SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Council held on Thursday, 23 May 2013 at 2.00 p.m.

PRESENT: Councillor Tony Orgee – Chairman

Councillor David Bard - Vice-Chairman

Councillors: Richard Barrett, Val Barrett, Francis Burkitt, Tom Bygott, Nigel Cathcart,

Pippa Corney, Neil Davies, Simon Edwards, Alison Elcox, Sue Ellington, Andrew Fraser, Jose Hales, Roger Hall, Lynda Harford, Tumi Hawkins,

Roger Hickford, James Hockney, Mark Howell, Caroline Hunt, Peter Johnson, Sebastian Kindersley, Douglas de Lacey, Janet Lockwood, Mervyn Loynes, Ray Manning, Mick Martin, Raymond Matthews, David McCraith, Cicely Murfitt, Charles Nightingale, Alex Riley, Deborah Roberts, Neil Scarr, Ben Shelton, Bridget Smith, Hazel Smith, Edd Stonham, Peter Topping, Robert Turner, Susan van de Ven, Bunty Waters, Aidan Van de Weyer, David Whiteman-

Downes, John Williams, Tim Wotherspoon and Nick Wright

Officers: Alex Colyer Executive Director, Corporate Services

Jean Hunter Chief Executive

Fiona McMillan Legal & Democratic Services Manager and

Monitoring Officer

Graham Aisthorpe-Watts Democratic Services Team Leader

Apologies for absence were received from Councillors Trisha Bear, Brian Burling, Jonathan Chatfield, Steve Harangozo, Clayton Hudson, Robin Page and Jim Stewart.

PRESENTATION

The Chairman reported that he had raised approximately £3,000 during his term of office for the Arthur Rank Hospice, East Anglia Children's Hospice (EACH) and Help for Heroes, his three chosen charities. Each charity would be presented with a share of this money in due course.

1. ELECTION OF CHAIRMAN 2013/14

On the nomination of Councillor Ray Manning, seconded by Councillor Sebastian Kindersley and there being no further nominations, Council **RESOLVED** that Councillor David Bard be elected Chairman of the Council for the 2013/14 civic year.

Councillor Bard signed the acceptance of office. He thanked Members for their confidence in him for the role and paid tribute to the outgoing Chairman, Councillor Tony Orgee, as an excellent mentor who chaired Council meetings with grace and precision and would be a hard act to follow.

2. APPOINTMENT OF VICE-CHAIRMAN OF THE COUNCIL 2013/14

The Chairman invited nominations for the appointment of Vice-Chairman of the Council for the 2013/14 civic year.

Councillor Sue Ellington was nominated by Councillor Ray Manning, which was seconded by Councillor Simon Edwards.

Councillor Douglas de Lacey was nominated by Councillor Bridget Smith, which was seconded by Councillor Deborah Roberts.

Both nominees left the Council Chamber during the undertaking of a ballot and, with 29 votes compared to 16, Council **RESOLVED** that Councillor Sue Ellington be appointed Vice-Chairman of the Council for the 2013/14 civic year.

Councillor Ellington signed the acceptance of office.

3. DECLARATIONS OF INTEREST

No declarations of Members' interests were made at this stage of proceedings.

4. REGISTER OF INTERESTS

No changes were reported by Members with regard to their Register of Members' Financial and Other Interests forms.

5. MINUTES

The minutes of the previous meeting of Council held on 25 April 2013 were confirmed and signed by the Chairman as a correct record.

6. ANNOUNCEMENTS

Councillor David Bard, Chairman of the Council, announced that two of his chosen charities would be Help for Heroes and the East Anglian Air Ambulance. He intended to choose a third charity but would provide an opportunity for District Council staff to make suggestions as to which charity this should be.

Jean Hunter, Chief Executive, provided Members with the results of the District Council by-elections held on 2 May 2013. The Council congratulated Councillors Andrew Fraser of Balsham Ward, Susan van de Ven of Meldreth Ward and Aidan Van De Weyer of Orwell and Barrington Ward on being elected.

