

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

Minutes of a meeting of the Council held on  
Thursday, 25 September 2008 at 2.00 p.m.

PRESENT: Councillor JH Stewart – Chairman  
Councillor CR Nightingale – Vice-Chairman

Councillors: Dr DR Bard, RE Barrett, Mrs VM Barrett, JD Batchelor, Mrs PM Bear, AN Berent, NCF Bolitho, FWM Burkitt, TD Bygott, NN Cathcart, JP Chatfield, Mrs PS Corney, NS Davies, Miss JA Dipple, SM Edwards, Mrs SM Ellington, Mrs VG Ford, R Hall, Dr SA Harangozo, Mrs EM Heazell, JA Hockney, MP Howell, Mrs CA Hunt, PT Johnson, SGM Kindersley, Dr DR de Lacey, Mrs JE Lockwood, MB Loynes, RMA Manning, RB Martlew, MJ Mason, RM Matthews, DC McCraith, Mrs LA Morgan, Mrs CAED Murfitt, AG Orgee, Mrs DP Roberts, NJ Scarr, Ms BZD Smith, Mrs HM Smith, PW Topping, Dr SEK van de Ven, Mrs BE Waters, JF Williams, TJ Wotherspoon and NIC Wright

Officers:	Catriona Dunnett	Principal Solicitor
	Steve Hampson	Executive Director
	Greg Harlock	Chief Executive
	Richard May	Democratic Services Manager

Apologies for absence were received from Councillors D Bird, BR Burling, Mrs SJO Doggett, Mrs JM Guest, Mrs SA Hatton, DH Morgan, A Riley, RT Summerfield and RJ Turner.

### **PRESENTATION**

Nigel Smith of the Audit Commission made a short presentation on the Comprehensive Area Assessment (CAA), the revised inspection regime being introduced to replace the Comprehensive Performance Assessment. The new regime involved outcome-based area and organisational assessments, the area assessment focussing on quality of life indicators relating to factors such as community safety, housing, family life and social inequality whilst the organisational assessment would consider how effectively the Council governed its business and managed its performance, finance and resources. The CAA was intended to be more outcome-focussed and forward-looking than its predecessor, paid greater attention to local priorities and brought together a number of previously disparate inspection regimes such as the Commission for Social Care Inspection and OFSTED school reports.

Mr. Smith outlined the types of evidence CAA inspectors would be seeking, demonstrated the reporting mechanism and outlined the timetable for the implementation of CAA; it was likely that evidence gathering would commence in early 2009 with the first final inspection reports following in late 2009.

Members asked questions and made comments, after which the Chairman thanked Mr. Smith for his attendance and informative presentation.

### **42. DECLARATIONS OF INTEREST**

Councillors Mrs DP Roberts, NJ Scarr and NN Cathcart declared personal non-prejudicial interests in Agenda items 5b-5c (Questions by Councillors NJ Scarr and SGM Kindersley) and 11b-11b (Motions standing in the names of Councillors NN Cathcart, JF Williams and D de Lacey) as members of the lobby group 'South Cambridgeshire Against Transfer'. Given that the interests were not prejudicial, and in accordance with the Council's Code of Conduct for Councillors, they remained in the

meeting and took part in the discussions and voting.

#### **43. MINUTES**

Council **RESOLVED** that the Minutes of the meeting held on 17 July 2008 be approved as a correct record, subject to the following amendments:

- **Minute 34** – Reference to (b) not (2) in Resolution (c)
- **Minute 39** – Reference to 'soap' not 'soup' in the last paragraph.

#### **44. ANNOUNCEMENTS**

The Chairman reminded Members that his civic reception was taking place on Friday 3 October 2008 and that they should advise the Chief Executive's Personal Assistant if they wished to attend.

Councillor JA Hockney advised that the Council had entered three teams into the recent Chariots of Fire running event. The event was likely to raise at least £35,000 for the children's charity Red Balloon, and Council joined Councillor Hockney in congratulating the Council's participants for their excellent performance in the event and contributions to this good cause.

#### **45. QUESTIONS FROM COUNCILLORS AND THE PUBLIC**

##### **45 (a) From Councillor JA Hockney to the Environmental Services Portfolio Holder**

Councillor JA Hockney asked the Environmental Services Portfolio Holder the following question:

The Council is taking great strides with recycling, including implementing Plastic Bottle Recycling. However does the Portfolio Holder share my concern that the Quarterly Integrated Monitoring Report shows that we are not on target on six out the nine areas for Waste and Recycling?

