



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

COUNCIL MEETING
THURSDAY, 25 JANUARY 2007

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, 25 JANUARY 2007

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

DATED 17 January 2007

GJ HARLOCK
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

AGENDA

1. APOLOGIES

2. MINUTES

To authorise the Chairman to sign the Minutes of the meeting held on 23 November 2006 as a correct record.

(Pages 1 - 12)

3. DECLARATIONS OF INTEREST

4. PROPOSED CHANGES TO STANDING ORDERS (CONSTITUTION REVIEW WORKING PARTY, 12 JANUARY 2007)

The Constitution Review Working Party considered and supported a number of proposed changes to Council Standing Orders (Constitution Part 4, pages D1-D16). The proposed changes are set out in the attached document, marked in underlined text.

It is necessary for Council to consider changes to Standing Orders at this stage of the meeting in order to seek approval of the change which will allow Council to elect a Leader under Agenda item 5.

The Working Party **RECOMMENDED TO COUNCIL** that the revised Council Standing Orders be approved for incorporation into the Constitution.

(Pages 13 - 32)

5. ELECTION OF LEADER OF THE COUNCIL

(Consideration of this item is subject to Council agreeing changes to Standing Orders under item 4 above).

Following the resignation of Cllr Dr DR Bard on 11 January 2007 Council is

requested to elect the Leader of the Council.

6. CHAIRMAN'S ANNOUNCEMENTS AND PRESENTATIONS
Chartered Institute of Public Relations (CIPR) East Anglia, PRide Awards 2006/7

Best Small Team of the Year: SCDC Communications Team (Sally Carroll and Kelly Quigley)

Silver Award for the Communications Team (Sally Carroll and Kelly Quigley) and the Environmental Health Service (Carol Archibald and Iain Green) for their food and safety inspection, "Scores on the Doors" campaign in the Best Low Budget (CIPR) East Anglia PRide Awards 2006/7.

Kelly Quigley, Communications Officer
Highly Commended (second place)
Young Communicator of the Year (CIPR) East Anglia PRide Awards, 2006/7

HELA Award (Highly Commended)

Carol Archibald, Health and Safety and Food Safety Team, Environmental Health Service
(HELA = Health and Safety Executive Local Authority Enforcement Liaison Committee)

7. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

7 (a) From Mr David White to the Conservation, Sustainability and Community Planning Portfolio Holder

1. Wind turbines and solar panels are becoming readily available, even sold in B&Q now. Why are council and other grants only available if these energy saving devices are professionally installed when an installation inspection team already exist in your Building Control Department? Can the system be changed so that self installed units also receive any grants that may be available and thus encourage more people to save or generate energy. I feel sure there are many other people like me who are perfectly capable of installing this equipment and keen to do so.
2. It is now agreed that the effects of climate change are serious and will become more so. Quite rightly the required level of insulation in new buildings has to be of a much higher level but why do the Building Inspectors still not include this as one of their inspections? Most builders, I'm sure, meet the requirements but there must be some that do not. These are never caught.

Wouldn't it be good if South Cambs became a Beacon Council for its renewable energy and climate change initiatives?

7 (b) From Councillor RF Bryant to the Leader of the Council

"The Constitution (Part 5, Section F, Paragraph 4) makes reference to members not bringing their office into disrepute. Based on this Code of Conduct can the Leader of

the Council please provide me with justification for retaining a cabinet member who has been found guilty by the Standards Board for England on three separate counts of bringing her office into disrepute?"

7 (c) From Councillor RB Martlew to the Planning and Economic Development Portfolio Holder

A settlement was agreed, I believe in May 2006, between this Council and TKA Tallent of Bourn Airfield concerning the noise nuisance experienced by residents of Caldecote. A meeting was held in September last to explain the agreement to Caldecote Parish Council and the residents. At my request Planning Officers as well as officer from Environmental Services and the Legal Section attended.

On behalf of the residents I asked what the position was regarding the ground for an applicant seeking permission to apply for Lawful Development status; specifically what measure needed to be taken to prevent a four-year claim from becoming established. The planning officers present were unable to provide this information but promised to do so as a result of that meeting. In spite of various approaches to me to various officers, no explanation has been received to date. I have discovered various factors however and ask the Portfolio Holder to confirm the following:

- (i) to prevent an unauthorised development from establishing a right after 4 years to a Lawful Development Certificate, an enforcement notice must be served by the Planning Authority.
- (ii) Complaints from residents and the Parish Council together with photographic and other evidence about the timing of the installation of the conveyor were received by the Council from 2001.
- (iii) An application for lawful development was received from TKA Tallent and refused in or around September 2005.
- (iv) A further application was received around September 2006.

Could the Portfolio Holder tell us:

- (i) Why no enforcement notice was issued before, or at least following, the first rejection of the application for a certificate?
- (ii) Whether the second application has been accepted?
- (iii) What is the present status of the conveyor?
- (iv) At what stages Members were involved in the decision-making process?
- (v) If, as I suspect, there was no Member involvement, why was this so?

8. PETITIONS

To note all petitions received since the last Council meeting.

9. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

9 (a) Workforce Plan 2006/07 TO 2008/09 (Cabinet, 14 December 2006)

Cabinet **RECOMMENDED TO COUNCIL** that the Workforce Plan 2006/07 to 2008/09 be approved.

9 (b) Discretionary Rate Relief other than for Charitable Organisations (Cabinet, 11 January 2007)

Cabinet **RECOMMENDED TO COUNCIL** that the policy for the award of

discretionary rate relief set out in the appendices to the Cabinet report be adopted in order to facilitate future awards of relief from the financial year 2007/08 onwards.

10. REVIEW OF THE CONSTITUTION

10 (a) Terms of Reference and Future Reporting Arrangements for the Audit Panel (Constitution Review Working Party, 12 January 2007)

The Constitution Review Working Party **RECOMMENDED TO COUNCIL:**

(1) That the following changes be approved with effect from the 2007-2008 Civic Year and that Article 6 (Scrutiny and Overview Committee) and Part 3 (Responsibility for Functions) of the Constitution be amended accordingly:

- (a) That the Audit Panel report directly to Council.
- (b) That membership of the Panel be no longer restricted to Members of the Scrutiny and Overview Committee.
- (c) That Cabinet Members be not eligible to sit on the Panel.
- (d) That the Chairman of the Scrutiny and Overview Committee be not eligible to Chair the Panel.

(2) That revised Terms of Reference, attached to this Agenda, be approved with effect from the 2007-2008 Civic Year.

The changes supported by the working party have been incorporated as an addition to Table One of Part 3 of the Constitution (Responsibility for functions). The document is attached to this Agenda.

(Pages 33 - 36)

10 (b) Revisions to Article 12 - Officers (Constitution Review Working Party 12 January 2007)

The Constitution Review Working Party **RECOMMENDED TO COUNCIL:**

- (1) That the changes to Article 12, set out in the Appendix, be approved.
- (2) That the Officer Employment Procedure Rules be amended to reflect the following:

- (a) That the appointment and dismissal of the Executive Director be reserved to full Council following a recommendation by the Employment Committee.
- (b) That Corporate Managers' appointments be undertaken by the Employment Committee and their dismissal by Council with a recommendation from the Employment Committee.

- (3) That, subject to approval of (1) and (2) above, the Chief Executive be authorised to make further minor textual revisions to the Constitution required for consistency.

Revisions to Article 12 supported by the working party are included with this Agenda.

(Pages 37 - 44)

10 (c) Procedure for the local Investigation of Referred Complaints (Standards Committee 8 November 2006, Constitution Review Working Party, 12 January 2007)

The Standards Committee and Constitution Review Working Party **RECOMMENDED**

TO COUNCIL that the Procedure for Local Investigations, be approved for incorporation into the Constitution.

A copy of the procedure is attached to this Agenda.

