

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Council held on
Thursday, 28 January 2010 at 2.00 p.m.

PRESENT: Councillor Charles Nightingale – Chairman
Councillor Tony Orgee – Vice-Chairman

Councillors: Frances Amrani, David Bard, Richard Barrett, Val Barrett, John Batchelor, Trisha Bear, Anthony Berent, David Bird, Nigel Bolitho, Francis Burkitt, Brian Burling, Tom Bygott, Nigel Cathcart, Jonathan Chatfield, Pippa Corney, Neil Davies, Douglas de Lacey, Sandra Doggett, Simon Edwards, Sue Ellington, Janice Guest, Roger Hall, Steve Harangozo, Sally Hatton, Liz Heazell, James Hockney, Mark Howell, Peter Johnson, Sebastian Kindersley, Janet Lockwood, Mervyn Loynes, Ray Manning, Robin Martlew, Mike Mason, David McCraith, David Morgan, Lorraine Morgan, Cicely Murfitt, Deborah Roberts, Neil Scarr, Bridget Smith, Hazel Smith, Julia Squier, Richard Summerfield, Peter Topping, Susan van de Ven, Bunty Waters, John Williams, Tim Wotherspoon and Nick Wright

Officers:	Patrick Adams	Senior Democratic Services Officer
	Alex Colyer	Executive Director, Corporate Services
	Steve Hampson	Executive Director, Operational Services
	Greg Harlock	Chief Executive
	Stephen Hills	Corporate Manager, Affordable Homes
	Caroline Hunt	Principal Planning Policy Officer
	Gareth Jones	Corporate Manager, Planning & Sustainable Communities
	Fiona McMillan	Acting Legal & Democratic Services Manager and Deputy Monitoring Officer
	Stephen Reid	Senior Planning Lawyer

Apologies for absence were received from Councillors Jaime Dipple, Raymond Matthews, Alex Riley, Jim Stewart and Robert Turner.

PRESENTATION

52. DECLARATIONS OF INTEREST

Councillors John Batchelor, Sebastian Kindersley, Tony Orgee and Susan van de Ven declared personal interests in the Motion on the Guided Bus, as County Councillors.

Councillor Nigel Bolitho declared a personal interest in the item on the Development Plan Document, as a receiver of rent on a small unit of land.

Councillor Neil Scarr declared a personal interest in the item on the Development Plan Document, as an employee of Cambridgeshire NHS Trust, which owned a site included in the aforementioned document.

53. MINUTES

The minutes of the meeting held on 26 November 2009 were agreed as a correct record subject to the following amendments:

On page 1, under the heading "PRESENTATION" the word "presented" in the first

sentence was amended to “offered”.

On page 4, under the heading “Housing Services Review” the final paragraph was amended to read:

“The vote was declared invalid by the Chairman. The proposal, on being put again, was declared **LOST**, with 22 Members voting in favour and 25 against.”

On page 4, under the heading “Waste & Recycling Strategic Review” the following paragraph was added as the first sentence:

“It was noted that recycling banks would be removed, as per the existing policy, where the owner(s) of a particular site requested it or where the quantity of materials collected was so low as to adversely affect the financial viability of maintaining collections.”

54. ANNOUNCEMENTS

None.

55. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

55 (a) From Cllr Frances Amrani to Cllr Mark Howell, Housing Portfolio Holder

Councillor Frances Amrani asked the New Communities Portfolio Holder the following question:

“What steps can this Council take to support local developers in finding suitable Registered Social Landlords (RSLs) and ensure local social housing is being provided as fully as possible within the District? Are there any ways in which the Council can ensure the paperwork on our side is processed more efficiently to reduce the timescales involved in such transactions?”

Councillor David Bard explained that the Council played a facilitating role in trying to ensure that developers and RSLs worked together to maximise the number of affordable housing units delivered, but the authority did not have the power to enforce an agreement.

55 (b) From Cllr John Williams to Cllr Tom Bygott, Policy and Performance Portfolio Holder

Councillor John Williams asked the Policy and Performance Portfolio Holder the following question:

Can we have the Portfolio Holder’s assurance that Councillors will be consulted on the new e-mail system before it is put in place, so that the present deficiencies of the system can be sorted out to members’ satisfaction?