Councillor Mrs SM Ellington, Environmental Services Portfolio Holder, advised that the plastics recycling project was on schedule, with the first collections to take place on from 6 October 2008. Mrs Ellington advised that she would report on progress with the scheme in due course. In terms of the performance indicator, Members were advised that the indicators were showing 'amber' not 'red', to reflect that up-to-date figures had yet to be collected by the government. Provisional figures to the end of August were positive, especially in respect of litter and detritus, therefore at this stage the Portfolio Holder was not concerned that targets were unlikely to be met.

Councillor Hockney thanked the Portfolio Holder for her answer before referring to the Council's draft aims, approaches and actions in which he was pleased to see specific actions to extend waste and recycling initiatives. By way of a supplementary question, he asked whether the Portfolio Holder would be prepared to consider supporting a 'Keep South Cambs Tidy' campaign, bringing relevant local organisations together to take part in litter picking and similar events?

Councillor Mrs. Ellington referred to the Council's draft aims, approaches and actions in

her answer. The actions proposed already contained specific measures to extend the plastics recycling scheme to all villages by 2010, undertake a specified number of community clean-up events and carry out verge- and lay-by- cleaning along the A11 and A14 highways.

**45 (b) From Councillor NJ Scarr to the Housing Portfolio Holder**

Councillor NJ Scarr asked the Housing Portfolio Holder the following question:

Will the housing portfolio-holder please tell us who wrote the leaflet "Fact not Fiction"? And who authorised its distribution?

Councillor SM Edwards, Housing Portfolio Holder, advised that the Council's communications advisor had written the leaflet and that the Executive Director had authorised its distribution.

By way of a supplementary question, Councillor Scarr referred to a section within the leaflet advising that tenants' rent would no longer leave the district following a transfer of the housing stock. Given that the Council would be required to make large interest payments to external organisations on the estimated £50 million it would be necessary to borrow, how could this statement be true?

The Housing Portfolio Holder advised that the Council had never hidden the fact that transfer would give rise to a heavy borrowing requirement; however, a capital surplus would remain even after the costs of borrowing had been taken into account. He advised that the statement regarding tenants' money leaving the district needed to be considered in the context that the Council would be giving rent receipts to the government totalling £10 million in the current financial year, and an estimated £11.5 million in the next. These receipts benefited other districts, not South Cambridgeshire.

**45 (c) From Councillor SGM Kindersley to the Housing Portfolio Holder**

Councillor SGM Kindersley asked the Housing Portfolio Holder the following question:

Councillor Edwards recently wrote to all tenants. He advised them he wanted them to hear about the cost implications of retention directly – and first – from him personally.

This letter was sent after he had spent a considerable time briefing the media. The ensuing media coverage meant that tenants did not hear about these matters directly or at first from Councillor Edwards; something he must have realised as he signed the letter.

How does he explain this?

Councillor SM Edwards, Housing Portfolio Holder, advised that the letter in question had been drafted and signed well before any media briefings had taken place.

Councillor SGM Kindersley advised that the letter was dated 31 July 2008. Councillor Edwards advised that he had not signed the letter on this date.

Councillor Kindersley went on to advise that the letter was dated after embargoed media releases had been made to local newspaper and television on 30 July. Radio interviews subsequently took place on the morning of 31 July. Given that the letter was dated 31 July, how could tenants have read the letter before hearing about the issues from the

subsequent media coverage? Given that this was the latest in a long line of significant and embarrassing errors, would the Portfolio Holder tender his resignation with immediate effect?

The Portfolio Holder advised that he did not agree that a long line of significant and embarrassing errors had taken place and that he had no intention of resigning.

**45 (d) From Councillor MJ Mason to the Policy, Improvement and Communications Portfolio Holder**

Councillor MJ Mason asked the Policy, Improvement and Communication Portfolio Holder the following question:

With reference to my statement to Council in July and the coming Customer Service Event, can the Portfolio Holder please update council on the current position with the maintenance and repair contract for the infra red hearing loop system installed in the Council chamber, mezzanine gallery, Swansley and Monkfield rooms? What arrangements have been made for testing and when is this likely to be carried out and will the contract include the issue of instruction manuals for staff in the use of the portable induction loops held at reception?

Councillor Mason added that the transmitter had already failed six times during the current meeting.