(Pages 45 - 54)

10 (d) Procedure for local Standards Hearings (Standards Committee 8 November 2006, Constitution Review Working Party, 12 January 2007)

The Standards Committee and Constitution Review Working Party **RECOMMENDED TO COUNCIL** that the Procedure for local Standards Committee hearings be approved and incorporated into the Constitution.

A copy of the local procedure is attached to this Agenda.

(Pages 55 - 74)

10 (e) Revision to Article 14 - Common Seal of the Council (Constitution Review Working Party, 12 January 2007)

The Constitution Review Working Party **RECOMMENDED TO COUNCIL** that the last sentence of Article 14.05 be amended as follows:

“The affixing of the Common Seal will be attested by the Chief Executive.”

11. SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

To consider a report recommending that Council adopt the Core Strategy Development Plan Document.

The strategy is attached in hard copy as Appendix 1. Appendices 2-4 are available electronically on the Council's website, www.scambs.gov.uk, or by contacting the Planning Policy Manager on the number/e-mail set out in the report.

(Pages 75 - 128)

12. CHIEF EXECUTIVE CONDITIONS OF APPOINTMENT

Council is requested to consider whether it wishes to extend the contract with Mr GJ Harlock to continue to serve as Chief Executive, Chief Finance Officer and Returning Officer for a further period to 30 June 2009.

Mr Harlock was initially appointed on a 1-year fixed-term contract from 1 July 2006, extendable by mutual consent. Mr Harlock has indicated his willingness to continue to serve in the combined posts of Chief Executive, Chief Finance Officer and Returning Officer for a further period of two years.

If Council is minded to approve Mr Harlock's reappointment, it is suggested that negotiations on the detailed Terms and Conditions be delegated to be undertaken by the Leader of the Council and Resources, Staffing, Information and Customer Services Portfolio Holder in consultation with the Chairmen of the Employment and Scrutiny and Overview Committees.

RECOMMENDATION

That Council determine whether it wishes to extend the contract with Mr GJ Harlock to continue to serve as Chief Executive, Chief Finance Officer and Returning Officer for a further period to 30 June 2009. If Council is minded to approve Mr Harlock's

reappointment, it is recommended that negotiations on the detailed Terms and Conditions be delegated to be undertaken by the Leader of the Council and Resources, Staffing, Information and Customer Services Portfolio Holder in consultation with the Chairmen of the Employment and Scrutiny and Overview Committees.

13. CLIMATE CHANGE GROUP

Following the Resolution by Council in September 2006 to establish a climate change group, to consider a report recommending approval of details of various matters necessary to establish the group.

(Pages 129 - 132)

14. MEMBERS' ALLOWANCES 2007-08

To consider the recommendation of the Independent Panel that basic and special responsibility allowances should increase by 2.5% on the 2006/07 rates. The Panel also recommended that the special responsibility allowance paid to the Chairman of the Licensing Committee be reduced to £2,100 per annum. The minutes of the Remuneration Panel meeting held on 20 December 2006 are attached for information.

The effect of accepting the Panel's recommendations would be:

Allowance	2006/07	2007/08
Basic	£4,404 (inc expenses)	£4,514 (inc expenses)
Leader	£11,091	£11,368
Deputy Leader	£8,319	£8,527
Cabinet member	£7,394	£7,579
Chairman of Council	£3,697	£3,789
Vice-Chairman of Council	£1,631	£1,672
Chairman of Scrutiny & Overview Cttee	£3,167	£3,246
Vice-Chairman of Scrutiny & Overview Cttee	£1,584	£1,624
Chairman of Development & Conservation Control Committee	£4,223	£4,329
Vice-Chairman of Development & Conservation Control Committee	£2,375	£2,434
Chairman of Licensing Committee	£3,075	£2,100
Chairman of Standards Committee	£410	£420
Chairman of Employment Committee	£410	£420
Independent Member of Standards Cttee	£262	£269
Parish Member of Standards Cttee	£210	£215

A 2.5% increase is in line with the allowance for inflation applied to the estimates generally and has been provided for in the proposed allowances budget for 2007/08 of £337,112.

RECOMMENDATION

That the recommendations of the Independent Panel be approved and the following allowances paid for 2007-2008:

Allowance	2007/08
Basic	£4,514 (inc

	expenses)
Leader	£11,368
Deputy Leader	£8,527
Cabinet member	£7,579
Chairman of Council	£3,789
Vice-Chairman of Council	£1,672
Chairman of Scrutiny & Overview Cttee	£3,246
Vice-Chairman of Scrutiny & Overview Cttee	£1,624
Chairman of Development & Conservation Control Committee	£4,329
Vice-Chairman of Development & Conservation Control Committee	£2,434
Chairman of Licensing Committee	£2,100
Chairman of Standards Committee	£420
Chairman of Employment Committee	£420
Independent Member of Standards Cttee	£269
Parish Member of Standards Cttee	£215

(Pages 133 - 136)

15. **CONFIRMATION OF COUNCIL MEETING DATES: JULY AND OCTOBER 2007**
Council, at its meeting on 26 October 2006, agreed its schedule of meetings for the 2007-2008, subject to the dates in July and October 2007 being given further consideration to avoid clashes with school holidays.

RECOMMENDATION

That the Council meetings in July and October 2007 be held on Thursday 19 July and Thursday 18 October 2007.

16. **REPORTS OF MEETINGS**
(* indicates that the Minutes have already been confirmed as a correct record)
- 16 (a) **Minutes of meeting, Tuesday 21st November 2006, of the Transformation Committee**
(Pages 137 - 140)
- 16 (b) **Minutes of meeting Thursday, 14th December 2006 of Cabinet**
(Pages 141 - 152)
- 16 (c) **Minutes of meeting Wednesday, 6th December 2006 of Planning Committee**
(Pages 153 - 158)
- 16 (d) **Minutes of meeting Thursday, 16th November 2006 of Scrutiny and Overview Committee**
(Pages 159 - 164)
- 16 (e) **Minutes of meeting Thursday, 21st December 2006 of Scrutiny and Overview Committee**
(Pages 165 - 170)

16 (f) Minutes of meeting Thursday, 11th January 2007 of Cabinet

(Pages 171 - 174)

17. QUESTIONS ON JOINT MEETINGS

Joint Body	Date of Meeting	Minutes Published in Weekly Bulletin
South Cambridgeshire Local Strategic Partnership Board	10 October 2006	20 December 2006
South Cambridgeshire Traffic Management Area Joint Committee	27 November 2006	20 December 2006
Cambridge East Member Reference Group	28 November 2006	13 December 2006
South Cambridgeshire Crime and Disorder Reduction Partnership	4 December 2006	20 December 2006

18. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

19. NOTICES OF MOTION

19 (a) Standing in the name of Councillor JP Chatfield

“This Council regrets the loss of any post offices in South Cambridgeshire and notes with concern the announcement by the Government on 14 December 2006 of Ministers’ plans to close 2,500 Post Office branches across the UK.

“This Council further notes the social importance of Post Offices to the well being of communities and individuals in South Cambridgeshire.

“This Council believes that the recently announced closure programme is unnecessary and calls on the government to end the branch closure programme, open up further business opportunities for the network and carry out a review of which additional Government functions could be carried out through Post Offices.

“This Council welcomes the decision of the Government to withdraw its previous proposals to scrap completely the Post Office Card Account (POCA), but calls on Ministers to ensure that any replacement POCA should be open freely to all pensioners and benefit recipients who want one. This Council calls on the Government to avoid putting pressure on current and future POCA users to switch to having benefits and pensions paid directly into bank accounts.”

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

19 (b) Standing in the names of Councillor Dr SEK van de Ven and Councillor RB Martlew

“In the interest of accountability to the electorate, all decisions made by Full Council should have the votes recorded and retained to be accessed on request, accessibility to be in accordance with the Access to Information Procedure Rules.”

