

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Civic Affairs Committee held on
Thursday, 20 June 2013 at 10.00 a.m.

PRESENT: Councillor David Bard – Chairman
Councillor Tony Orgee – Vice-Chairman

Councillors: Sebastian Kindersley Janet Lockwood
Ray Manning Raymond Matthews
Jim Stewart Robert Turner
Bunty Waters

Officers: Graham Aisthorpe-Watts Democratic Services Team Leader
David Lord Senior Lawyer
Fiona McMillan Legal & Democratic Services Manager and
Monitoring Officer
Tracy Mann Development Officer
John Pym New Village Senior Planning Officer

Parish Councillor Bob Branch (Chairman of Haslingfield Parish Council), District Councillor Lynda Harford, Grant Osbourn (Lead Independent Person with effect from 1 July 2013) and John Wheelhouse (former Chairman of Haslingfield Parish Council) were in attendance, by invitation.

1. APOLOGIES

Apologies for absence were received from Councillors Neil Davies, Simon Edwards, Alison Elcox and Douglas de Lacey.

2. DECLARATIONS OF INTEREST

Councillor Sebastian Kindersley declared a non-pecuniary interest in minute number 7 as a County Councillor for the Gamlingay electoral division, which included Haslingfield.

3. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 14 March 2013 were **AGREED** and signed by the Chairman as a correct record.

4. APPOINTMENT OF LEAD AND DEPUTY INDEPENDENT PERSONS

Councillor David Bard, Chairman of the Civic Affairs Committee, introduced this item and commenced by reporting that Kathy English and Eric Revell would shortly be standing down as the Council's Lead and Deputy Independent Persons. They had supported the Council's standards processes for the last six to seven years and Councillor Bard extended his thanks to them for their helpful input over that period. It was noted that the transitional arrangements following the introduction of the Localism Act 2011 and the abolition of the former standards regime meant that both Kathy English and Eric Revell could only be appointed as Independent Persons until 30 June 2013 and would not be able to put themselves forward for subsequent terms of office due to being former members of the Standards Committee.

Councillor Bard agreed to write to Kathy English and Eric Revell to thank them on behalf of the committee for their service. In addition, Councillor Sebastian Kindersley proposed a formal motion of thanks to Kathy English and Eric Revell, which was seconded and unanimously **SUPPORTED** by the committee.

Councillor Bard reported that, following a robust recruitment process, the Council made the following appointments at its meeting on 23 May 2013 for the period 1 July 2013 to 30 June 2016: -

- Grant Osborn as lead Independent Person;
- Gillian Holmes as deputy Independent Person.

5. INDEPENDENT PERSON PROTOCOL

Consideration was given to a report setting out an Independent Person Protocol, which sought to clarify the relationship between the lead and deputy Independent Person and South Cambridgeshire District Council in the process of handling standards complaints and the wider promotion of standards. A copy of the proposed Protocol was appended to the report.

The Civic Affairs Committee: -

- a) **ADOPTED** the Independent Person Protocol as detailed in Appendix A of the report.
- b) **AGREED** to review the Protocol in 12 months' time, in consultation with the Independent Person and the Monitoring Officer, to ensure it is still fit for purpose.

6. AMENDMENTS TO THE COUNCIL'S CONSTITUTION

The Civic Affairs Committee considered a report, which suggested a number of amendments to the Council's Constitution further to the decision by Council at its Annual General Meeting on 23 May 2013 to abolish the Sustainable Energy Committee and introduce a second scrutiny and overview committee called the Partnerships Review Committee.

The Civic Affairs Committee **RECOMMENDED** that the Council: -

- a) Approves the revised version of Article 6 of the Constitution, as set out in Appendix A of the report.
- b) Approves the revised version of the Scrutiny and Overview Procedure Rules, as set out in Appendix B of the report.
- c) Approves the amendment of those sections of the Constitution referred to in paragraph 10.1 of the report to reflect the establishment of the Partnerships Review Committee as a second scrutiny and overview committee.
- d) Amends the Member role descriptions under Part 5 of the Constitution relating to the Scrutiny and Overview Committee so that they apply to both the Partnerships Review Committee and the Scrutiny and Overview Committee.
- e) Allocates the Partnerships Review Committee as the authority's Crime and Disorder Committee.

7. TRUMPINGTON MEADOWS COMMUNITY GOVERNANCE REVIEW

The Civic Affairs Committee considered a report which set out Haslingfield Parish Council's request for a Community Governance Review to be undertaken in respect of Trumpington Meadows, pursuant to the provisions of the Local Government and Public Involvement in Health Act 2007.

