

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Civic Affairs Committee held on
Tuesday, 3 March 2020 at 10.00 a.m.

PRESENT: Councillor Dr. Douglas de Lacey – Chairman
Councillor Dr. Claire Daunton – Vice-Chairman

Councillors: Henry Batchelor
Mark Howell
Heather Williams

Nigel Cathcart
Dr. Aidan Van de Weyer
Eileen Wilson

Officers: Patrick Adams
Elizabeth Davy
Andrew Francis
Clare Gibbons

Senior Democratic Services Officer
Development Officer
Electoral Services Manager
Northstowe Healthy New Town Programme
Lead
Democratic Services Team Leader
Deputy Head of Legal Practice
Procurement Officer

Kathrin John
Rory McKenna
Sean Missin

Councillors Sarah Cheung Johnson, Bill Handley and Dr. Tumi Hawkins were in attendance, by invitation.

1. APOLOGIES FOR ABSENCE

Councillors Martin Cahn and Bridget Smith sent their Apologies for Absence. Councillor Eileen Wilson acted as a substitute for Councillor Cahn.

2. DECLARATIONS OF INTEREST

Councillor Henry Batchelor stated that the Constitution Review Task and Finish Group had consulted him on amendments to parts of the Constitution, due to his role as Chairman of the Employment and Staffing Committee.

3. MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting held on 3 December 2019 were agreed as a correct record, subject to the following amendment:

- The first paragraph of minute 2, Declarations of Interest, was removed, as Councillor Eileen Wilson had not declared an interest at this meeting.

4. LONGSTANTON AND OAKINGTON COMMUNITY GOVERNANCE REVIEW

The Programme Lead – Northstowe Healthy New Town presented this report, which invited the Committee to consider the findings of the first stage of consultation and recommend Options upon which to consult on in the second round of consultation. She explained that:

- The consultation commenced on 11 November 2019.
- All homes in the affected parishes had received a leaflet and the terms of

reference of the review.

- 430 responses had been received.
- The majority view was that Northstowe needed to have its own governance arrangements, separate from the other villages.

Rampton Drift

The Programme Lead – Northstowe Healthy New Town reported that whilst residents of Rampton Drift preferred to remain in Longstanton, they recognised that their future was in Northstowe.

Oakington & Westwick

Stephen Moore, Chairman of Oakington and Westwick Parish Council, addressed the meeting. He expressed concern at Option A3, received from Homes England, for the following reasons:

- Homes England had not contacted the Parish Council regarding this proposal.
- The proposal had been received after the deadline and he was grateful for Council officers contacting the Parish Council yesterday, on this matter.
- Oakington & Westwick Parish Council wanted to follow the Council's guidance on green separation, which the Homes England proposal disregarded.
- Oakington & Westwick wanted to remain semi-rural, which this proposal threatened.
- Oakington & Westwick wanted to remain responsible for flood attenuation measures, which the Parish Council would lose under Homes England's proposal.

Over

Geoff Twiss, Vice Chairman of Over Parish Council addressed the meeting. He expressed concern at Option A2, which proposed moving the boundary from Swavesey Drain to minor roads, for the following reasons:

- Over had been relaxed about the boundary changes, until the proposal in Option A2 had become known.
- Swavesey Drain had been Over's boundary for centuries and would continue to be so for much the boundary even if A2 were agreed.
- Under other Options Northstowe would be 1.5km away from Over village, but Option A2 brought the distance down to 400metres.
- If the boundary change under A2 was agreed, it would mean that a cold war radio mast, which was part of Over's heritage, would be lost to Northstowe.

Local Member for Longstanton and Oakington & Westwick

Councillor Sarah Cheung Johnson thanked the Programme Lead – Northstowe Healthy New Town and the Development Officer for their work on an emotive topic, which inevitably encouraged responses that were not relevant to the Community Governance Review. Councillor Cheung Johnson praised the Chairman of Oakington & Westwick Parish Council for representing residents' views, but she suggested that the Committee should consult further on Options A1, A2, A3, B and C to allow residents to fully consider the implications of these Options.

The Chairman stated that the Committee were not evaluating the Options at this stage, but were considering which Options should be taken forward to the second round of consultation. The Committee considered each Option separately.

A1: All phases of Northstowe excised from Longstanton and Oakington & Westwick, with land north of the guided busway transferred to Willingham

The Programme Lead – Northstowe Healthy New Town explained that this Option proposed transferring land north of the guided busway and to Willingham.

Members of the Committee expressed support for consulting further on this Option.

A vote was taken and with 7 votes in favour, 0 against and 1 abstention the Committee **agreed** that this Option should be put forward to the second round of consultation.

A2: All phases of Northstowe excised from Longstanton and Oakington & Westwick, with land taken from Over to move the boundary from the Swavesey Drain to minor roads

The Programme Lead – Northstowe Healthy New Town explained that this Option proposed moving the boundary with Over from the Swavesey Drain to the minor roads known as Over Road and Gravel Bridge Road. This did not have the support of Over residents.