19 (c) Standing in the names of Councillors Mrs HM Smith and RT Summerfield

“This Council congratulates the volunteers behind the Save Milton Country Park

campaign on raising the issue of the future of the Park to front page news in the local paper. This Council supports the Save Milton Country Park campaign and deplores the decision taken by Cabinet to instruct officers to close the park if no suitable partnership to take on the management of the park could be arranged or appeared likely by 31st August.”

20. CHAIRMAN'S ENGAGEMENTS

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

Date	Venue / Event
23 November	Ely Cathedral, Lord Lieutenant's Dinner
27 November	Addenbrooke's Hospital, Celebration of the acquisition and clinical implementation of the da Vinci Robot, formally received by Prince Michael of Kent.
29 November	Tree planting, Victoria Way, Melbourn Affordable Housing Scheme
30 November	Chartered Institute of Public Relations Awards Evening, Norwich
1 December	Mid-Bedfordshire District Council Civic Reception, Chicksands
5 December	Viewing of the Art Loan Scheme Autumn Collection from Linton and Sawston Village Colleges, SCDC Hall
8 December	Huntingdonshire District Council Civic Reception, Hinchingsbrooke House,
10 December	Fenland District Council Carol Service, Whittlesey
10 December	Cambridgeshire County Council Civic Reception, Shire Hall
11 December	Presentation of gifts donated by officers for patients at Fulbourn Hospital, SCDC Hall
11 December	Melbourn Parish Council: reception on the occasion of retirement of longstanding Member.
13 December	Mayor of Huntingdon's Civic Carol Service
18 December	Demolition of Airey houses, Sawston
20 December	Visit to officers at Milton Country Park, with the Chief Executive
20 December	First Officer/Member Christmas lunch
21 December	Visit to Officers at Waterbeach depot
21 December	Second Officer/Member Christmas lunch
22 December	Chairman's reception for Officers and judging of decorated offices and office furniture
5 January	Official opening, Melbourn Community Sports facilities
17 January	Rotary Club lecture on the Governance of the UK
20 January	Cambridgeshire British Legion AGM, Cottenham

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.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Council held on
Thursday, 23 November 2006 at 2.00 p.m.

PRESENT: Councillor Mrs CAED Murfitt – Chairman
Councillor JH Stewart – Vice-Chairman

Councillors: Dr DR Bard, RE Barrett, JD Batchelor, Mrs PM Bear, AN Berent, NCF Bolitho, RF Bryant, EW Bullman, TD Bygott, NN Cathcart, JP Chatfield, Mrs PS Corney, NS Davies, Mrs SJO Doggett, SM Edwards, Mrs SM Ellington, Mrs A Elsby, Mrs VG Ford, Mrs JM Guest, R Hall, Dr SA Harangozo, Mrs SA Hatton, Mrs EM Heazell, JA Hockney, Mrs CA Hunt, PT Johnson, Mrs HF Kember, SGM Kindersley, Mrs JE Lockwood, RMA Manning, RB Martlew, MJ Mason, RM Matthews, DC McCraith, DH Morgan, CR Nightingale, AG Orgee, R Page, EJ Pateman, JA Quinlan, A Riley, Mrs DP Roberts, NJ Scarr, Mrs HM Smith, Mrs DSK Spink MBE, RT Summerfield, Mrs VM Trueman, RJ Turner, Dr SEK van de Ven, Mrs BE Waters and JF Williams

Officers:	Greg Harlock	Chief Executive
	Steve Hampson	Executive Director
	Richard May	Democratic Services Manager
	Holly Adams	Democratic Services Officer

Apologies for absence were received from Councillors BR Burling, MP Howell, TJ Wotherspoon and NIC Wright.

1. MINUTES**RESOLVED**

That the Minutes of the meetings held on 28 September and 26 October 2006 be agreed as correct records and signed by the Chairman.

2. DECLARATIONS OF INTEREST

Councillors JD Batchelor, SGM Kindersley, DC McCraith, AG Orgee and RJ Turner declared personal interests as elected Cambridgeshire County Councillors.

Councillor SM Edwards declared a personal interest in Agenda item 10 – Recording of meetings, on the basis that his company was involved in providing equipment of the sort which could be used to record meetings. Notwithstanding this interest he remained in the meeting and took part in the discussions and voting.

Councillor RB Martlew declared a personal interest in Agenda item 7a – Medium Term Financial Strategy 2007/08 to 2010/11 on the grounds of his involvement with the Citizens Advice Bureau. Notwithstanding this interest he remained in the meeting and took part in the discussions and voting.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman congratulated all services within the Council who had contributed to the successful undertaking of work to clear Pine View, Smithy Fen, Cottenham, and Officers and Members who more recently had worked to obtain an Injunction in respect of

unauthorised encampment at Willingham.

Members were reminded that the meeting would be followed immediately by a presentation by Officers from the County Council in respect of the long-term transport strategy.

The Chairman reported that staff were organising Christmas lunches in aid of the Chairman's charity on 20 and 21 December 2006.

Council was advised that the staff dressing down day had raised £161 towards the Children in Need appeal, and that Officers had completed a 10km run, raising over £2,000 for Breast Cancer Research.

The Chairman advised that planning was underway for the Spring 2007 edition of *South Cambs Magazine* and asked Members to contact the Communications Manager if they had ideas for articles they wished to be included.

4. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

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

Councillor NCF Bolitho asked the Resources, Staffing, Information and Customer Services Portfolio Holder the following question:

"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 the district and will the Council be able to recoup these payments from the Rent Service or other Government agencies?"

Councillor SM Edwards, Resources, Staffing, Information and Customer Services Portfolio Holder advised that the Rent Service had only reversed its decision with regard to reducing local reference rents in Cottenham. The circumstances relating to Cottenham had been unique in that rents there had always been assessed at the higher 'Outer Cambridge' level prior to the Rent Service revising its 'map of localities'.

There had not been any change to the assessment of rent levels in Oakington, which continued to be set at the 'Mid Cambridgeshire' level as had always been the case in the past.

Bar Hill had always fallen into the 'Mid Cambridgeshire' locality but concern had been expressed by officers that this did not reflect the true situation for Bar Hill. Bar Hill's proximity to Cambridge and the relative ease of commute meant that properties there commanded higher rents commensurate with the 'Outer Cambridge' area. The Rent Service was thought to be giving consideration to revising the locality for Bar Hill to 'Outer Cambridge', as a result of lobbying from the Council's Benefit Service.

Cllr Edwards advised that there had been no cost to the Council in making 'hardship' payments to cover shortfalls in rent. The payments, known as 'Discretionary Housing Payments' (DHP) were funded from a ring-fenced Government grant. The total grant for these payments was currently £25,000 per year, and any unspent grant was required to be returned to the Government at the end of the year. There was only a cost to the

Council if the grant was exceeded.

Now that the decision regarding Cottenham had been reversed the Council would be able to award ordinary Housing Benefit. This meant that any discretionary payments made so far in respect of Cottenham residents would no longer be necessary and the funds freed up to assist other residents.

Discretionary payments continued to be made to Bar Hill residents, but only where their circumstances warranted such a payment. At present it was not anticipated that there would be any cost to the Council in respect of these payments.

The total award for 2006/07 to Bar Hill residents was estimated to be £3,294.37 and no awards had been made to residents of Oakington. Total DHP expenditure for the year was currently estimated to be £13,000. This was considerably less than the grant funding of £25,000 that the Council received, and over the remaining months the Council would be encouraging and assisting residents who met the qualifying criteria to apply for awards.

