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22 February 2023

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, 2 March 2023 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.**

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## Agenda

## Pages

### Procedural Items

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

- |    |   |         |
|----|---|---------|
| 3. | <b>Minutes of Previous Meeting</b><br>To authorise the Chairman to sign the Minutes of the meeting held on 8 December 2022 as a correct record. | 7 - 8   |
|    | <b>Recommendation to Council</b>  |         |
| 4. | <b>Assistants for Political Groups</b>  | 9 - 14  |
|    | <b>Information Items</b>  |         |
| 5. | <b>Update on Code of Conduct Complaints</b>   | 15 - 18 |
|    | <b>Standing Items</b>   |         |
| 6. | <b>Date of Next Meeting</b><br>Tuesday 4 July 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](mailto: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.

### **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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# Agenda Item 3

## South Cambridgeshire District Council

Minutes of a meeting of the Civic Affairs Committee held on  
Thursday, 8 December 2022 at 10.00 a.m.

PRESENT: Councillor Anna Bradnam – Chair  
Councillor Paul Bearpark – Vice-Chair

Councillors: Dr. Martin Cahn Mark Howell  
Dr Susan van de Ven

Officers: Aaron Clarke Democratic Services Technical Officer  
Rory McKenna Monitoring Officer

Councillor Cllr Heather Williams was in attendance remotely.

### 1. Apologies for Absence

Apologies for Absence were received from Councillors Henry Batchelor and Bridget Smith.

### 2. Declarations of Interest

Councillors Anna Bradnam, Paul Bearpark and Heather Williams all declared an interest in agenda item 5 as it was possible that they knew the members of Waterbeach Parish Council who were the subject of complaints mentioned in the report.

Councillor Mark Howell declared an interest in agenda item 5 in that it was possible that he knew the member of Cambourne Town Council who was the subject of a complaint mentioned in the report.

### 3. Minutes of Previous Meeting

The minutes of the meeting dated 15 June 2022, was signed off as a correct record.

### 4. Update on Code of Conduct Complaints

The Monitoring Officer presented this report, which updated the Committee on complaints regarding alleged breaches of the Code of Conduct. He explained that of the nine outstanding complaints, six had been resolved, with four not meriting formal investigation and one case which had been settled informally. It was explained that the three outstanding complaints were the subject of an investigation at the time of the meeting, and that it was therefore not appropriate to discuss those issues.

The Committee **Noted** the report.

### 5. Date of Next Meeting

Thursday 2 March 2023 at 10 am.

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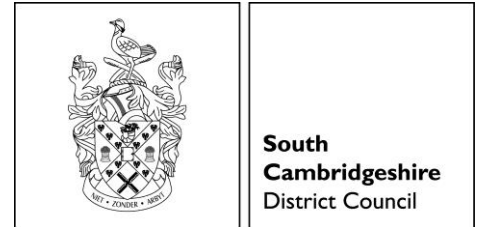
**The Meeting ended at 10.30 a.m.**

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# Agenda Item 4



**REPORT TO:**

Civic Affairs Committee

2 March 2023

**LEAD OFFICER:**

Chief Executive

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## Assistants for Political Groups

### Executive Summary

1. The Local Government and Housing Act 1989 provides Local Authorities the power to appoint political assistants, subject to conditions.
2. This report appraises Committee of those provisions and conditions and recommends that Council amend the constitution to appoint political assistants.

### Recommendations

3. Civic Affairs Committee recommends that the Council amend the Constitution to allow for the appointment of Political Assistants.

### Details

4. Local Authorities have a power to appoint a limited number of political assistants, whose posts qualify as politically restricted but who are excluded from the general requirement that all persons appointed to a paid office or employment by a local authority must be made “on merit”.
5. It is not mandatory to appoint political assistants, but authorities may do so within relatively stringent conditions, including the following:
  - The appointment may have regard to an applicant’s political activities or affiliations.
  - The appointment must be for the purpose of providing assistance to the members of a political group in the discharge of their functions as members of the authority (therefore, not in their other political functions).
  - The political assistant cannot enjoy any delegated powers, nor can any other officer of the authority be required to work under their direction.

- Groups will normally only qualify if they comprise at least 10 per cent of the membership of the authority and are one of the three largest groups on the authority.
- There can be no more than three such appointments across the authority and only one for each group and there can be no appointments unless a post has been allocated to each group qualifying for one (even though a group can choose not to make an appointment).
- Where there is only one group with at least 10 per cent of the membership, there are to be only two appointments, one to the largest group, and one to the next largest.
- Standing orders must provide for the posts to be filled according to the wishes of the political group to be assisted by the postholder.
- The terms of employment must be such that the appointment ends at or before the end of the authority's annual meeting in the case of an authority holding full council elections in the first year of such an election following the appointment (for SCDC (South Cambridgeshire District Council) that means May 2026).
- The remuneration of the political assistant must not exceed an amount specified, in England, by the Secretary of State. The amount specified for the purposes of section 9 (4) (a) of the Local Government and Housing Act 1989 is contained within regulation 3 of the Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2021/1122. This states that the point specified for the purpose of the Act is spinal column point 38 of the salary scales for local government officers incorporated in the National Joint Council's Scheme which is currently £48,364 (2022/23 figures). The posts in SCDC have been evaluated at point 25 (£32,662 on 2022/23 pay scale).