Councillor Ray Manning, Leader of the Council, announced two changes to his Cabinet that took effect on 15 May 2013. Councillor Mick Martin had been appointed as Portfolio Holder for Environmental Services, in place of Councillor Sue Ellington, and Councillor Whiteman-Downes had been appointed as Portfolio Holder for Corporate and Customer Services, in place of Councillor James Hockney. It was noted that Councillor Sue Ellington would continue her work on health and wellbeing in South Cambridgeshire as the Council's Health and Wellbeing Champion.

7. ESTABLISHMENT OF COMMITTEES, ALLOCATION OF SEATS AND APPOINTMENTS

Council considered a report setting out the establishment of committees, the allocation of seats on committees, the appointment of Members to committees and joint bodies and the appointment of the Council's lead Independent Person and Deputy Independent Person.

Councillor Ray Manning, Leader of the Council, moved the following proposal: -

- (1) That Council approves: -
 - (a) The abolition of the Sustainable Energy Committee.
 - (b) The establishment of a second Scrutiny and Overview Committee entitled 'Partnerships Review Committee'.

(c) The award of a Special Responsibility Allowance to the Chairman and Vice-Chairman of the Partnerships Review Committee, at the same level as the current Chairman and Vice-Chairman of the Scrutiny and Overview Committee, respectively.

- (d) The allocation of seats, as set out in Appendix A to the report.
- (e) The nominations of the political groups to seats on committees, as set out in Appendix B to the report.
- (f) The appointment of Chairmen and Vice-Chairmen, as set out in Appendix C to the report.
- (g) The appointment of Grant Osbourn as the Council's lead Independent Person.
- (h) The appointment of Gillian Holmes as the Council's deputy Independent Person.
- (2) That a report be submitted to the meeting of Council on 25 July 2013, setting out the constitutional changes required as a result of the proposed changes to the committee structure being implemented.

In presenting the report, Councillor Manning referred to the proposed abolition of the Sustainable Energy Committee. He acknowledged the good work the committee had done but felt that it was time to move the agenda forward so that it was more focussed. The new Partnerships Review Committee or Scrutiny and Overview Committee, for example, could instigate a Task and Finish Group to review issues relating to climate change or sustainable energy, with any outcomes being reported directly to the Leader as responsible Portfolio Holder. He also welcomed consideration of these issues at his Portfolio Holder Meetings. The Leader envisaged the Partnerships Review Committee having a key role due to the increased workload of the Scrutiny and Overview Committee and the fact that more partnerships, whether formal or informal, were being set up in the district.

The proposal was seconded by Councillor Simon Edwards, Deputy Leader and Portfolio Holder for Finance and Staffing.

The Chairman indicated that a vote would be held on each aspect of the motion separately.

Councillor Sebastian Kindersley, Leader of the Opposition, moved an amendment to withdraw (1)(a), (1)(b) and (1)(c) from the motion and refer them to the Civic Affairs Committee for consideration. He was of the opinion that the Civic Affairs Committee should have considered these proposals as part of its constitutional review remit prior to Council being asked to make this decision.

The amendment was seconded by Councillor Douglas de Lacey, who was concerned that the Council was in breach of its constitution by making changes to the committee structure at this stage and in this fashion.

Members noted that Council Standing Order 1.1(b)(ix) provided for the Council at its annual meeting to appoint a least one Scrutiny and Overview Committee, a Civic Affairs Committee, the Licensing Committee (2003 Act) and any other committees that the Council considered would be appropriate, provided they did not deal with matters reserved to the Council itself or executive functions.

With 15 votes in favour and 32 against the amendment was **LOST**.

(Councillor Peter Topping arrived at the meeting at this stage of proceedings).

In debating the abolition of the Sustainable Energy Committee, Members opposed to the proposal were concerned that the Council would lose a valuable forum where proactive ideas regarding climate change and sustainable energy had often been developed. Additionally, they understood that the Council's lead support officer for this agenda would soon be leaving the authority and agreed that this was justification in itself for maintaining the committee. It was also noted that the Sustainable Energy Committee was considered as a regional exemplar.

