



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

**COUNCIL MEETING
THURSDAY, 23 NOVEMBER 2006**

REPORTS AND MINUTES

South Cambridgeshire Hall
Cambourne Business Park
Cambourne, Cambridge
CB23 6ES

If the press and public are likely to be excluded from the meeting during consideration of the following item on the grounds that exempt information is to be considered, it will be necessary to pass the following resolution: "That under Section 100(A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in paragraph (quoting relevant paragraph) of Part 1 of Schedule 12A (as amended) of the Act."

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

TO: The Chairman and Members of the
South Cambridgeshire District Council

NOTICE IS HEREBY GIVEN that the next meeting of the **COUNCIL** will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at **2.00 P.M.** on

THURSDAY, 23 NOVEMBER 2006

and I am, therefore to summon you to attend accordingly for the transaction of the business specified below.

DATED 15 November 2006

GJ HARLOCK
Chief Executive

AGENDA

1. APOLOGIES

2. MINUTES

To authorise the Chairman to sign the Minutes of the meetings held on 28 September and 26 October 2006 as correct records.

(Pages 1 - 8)

3. DECLARATIONS OF INTEREST

4. CHAIRMAN'S ANNOUNCEMENTS

5. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

5 (a) From Councillor NCF Bolitho to the Housing Portfolio Holder

"Has the Rent Service quango redefined the meaning of locality for such areas as Cottenham, Oakington and Bar Hill and restored them to the Cambridge locality rather than mid-Cambridgeshire with the result that fair rents paid to landlords have been put back on their former higher levels? If so, how much did the Council spend in terms of hardship payments to tenants in South Cambridgeshire District Council and will the Council be able to recoup these payments from the Rent Service or other Government agencies?"

5 (b) From Councillor NCF Bolitho to the Resources, Staffing, Information and Customer Services Portfolio Holder

"In respect of Unit J, Broad Lane, Cottenham:

"Now that the environmental protection team leader has recommended that statutory legal proceedings be initiated against the owners of the above property for non-compliance with an abatement notice, when will the legal department issue those proceedings? For almost 18 months the unit has been operating a number of air-conditioning and fume control extractor fans without obtaining planning permission. Consequently the residents living nearby have had to put up with a 24/7 loud hum,

punctuated with clangs when the units stop and start. The first complaint about this noise was made to the environmental protection team in October 2005. It's time for action and without delay."

5 (c) From Councillor MJ Mason to the Leader of the Council

"In view of statements made by the Leader of Council at Cabinet, in the Press and in an email to Members; concerning the possible re-organisation of the Planning Delivery Process for Major Developments at Northstowe, other areas within the District and the City of Cambridge will he now:

- (a) "make the necessary arrangements, in the public interest, fully and completely to inform Members, electors and taxpayers, of the circumstances leading up to those statements by publishing full details of:
 - (i) "All communications between the Minister, Yvette Cooper and Cambridgeshire Horizons, together with minutes of any subsequent meetings or discussions with her department.
 - (ii) "Any direct communications between her Department, Go East and this Council.
 - (iii) "Cambridgeshire Horizon's final written response to the Minister.

"Further, will he give a categorical assurance that Members will have the opportunity to debate fully at Council, these issues and take the final democratic decision on any proposals or options that may emerge in the coming months?

"Further, pending further legal clarification of the relationship between Gallaghers, English Partnerships and HM Government as a potential joint planning applicant, (as promised in an email to Members), will he now request the Executive Director to cease all unproductive work on the existing planning application which may be withdrawn?"

6. PETITIONS

To note the following petitions received since the last Council meeting.

- (1) A petition was received from the residents of Frog End, Shepreth, dated 31 October 2006. The petitioners express opposition to any proposals to build in excess of two residential units at 74 and 76 Frog End. This petition has been passed to Officers, who are in discussions with local residents regarding the issue. It is intended to submit the petition as an Appendix to the Cabinet report on the matter, due for consideration in December 2006.
- (2) A petition was received from the residents of Chaplins Close, Fulbourn, dated 14 November 2006. The petitioners wished to register their strong disapproval at the possibility of their Housing Officer being required to vacate the premises she currently occupied on site. It has been forwarded to the Chief Executive, Leader of the Council and Chairman of the Scrutiny and Overview Committee to determine at which forum it should be considered.

7. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

- 7 (a) Medium Term Financial Strategy 2007/08 to 2010/11 (Cabinet, 9 November 2006)**
Cabinet **RECOMMENDED TO COUNCIL:**

- (a) approval of a Medium Term Financial Strategy (MTFS) based on Appendix 3B, the full savings in Appendix 2 and the following issues:
 - (i) the financial context for the strategy and the future issues facing the Council, in particular the growth agenda;
 - (ii) how the Council compares with other councils in terms of spending, performance and value for money;
 - (iii) how well the Council manages its finances;
 - (iv) clear objectives for the strategy;
 - (v) how the Council will deliver a balanced MTFS;
 - (vi) how it will improve future planning and link planning with its priorities
 - (vii) the future policy for the level of the Council Tax;
 - (viii) the future policy for the use of capital receipts;
 - (ix) how the Council will continue to seek efficiency savings and value for money;
 - (x) how the Transformation Project will contribute to the delivery of the MTFS;
 - (xi) how the workforce plan will be linked to the MTFS; and
 - (xii) how the Council will monitor the MTFS and take action where financial targets are at risk;
- (b) approval of the spending plans in Appendix 1 for 2007/08 (based on the justifications in Appendix 5) for inclusion in the budget and to approve the spending plans for 2008/09 onwards as the basis for future planning;
- (c) approval of the capital programme in Appendix 5;
- (d) that officers be requested to investigate and report back on the "Other initiatives to be pursued / possible avenues for additional sources of finance" in Appendix 2 by June 2007, for consideration in the budget for 2008/09;
- (e) approval of the arrangements for consultation in paragraph 28; and
- (f) that the MTFS be reviewed formally twice a year (in the autumn and in February / March, in the light of the final budget), but that reports be made as part of the quarterly monitoring process at other times of the year when issues affective the deliverability of the MTFS occur.

(Note – Appendices identified in the above recommendation refer to the report submitted to Cabinet on 9 November 2006).

Cabinet agreed to authorise the Chief Executive and Resources, Staffing, Information & Customer Services Portfolio Holder to prepare the final strategy for submission to Council

In accordance with this recommendation Council is recommended to **RESOLVE** that the Medium Term Financial Strategy (report and appendices attached) be approved.

This item will be considered by the Scrutiny and Overview Committee at its meeting on 16 November 2006. Any alternative or additional recommendations to Council following this meeting will be reported.

(Pages 9 - 38)

- 7 (b) Licensing (Gambling) Policy (Cabinet, 9 November 2006)**
Cabinet **RECOMMENDED TO COUNCIL** that the Gambling Act 2005 Policy be adopted as Council Policy.
- 7 (c) FULBOURN: Windmill Estate Redevelopment Proposals (Cabinet, 9 November**

2006)

Cabinet **RECOMMENDED TO COUNCIL** that:

- (a) formal approval be given for a redevelopment scheme for the Windmill Estate, subject to necessary planning consents and Secretary of State approval;
- (b) the existing Council-owned properties and land be transferred to Nene Housing Association at nil cost;
- (c) the scope of any redevelopment scheme should, as far as possible, include all the existing area of the estate **subject to** existing tenants and owner-occupiers being willing and / or able to participate. Where necessary, plans should be amended over time to cater for changing needs and to provide flexibility to accommodate as far as possible the wishes of all the existing residents;
- (d) the preferred tenure mix and house types be as outlined in Option A which will provide 65% as affordable housing (comprising 124 rented and 52 shared ownership units) together with 35% as open market sales within an overall target of 270 homes;
- (e) the following conditions be attached to the approval of a redevelopment scheme:
 - (i) that Nene Housing Association meet all legal costs and home loss / disturbance payments incurred by the Council in respect of the Windmill Estate since 2004/05 to date as well as any future payments and liabilities;
 - (ii) that any amendments to the scheme mix in terms of tenure and / or house types / sizes be agreed in consultation with the Council;
 - (iii) that the Council be entitled to receive nomination rights of 100% of initial lets and 75% of subsequent lettings of all social rented units provided through refurbished and new build affordable housing on the sites and that the Council receive 100% nomination rights in perpetuity to any shared ownership and / or other intermediate tenures;
 - (iv) that the Council not seek to use compulsory purchase powers to facilitate the redevelopment and that as far as possible the wishes of all residents (tenants, owner-occupiers and leaseholders) should be accommodated without compromising the wishes of others on the Windmill Estate;
 - (v) that Nene confirm and make provision to meet contributions previously agreed in principle to the Special Projects Officer role for 2006/07 and 2007/08 and consider future contributions if this post were to be considered essential by both Nene and the Council to delivery of the project beyond 31 March 2008; and
 - (vi) that an acceptable "construction code of practice" be agreed with the contractor that takes regard of non-participating residents; and
- (f) the Council exercise its discretion to waive any discount repayment liability in respect of any Right to Buy sales caught within such provisions if this would enable affected owners to participate in the redevelopment scheme.