Members of the Committee made the following points:

- The objections expressed by the Vice Chairman of Over Parish Council should be supported.
- Removing more land from the parish of Over should be resisted.
- The rights of smaller villages should be respected.
- There were no obvious benefits to moving the Swavesey Drain boundary.

A vote was taken and with 0 votes in favour, 7 votes against and 1 abstention, the Committee **rejected** the proposal to put this Option forward to the second round of consultation.

A3: All phases of Northstowe excised from Longstanton and Oakington & Westwick, with the boundary moved further into Oakington and Longstanton

The Programme Lead – Northstowe Healthy New Town conveyed the concerns expressed by Homes England regarding the Options under consideration. It was their view that that the entirety of the development area be treated as a single governance unit and Phase 3B was an integral part of the development and should not be excluded. With respect to the boundary with Longstanton, Homes England wanted to include the Paddocks, which was part of the Conservation Area, as part of the Northstowe development area.

The Programme Lead – Northstowe Healthy New Town explained that there were concerns from Longstanton regarding the potential loss of green separation and a threat to Longstanton's Conservation Area. It was noted that the Council's Conservation Officers advised that moving a parish boundary would have no effect on the status of the Conservation Area.

It was noted that Homes England wanted all of the green separation area with Oakington village to be taken within the governance arrangement for Northstowe. Homes England were developing plans to manage and maintain the public realm and open space across Northstowe. It was understood that the body responsible for management and maintenance of this space might not be the Parish Council, but if it were, it would not make sense to split this between the parishes. For this reason, Homes England proposed a boundary mapped as Option A3. The Programme Lead – Northstowe Healthy New Town stated that officers would support consulting on this Option.

Members of the Committee made the following points:

- It was noted that no representatives of Home England were present at the meeting.
- Home England's representation was confusing in places.
- The representation had been received after the consultation deadline and so

should be disregarded.

- The objections expressed by the Chairman of Oakington & Westwick Parish Council deserved the Committee's support.
- The green separation should remain in Oakington & Westwick.
- Plans for maintaining areas of green separation should be considered.
- There was merit in allowing consultation on this Option, to allow residents to at least consider it.

A vote was taken and with 2 votes in favour, 6 against and with no abstentions, the Committee **rejected** the proposal to put this Option forward to the second round of consultation.

B: All phases of Northstowe excised from Longstanton and Oakington & Westwick, with land north of guided busway transferred to Northstowe

The Programme Lead – Northstowe Healthy New Town explained that under this Option the land north of the guided busway was transferred to Northstowe. Members of the Committee expressed concern regarding a possible loss of green separation, although the merits in consulting with residents were also noted.

A vote was taken and with 5 votes in favour, 2 against and 1 abstention the Committee **agreed** that this Option should be put forward to the second round of consultation.

C: Phases 1, 2 and 3A excised from Longstanton and Oakington & Westwick, but phase 3B retained within Oakington

The Programme Lead – Northstowe Healthy New Town explained that whilst a number of Longstanton residents supported this Option, it was likely that the implications of 1,200 extra homes in Longstanton had not been fully realised. Separating Northstowe development in this way ran contrary to the majority view that Northstowe should be a separate entity fully, responsible for its own governance.

A vote was taken and with 6 votes in favour, 0 against and 2 abstentions, the Committee **agreed** that this Option should be put forward to the second round of consultation.

D: No change scenario

The Programme Lead – Northstowe Healthy New Town explained that residents who supported this Option had not explained how the existing villages' governance arrangements would have to change as a result of the extra residents. She suggested that those who supported this Option were expressing their opposition to the development.

Committee members saw no merit in consulting further on this Option, as it was not a workable solution. A vote was taken and the Committee unanimously **rejected** the proposal to put this Option forward to the second round of consultation.

E: Full merger

The Programme Lead – Northstowe Healthy New Town explained that only 3 respondents had favoured this Option and there was clear opposition to it from residents.

Committee members saw no merit in consulting further on this Option, as it was not a workable solution. A vote was taken and the Committee unanimously voted not to put this Option forward to the second round of consultation.

Format of consultation

The Programme Lead – Northstowe Healthy New Town explained that following feedback from residents, officers would be liaising with parish councils to ensure that the forms used

for the second round of consultation would be more user friendly. It was noted that residents were free to put support any of the suggestions included in the seven Options when responding to the consultation. The Committee unanimously supported the proposed format of the consultation.

The Committee

AGREED

- A)** To put Options A1, B and C forward to the second round of consultation.
- B)** To approve the format of the consultation material and engagement programme for the second round of consultation.
- C)** To Delegate final sign-off of the consultation materials to the Programme Lead – Northstowe Healthy New Town, following comments from the parish councils.

5. REPORT OF THE CONSTITUTION REVIEW TASK AND FINISH GROUP

The Deputy Head of Legal Practice presented this report, which detailed the final report of the Constitution Review Task and Finish Group, following the request of the Committee at its last meeting on 3 December 2019 to give further consideration to a number of issues and report back.