Cllr Edwards further advised that the Rents Service was about to embark on a national review of localities as part of its preparation for the introduction of Local Housing Allowances in April 2008. The Council had been informed that South Cambridgeshire would be the first area to be reviewed, as a pilot, which appeared to be recognition of the current anomalies across the District. The Rent Service would be meeting with the Council's Benefits Service as part of this process to gain a better understanding of rent levels across the District. The changes resulting from the introduction of Local Housing Allowance would enable rent levels to be set for smaller localities than at present which should be beneficial to residents.

As a Supplementary Question, Cllr NCF Bolitho advised that discrepancies between areas could be up to 40% and asked the Resources, Staffing, Information and Customer Services Portfolio Holder specifically whether Waterbeach would be included in the forthcoming review.

The Resources, Staffing, Information and Customer Services Portfolio Holder advised that the whole district would be subject to the review.

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

Councillor NCF Bolitho asked the Resources, Staffing, Information and Customer Services Portfolio Holder the following question:

"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."

Councillor SM Edwards, Resources, Staffing, Information and Customer Services Portfolio Holder, advised that evidence had been finalised over the last week and proceedings issued on 23 November 2006. The Council had requested a Hearing on 25

January 2007. He advised that a complaint regarding a noise nuisance at the site had been received in October 2005. Officers had attempted to resolve the issue informally. This was not successful, leading to the issue of a Statutory Notice to be complied with by 29 June 2006. As this date approached it appeared that the owners were near to complying and had made good progress towards compliance. Therefore, an informal extension was granted to allow them to complete the necessary works. Unfortunately progress had since stalled, therefore proceedings were now being issued.

Cllr Edwards advised that a Planning Enforcement Notice had also been issued at the site, which stipulated a four-month period for the owners to comply. This process ran separately from the noise nuisance complaint.

Cllr NCF Bolitho thanked the Portfolio Holder for his reply as well as the staff involved in pursuing the case. He hoped that the issue would soon be resolved to the satisfaction of all concerned.

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

Councillor MJ Mason asked the Leader of the Council the following question:

“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:

“- 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?”

Councillor Dr DR Bard, Leader of the Council, drew Members’ attention to the report and appendices in respect of Joint Planning Arrangements which would be considered later in the meeting. He advised that there were no minutes of meetings available, nor was he aware of any direct communication other than that referred to in the appendices. Dr Bard advised that Cambridgeshire Horizons had yet to respond formally to the Minister. Negotiations on the matter were ongoing, but he assured Council that it would have the opportunity for a full debate on the issues.

With regard to the planning application, Dr Bard advised that the Council was obliged to continue to process it, therefore Officers would not be instructed to cease work.

Councillor MJ Mason advised that he had attempted to seek clarification on land ownership issues relevant to the Northstowe development. Whilst the Chief Executive of Cambridgeshire Horizons had responded to a previous letter, there had been no response from English Partnerships. Councillor Mason expressed the view that the failure of the government to resolve the land ownership issue was the key factor delaying the development agenda rather than delays caused by the Local Planning Authority.

Councillor Mrs DSK Spink MBE, Planning Portfolio Holder, advised that she would raise these and other issues at a meeting with English Partnerships on 24 November 2006.

5. PETITIONS

Council noted the receipt of the following petitions received since the last meeting:

- (1) 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. The petition had been passed to Officers, who were in discussions with local residents regarding the issue. It was intended to submit the petition as an Appendix to the Cabinet report on the matter, due for consideration in December 2006.
- (2) From the residents of Chaplins Close, Fulbourn
- (3) From the residents of St Vigors Close, Fulbourn
- (4) From the residents of St Vincents Close, Girton
- (5) From the residents of Kay Hitch Way Histon
- (6) From the residents of St Audrey's Close, Histon
- (7) From the residents of John Impey Way and Palmers Way, Melbourn

Petitions (2) to (7) above raised concern at the possible loss of on-site wardens. Council was advised that the Executive Director and Housing Portfolio Holder had arranged a meeting with the petitioners in order to consider the issues further.

Councillor Mrs DP Roberts, Housing Portfolio Holder, advised that this meeting would also be open to Local Ward members. Mrs Roberts drew Council's attention to the report in respect of the Sheltered Housing Review, considered by Cabinet in November 2006, and to a series of frequently asked questions on the subject, copies of which had been circulated to all Members. In addition, a briefing session for all Members would take place on 5 December 2006. Councillor Mrs Roberts thanked the previous Housing Portfolio Holder and the Members of the Advisory Group for developing the proposals which had been implemented during the last 18 months. The situation would be reviewed further in January 2007.

Councillor NJ Scarr raised specific concerns regarding the Sheltered Housing scheme at Fulbourn. The Portfolio Holder advised that negotiations on specific local concerns were ongoing.

6. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

6 (a) Medium Term Financial Strategy 2007/08 to 2010/11 (Cabinet, 9 November 2006)

Councillor SM Edwards, Resources, Staffing, Information and Customer Services Portfolio Holder, presented the Medium Term Financial Strategy 2007/08 to 2010/11 to Council. Members asked questions and made comment on the strategy, and specific savings identified within it. Members congratulated Officers for working up proposals for savings which would not entail cutting services, and considered that the Strategy set out

the Council's future financial commitments and in a balanced and realistic way.

Council **RESOLVED** that the Medium Term Financial Strategy be approved.

*In accordance with Standing Order 16.5, six Members requested a recorded vote. Due to a technical error, the names were not recorded on the system. **The numbers reported in the minutes are those which were displayed in the Council Chamber at the time of the meeting.** Members have been asked to state how they voted on the resolution and the responses received are set out below.*

FOR (48):

Dr DR Bard	RE Barrett	JD Batchelor
AN Berent	RF Bryant	Mrs PS Corney
NS Davies	SM Edwards	Mrs SM Ellington
Mrs A Elsby	Mrs VG Ford	Mrs JM Guest
Mrs SA Hatton	Mrs EM Heazell	Mrs CA Hunt
PT Johnson	Mrs HF Kember	SGM Kindersley
Mrs JE Lockwood	RMA Manning	RM Matthews
DC McCraith	AG Orgee	EJ Pateman
A Riley	Mrs DP Roberts	NJ Scarr
Mrs HM Smith	Mrs DSK Spink MBE	JH Stewart
RT Summerfield	Dr SEK van de Ven	Mrs Waters
JF Williams	(34 responses)	

AGAINST (0)

ABSTAINED (3):

JP Chatfield	Mrs SJO Doggett	MJ Mason
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NOT VOTED (1):

Mrs CAED Murfitt

6 (b) Licensing (Gambling) Policy (Cabinet, 9 November 2006)

Council considered the recommendation of Cabinet in respect of the Gambling Act 2005 Policy.

Council **RESOLVED** that the Gambling Act 2005 Policy be adopted as Council policy.

6 (c) FULBOURN: Windmill Estate Redevelopment Proposals (Cabinet, 9 November 2006)

Councillor SM Edwards declared a personal interest in this item on the grounds that he was personally acquainted with Mr. Broadway, Director of Development at the Nene Housing Society. Notwithstanding this interest he remained in the meeting and took part in the discussions and voting.

Council considered the recommendations of the Cabinet relating to the Windmill Estate Redevelopment Scheme. Councillor Mrs DP Roberts, Housing Portfolio Holder, thanked Officers and Members for their efforts in developing a flagship scheme which would greatly enhance the estate.

Council **RESOLVED** 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.

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

Council considered the recommendation of the Cabinet in respect of Disabled Facilities Grants policy and funding.

Council **RESOLVED** that the release of up to £100K, if required, be supported to cover priority cases and cases where statutory duty may not be met and that the release of the additional £100k to be delegated to the Environmental Health and Resources, Staffing, Information & Customer Services Portfolio Holders.

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

Council considered the recommendations of the Transformation Committee in respect of the second tier reorganisation. The recommendations had been circulated to all Members prior to the meeting.