7 (d) Disabled Facilities Grant Policy and Funding (Cabinet, 9 November 2006)

Cabinet **RECOMMENDED TO COUNCIL** to support further approval for up to £100,000 to be released if required to cover priority cases and cases where statutory duty may not be met, the release of the additional £100,000 to be delegated to the Environmental Health and Resources, Staffing, Information & Customer Services Portfolio Holders.

7 (e) Second Tier Reorganisation (Transformation Committee, 21 November 2006)

The Transformation Committee, at its meeting on 21 November 2006, will be considering a report on the Second Tier Reorganisation. The report of the Senior Management Team recommends the adoption of a revised second tier structure from 1 January 2007.

Should this recommendation be agreed, Council is **RECOMMENDED** to note the revised structure agreed by the Transformation Committee and approve the associated budget variances for the 2006/07 and subsequent financial years, estimated at £60,000 General Fund (best case scenario) and £5,000 Housing Revenue Account for 2006/07 and, from 2007/08, ongoing revenue expenditure of £80,000 per annum and £45,000 per annum respectively.

The recommendation of the Transformation Committee will be reported to Council.

Update, 22 November 2006

The recommendations of the Transformation Committee are attached.

(Pages 39 - 40)

8. JOINT PLANNING SERVICES

To consider the report of the Executive Director.

(Pages 41 - 50)

9. DISABILITY EQUALITY SCHEME 2006-2009

A Disability Equality Scheme has been developed by the Head of Policy and Communication. Cabinet, at its last meeting, received a report outlining progress with the scheme, suggested amendments to the provisional action plan, identified the Resources, Staffing, Information and Customer Services Portfolio Holder as Lead Member for the scheme and noted the preparations being made for the final submission of the scheme to Council.

Council is **RECOMMENDED** to adopt the Disability Equality Scheme 2006-2009, circulated with the Agenda as a separate document.

10. RECORDING OF MEETINGS

To consider the report of the Chief Executive.

(Pages 51 - 56)

11. REAPPOINTMENT OF MEMBERS TO THE INDEPENDENT PANEL ON MEMBERS' ALLOWANCES

At its meeting on 23 June 2005 Council resolved that appointments to the Independent Panel, established to review Members' Allowances, be made on a rolling three-year basis. Mrs Ruth Rogers, who is eligible for retirement from the Panel, has kindly indicated that she is willing to serve for a further term, therefore it is **RECOMMENDED** that Mrs Ruth Rogers be appointed to the Independent Panel on Members' Allowances for a three-year period to 23 November 2009.

12. REPORTS OF MEETINGS

(* indicates that the Minutes have already been confirmed as a correct record)

- 12 (a) Cabinet, 9 November 2006 (Pages 57 - 66)
- 12 (b) Licensing Committee, 16 October 2006 (Pages 67 - 70)
- 12 (c) Licensing Committee (2003 Act), 16 October 2006 (Pages 71 - 72)
- 12 (d) Planning Committee, 4 October 2006 * (Pages 73 - 78)
- 12 (e) Standards Committee, 8 November 2006 (Pages 79 - 88)
- 12 (f) Scrutiny and Overview Committee, 19 October 2006 (Pages 89 - 96)

13. QUESTIONS ON JOINT MEETINGS

14. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

15. NOTICES OF MOTION

15 (a) Standing in the Name of Cllr R Page: Sheltered Housing Wardens

In October 2005 this Council was assured by the appropriate portfolio holder that no sheltered housing warden, made redundant in the reorganisation, would be required to leave their council house. This Council confirms that position – that all those wardens made redundant, will be offered the tenancies of their present accommodation.