Councillor Tom Bygott responded by stating that he would be setting up a cross-party working group to test the new system. He agreed to speak to officers about extending an invitation to this group to all members.

55 (c) From Cllr Susan van de Ven to the Planning Portfolio Holder

Councillor Susan van de Ven asked the Planning Portfolio Holder the following question: Please could the Portfolio Holder update members on developments in Council policy on pre-application planning fees for affordable housing on exception sites?

Councillor Nick Wright explained that since the new rules had been introduced on 5

October 2009 £11,000 had been received and it was expected that £20,000 would be raised per annum. He explained that there would be no charge for all development sites that were 100% affordable housing, nor would charities be charged. Fees would be charged for applications for sites that included both market and affordable housing. He invited Councillor van de Ven to speak to him following the meeting about a specific application.

55 (d) From Cllr Mike Mason to Policy & Performance and Finance & Staffing Portfolio Holders

Councillor Mike Mason asked the Leader the following question:
Bearing in mind the very high procurement costs, poor performance of contractors and suppliers of software in recent years, together with the need to find £2.2 million in budget savings, is the current procurement recommendation to Council in respect of a joint service agreement with Uttlesford DC, risk free, prudent, or appropriate at this point in the recession?

Councillor Ray Manning stated that these points would be addressed under the agenda item: Consideration of Revenues / Benefits Partnership with another Local Authority.

56. PETITIONS

None.

57. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

57 (a) Housing Services Review - Property Services (Cabinet, 14 January 2010)

Councillor Sebastian Kindersley raised a point of order, stating that as this proposal was very similar to that discussed at the last meeting of Council it could not be discussed again without 12 Councillors' signatures or the suspension of Standing Orders. The Chief Executive addressed the meeting and explained that it was considered that the proposal was substantially different from the proposal before the last Council meeting and therefore it was not deemed necessary to get 12 signatures, but that if the meeting preferred it could suspend Standing Orders for this item. After a brief discussion Council suspended Standing Orders for this item.

Councillor Mark Howell presented this item. He explained that the pension rules were changing on 31 March and it was agreed that the Council should consider paying in lieu of notice to allow officers to retire on a full pension.

It was agreed that the resolution should be amended to include a maximum figure for the proposed authorised expenditure and on the advice of the Chief Executive this was set at £150,000.

Councillor Howell moved and Councillor Ray Manning seconded and Council

RESOLVED That the Chief Executive, in consultation with the Leader of the Council and the Finance and Staffing Portfolio Holder, be authorised to approve expenditure outside the budgetary provision, of up to £150,000, to meet the costs of any redundancies, early retirements and payment in lieu of notice brought about as a consequence of the restructuring proposals for the Property Service.

57 (b) Consideration of Revenues / Benefits Partnership with another Local Authority / Authorities (Cabinet, 14 January 2010)

Councillor Manning sought the leave of Council to withdraw the report on this item from the Agenda as it needed to be discussed further at the next meeting of Cabinet. Council **AGREED** that the item be withdrawn.

57 (c) DUXFORD and WHITTLESFORD: Boundary Review (Electoral Arrangements Committee, 17 December 2009)

Councillor Nigel Bolitho moved and Councillor Peter Topping seconded and Council

RESOLVED That the boundary between Duxford and Whittlesford be moved from its current position along the centre of Royston Road and Station Road to the centre of the current A505 bypass road.