Council RESOLVED:

1. That the revised second tier structure, as set out at Appendix A to the report to the Transformation Committee, be noted and that 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, be approved.
2. That, with effect from 31 December 2006, the combined post of Head of Legal Services and Monitoring Officer be made redundant as part of the Second Tier restructuring proposals and that the role of Monitoring Officer be reallocated to the Executive Director with effect from 1 January 2007.

7. DISABILITY EQUALITY SCHEME 2006-2009

Council considered a draft Disability Equality Scheme. Members welcomed the document and thanked the Head of Policy and Communications for his work in bringing forward the draft.

Council **RESOLVED** that the Disability Equality Scheme 2006-2009 be adopted.

8. JOINT PLANNING SERVICES

Council considered a report by the Senior Management Team informing Members of the progress of local discussions about joint planning arrangements following Cambridgeshire Horizons' meeting with the Minister for Housing and Planning at the Department of Communities and Local Government (DCLG) on 11 October 2006.

The Leader of the Council presented the report, advising that the Minister's concerns centred around the Council's capacity to oversee major development at Northstowe and around the Cambridge fringe, rather than its competence to do so. Significant additional resources were likely to be made available by the government, but stronger and more focussed arrangements for overseeing the development would be expected in return. The Minister's desire was for the district, city and county councils to be involved in regulating development, although it was too early in the process to give details regarding specific structures being considered. The Leader drew Council's attention to the recommendations in the report, advising that firm proposals for joint working would be brought to Council in due course, and that any proposal would be subject to appropriate consultation.

The view was expressed that the Vice-Chairman of the Planning Committee should also be involved in the ongoing discussions, and that these discussions should be subject to consultation with affected Local Ward members and a representative from the Independent Group as well as those identified in the recommendation.

Councillor A Riley moved and Councillor SM Edwards seconded a Motion in the following terms:

"(1) That the Cambridge Southern Fringe, Cambridge East and Cambridge North-west major developments be overseen by a Joint Planning Committee of this Council and the Cambridge City Council.

"(2) That the Northstowe development be overseen exclusively by the Planning Committee of this Council,

“and that the Minister for Housing and Planning be advised accordingly.”

During the debate on this Motion which followed, some Members took the view that the creation of a joint committee to oversee the Northstowe development would remove local democratic accountability to an unacceptable extent, and there were fears that, under such an arrangement, much important detail would be delegated below elected Member level. It was considered that the Council had done all it could to deliver on the Northstowe development through the Local Development Framework process and that the most significant delays affecting recent major development had been caused by the government’s failure to clarify the land ownership issue. Other Members felt that rejecting any proposals put forward at this stage would constitute an abrogation of the Council’s responsibility to its residents as there was a significant danger that one result of the failure to engage with the government might be the transfer of power to determine major development to an Urban Development Corporation. Consequently it was preferable to adopt the recommendations in the report and allow Lead Officers and Members to continue to negotiate with a view to agreeing a framework which was acceptable to all parties.

The Motion, on being put, was declared lost.

*In accordance with Standing Order 16.5, six Members requested a recorded vote. Due to a technical error, the names were not recorded on the system. **The numbers reported in the minutes are those which were displayed in the Council Chamber at the time of the meeting.** Members have been asked to state how they voted on the resolution and the responses received are set out below.*

For (18):

JP Chatfield	NS Davies	Mrs SJO Doggett
SM Edwards	Mrs SA Hatton	MJ Mason
EJ Pateman	A Riley	NJ Scarr
Mrs HM Smith	Mrs VM Trueman	Dr SEK van de Ven
JF Williams	(13 responses)	

Against (22):

Dr DR Bard	RE Barrett	JD Batchelor
AN Berent	RF Bryant	Mrs PS Corney
Mrs SM Ellington	Mrs A Elsby	Mrs VG Ford
Mrs JM Guest	Mrs EM Heazell	Mrs CA Hunt
PT Johnson	SGM Kindersley	Mrs JE Lockwood
RM Matthews	DC McCraith	AG Orgee
Mrs DP Roberts	Mrs DSK Spink MBE	JH Stewart
RT Summerfield	(22 responses)	

Abstained (3):

RMA Manning	(1 response)
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Not voted (4):

Mrs HF Kember	Mrs CAED Murfitt	Mrs BE Waters
3 responses		

The recommendations in the report were considered, subject to an amendment to

include the Vice-Chairman of the Planning Committee in ongoing discussions, and that the negotiations should also be undertaken in consultation with a representative from the Independent Group and affected Local Ward members.

Council RESOLVED:

- (a) That the contents of correspondence from the Department of Communities and Local Government (DCLG), set out at appendices A and B to the report, be noted and that it be noted that discussions with Cambridge City Council, Cambridgeshire County Council, and Cambridgeshire Horizons are ongoing and that any formal proposals arising from those discussions in relation to joint planning arrangements will be referred to the Council for decision.
- (b) That authority be delegated to the Leader, Planning Portfolio Holder, Chairman and Vice-Chairman of Planning Committee, to continue discussions with the above partners, in consultation with the Leaders / Convenors / representative of opposition groups, all members of Cabinet and affected Local Ward members.

9. RECORDING OF MEETINGS

Council considered a report recommending that Members reconsider a previous decision to pursue the recording of Council meetings.

Council **RESOLVED** that the previous decision that the recording of meetings be pursued be rescinded for the following reasons:

- (a) The requirement under the Freedom of Information Act that recordings would be disclosable for the periods during which they are held.
- (b) There is no available budget to meet installation costs; Officer and financial resources could be better directed elsewhere.

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

Council **RESOLVED** that Mrs Ruth Rogers be appointed to the Independent Panel on Members' Allowances for a three-year period to 23 November 2009.

11. REPORTS OF MEETINGS

The Minutes of the following meetings were **RECEIVED**, subject to matters outlined in Minute 11(a) below:

Cabinet	9 November 2006
Licensing Committee	16 October 2006
Licensing Committee (2003 Act)	16 October 2006
Planning Committee	4 October 2006
Standards Committee	8 November 2006
Scrutiny and Overview Committee	19 October 2006

11 (a) Cabinet, 9 November 2006

Councillor Mrs SJO Doggett requested an alteration to Minute 4 – Fulbourn Estate Redevelopment Proposals, to reflect that she did not personally oppose the scheme but that some local residents were continuing to express concerns.

11 (b) Standards Committee, 8 November 2006

Members were reminded to book their places on the forthcoming Standards Committee training sessions if they had yet to do so. Any places not taken by district councillors would be offered to representatives from other authorities.

11 (c) Scrutiny and Overview Committee, 19 October 2006

Council expressed regret that there were insufficient officer resources to organise the Youth Debating event. Councillor Mrs VG Ford, Community Development Portfolio Holder, asked any Member who knew of a volunteer to administer the event to contact her as soon as possible.

12. QUESTIONS ON JOINT MEETINGS

No joint meetings had taken place since the last meeting.

13. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

Councillor R Hall advised that he had attended the last meeting of the Archives Advisory Group.

Councillor RE Barrett advised that he had attended the last meeting of the County Council's Health Scrutiny Committee at which Primary Care Trust finances had been the principal topic of discussion, especially in respect of Addenbrooke's Hospital.

Councillor MJ Mason advised that he would be attending the Annual General Meeting of the Internal Drainage Board, at which the consultants' report regarding the drainage implications of the Northstowe development would be discussed.

14. NOTICES OF MOTION**14 (a) Standing in the Name of Cllr R Page: Sheltered Housing Wardens**

Prior to consideration of this Motion the Chairman of Council and Group Leaders paid tribute to Councillor Robin Page who had announced that he would shortly be resigning from the Council after 36 years' service.

Councillor R Page moved and Councillor NJ Scarr seconded a Motion in the following terms:

"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."

The Motion on being put, was declared lost.