Note: this motion will require a seconder before it may be debated.

15 (b) Standing in the Name of Cllr R Page: Solar Panels and Photovoltaic Cells for New Houses

In the interests of responsible planning, truly sustainable growth and environmental awareness all new houses built in South Cambridgeshire will be required to have solar panels and photovoltaic cells built into their roof designs.

Note: this motion will require a seconder before it may be debated.

15 (c) Standing in the Name of Cllr R Page: Renewable Energy Schemes in New Buildings

In view of the urgent need to address the issues involved with global warming, particularly as they apply to the new developments imposed on South Cambridgeshire, this Council will require developers to incorporate 50% renewable energy schemes into all new building work involving groups of five houses or more – or their workplace equivalents.

Note: this motion will require a seconder before it may be debated.

15 (d) Standing in the Name of Cllr R Page: Reduction in Number of Council Meetings

In view of the reduction in the number of Council Meetings, this Council agrees to a proportionate reduction in the financial allowances paid to members to take account of this reduced work load.

Note: this motion will require a seconder before it may be debated.

16. CHAIRMAN'S ENGAGEMENTS

To note the Chairman's engagements since the last Council meeting:

Date	Venue / Event
10 th November	Wreath laying: Madingley American Cemetery
10 th November	With the Chief Executive: Attended funeral of Keith Hodgkinson, former Chief Planning Officer
12 th November	Remembrance Sunday: Wreath laying, Normandy Landings Monument, Milton Country Park
13 th November	Swavesey Village College: Cambridge Music Festival Reception
16 th November	Swavesey Parish Church: Orchestra in a Village
17 th November	Mayor of Cambridge: Reception

PRESENTATION - KEEPING CAMBRIDGESHIRE MOVING

Following the Council meeting, Officers from the County Council will provide a briefing for members on the 'Transport Innovation Fund' and the Long-Term Transport Strategy.

It will begin with a presentation that will look at the transport issues arising as a result of the planned growth taking place in the County and the measures put in place to start addressing these issues. It will go on to look at further work being carried out as part of the Long Term Transport Strategy, including looking at the possibility of introducing road pricing, and at the support we are receiving from government through the Transport Innovation Fund.

The presentation will be followed by an opportunity to ask questions. For further information please contact **Jonathan Dixon**, Principal Planning Policy Officer, telephone 01954 713194, e-mail jonathan.dixon@scambs.gov.uk

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Whilst the District Council endeavours to ensure that you come to no harm when visiting South Cambridgeshire Hall you also have a responsibility to ensure that you do not risk your own or others' safety.

Security

Visitors should report to the main reception desk where they will be asked to sign a register. Visitors will be given a visitor's pass that must be worn at all times whilst in the building. Please remember to sign out and return your pass before you leave. The visitors' book is used as a register in cases of emergency and building evacuation.

Emergency and Evacuation

In the event of a fire you will hear a continuous alarm. Evacuate the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park.

Do not use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.

Do not re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

If someone feels unwell or needs first aid, please alert a member of staff.

Access for People with Disabilities

All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Hearing loops and earphones are available from reception and can be used in all meeting rooms.

Toilets

Public toilets are available on each floor of the building next to the lift.

Recording of Business

Unless specifically authorised by resolution, no audio and / or visual or photographic recording in any format is allowed at any meeting of the Council, the executive (Cabinet), or any committee or sub-committee of the Council or the executive.

Banners / Placards / Etc.

No member of the public shall be allowed to bring into or display at any Council meeting any

banner, placard, poster or other similar item. The Chairman may require any such item to be removed.

Disturbance by Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

Smoking

The Council operates a NO SMOKING policy.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts. There shall be no food and drink in the Council Chamber.

Mobile Phones

Please ensure that your phone is set on silent / vibrate mode during meetings.