Councillor Manning emphasised the importance of the Sustainable Energy Parish Partnership and he was currently in the process of seeking to increase the uptake of villages, with an update report due to his next Portfolio Holder Meeting. He reiterated the points he had previously made regarding the role of the Scrutiny and Overview Committee, the Partnerships Review Committee, Task and Finish Groups and his Portfolio Holder Meetings with regard to the way in which sustainable energy and climate change issues could be considered.

Voting on the substantive motion, with 30 votes in favour and 18 against Council **APPROVED** the abolition of the Sustainable Energy Committee.

Council unanimously **APPROVED** the establishment of a second Scrutiny and Overview Committee entitled 'Partnerships Review Committee'.

Councillor Bridget Smith moved an amendment to (1)(c) of the motion so that it read: -

"The award of a Special Responsibility Allowance to the Chairman and Vice-Chairman of the Partnerships Review Committee and the Chairman and Vice-Chairman of the Scrutiny and Overview Committee at 50% of the same level as the current Chairman and Vice-Chairman of the Scrutiny and Overview Committee, being £1,747.50 and £874 respectively."

Councillor Smith could not justify increasing any aspect of the Members' Allowances Scheme when the Council agreed to freeze the Scheme as part of its budget in February 2013. In addition, she did not think that there would be enough work to warrant the two committees receiving the same Special Responsibility Allowance as the existing Chairman and Vice-Chairman of the Scrutiny and Overview Committee.

Councillor John Williams seconded the amendment and, whilst echoing the comments made by Councillor Smith, asked where the additional money would come from.

It was noted that this would be added to the Council's savings targets.

With 18 votes in favour, 26 against, 3 abstentions and 1 not voting the amendment was **LOST**.

Voting on the substantive motion, with 26 votes in favour, 19 against, 1 abstention and 2 not voting Council **APPROVED** the award of a Special Responsibility Allowance to the Chairman and Vice-Chairman of the Partnerships Review Committee, at the same level as the current Chairman and Vice-Chairman of the Scrutiny and Overview Committee, respectively.

Councillor John Williams moved an amendment to (1)(d) of the motion, to decrease the number of seats on the Partnerships Review Committee from nine to eight, thereby decreasing the Liberal Democrat entitlement on the committee from three to two, and to increase the number of seats on the Scrutiny and Overview Committee from nine to ten, thereby increasing the Liberal Democrat entitlement on the committee from two to three.

Councillor Williams explained that this amendment sought to add equal weight to the proportionality of the Scrutiny and Overview Committee, which as proposed would see six Conservative Councillors on the committee with two Liberal Democrats and one Independent.

The amendment was seconded by Councillor Hawkins, who agreed with these sentiments.

In response, it was noted that the balance on committees was proportionate, taking into account the Council's political balance, in that the Partnerships Review Committee would consist of five Conservative Councillors, three Liberal Democrats and one Independent.

With 17 votes in favour, 29 against, 1 abstention and 1 not voting the amendment was **LOST**.

Voting on the substantive motion Council unanimously **APPROVED** the allocation of seats on committees as follows: -

Committee	No. of seats	Conservatives	Liberal Democrats	Independent Group
Civic Affairs	13	8	3	2
Corporate Governance	8	5	2	1
Employment	8	5	2	1
Licensing	15	9	4	2
Planning	13	8	3	2
Partnerships Review	9	5	3	1
Scrutiny & Overview	9	6	2	1
Total	75	46	19	10

Councillors Sebastian Kindersley and Douglas de Lacey, Political Group Leaders, submitted some additions and amendments to their groups' membership nominations which were accepted as part of the motion, further to which the Council unanimously **APPROVED** the nominations of political groups to seats on committees and joint bodies, as set out below: -

Civic Affairs Committee

ConservativesLiberal DemocratsIndependent GroupDavid BardSebastian KindersleyDouglas de LaceySimon EdwardsJanet LockwoodNeil Davies