In accordance with Standing Order 14.13 (Personal Explanation) Councillor Mrs EM Hezell advised that, as Housing Portfolio Holder, she had not given the assurance referred to in the Motion.

At this point in the meeting Council resolved, in accordance with Standing Order 9, to

continue the meeting beyond four hours to allow the remaining business on the Agenda to be considered.

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

Motion deemed withdrawn in accordance with Standing Order 12.3.

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

Motion deemed withdrawn in accordance with Standing Order 12.3.

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

Motion deemed withdrawn in accordance with Standing Order 12.3.

15. CHAIRMAN'S ENGAGEMENTS

Council noted the Chairman's engagements since the last meeting. Members were advised that Mr. Hodkinson had held the position of Land and Property Director, not Chief Planning Officer as stated in the Agenda.

PRESENTATION - KEEPING CAMBRIDGESHIRE MOVING

The Meeting ended at 6.08pm

PART 4

RULES OF PROCEDURE

COUNCIL STANDING ORDERS

CONTENTS

1. Annual meeting of the Council
2. Ordinary meetings
3. Extraordinary meetings
4. Appointment of substitute members of committees and sub-committees
5. Time and place of meetings
6. Notice of and summons to meetings
7. Chairman of meeting
8. Quorum
9. Duration of meeting
10. Questions by the public
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14. Rules of debate
15. Previous decisions and motions
16. Voting
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18. Record of attendance
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21. Disturbance by public
22. Suspension and amendment of Council Standing Orders
23. Application to committees and sub-committees

1. ANNUAL MEETING OF THE COUNCIL

1.1 *Timing and business*

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in March, April or May.

The annual meeting will:

- i. elect a person to preside if the Chairman of Council is not present;
- ii. elect the Chairman of Council;
- iii. elect the Vice-Chairman of Council;
- iv. approve the minutes of the last meeting;
- v. receive the Returning Officer's Return of Councillors elected.
- v.vi. receive any announcements from the Chairman and/or head of the paid service;
- vi.vii. elect the Leader;
- vii.viii. agree the number of members to be appointed to the executive and appoint those members of the executive;
- viii.ix. appoint at least one Scrutiny and Overview Committee, a Standards Committee, the Licensing Committee (2003 Act) and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions (as set out in Part 3 of this Constitution);
- ix.x. agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution);
- xi and receive questions from, and provide answers to, the public and Members in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting, in accordance with Standing Orders 10 and 11 below;
- xii receive reports and recommendations from the executive and the Council's committees and receive questions and answers on any of those reports;
- xiii consider any business set out in the notice convening the meeting including consideration of proposals from the executive in relation to the Council's budget and policy framework and reports of the Scrutiny and Overview Committee for debate.

*.

1.2 Selection of Councillors on Committees and Outside Bodies

At the annual meeting, the council meeting will:

- i. decide which committees to establish for the municipal year;
- ii. decide the size and terms of reference for those committees with the exception of the Licensing Committee (2003 Act);
- iii. decide the number and allocation of seats and substitutes to political groups in accordance with the political balance rules set out in Part 5, Section A;
- iv. receive nominations of councillors to serve on each committee and outside body; and
- v. appoint to those committees and outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the executive.

2. ORDINARY MEETINGS

Ordinary meetings of the Council will take place in accordance with a programme agreed by Council. Ordinary meetings will:

- ~~i.~~ elect a person to preside if the Chairman and Vice-Chairman are not present;
- ~~ii.~~ approve the minutes of the last meeting;
- ~~iii.~~ receive any declarations of interest from members;
- iv. elect the Leader of the Council, in the event that the position becomes vacant during the Civic Year;
- v. appoint Members to the executive in the event that positions become vacant during the Civic Year, and reassign the functions and responsibilities of the executive as appropriate;
- vi. appoint Members to committees and outside bodies where vacancies have arisen, except where appointment to outside bodies has been delegated by the Council or is exercisable only by the executive
- vi. receive any announcements from the Chairman, Leader, the executive or the head of paid service;
- ~~vii.~~ receive questions from, and provide answers to, the public and Members in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting, in accordance with Standing Orders 10 and 11 below;
- ~~vi.~~ viii. deal with any business from the last Council meeting;

~~vii~~.ix receive reports and recommendations from the executive and the Council's committees and receive questions and answers on any of those reports;

~~viii~~.x receive reports about and receive questions and answers on the business of joint arrangements and external organisations;

~~ix~~.xi consider motions; and

~~x~~.xii consider any other business specified in the summons to the meeting, including consideration of proposals from the executive in relation to the Council's budget and policy framework and reports of the Scrutiny and Overview Committee for debate.

3. EXTRAORDINARY MEETINGS

3.1 *Calling extraordinary meetings*

Those listed below may request the proper officer¹ to call Council meetings in addition to ordinary meetings:

- i. the Council by simple majority resolution;
- ii. the Chairman of the Council;
- iii. the monitoring officer; and
- iv. any five members of the Council if they have signed a requisition presented to the Chairman of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

The request shall state the subject for which the meeting is called.

3.2 *Business*

An extraordinary meeting shall not consider previous minutes, reports from Committees or any other matter than the subject for which that meeting is called.

4. APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES, SUB-COMMITTEES, ADVISORY GROUPS AND OUTSIDE OR JOINT BODIES

4.1 *Allocation*

Substitutes will ~~be~~ allowed on committees, ~~and~~ sub-committees and advisory groups, and Council may allocate seats for substitute members on outside or joint bodies, where those bodies allow. The substitute must be a member of the same political group as the member for whom they are substituting.

1 In all the Part 4 Rules relating to Committee, executive and Council administration, reference to the 'proper officer' shall mean the Chief Executive or such suitably experienced senior officer, as the Chief Executive shall appoint.

Powers and duties

4.2 4.2-Substitute members will have the powers and duties of any ordinary member of the committee or sub-committee, advisory group, outside or joint body (where those bodies allow) but will not be able to exercise any special powers or duties exercisable by the person for whom they are substituting. These powers and duties will only be available to the substitute members from the start until the close of the meeting at which they are substituting.

Substitution

4.3 Substitute members may attend meetings in that capacity only:

- (i) to take the place of the ordinary member for whom they are the substitute;
- (ii) where the ordinary member will be absent for the whole of the meeting, and;
- (iii) after notifying Democratic Services before the start of the meeting of the intended substitution.

5. TIMES AND PLACES OF MEETINGS

The times and places of meetings will be determined by the proper officer and notified in the summons.

6. NOTICE OF AND SUMMONS TO MEETINGS

The proper officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Chief Executive will send a summons by e-mail and / or post to each member of the Council, or leave it, at his or her last known address or, if notified in writing to the proper officer, his or her preferred address. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

7. CHAIRMAN OF MEETING

The person presiding at the meeting may exercise any power or duty of the Chairman. Where these Standing Orders apply to committee or sub-committee meetings, references to the Chairman also include the Chairman of committees and sub-committees.

The Chief Executive or an officer nominated by him or her may preside at the election of the Chairman.

8. QUORUM

The quorum of a meeting will be one quarter of the whole number of members of the Council (if a Council meeting) or the relevant body of the Council, as the case may be, unless this Constitution otherwise provides. During any meeting if the Chairman counts the number of members present

and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

If there is no quorum at the published start time for the meeting, a period of ten minutes will be allowed, or longer, at the Chairman's discretion. If there remains no quorum at the expiry of this period, the meeting will be declared null and void.

9. DURATION OF MEETINGS

Unless ~~the majority~~three-quarters of members present vote for the meeting to continue, any meeting that has lasted for 4 hours, excluding adjournments will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

10. QUESTIONS BY THE PUBLIC

10.1 General

At the discretion of the Chairman, members of the public may ask questions of any member at ordinary meetings of the Council. A standard protocol to be observed by questioners is given in the footnote below .¹

10.2 Order of questions

Questions will be asked in the order notice of them was received, except that the Chairman may group together similar questions.