Councillor TJ Wotherspoon, Policy, Improvement and Communication Portfolio Holder, advised that the Council's contractors would be carrying out a systems check and test on 30 September, to include an assessment of the infrared system in the Council Chamber, Swansley and Monkfield Rooms. Councillor Wotherspoon was pleased that Councillor Mason had agreed to assist in the testing of this system, and hoped that Councillor Mason would be prepared to assist the Council further by helping to draft an operating manual.

By way of a supplementary question, Councillor Mason asked whether the Portfolio Holder was aware of a recent report considered by the Senior Management Team in respect of maintenance of the Council Offices. In his view, the report raised serious concerns, and Councillor Mason asked what actions were planned or being taken in response to the issues raised in the report?

Councillor Wotherspoon advised that he was aware of the report, and that Facilities Management had been identified as an area of concern in the last staff satisfaction survey following the retirement of the Office Services Manager. Senior Management Team had requested a further report containing specific recommendations to proceed.

**45 (e) From Councillor D de Lacey to the Planning Portfolio Holder**

Councillor D de Lacey asked the Planning Portfolio Holder the following question:

Does the Portfolio Holder for Planning Services consider that the following is the right way to write a Sustainable Transport Policy:

a. Introduce a "Travel to Work Plan" to encourage staff to cycle despite the fact that most

live too far from Cambourne (which is not well served by cycle facilities) for this to be feasible, or use buses when the bus service is almost non-existent;

b. Provide lockers for cyclists but neither showers nor adequate changing facilities;

c. Have one, but only one, "cycle to work day";

d. Encourage motor-cycling which is not particularly sustainable nor safe;

e. Having paid lip service to sustainability, significantly increase the size of our car park?

Councillor de Lacey advised that he had subsequently discovered that the Council provided showering facilities, but that in his view they were inadequate.

Councillor NIC Wright, Planning Portfolio Holder, reminded Council of the Travel to Work Plan's vision which was:

'To promote a wide range of sustainable travel choices for our existing and future employees, elected members and visitors, in order to support their travel needs, reduce our environmental impact from travel and to make the most efficient use of resources in delivering services to our customers and providing leadership to our local communities.'

Councillor Wright disagreed that the bus service to Cambourne was inadequate, pointing to the Stagecoach 'Citi 4' service which linked Cambourne, Cambridge and Arbury Park every 20 minutes throughout the day. Stagecoach service 18 and Whippet 1 services also served the Council Offices.

Councillor Wright advised that he did not consider enough lockers were available, and that the intention was to increase the number. Feedback from users of the lockers was positive, however.

The Portfolio Holder acknowledged that there was only one "Cycle to Work" day; however, it did not follow that this was the only day on which staff, Members and visitors could cycle to the Council Offices. With regard to motorcycling, whilst the plan did not encourage this method of transport, it could not interfere with individuals' freedom of choice to travel by this means, and parking spaces were provided for those who chose to do so.

Councillor Wright considered that the number of car parking spaces available for a rural public building was inadequate, pointing out that the overflow car park leased by the Council was often full on days when external events were taking place. For these reasons he considered the additional 20 spaces to be absolutely necessary.

By way of a Supplementary question, Councillor de Lacey asked how many Cabinet Members had set an example by cycling to this meeting.

Councillor Wright advised that Councillors Howell and Wotherspoon had both cycled to the meeting.

#### **46. PETITIONS**

No petitions had been received since the last meeting.

#### **47. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:**

**47 (a) South Cambridgeshire Sustainable Community Strategy 2008-2011 (Cabinet, 13 March 2008, Local Strategic Partnership Board, 3 September 2008)**

Council considered a report recommending adoption of the Sustainable Community Strategy for 2008-2011. It was considered that the Foreword to the strategy should distinguish more clearly between statements that the population of the growth areas would be younger and more economically active, whereas the average age was older in rural areas. It was further requested that the section on sustainable infrastructure and environment make specific reference to climate-proofing as the most appropriate means by which to take account of climate change in activities promoted or delivered through the South Cambridgeshire Local Strategic Partnership.

Councillor RMA Manning moved, Councillor MP Howell seconded and Council **RESOLVED** that the Sustainable Community Strategy 2008-2011 be adopted.

**47 (b) Recruitment of Independent Members to the Standards Committee (Standards Committee Appointments Panel, 16 September 2008)**

Council **RESOLVED** that Mr. John Leonard House and Mrs. Mary Susan Pilford-Allan be appointed to the Standards Committee as Independent Members to serve four-year terms ending 25 September 2012.