Alison Elcox Jim Stewart

Ray Manning Raymond Mathews Tony Orgee Robert Turner

Bunty Waters

Substitutes in hierarchical list:

Conservatives James Hockney

Roger Hall Richard Barrett Charlie Nightingale **Liberal Democrats** Jose Hales

Susan van de Ven Hazel Smith

Independent Group

Edd Stonham Sally Hatton Neil Scarr **Deborah Roberts**

Robin Page

Corporate Governance Committee

Conservatives

Richard Barrett Francis Burkitt

Andrew Fraser David McCraith Peter Topping

Liberal Democrats Independent Group Bridget Smith

Douglas de Lacey

Substitutes in hierarchical list:

Conservatives Charlie Nightingale

Ben Shelton

Liberal Democrats

Hazel Smith

Jim Stewart

John Williams

Independent Group Non-Group Nigel Cathcart See Non-Group

Edd Stonham (Seat offered by **Neil Davies** the Independent Neil Scarr Group)

Deborah Roberts

Employment Committee

Conservatives

Val Barrett

Liberal Democrats Independent Group

Sebastian Kindersley Edd Stonham

Simon Edwards Lynda Harford

Caroline Hunt Alex Riley

Conservatives

Peter Topping Charlie Nightingale

Substitutes in hierarchical list: **Liberal Democrats**

Bridget Smith

Independent Group

Neil Scarr **Neil Davies**

Douglas de Lacev Deborah Roberts Sally Hatton

Licensing Committee

Conservatives

Liberal Democrats Richard Barrett Trisha Bear Jose Hales Val Barrett Andrew Fraser Janet Lockwood Roger Hall See Non-Group

Mervyn Loynes **Raymond Matthews** Charlie Nightingale

Alex Riley See Non-Group **Independent Group Non-Group**

Deborah Roberts

Neil Scarr Nigel Cathcart (Seat offered by

> the Conservatives) Cicely Murfitt (Seat offered by the Liberal Democrats)

Substitutes in hierarchical list:

Conservatives
Alison Elcox
Mick Martin

Liberal DemocratsHazel Smith

Independent Group
Douglas de Lacey
Neil Davies
Edd Stonham
Sally Hatton
Robin Page

Planning Committee

Conservatives Liberal Democrats Independent Group

David Bard Tumi Hawkins Neil Scarr

Val Barrett Sebastian Kindersley Deborah Roberts

Brian Burling Hazel Smith

Lynda Harford Caroline Hunt Ben Shelton Robert Turner Nick Wright

Substitutes in hierarchical list:

Conservatives Liberal Democrats **Independent Group Non-Group** Charlie Nightingale Trisha Bear Douglas de Lacey Nigel Cathcart Peter Johnson Aidan Van De Weyer See Non-Group (Seat offered by Richard Barrett Jose Hales **Neil Davies** the Independent Ray Matthews Janet Lockwood Edd Stonham Group)

Alex Riley Sally Hatton

Partnerships Review Committee

Conservatives Liberal Democrats Independent Group

Alison Elcox Jose Hales Neil Scarr

Andrew Fraser Janet Lockwood Roger Hall Aidan Van De Weyer

James Hockney Ben Shelton

Substitutes in hierarchical list:

ConservativesLiberal DemocratsIndependent GroupBunty WatersSusan van de VenDeborah RobertsDavid BardTumi HawkinsDouglas de Lacey
Neil Davies
Edd Stonham

Sally Hatton

Scrutiny and Overview Committee

ConservativesLiberal DemocratsIndependent GroupDavid BardJose HalesDouglas de Lacey

Alison Elcox Bridget Smith
Sue Ellington
Lynda Harford
Roger Hickford

Bunty Waters

Substitutes in hierarchical list:

Conservatives Liberal Democrats Independent Group

Andrew Fraser Tumi Hawkins Edd Stonham Roger Hall Aidan Van De Weyer Neil Scarr Val Barrett Neil Davies