57 (d) Members' Allowances Scheme (Standards Committee, 9 December 2009)

Kathy English, the Chairman of the Standards Committee, presented this item. Councillor Cicely Murfitt proposed, Councillor Janet Lockwood seconded and Council

RESOLVED that the South Cambridgeshire District Council Members' Allowances Scheme be amended as follows:

- (a) Insert as paragraph 3 (2): "Where a member is fully suspended from his or her responsibilities or duties as a member of this authority in accordance with part III of the Local Government Act 2000 or regulations made under that Part, the part of basic allowance payable to him or her in respect of the period for which he or she is suspended will be withheld by the authority."
- (b) Insert as paragraph 4 (4): "Where a member is suspended from his or her responsibilities or duties as a member of an authority in accordance with part III of the Local Government Act 2000 or regulations made under that Part, and where that member receives a special responsibility allowance, the special responsibility allowance payable to him or her in respect of the period for which he or she is suspended will be withheld by the authority."
- (c) Insert as paragraph 4 (5): "Where a member is partially suspended from his or her responsibilities or duties as a member of an authority in accordance with part III of the Local Government Act 2000 or regulations made under that Part, and where that member receives a special responsibility allowance for responsibilities or duties relating to body to which the partial suspension has been applied, the special responsibility allowance payable to him or her in respect of the period for which he or she is partially suspended will be withheld by the authority."
- (d) Insert after paragraph 23: "Where a member is suspended or partially suspended from his or her responsibilities or duties as a member of an authority in accordance with part III of the Local Government Act 2000 or regulations made under that Part, that member will not be able to claim for dependants' carers' and travel and subsistence allowances for duties and responsibilities relating to the body or bodies from which the member has been suspended."

58. MEMBERS' ALLOWANCES 2010/11

The Chairman introduced this item which recommended that there should be no increase in Members' basic allowance for 2010/11 and that the Special Responsibilities Allowance for the Licensing Chairman be reduced to £500 per annum.

Whilst this proposal met with unanimous support it was hoped that in the future, after an

economic recovery, the Independent Remuneration Panel would see fit to recommend an increase in Members' Allowance to try and ensure that those with full time jobs were not discouraged from becoming Councillors. It was recognised that only Council could agree the Members' Allowances.

The Chairman proposed and the Vice-Chairman seconded and Council **RESOLVED** that

- (a) There be no increase in any aspect of the Members' Allowances for the municipal year 2010/11;
- (b) There should be a reduction in the Special Responsibilities Allowance for the Licensing Chairman to £500 per annum, effective from 1 April 2010.

59. LOCAL GOVERNMENT FRAMEWORK (LDF) - SITE SPECIFIC POLICIES DEVELOPMENT PLAN DOCUMENT (DPD) - FINAL ADOPTION

Councillor David Bard introduced this item, which recommended the adoption of the Site Specific Policies Development Plan Document. He explained that the Plan could not now be amended and, in response to the suggestion that a decision should be delayed as a change of Government could mean a change in Government policy, he explained that a new Government policy could not be applied retrospectively and that the Plan would still have to be agreed, either by the Council or by the Secretary of State, for which a fee would be charged. Whilst it was recognised that not all the recommendations of Councillors had been accepted, it was understood that to reject the whole plan could mean that important concessions regarding the rejection of development throughout the District would be lost.

Council thanked the Planning Policy Manager and his team for their work carried out in the drawing up of the Plan.

A recorded vote was requested and supported by six members.

A vote was taken and with 32 votes in favour, nine against and 7 abstentions Council **RESOLVED TO ADOPT**

- (a) The Site Specific Policies Development Plan, as contained in Appendix 2;
- (b) The revisions to the adopted Proposals Map, as contained in Appendix 3.

Voting was as follows:

For the Recommendations:

Councillor David Bard	Councillor Richard Barrett
Councillor Val Barrett	Councillor John Batchelor
Councillor Anthony Berent	Councillor David Bird
Councillor Francis Burkitt	Councillor Brian Burling
Councillor Pippa Corney	Councillor Simon Edwards
Councillor Susan Ellington	Councillor Janice Guest
Councillor Roger Hall	Councillor Stephen Harangozo
Councillor Liz Heazell	Councillor Mark Howell
Councillor Sebastian Kindersley	Councillor Janet Lockwood
Councillor Mervyn Loynes	Councillor Ray Manning
Councillor David McCraith	Councillor Charlie Nightingale
Councillor Tony Orgee	Councillor Julia Squier
Councillor Bridget Smith	Councillor Hazel Smith
Councillor Richard Summerfield	Councillor Peter Topping
Councillor Susan van de Ven	Councillor Bunty Waters