**47 (c) Orchard Park Parish - Community Council (Electoral Arrangements Committee, 16 September 2008)**

The Chairman advised that the first parts of the recommendation at Agenda item 7(c) relating to the Barrington Parish Council had been included in the Agenda in error and did not require consideration by Council.

Councillor NCF Bolitho moved, Councillor MJ Mason seconded and Council **RESOLVED** that a reorganisation order be made in the following terms:

- i) To create a new parish at Arbury Park with a Council, thus amending the parish boundaries of Impington Parish and Milton Parish, by reference to a plan of the proposed changes,
- ii) The Parish created be called Orchard Park and the council created be styled Orchard Park Community Council,
- iii) The Parish created to be not warded,
- iv) The council created to consist of 9 councillors,
- v) First elections to take place on 27 November 2008 and the ordinary year of elections to be 2012,
- vi) No changes to be made to the electoral arrangements of Impington Parish and Milton Parish,
- vii) The Principal Solicitor of the authority to calculate the budget requirement for the created authority through negotiations with the Finance Section of the District Council and Impington Parish Council.

Council thanked officers, the Impington Parish Council and local residents for their hard work and support for the Orchard Park project.

**48. APPOINTMENT OF MEMBERS TO THE INDEPENDENT REMUNERATION PANEL**

Council **RESOLVED:**

- (1) That Mr. Graham Jagger be appointed to the Independent Remuneration Panel reviewing Members' Allowances to serve a 3-year term to 25 September 2011.
- (2) That Lady Bright be reappointed to the Independent Remuneration Panel reviewing Members' Allowances to serve a 2-year term ending 25 September 2010.

**49. APPOINTMENT TO THE CORPORATE GOVERNANCE COMMITTEE**

Council **RESOLVED** that Councillor PW Topping be appointed to the Corporate Governance Committee following the appointment of Councillor TJ Wotherspoon to the Cabinet.

The Leader of the Council paid tribute to Councillor Wotherspoon's excellent work as former Chairman of the Corporate Governance Committee.

**50. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES**

There were no updates from Members appointed to Outside Bodies.

**51. NOTICES OF MOTION****51 (a) Standing in the name of Councillor RE Barrett**

Councillor JH Stewart declared a personal interest in this item as a Trustee and Board Member of Camsight, a charity supporting blind and partially-sighted persons in the area. Given that the interest was not prejudicial, and in accordance with the Council's Code of Conduct for Councillors, he remained in the meeting and took part in the discussions and voting.

Councillor RE Barrett moved, Councillor JH Stewart seconded and Council **RESOLVED:**

- (1) That the Chief Executive and Leader of the Council be requested to write to the Secretary of State for Work and Pensions, the Rt Hon James Purnell MP, expressing these concerns.
- (2) That the Chief Executive and Leader of the Council be requested to write to MPs representing the district requesting that they sign up to Early Day Motion number 1982 (submitted by Sir John Butterfield MP) and write to the Secretary of State expressing these concerns.
- (3) To support the Royal National Institute of Blind People's (RNIB) campaign on securing the higher rate mobility component of DLA for blind people.

**51 (b) Standing in the names of Councillors NN Cathcart and JF Williams**

Councillor MP Howell declared a personal interest in this item as an employee of a housing association and a housing association tenant. Given that the interest was not prejudicial, and in accordance with the Council's Code of Conduct for Councillors, he remained in the meeting and took part in the discussions and voting.

Councillor NN Cathcart moved and Councillor JF Williams seconded a Motion in the following terms:

## ‘HOUSING FUTURES

We are concerned that the case presented to our tenants both in writing and at tenants meetings is too skewed in favour of transfer and we feel that the Council is under an obligation to present a balanced case with arguments both for and against transfer.

The Council will therefore ensure that in all future communications with tenants equal weight will be given to the advantages and disadvantages of remaining with SCDC and the disadvantages and advantages of transferring to a housing association. In particular the following points need to be highlighted as they have not been given sufficient weight in previous communications;

- a) A housing association may face difficulties in repaying the loan needed to buy the houses from SCDC and may find this and the payment of the interest on the loan more urgent than financing repairs and the maintenance of the houses
- b) The uncertainty generated for tenants by having a weaker form of tenure
- c) The strong possibility that a housing association may adopt a more ruthless approach in contrast to the "public sector ethos" of the Council
- d) With a housing association there is likely to be a need to dismantle an existing functioning and trusted system of relations between housing staff and tenants and members and replace it with a new one in which the close personal contact is unlikely to be the same
- e) Housing is very long term and even if a stand alone housing association were formed initially, there is no certainty that this would remain and it may end up being part of a much larger and more remote housing group
- f) Transfer of the housing stock would be an irrevocable decision.’

