the standing orders and therefore breached the Code of Conduct.	After consultation with the Deputy Independent Person, it was determined that the complaint did not merit a formal investigation as there had not been a breach of the Code.
21842	Waterbeach Parish Council	Allegations from the complainant against a Parish Councillor that they have been subject to unreasonable and bullying behaviour by the Parish Councillor and therefore the Code of Conduct had been breached.	A meeting was held between the Monitoring Officer, Complainant and the Councillor which resulted in the matter being resolved informally.
22213	Waterbeach Parish Council	Allegations from the complainant against a Parish Councillor that	Matter ongoing

		their actions caused bullying and breached the Nolan principles, therefore the Code of Conduct had been breached.	
22214	Waterbeach Parish Council	Allegations from the complainant against a Parish Councillor that their actions caused bullying and intimidation and breached various other parts of the Code of Conduct.	Matter ongoing
22215	Waterbeach Parish Council	Allegations from the complainant against a Parish Councillor that their actions failed to treat them with respect, were bullying and brought the Parish Council into disrepute therefore breaching the Code of Conduct.	Matter ongoing
22217	SCDC	Allegations from the complainant against a District Councillor that posts to several social media profiles and group pages breached of the code of conduct.	After consultation with the Deputy Independent Person, it was determined that the complaint did not merit a formal investigation as there had not been a breach of the Code.

Implications

4. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, there are no significant implications.

Background Papers

Constitution – Code of Conduct

Ethical Handbook - Code of Conduct Complaints Procedure

Report Author:

Rory McKenna – Monitoring Officer Telephone: 07872 116523

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