10.3 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the proper officer no later than midday 3 days before the day of the meeting. The proper officer shall acknowledge the

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1. Questioners will not be permitted to raise the competence or performance of a Councillor or officer, nor any matter involving exempt information or normally considered 'confidential'. Questioners cannot make any abusive or defamatory comments.
 2. Each questioner must make it clear whether he or she is speaking as a private individual or as a representative of an organisation.
 3. If any clarification of what the questioner has said is required, the Chairman will have the discretion to allow Councillors to ask questions.
 4. The questioner will not be permitted to participate in any subsequent discussion and will not be entitled to vote.
 5. The Chairman will decide when and what time will be set aside for questions depending on the amount of business on the agenda for the meeting. Normally questions will be dealt with as the first substantive item of the meeting. A maximum of ten minutes will be allowed for public questions on any specific agenda item.
 6. Individual questioners, ~~to set the scene for their questions,~~ will be permitted to speak for a maximum of three minutes.

receipt of each question in writing. Each question must give the name and address of the questioner. The Chairman may permit a question to be asked if shorter notice is given. If a substantive answer cannot be given at the meeting, the Chairman may refer the question to any other body of the Council or for a written response by the member or by the relevant Chief Officer.

10.4 Number of questions

At any one meeting no person may submit more than one question but one supplementary question may also be asked at the meeting. More than one question shall not be submitted on behalf of any organisation.

10.5 Scope of questions

The Chairman, having regard to the advice of the proper officer may reject a question if it:

- is not about a matter for which the local authority has a responsibility or which affects the district;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at the meeting or a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information.
- relates to a planning application which has yet to be determined by the Planning Committee or by Officers under delegated powers.

10.6 Record of questions

The proper officer will keep a record of submitted questions open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection.

10.7 Asking the question at the meeting

The Chairman will invite the questioner to put the question. If a questioner who has submitted a written question is unable to be present, they may ask the Chairman to put the question on their behalf or appoint a representative to do so. The Chairman may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

10.8 ~~Supplementary~~ question

A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chairman may reject a supplementary question on any of the grounds in Standing Order 10.5 above.

10.9 Written answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer. Written answers shall be circulated to the questioner within five working days of the meeting and shall be included as an Appendix to the Minutes.

10.10 Reference of question to the executive or a committee

Discussion can take place on a question only if the Chairman agrees. However, any member may move, in accordance with Standing Order 13(d) that a matter raised by a question be referred to the executive or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

11. QUESTIONS BY MEMBERS

11.1 On reports of the executive or committees

A member of the Council may ask the Leader, Portfolio Holder or the Chairman of a committee any question without notice upon an item of the report of the executive or a committee when that item is being received or under consideration by the Council.

11.2 Questions on notice at full Council

Subject to Standing Order 11.4, a member of the Council may ask:

- the Chairman;
- a member of the executive; or
- the Chairman of any committee or sub-committee

a question on any matter in relation to which the Council has powers or duties or which affects the district.

11.3 Questions on notice at committees and sub-committees

Subject to Standing Order 11.4, a member of a committee or sub-committee may ask the Chairman of it a question on any matter in relation to which the Council has powers or duties or which affect the district and which falls within the terms of reference of that committee or sub-committee.

11.4 Notice of questions

A member may only ask a question under Standing Order 11.2 or 11.3 if either:

- (a) they have given to the proper officer at least 6 working days notice in writing of the question; or

- (b) the question relates to urgent matters, they have the consent of the Chairman of Council and Member to whom the question is to be put and the content of the question is given to the proper officer by 9.30 a.m. on the day of the meeting.

11.5 ~~11.5~~ — Scope of questions

The Chairman, having regard to the advice of the proper officer may reject a question if it:

- is not about a matter for which the local authority has a responsibility or which affects the district;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at the meeting or a meeting of the Council in the past six months; or
- relates to a planning application which has yet to be determined by the Planning Committee or by Officers under delegated powers.

11.6 Response

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written **answer response which will be** circulated ~~later~~ within five working days to the questioner and included as an Appendix to the Minutes.

11.67 Supplementary question

A member asking a question under Standing Order 11.2 or 11.3 may ask one supplementary question without notice of the member to whom the first question was asked. The supplementary~~ry~~ question must arise directly out of the original question or the reply. It may be rejected by the Chairman on any of the grounds set out in Standing Order 11.5 above.

12. NOTICE OF MOTIONS

12.1 Notice

- (a) Except for motions which can be moved without notice under Standing Order 13 and any motion to remove the Leader from office as Leader or the members of the executive from office collectively, written notice of every motion, signed by a councillor, must be delivered to the proper officer not later than 10 days before the date of the meeting. E-signatures shall be acceptable for the purposes of this rule.

~~(a)~~

~~(b)~~(b) In the case of any motion for the removal of the Leader from office as Leader or the removal of the members of the executive from office collectively, written notice signed by at least one quarter of the councillors must be delivered to the proper officer not later than 10 days before the date of the meeting. Any such motion shall be carried only if at least two thirds of the members present at the meeting are in favour.

~~(c)~~(c) A record of notices of motion will be open to public inspection

~~(d)~~ Only one Motion may be submitted per Member per meeting.

12.2 The Chairman of the Council shall have discretion to determine the number of notices of motion accepted for debate at any one meeting of Council. He/she shall also have discretion to ask Council whether it wishes to consider a particular Motion. In this event, consent of three-quarters of the Members present and voting shall be required to prevent a Motion being further considered. If the Motion has yet to be proposed, Council shall proceed to the next business. If the Motion has been proposed and seconded, the question shall be put immediately.

12.3 Motion set out in agenda

Motions for which notice has been given and accepted by the Chairman will be listed on the agenda in the order which notice was received, unless the councillor giving notice states, in writing, that he or she proposes to move it to a later meeting or withdraw it. Subject to a written proposal by the councillor to move it at a later meeting, any motion not moved at the relevant meeting shall be deemed to be withdrawn.

12.4 Scope

Motions must be about matters for which the Council has a responsibility or which affect the district.

The Chairman, having regard to the advice of the proper officer may reject a Motion if it:

- is not about a matter for which the local authority has a responsibility or which affects the district;
- is defamatory, frivolous or offensive;
- is substantially the same as a Motion which has been put at the meeting or a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information.
- Would, if carried, commit the Council to a course or courses of action contrary to agreed processes or outside its authority to act.

12.5 Time limit

A maximum period of thirty minutes shall be allowed for each Motion to be moved, seconded and debated, including dealing with any amendments. At the expiry of the 30-minute period, debate shall cease immediately, the mover of the original Motion will have the right of reply before the Motion or amendment is put to the vote.

13. MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:

- (a) to appoint a Chairman of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a committee or member arising from an item on the summons for the meeting;
- (f) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) ~~to proceed to the next business~~ Closure Motions in accordance with Standing Order 14.11;
- ~~(j) that the question be now put;~~
- ~~(k) to adjourn a debate;~~
- ~~(l) to adjourn a meeting;~~
- ~~(m)(i)~~ (i) that the meeting continue beyond 4 hours in duration;
- ~~(n)(k)~~ (k) to suspend a particular council procedure Standing Order ;
- ~~(o)(l)~~ (l) to exclude the public and press in accordance with the Access to Information Rules;
- ~~(p)(m)~~ (m) to not hear further a member named under Standing Order 20.3 or to exclude them from the meeting under Standing Order 20.4; and
- ~~(q)(n)~~ (n) to give the consent of the Council where its consent is required by this Constitution.

14. RULES OF DEBATE

14.1 *No speeches until motion seconded*

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

14.2 Right to require motion in writing

Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him/her before it is discussed.