David Lord, Senior Lawyer, presented the report and informed Members that he had undertaken informal discussion with representatives of the Parish Council on the content of his report prior to the meeting. Copies of the original letter from the Parish Council dated 13 February 2013 were circulated at the meeting, together with the Parish Council's comments on the report. Further to these informal discussions, David Lord removed reference to the occupation level of properties from the first recommendation in the report and replaced this with reference to the application for reserved matters, so that the recommendation read: -

"That the committee agrees that a Community Governance Review should be undertaken to consider the future governance arrangements for the new community at Trumpington Meadows, but that it should not commence until the application for reserved matters has been approved, subject to on-going review by the Civic Affairs Committee".

(Councillor Ray Manning attended the meeting at this stage of proceedings).

David Lord set out some of the legal issues associated with Community Governance Reviews and Parish Councils, highlighting that a Parish Council could only be established with a minimum of 150 electors within its area. The only other governance models that could be put in place were a Parish Meeting or a Shadow Parish Council, but it was agreed that none of these would be appropriate for Trumpington Meadows. The second recommendation in the report, if supported, would enable officers to commence informal discussions with all interest parties and undertake a lot of the background work that would normally take place as part of a Community Governance Review. This would help to ensure that the formal Community Governance Review, whenever it commenced, could be undertaken in a shorter timescale than usual.

Parish Councillor Bob Branch, Chairman of Haslingfield Parish Council, and John Wheelhouse, former Chairman of Haslingfield Parish Council, addressed the meeting and emphasised that parishioners were very keen to see this issue progress. They were therefore keen for the second recommendation to reflect that officers should undertake informal discussions with all interested parties immediately. It was also noted that the Parish Council had to set aside £3,000, which equated to 5% of its precept, for Trumpington Meadows and this amount would increase until a governance arrangement for Trumpington Meadows was resolved.

Discussion ensued on the first recommendation, as amended, and it was suggested that the Community Governance Review should commence when the application for reserved matters was registered, rather than approved, and that this should be subject to on-going review by the Civic Affairs Committee.

Following the proposal and seconding of a motion that was supported unanimously, the Civic Affairs Committee **AGREED** that: -

- a) A Community Governance Review should be undertaken to consider the future governance arrangements for the new community at Trumpington Meadows, but that it should not commence until the application for reserved matters has been registered, subject to on-going review by the Civic Affairs Committee.

- b) Officers should commence informal discussions with all interested parties immediately, with a view to taking 'soundings' on process, boundary treatment and governance structure.

8. NORTHSTOWE COMMUNITY GOVERNANCE REVIEW

Tracy Mann, Development Officer, provided the Civic Affairs Committee with a verbal update on the Northstowe Community Governance Review.

Members were reminded of the informal consultation exercise carried out in 2008 which enabled officers at the time to identify and resolve any potential issues that Parish Councils or local residents had with regard to establishing a new boundary for Northstowe. Officers intended to share the outcomes of this consultation exercise with affected Parish Councils, neighbouring Parish Councils and local residents as part of a new informal consultation process to ensure that current members of the respective Parish Councils and current residents had an opportunity to review the information collated and put forward any new views with regard to the governance arrangements for Northstowe.

It was therefore proposed that liaison initially ensued with affected Parish Councils, taking into account the draft boundary for Northstowe as agreed following the informal 2008 consultation exercise. Informal consultation would then take place with neighbouring Parish Councils and local residents in the form of drop-in sessions, following which it was anticipated that by the end of the year a consensus could be achieved on a proposed boundary for Northstowe in readiness for the commencement of a formal Community Governance Review early in 2014.

The Civic Affairs Committee **NOTED** the update.

9. UPDATE ON CODE OF CONDUCT COMPLAINTS

The Civic Affairs Committee **NOTED** a report which provided an update on complaints cases regarding alleged breaches of the Code of Conduct.

10. TRAINING ON CODE OF CONDUCT

Fiona McMillan, Legal and Democratic Services Manager and Monitoring Officer, informed the Civic Affairs Committee that a training session on the Code of Conduct, predetermination and bias would be held on 3 October 2013 in conjunction with Huntingdonshire District Council.

Councillor David Bard, Chairman of the Civic Affairs Committee, asked the Council's political group leaders to ensure that as many Members as possible attended the training session.

11. PROTOCOL BETWEEN CAMBRIDGESHIRE/PETERBOROUGH MONITORING OFFICERS AND CAMBRIDGESHIRE POLICE

The Civic Affairs Committee **NOTED** that the Council's Monitoring Officer signed a joint protocol on 10 May 2013 with Cambridgeshire Police, Huntingdonshire District Council and East Cambridgeshire District Council to set out liaison procedures between Monitoring Officers and the Police on handling Councillor complaints where there was a potential criminal sanction. A copy of the joint protocol was attached to the agenda for this meeting.

12. DATES OF NEXT MEETING

It was **AGREED** that future meetings of the Civic Affairs Committee would be held on 5 December 2013 and 20 March 2014, each commencing at 10.00 a.m.

The Meeting ended at 10.40 a.m.