6. DLUHC (Department for Levelling Up, Housing and Communities) issued non-statutory guidance on the 11 October 2021 for local authorities in England who are considering employing, local authority political assistants. The purpose of the guidance is three-fold;

- accompany changes made by the Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2021.
- encourage local authorities choosing to employ political assistants to carry out a value for money job assessment and, if appropriate, consider employing them on a part-time basis.
- recommend that councils are thorough in ensuring that there is openness and transparency regarding the role and activities of political assistants in their employment

7. The key points from the non-statutory guidance are as follows:

- the post of political assistant in a local authority is politically restricted. This means that, like other politically restricted posts, the post-holder cannot stand for election, act as an election agent or sub-agent, be an officer of a

political party, manage a party or branch of a party, and cannot canvass on behalf of a political party or candidate for election

- Political advisers are, however, permitted to speak to the public with the intention of affecting support for a political party, but their actions must not give the impression that they are acting as the representative of the political party
- Political advisers are also able to publish or cause to be published written work or other material intended to affect public support for a political party, but they must not give the impression that the publication is authorised by the political party.
- No appointments can be made until posts have been established for all qualifying groups.
- It is for the authority to determine the salary payable, however, it is expected that local authorities show restraint and allow pay increases in a proportionate manner in line with wider local government pay.
- Authorities who employ political assistants should always consider whether the post is necessary, and whether employing them on a part-time rather than full-time basis would keep the costs down and provide better value for money for the taxpayer. Part-time posts may encourage and attract a diverse range of candidates.
- Authorities are encouraged to carry out a value for money job assessment when considering remuneration for political assistants and pay at a rate appropriate for the work undertaken, subject to the maximum amount
- The contract of employment must terminate at or before the annual council meeting following the first elections after the person was appointed. However, this does not prevent the post holder being reappointed for a further term.
- When considering how best to manage their resources, councils should be certain to take into account their use, potential use, or necessity of local authority political assistants.
- While these politically restricted advisers can provide elected members with a different perspective, offering the type of advice other council staff cannot, local authorities should remember that they are taxpayer-funded employees and should not be exempt from wider discussions about how to make the authority as efficient and effective as possible.
- All local authorities, and individual political groups themselves, should therefore have particular regard to financial considerations when determining the need for a political assistant.
- Local authorities should consider publishing the details below as best practice:
  - i. the total number of political assistants it employs
  - ii. the political group each assistant serves
  - iii. the number of councillors in each political group
  - iv. the number of hours per week for which each political group's assistant is employed

## **Options**

8. The Civic Affairs Committee could
  - (a) recommend that Council amend the Constitution to allow for the appointment of Political Assistants; or
  - (b) determine to maintain the status quo and not amend the Constitution;

## **Implications**

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

## **Financial**

10. As the budget had already been approved, the cost can be met from General Fund contingency until the budget is revised during the next budget process.

## **Legal**

11. There will be a need to amend the Constitution to incorporate the requirements of Section 9 (2) (d) of the Local Government and Housing Act 1989 that a politically restricted post, under the standing orders of the Authority, is to be filled from time to time in accordance with the wishes of the political group to which the post has been allocated.

## **Background Papers**

Local Government and Housing Act 1989  
The Local Government Officers (Political Restrictions) Regulations 1990  
Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2021  
Local authority political assistants guidance – Published 11 October 2021

**Report Author:**

Rory McKenna – Monitoring Officer Telephone: 07872 116523

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# Agenda Item 5



**REPORT TO:** Civic Affairs Committee

2 March 2023

**LEAD OFFICER:** Monitoring Officer

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## 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
22213	Waterbeach Parish Council	Allegations from the complainant against a Parish Councillor that their actions caused bullying and breached the Nolan principles, therefore the Code of Conduct had been breached.	<p>The Investigator did not uphold the complaints regarding the Parish Councillor's conduct at a meeting of the Parish Council.</p> <p>The Investigating Officer's report has been reviewed and I also consulted with the Deputy Independent Person in line with the requirements of the Code of Conduct Complaints Procedure. We were both satisfied that the report was sufficient and that no further action was required.</p>

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.	<p>The Investigator did not uphold the complaints regarding the Parish Councillor's conduct at a meeting of the Parish Council.</p> <p>The Investigating Officer's report has been reviewed and I also consulted with the Deputy Independent Person in line with the requirements of the Code of Conduct Complaints Procedure. We were both satisfied that the report was sufficient and that no further action was required.</p>
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.	<p>The Investigator determined that on balance, the Parish Councillors statements did not breach the Code of Conduct.</p> <p>The Investigating Officer's report has been reviewed and I also consulted with the Deputy Independent Person in line with the requirements of the Code of Conduct Complaints Procedure. We were both satisfied that the report was sufficient and that no further action was required.</p>
22387	SCDC	Allegations from the complainant against a District Councillor that their actions breached of the code of conduct.	The Deputy Monitoring Officer, after consultation with the Independent Person, 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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