Deborah Roberts Robin Page

Northstowe Joint Development Control Committee

Conservatives Liberal Democrats Independent Group

Brian Burling Trisha Bear Edd Stonham Lynda Harford

Alex Riley Tim Wotherspoon

Spokesman: Tim Wotherspoon

Substitutes:

Conservatives Liberal Democrats Independent Group

Simon Edwards Hazel Smith Neil Davies
Pippa Corney Douglas de Lacey

Joint Development Control Committee Cambridge Fringes
Conservatives Liberal Democrats Independent Group

David Bard Aidan Van De Weyer Douglas de Lacey Pippa Corney

Charlie Nightingale
Ben Shelton

Spokesperson: Pippa Corney

Substitutes:

Conservatives Liberal Democrats Independent Group

Tim Wotherspoon Janet Lockwood Edd Stonham Tom Bygott Jim Stewart Neil Davies

Northstowe Transport Working Group

Conservatives Liberal Democrats Independent Group

Ray Manning Hazel Smith

Alex Riley

Substitutes:

Conservatives Liberal Democrats Independent Group

Tim Wotherspoon Trisha Bear Lynda Harford Tumi Hawkins

Council unanimously **APPROVED** the appointment of Chairmen and Vice-Chairmen to committees, as follows: -

Committee	Chairman	Vice-Chairman
Civic Affairs	David Bard	Tony Orgee
Corporate Governance	Francis Burkitt	David McCraith
Employment	Val Barrett	Simon Edwards
Licensing	Alex Riley	Raymond Matthews
Planning	Robert Turner	Lynda Harford
Partnerships Review	Ben Shelton	James Hockney
Scrutiny and Overview	Roger Hickford	Sue Ellington

Council unanimously **APPROVED** the appointment of Grant Osbourn as the Council's lead Independent Person.

Council unanimously **APPROVED** the appointment of Gillian Holmes as the Council's deputy Independent Person.

Council unanimously **RESOLVED** that a report be submitted to the meeting of Council on 25 July 2013, setting out the constitutional changes required as a result of the proposed changes to the committee structure being implemented.

8. APPOINTMENTS TO OUTSIDE BODIES

Council **APPROVED** the appointment of Councillor Susan van de Ven to the North Hertfordshire and District Citizen's Advice Bureau for a period of four years or until the end of the appointee's term of office, whichever is sooner.

9. MAJOR OPPOSITION GROUP LEADER'S ANNUAL WRITTEN STATEMENT

Councillor Sebastian Kindersley, Major Opposition Group Leader, provided the Council with his annual written statement for 2012/13.

In presenting his statement, Councillor Kindersley expressed his disappointment that all committee Chairmen had again been allocated from the lead political group. He referred to the proposed acquisition of the Mettle Hill gypsy and traveller site in 2012, which he felt caused unnecessary upheaval for the Parish Council and residents in the area. Councillor Kindersley was also critical of the way in which Cabinet had handled the Government's proposals to redevelop the A14 and highlighted the cuts that had been made by the Leader of the Council to the grants programme.

Councillor Kindersley closed with paying tribute to the Council's officers and said that they continued to work over and above the call of duty, showing commitment, care and dedication to South Cambridgeshire residents.

The Major Opposition Group Leader's annual statement was **NOTED**.

10. ANNUAL SCRUTINY AND OVERVIEW COMMITTEE REPORT

Council received the Scrutiny and Overview Committee's annual report for 2012/13.

Councillor Ben Shelton, Chairman of the Scrutiny and Overview Committee for 2012/13, presented the report and thanked members and officers serving the committee for their contributions and support over the last twelve months.

The Scrutiny and Overview Committee's annual report was NOTED.

11. WRITE OFF OF OUTSTANDING DEBTS

Council received a report which notified Members of debts written-off under powers delegated to the Finance and Staffing Portfolio Holder and the Chief Financial Officer, as required by the Council's Constitution.