Councillor Tim Wotherspoon

Councillor Nick Wright

Against the recommendations

Councillor Frances Amrani

Councillor Neil Davies

Councillor Sandra Doggett

Councillor Mike Mason

Councillor Neil Scarr

Councillor Thomas Bygott

Councillor Douglas de Lacey

Councillor Sally Hatton

Councillor Deborah Roberts

Abstentions

Councillor Trisha Bear

Councillor James Hockney

Councillor David Morgan

Councillor John Williams

Councillor Jonathan Chatfield

Councillor Peter Johnson

Councillor Lorraine Morgan

Council **NOTED**

- (a) The Sustainability Appraisal Adoption Statement as contained in Appendix 4; and
- (b) The Habitats Habitat Regulations Assessment Screening Reports for the Site Specific Policies DPD and for the Housing Shortfall sites as contained in Appendices 5 and 6.

60. CONSIDERATION OF MOVING TO FOUR-YEARLY MEMBER ELECTIONS

Councillor Ray Manning presented this report which asked Council to determine whether to consult on a proposal to move to four-yearly elections from the current system of elections by thirds. He explained that moving to four-yearly elections would save the Council £27,000 a year.

The suggestion that moving to all-out four yearly elections would give an administration a clear mandate was countered with the view that it was more democratic to allow residents to vote every year. The suggestion that it was easier to plan training programmes for new members on a four yearly cycle was countered with the view that having elections in thirds ensured a continuity of experience amongst Members.

A vote was taken and by 41 votes to 10, with one abstention, Council

RESOLVED that the present system of elections by thirds be retained, consultation on a move to all-out elections to be not pursued further at this time.

61. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

61 (a) Update from Cllr Sandra Doggett on Crossroads West-Anglia

Council **NOTED** the report.

61 (b) Update from Cllr Frances Amrani on the Airport Consultative Committee

It was noted that if Marshalls were unable to move to a new site, the Council would have to find an alternative site for new housing within the District. Councillor David Bard, New Communities Portfolio Holder, explained that he was liaising with Cambridgeshire Horizons on this matter. Opposition to development on the Marshalls site was also expressed.

61 (c) Update from Cllr Bridget Smith on the Children's Trust

It was noted that reports from Member Champions were received by Cabinet and not Council.

Council **NOTED** the report.

61 (d) Update from Cllrs Nigel Bolitho and Frances Amrani on Cambridge and District Citizens' Advice Bureau Management Committee Trustee Board

Council **NOTED** the report.

62. NOTICES OF MOTION**62 (a) Standing in the name of Cllr Douglas de Lacey**

Councillor Douglas de Lacey proposed and Councillor John Williams seconded the following motion:

“The recent imposition of a secure email system has led to a considerable reduction in members reading communications intended for them. To improve communications with and between members: a) Members may request that emails to “elected@scams.gov.uk” are sent to their private email addresses, and b) Officers shall be instructed to use whatever personal email addresses Members wish when corresponding with them; except where the material is of a confidential nature, in which case the secure email system should still be used.”

Councillor Bygott proposed that the matter be deferred to enable a cross-party group to consider the issues. The Chief Executive explained that there was no provision for deferring a motion and so this proposal was lost.

It was stated that residents should be able to contact members by using the cllr.surname@scams.gov.uk, which they will not be able to use if members continue to use their personal e-mail addresses for Council businesses. Concerns were also expressed regarding the fact that e-mails sent from private e-mail addresses could be deleted, thus avoiding Freedom of Information Act requests, which did not promote open government, although it was noted that any e-mail sent to a Council e-mail address would be disclosable. It was stated that the new system ensured that Members kept their personal and Council e-mails separate, which was good practice.

In conclusion Councillor de Lacey stated that officers should be permitted to use a Councillor's personal e-mail address if necessary.

The Motion on being put was declared lost, with 15 Members voting in favour, 30 against and two abstentions.

