

South Cambridgeshire District Council

Minutes of a meeting of the Civic Affairs Committee held on
Tuesday, 12 September 2023 at 10.00 a.m.

PRESENT: Councillor Peter Fane – Chair
Councillor Paul Bearpark – Vice-Chair

Councillors: Mark Howell Heather Williams

Officers: Patrick Adams Senior Democratic Services Officer
Andrew Francis Elections and Democratic Services Manager
John Murphy Monitoring Officer
Jonathan Tully Head of Internal Audit

Councillors Cllr Dr Martin Cahn and Cllr Dr Susan van de Ven were in attendance remotely.

1. Apologies for Absence

Apologies for Absence were received from Councillors Henry Batchelor, Bridget Smith and Dr Aiden Van de Weyer. Councillor Dr Susan van Ven was in attendance online.

2. Declarations of Interest

Councillors Mark Howell and Heather Williams declared interests in agenda item 6, as they knew the district councillor referred to in the code of conduct report.

The Chair suggested that as all members of the Committee would know the councillor in question it was not necessary for them to declare an interest.

3. Minutes of Previous Meeting

The minutes of the meeting held on 4 July 2023 were agreed as a correct record.

4. Independent Members of the Audit and Corporate Governance Committee

It was noted that Councillor Mark Howell and Heather Williams were both members of the Audit and Corporate Governance Committee, although they had not voted on the issue of Independent Members when that Committee had discussed it. Having received advice from the Monitoring Officer, the Chair confirmed that Councillors Mark Howell and Heather Williams could participate in the debate on this issue and vote.

The Head of Shared Internal Audit presented this report on whether the Committee should recommend to Council that the constitution be amended to allow the membership of the Audit and Corporate Governance Committee to include an independent member who was neither a councillor nor an officer. It was noted that the Audit and Corporate Governance Committee had supported this initiative at its

meeting on 26 July 2023.

Councillor Michael Atkins, the Chair of the Audit and Corporate Governance Committee, stated that more was expected of the Committee and that it would be beneficial to appoint a suitable external representative who could bring additional knowledge to debates. It was essential that any independent person appointed was of suitable calibre.

Councillor Heather Williams reported that this was likely to become a statutory requirement in the near future. She agreed with Councillor Atkins that it was imperative that an independent person added to the work of the Audit and Corporate Governance Committee. Due to the challenges involved in selecting a suitable candidate she recommended that only one independent person be appointed.

Councillor Heather Williams asserted that only elected councillors should have voting rights and it would be undemocratic to allow the independent person to vote at the committee meetings. She also recommended that the person be a local resident on the electoral roll and so had a stake in local issues. Councillor Mark Howell agreed that the independent person be on the local electoral register to ensure that they had local knowledge and a vested interest in local matters.

The Head of Shared Internal Audit advised that the guidance from Government was that the independent person should be allowed to vote, although they would not be permitted to approve the Statement of Accounts. To bar the independent person from voting was contrary to best practice. The Chair of the Audit and Corporate Governance Committee reported that the Committee had not discussed voting rights during its debate on this issue.

Councillor Mark Howell asserted that the independent person was not accountable to the electorate and so should not be permitted to vote.

The Head of Shared Internal Audit suggested that if no suitable candidates applied for the position it would be readvertised. It was noted that the recommendation in the report stated that officers should be responsible for the recruitment process.

Councillor Dr Susan van de Ven agreed that the independent members should not have voting rights for the reasons already stated. Councillor Paul Bearpark agreed and suggested that Council could reinstate voting rights for the independent person if it wished.

Councillor Dr Susan van de Ven suggested that the expertise of the independent person was more important than where they lived.

The Committee had a short intermission to allow members of the committee to word a proposed amendment to the recommendation in the report.

Councillor Heather Williams proposed and Councillor Mark Howell seconded the following amendments to the recommendations:

- The independent person will not have voting rights
- The independent person will be on the electoral roll in Cambridgeshire

- The responsibility for the recruitment process will be delegated to the Audit and Corporate Governance Committee.

The Head of Shared Internal Audit explained that the CIPFA guidance recommended that the independent member had the same voting rights as Committee members, with the exception on the voting on the Statement of Accounts. It made no mention of the need for the independent members to be on the local electoral role.

Councillor Heather Williams explained that the appointment of an independent person was a new proposal and so it made sense to put in restrictions. It was within the Council's gift to limit voting rights and it would be democratic, open and transparent to do so. Local knowledge was important and so it made sense to insist that the independent person could prove local residency being on the electoral role. Delegating the recruitment process to the Audit and Corporate Governance Committee would ensure that it could oversee the process.

Councillor Dr Susan van de Ven suggested that the most important issue was to ensure that the independent person had the right level of experience and this might mean appointing someone from outside the county. Councillor Paul Bearpark could see the benefits of local knowledge and was open-minded on whether the independent person was on the local electoral role.

A vote was taken on the amendment, which was agreed with three votes in favour and one abstention. The Committee then agreed the following amended recommendation, by affirmation:

The Committee

Recommended to Council

- A)** That an independent member is appointed to the Audit and Corporate Governance Committee
- B)** That the independent member will not have voting rights
- C)** That the independent member will be on the electoral roll in Cambridgeshire
- D)** That the recruitment process to be delegated to the Audit and Corporate Governance Committee.

5. Review of Polling Districts and Polling Places 2023

The Elections and Democratic Services Manager presented this report on a proposed review of the Council's polling districts and polling places, including an indicative timetable and proposed amendment to existing arrangements. It was noted that this was a statutory review.

The Elections and Democratic Services Manager explained that the Meadows Community Centre in Orchard Park had been rebuilt in the Cambridge City's area but it remained the best building to use as a polling station.

The Elections and Democratic Services Manager reported that the current polling

stations had been recently assessed on grounds of their accessibility and staff had received appropriate training. All polling stations had low level polling booth.

The Elections and Democratic Services Manager explained that schools were not ideal locations for polling stations due to safeguarding issues and disruption to pupils and teachers. However, the school at West Cambourne would be considered.

The Elections and Democratic Services Manager confirmed that the Council was about to launch a publicity campaign regarding the need for voter identification. Articles would appear in the next two South Cambs Magazines and he requested that if councillors knew of any residents without identification they would put them in touch with Electoral Services.

The Committee

Agreed to commence the Council's review of Polling Districts and Polling Places for 2023 in accordance with the consultation document and timetable included in the agenda.

6. **Update on Code of Conduct Complaints**

The Monitoring Officer presented this report, which updated the Committee on the progress being made with regards to recent Code of Conduct complaints. He explained that the Independent Person had ruled that a complaint against a District Councillor did not merit a formal investigation. Another complaint against a District Councillor had been passed on to the subject of the complaint and was awaiting a response. The Monitoring Officer considered that third complaint would be resolved through a mutually agreed resolution. The Chair explained that he had been consulted on this issue and supported the way in which it was being resolved.

The Committee noted the report.

7. **Date of Next Meeting**

The Chair agreed to discuss the possibility of having less frequent meetings of the Committee with officers.

The Meeting ended at 11.30 a.m.