Councillor Simon Edwards, Deputy Leader and Portfolio Holder for Finance and Staffing, presented the report and emphasised that all appropriate options to recover the debt were attempted before the debt was considered for write-off.

The amount of debt written-off under delegated powers during 2012/13 was **NOTED**.

12. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

No updates on Outside Bodies were reported.

13. AMENDMENTS MADE TO THE CONSTITUTION 2012/13

The amendments made by the Chief Executive to the Constitution during 2012/13 were **NOTED**.

14. QUESTIONS FROM THE PUBLIC

No questions from the public had been received.

15. PETITIONS

No petitions had been received.

16. QUESTIONS ON JOINT MEETINGS

No questions on joint meetings were received.

17. QUESTIONS FROM COUNCILLORS

17 (a) From Councillor Bridget Smith

Councillor Bridget Smith asked the Portfolio Holder for Finance and Staffing the following question: -

"Can the Leader clarify what the cost will be to this Council of remedying the error in Council Tax bills for 3 of our parishes?"

Councillor Simon Edwards, Deputy Leader and Portfolio Holder for Finance and Staffing, reported that this incident was a very unfortunate error which led to an overcharge for the parish element of the respective Council Tax bills for three parishes in the district. As soon as this error was highlighted the Council reviewed its options, which were: -

- to do nothing, which the Council could have legally done due to the tax base having been set;
- to reimburse the Parish Councils affected in the form of a grant for the amount overcharged;
- to re-bill and issue a credit on those bills that were affected.

The Council opted to re-bill and issue a credit on those bills affected, which incurred a cost of £1,350 for some manual adjustments that were required together with approximately £700 of internal officer time.

As a supplementary question, Councillor Smith asked: -

"Did you go public or go about this in a more covert way?"

Councillor Edwards reminded Councillor Smith that the Council was under no obligation to do anything to rectify this error, but he decided that being open and honest about the situation was the right thing to do. He added that it was important to acknowledge the error and put it right, and added his thanks to officers who he said had done a great job doing that.

18. FROM COUNCILLOR TUMI HAWKINS

Councillor Tumi Hawkins asked the Leader of the Council the following question: -

"Up until recently, parishes have been able to apply for and receive funding from the community chest grant to help with their parish plans. However, the Leader decided suddenly and without warning that he would no longer give this grant to parishes to publish plans, depriving one of my parishes of expected funding at the very last minute.

Can the Leader please tell us why he took this decision and so suddenly, and what alternative assistance if any, he put in place to help parishes to publish their parish plans?"

Councillor Ray Manning, Leader of the Council, reported that officers continued to offer support and advice to Parish Councils with regard to the production of their Parish Plans, but clarified that no financial support would be provided by the District Council for this purpose. Support and advice included the signposting of Parish Councils to other avenues of external grant funding that may be available to them. The Leader also suggested that those Parish Councils choosing to produce a Parish Plan could decide to fund them through local precepting.

The Community Chest Grant consisted of approximately £52,000 and the Leader felt at least half of this would be spent on Parish Plans if such financial support was granted by the Council. There would be very little grant funding available, therefore, to deliver some of the capital projects included in the various Plans.

Referring to a request for funding by Toft Parish Council that had recently been turned down, Councillor Hawkins asked the following as a supplementary question: -

"Why did you take this decision so suddenly?"

Councillor Manning explained that officers had contacted the Parish Council by letter and email, as well as attempting contact via telephone, to explain the reasons why grant funding would no longer be provided for Parish Plans. He also highlighted that he did take an interest in the content of Parish Plans, which were often presented to his Portfolio Holder Meetings.

19. CHAIRMAN'S ENGAGEMENTS

Council noted the list of engagements attended by the outgoing Chairman, Councillor Tony Orgee, since the last meeting, as outlined on the agenda.

It was noted that Councillor Orgee had also attended the opening of a playground at Toft on 4 May 2013 and officially started a charity walk at Milton Country Park for Cruse Bereavement Care on 19 May 2013.

The Meeting ended at 4.00 p.m.