62 (b) Standing in the names of Cllrs James Hockney and David Morgan

Councillor James Hockney proposed and Councillor David Morgan seconded the following motion:

“This Council calls on the Government to do more to encourage householders and local shops to clear snow and spread grit on the paths and frontages of their properties. It calls on the Government to end the confusion over liability which is preventing this happening. The same lack of support and guidance is preventing Parish Councils and local businesses from clearing and gritting roads, footpaths, bus and school routes. It is

a scandal that those wanting to help are prevented by a lack of leadership and by a Government failing to clarify the law.”

Concern was expressed at reports that the Cambridgeshire and Peterborough Association of Local Council had advised parish councils not to clear snow due to fear of litigation. It was agreed that residents should be encouraged to clear snow, as good citizens.

Council unanimously **RESOLVED** that the above Motion be approved.

62 (c) Standing in the names of Cllr Cicely Murfitt and Liz Heazell

Councillor Cicely Murfitt proposed and Liz Heazell seconded the following Motion, which had been amended from the Motion on the agenda:

“This Council warmly supports the work done by the Village Warden Schemes within South Cambridgeshire in supporting our elderly residents. Council therefore requires the relevant portfolio holder to give a definite statement that the existing grant-aid for the scheme in the Mordens and other similar schemes will continue after the financial year 2010-2011.”

It was noted that the Council was liaising with Age Concern regarding the accessing of funding for Village Wardens.

Councillor Mark Howell proposed and Councillor Ray Manning seconded an amendment to the Motion, substituting the words “requires the relevant portfolio holder to give a definite statement” with the word “hopes”. Councillor Cicely Murfitt did not accept this amendment and so a vote was taken and with 26 votes in favour, 19 against and no abstentions Council **AGREED** the amendment to the motion.

A vote was taken and with 29 votes in favour, 13 against and three abstentions, Council **RESOLVED** that the following amended Notice of Motion be approved:

“The Council warmly supports the excellent work done by the Village Warden Schemes within South Cambridgeshire in supporting our elderly residents. Council therefore hopes that the existing grant-aid for the scheme in the Mordens and other similar schemes will continue after the financial year 2010-2011.”

62 (d) Standing in the name of Cllr Mike Mason

Councillor Mike Mason proposed and Councillor Manning seconded the following Motion, which Council **AGREED**:

“Council Notes the grave concern of Cambridgeshire Taxpayers with reference to the County Council’s failure:-

- (i) to deliver any part of the Guided Bus System, now three years after the projected completion date.
- (ii) to keep the public, City and District partner Authorities properly informed as to contractor performance and cost overrun.

And hereby formally requests the County Council to issue a comprehensive public statement concerning the future operation and likely cost of the Cambridgeshire Guided Bus Scheme.”

Councillor Tony Orgee abstained from voting.

62 (e) Standing in the name of Cllrs Nigel Bolitho and Richard Barrett

Councillor Nigel Bolitho proposed and Councillor Richard Barrett seconded the following motion:

“This Council appreciates the sterling efforts made by our Staff in continuing to deliver services to all our residents during the difficult weather conditions over Christmas and into the New Year. We ask that the Chief Executive conveys this message to all Staff at Cambourne. We also ask the Executive Director to pass on our gratitude to the refuse collection operatives, housing repair teams and all those staff working from the Waterbeach depot.”

It was agreed that the words after “Staff” were superfluous and could be removed. It was noted that the Chief Executive had already thanked officers and the purpose of this motion was for Members to do the same. The work of the refuse collection operatives was singled out for special praise.

Council unanimously **RESOLVED** that the following Notice of Motion be approved:

“This Council appreciates the sterling efforts made by our Staff in continuing to deliver services to all our residents during the difficult weather conditions over Christmas and into the New Year. We ask that the Chief Executive conveys this message to all Staff.”

62 (f) Standing in the name of Cllr Kindersley

This motion was withdrawn by Councillor Sebastian Kindersley.

63. CHAIRMAN'S ENGAGEMENTS

The Chairman added his attendance at the opening of a Multi-Use Games Area at Oakington Village Hall on Wednesday 27 January 2010.

The Meeting ended at 5.50 p.m.