Submissions from the public

The Chairman explained that he was aware of two submissions received from the public on this agenda item. He had accepted the request to speak from Daniel Fulton but had rejected a second submission which he only received that morning.

Daniel Fulton addressed the Committee and made the following points:

- He thanked Councillor Clare Daunton for an e-mail related to this issue.
- He expressed concern that no explanation had been given by Planning Committee members for their decision to agree the changes.
- He stated that the political majority of the Council needed to explain its decisions.
- He highlighted his suggested amendments to the planning delegation rules, which were a compromise that did not affect non major applications.
- He understood that under the City Council's rules, any resident could "call-in a planning application to Planning Committee.
- Under this Council's rules, the Planning Director decided whether an application was considered by the Planning Committee and he felt that this was wrong.
- He explained that the changes agreed by the Planning Committee affected planning applications in Willingham, Lonsanton and Knapwell, all of which should be considered by the Planning Committee.
- He thanked the Chairman for giving him the opportunity to speak.

Powers and Functions Delegated by the Planning Committee

It was noted that the details of the Powers and Functions Delegated by the Planning Committee on pages 401-7 in the agenda, was the version agreed by the Planning Committee on 12 February 2020. The amendments detailed on pages 263-9, showed the changes submitted to the Task and Finish Group but had been superseded by the updated scheme of delegation agreed by the Planning Committee.

Councillor Aidan Van de Weyer proposed and Councillor Mark Howell seconded the suggestion that changes to planning delegations should be voted on separately by the

Committee, so the Committee's level of support for different amendments to the Constitution was clear. The Chairman accepted this proposal. Councillor Heather Williams stated that it would be inappropriate to pre-empt the decision that Council would take on 2 April and so the proposal from the Committee should be flexible regarding planning delegations to take into consideration both the uncertain outcome of Council's decision and the fact that Planning Committee had only voted 5 to 4 in favour of the change.

Members of the Committee made the following points:

- The Planning Committee was apolitical and made its decision, which should be respected.
- Power should not be taken away from elected Councillors.
- The Task and Finish Group examined this matter in great detail.

A vote was taken on whether to support the amendments to the Powers and Functions Delegated by the Planning Committee and with 7 votes in favour, 1 against and 0 abstentions, the Committee **agreed** to support the amendment.

Minor grammatical amendments

The Chairman stated that the Chief Executive, in consultation with the Chairman and Vice-Chairman of the Committee, would have the authority to make minor amendments to the draft Constitution, so he requested that if the Committee members were aware of any such changes, they should refer these to the Clerk.

Anti-Theft and Corruption Policy

The Democratic Services Team Leader explained most Councils did not include the Anti-Theft, Fraud and Corruption Policy and the complementary Whistleblowing Policy within their Constitutions. However, the Financial Regulations included a specific section on these policies, including a requirement for the Chief Financial Officer to ensure that they were subject to periodic review and for Chief Officers/Directors to ensure their staff were aware of the policies. The Task and Finish Group had therefore been assured that appropriate provisions for ensuring the policies were maintained and reviewed were contained in the Constitution.

The Committee unanimously supported this approach.

Amendments to rest of the Constitution

It was stated that the Task and Finish Group had worked in great detail on these proposals and their judgement should be respected. A vote was taken and the Committee voted unanimously to support the remaining amendments to the Constitution.

The Committee

NOTED the response of the Constitution Review Task and Finish Group in respect of the matters referred back by the Committee at the last Committee.

AGREED

- A)** To approve the revisions to the relevant Sections of the Constitution as set out in Appendices A to C, D2, E and F1-F4 (subject to noting that Table 5, Powers and Functions Delegated by the Planning Committee, had been superseded by the versions in Appendix H on pages 401-7 of the agenda).
- B)** To approve the recommendations of the Constitution Review Task and Finish Group, as set out in Appendix G

- C)** To authorise the Chief Executive, after consultation with the Chairman and Vice-Chairman of the Committee, to make any further typographical or minor amendments to the draft Constitution prior to its submission to Council.

RECOMMENDED TO COUNCIL to adopt the revised Constitution (Appendix H), Ethical Handbook (Appendix J), Public Speaking Scheme (Appendix K1) and Petitions Scheme (Appendix K2) with effect from the new Municipal Year.

6. UPDATE ON CODE OF CONDUCT COMPLAINTS

The Monitoring Officer presented this report, which updated the Committee on complaints cases regarding alleged breaches of the Code of Conduct. It was noted that when the Council implemented the 2011 Act, Councillors decided that the complaints should be kept confidential, both during the investigatory phase and if the complaint was dismissed. The Monitoring Officer offered to discuss matters further outside the meeting.

The Committee **NOTED** the report.

7. DATE OF NEXT MEETING

It was noted that the next meeting would be held on Tuesday 2 June at 10am in the Swansley Room.

The Meeting ended at 11.30 a.m.