Having used up the maximum time period allowed for debate under Standing Order 12.5, a Motion to suspend this Standing Order to allow debate to continue failed to achieve the necessary two thirds majority of Members present and voting in favour to be passed, and was therefore declared lost.

The Substantive Motion was then put and declared lost, the voting being recorded as follows:

### **FOR: (21)**

JD Batchelor	Mrs PM Bear	AN Berent
NN Cathcart	JP Chatfield	NS Davies
D de Lacey	Dr SA Harangozo	Mrs EM Heazell
SGM Kindersley	Dr JE Lockwood	RB Martlew
MJ Mason	Mrs CAED Murfitt	Mrs DP Roberts
NJ Scarr	Mrs BZD Smith	Mrs HM Smith
JH Stewart	Dr SEK van de Ven	JF Williams

### **AGAINST: (24)**

Dr DR Bard	RE Barrett	NCF Bolitho
FWM Burkitt	TD Bygott	Mrs PS Corney
Ms JA Dipple	SM Edwards	Mrs SM Ellington



VG Ford	R Hall	JA Hockney
MP Howell	MB Loynes	RMA Manning
RM Matthews	DC McCraith	Mrs LA Morgan
CR Nightingale	AG Orgee	PW Topping
Mrs BE Waters	TJ Wotherspoon	NIC Wright

**51 (c) Standing in the name of Councillor D de Lacey**

Dr de Lacey moved and Councillor NJ Scarr seconded a Motion in the following terms:

'In the Risk Log for Housing Futures presented to the last Portfolio Holder's meeting, Risk no. 07 is stated to be "Inaccurate information is disseminated to tenants", and the stated countermeasure is to "refer to the Advertising Standards Authority \*any\* material that is false and/or misleading". A leaflet was issued by South Cambs Against Transfers (SCAT) which among other things includes a quotation from Cllr Scarr: "Tenant reps. on housing association boards are a con. By law they must act in the interests of the company, and they are clearly told that they cannot act on behalf of tenants".

The response labelled "FACT NOT FICTION" issued by the Housing Futures Management Team to all our tenants clearly presents the SCAT leaflet as false and/or misleading. In particular it brands Cllr Scarr's contribution as "fiction". Either this council owes Cllr Scarr an apology or some action needs to be taken.

Therefore:

This Council agrees to refer the SCAT leaflet to the Advertising Standards Authority.'

The Motion, on being put, was declared lost.

**51 (d) Standing in the Names of Councillors SA Harangozo and AN Berent**

Councillor Dr SA Harangozo moved and Councillor AN Berent seconded a Motion in the following terms:

'Given that the Sustainable Communities Act 2007 received enthusiastic cross-party support in Parliament, we propose that SCDC should opt in to the Act by the date specified in the letter of invitation (expected shortly) given by the Secretary of State, in order to further sustainable living in South Cambridgeshire.'

Council **RESOLVED**, in accordance with Standing Order 13(d), that the Motion be referred to Cabinet to allow full consideration of the implications of the Sustainable Communities Act before being resubmitted to Council for further consideration in due course.

**51 (e) Standing in the name of Councillor JA Hockney**

Councillor JA Hockney moved and Councillor SM Edwards seconded a Motion in the following terms:

'This Council fully supports the principle of erecting a statue at a suitable location in Cambridge City to celebrate the life of Snowy Farr.'

The Motion, on being put, was declared lost.

**51 (f) Standing in the name of Councillor MJ Mason**

Councillor MJ Mason moved and Councillor NJ Scarr seconded a Motion in the following terms:

‘Council, whilst noting the intention of Cambridgeshire Horizons to hold a lunchtime seminar for members, expresses extreme disquiet concerning the effect of the current economic downturn, on the delivery of the new communities in the Cambridge Sub Region and requests that briefing and discussion on 9<sup>th</sup> October be primarily directed towards dealing with the current crisis rather than planning for unrealistic and unsustainable growth in the medium to long term.’

The Motion, on being put, was declared lost.

**52. CHAIRMAN'S ENGAGEMENTS**

Council noted the list of engagements attended by the Chairman and Vice-Chairman since the last meeting, and was advised that the opening of Moorland Court had taken place at Melbourn not Meldreth as stated in the Agenda.

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**The Meeting ended at 5.58 p.m.**

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