14.3 Secunder's speech

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

14.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No proposer's speech may exceed 85 minutes, nor any other speech exceed 35 minutes, without the consent of the Chairman.

14.5 When a member may speak again

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another member;
- (b) to move a further amendment if the motion has been amended since he/she last spoke;
- (c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- (d) in exercise of a right of reply in accordance with Standing Order 14.9;
- (e) on a point of order; ~~and~~
- (f) by way of personal explanation.
- (g) To move a Motion under Standing Order 14.10 (Motions which may be moved during debate).

14.6 Amendments to motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - i. to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - ii. to leave out words;
 - iii. to leave out words and insert or add others; or

iv. to insert or add words.

as long as the effect of (ii) or (iv) is not to negate the motion.

- (b) Normally, only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of. Exceptionally, the Chairman may allow, after notice of proposal, concurrent discussion of a subsequent amendment before both are disposed of in whatever order the Chairman thinks fit if it appears to the Chairman that this course would facilitate the proper conduct of the Council's business.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

14.7 Alteration of motion

- (a) A member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

14.8 Withdrawal of motion

A member may withdraw a motion which he/she has submitted or moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused. In accordance with Standing Order 12.3, any motion not moved at the relevant meeting shall be deemed to be withdrawn.

14.9 Right of reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.

- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

14.10 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- ~~(c) to proceed to the next business;~~
- ~~(d) that the question be now put;~~
- ~~(e) to adjourn a debate;~~
- ~~(f)(c) to adjourn a meeting; closure Motions in accordance with Standing Order 14.11~~
- ~~(g)(d) that the meeting continue beyond 4 hours in duration;~~
- ~~(h)(e) to exclude the public and press in accordance with the Access to Information Rules; and~~
- ~~(i)(f) to not hear further a member named under Standing Order 20.3 or to exclude them from the meeting under Standing Order 20.4.~~

14.11 Closure motions

- (a) A member may move, without comment, the following motions at the end of a speech of another member:
 - i. to proceed to the next business;
 - ii. that the question be now put;
 - iii. to adjourn a debate; or
 - iv. to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Chairman thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Chairman thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently

discussed and cannot reasonably be so discussed on that occasion, or if the meeting has previously resolved to continue beyond four hours' duration in accordance with Standing Order 9, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

14.12 Point of order

A member may raise a point of order at any time. The Chairman will hear it immediately. A point of order may only relate to an alleged breach of these Council Standing Orders or the law. The member must indicate the Standing Order or law and the way in which he/she considers it has been broken. The ruling of the Chairman on the matter admissibility of a Point of Order will be final.

14.13 Personal explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Chairman on the admissibility of a personal explanation will be final.

15. PREVIOUS DECISIONS AND MOTIONS

15.1 Motion to rescind a previous decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 12 members.

15.2 Motion similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 12 members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

16. VOTING

16.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the question is put.

16.2 Chairman's casting vote

If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote.

16.3 Method of voting

Unless a recorded vote is demanded, the Chairman will normally take the vote either by electronic means or by show of hands, at his or her discretion, or if there is no dissent, by the affirmation of the meeting. Exceptionally, a paper ballot may be considered by the Chairman to be appropriate.

16.4 Announcement of Result

Whatever the method of voting, the Chairman will announce the result or the numerical result of the vote immediately the result is known.

16.5 Recorded vote

If 6 members or one quarter of those present at the meeting, whichever is the fewer, demand it, the names for and against the motion or amendment, ~~or~~ abstaining from voting or not voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot. This procedure shall not apply to voting on appointments.

16.6 Right to require individual vote to be recorded

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

16.7 Voting on appointments

Where there are three or more candidates for appointment and there is after balloting no candidate with a clear majority, meaning in this case the votes of **more than 50% of members present and voting**., the candidate with the least number of votes shall withdraw and there shall be a fresh ballot of the remaining candidates; and so on as necessary until a candidate has that majority.

17. MINUTES

17.1 Signing the minutes

The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

17.2 No requirement to sign minutes of previous meeting at extraordinary meeting

~~Where in relation to any meeting, the next meeting for the purpose of signing minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.~~

There shall be no requirement to sign the minutes of a previous ordinary meeting at an extraordinary meeting of the Council convened under Standing Order 3 above. Any unsigned Minutes of previous ordinary meetings and the minutes of the extraordinary meeting shall be signed at the next ordinary meeting.

17.3 Form of minutes

Minutes will contain all motions and amendments in the exact form and order the Chairman put them.

18. RECORD OF ATTENDANCE

18.1 All members are required to sign the attendance sheet before the conclusion of the meeting to assist with the record of attendance.

18.2 Any component body of the council (committees, sub-committees, advisory groups, working parties etc) may remove a member from that body if he or she has missed four consecutive meetings of the body concerned, unless the absence is approved by the body.

19. EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Standing Order 21 (Disturbance by Public).

20. MEMBERS' CONDUCT

20.1 Standing to speak

When a member speaks at full Council they must stand and address the meeting through the Chairman. If more than one member stands, the Chairman will ask one to speak and the others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

20.2 Chairman standing

When the Chairman stands during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

20.3 Member not to be heard further

If a member persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

20.4 Member to leave the meeting

If the member continues to behave improperly after such a motion is carried, the Chairman may move that either the member leaves the meeting or that

the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

20.5 General disturbance

If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks necessary. An adjournment in these circumstances shall not require a Motion to be passed.

21. DISTURBANCE BY PUBLIC, RECORDING OF PROCEEDINGS

21.1 Removal of member of the 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.

21.2 Clearance of part of 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.

21.3 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 to be removed.

21.4 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, or any committee or sub-committee of the Council or the executive.

22. SUSPENSION AND AMENDMENT OF COUNCIL STANDING ORDERS

22.1 Suspension

All of these Standing Orders except Standing Orders 16.6 and 17.2 and these Standing Orders may be suspended by motion on notice or without notice if requested by at least two thirds of councillors present and voting. Suspension can only be for the duration of the meeting.

22.2 Amendment

Any motion to add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

23. APPLICATION TO EXECUTIVE, COMMITTEES AND SUB-COMMITTEES

- (a) All of the Standing Orders apply to meetings of full Council.
- (b) None of the Standing Orders apply to meetings of the executive except Standing Order 10 (Public Questions).
- (c) Only Standing Orders 5 – 9 and 11 - 23 (but not Standing Order 20.1, standing to speak) apply to meetings of all committees and sub-committees.
- (d) Standing Order 10 shall apply to all executive meetings open to the public and all committee and sub-committee meetings open to the public other than regulatory committees or sub-committees. Detailed guidelines for questions at the Scrutiny and Overview Committee are set out in Part 5 – Codes and Protocols.

~~(e) Standing Order 9 (the 'four hour' meeting limit) shall not apply to the Planning Committee.~~

~~(f)~~(e) The Licensing Committee (2003 Act) has resolved to operate under the Local Government Act 1972 (as amended). Standing Orders 5-9 and 11-23 (but not SO 20.1) consequently apply to meetings of the full Committee, but not to meetings of its sub-committees.

24. INTERPRETATION OF STANDING ORDERS (from Article 16.02)

The ruling of the Chairman of Council as to the application of these Standing Orders shall not be challenged at any meeting of the Council. Such interpretation shall have regard to the purposes of the Constitution set out in Article 1.

<u>Committee</u>	<u>Membership</u>	<u>Functions</u>	<u>Delegation of Functions</u>
Audit Panel	8 councillors who are not Members of the Cabinet, appointed in accordance with the rules of political balance. The Chairman of the Scrutiny and Overview Committee shall not be eligible to Chair the Panel although he/she may be a member of it.	<p>1. <u>General</u></p> <p>Responsibility of the Audit Panel</p> <p>(i) To review and advise the Council on the embedding and maintenance of an effective system of corporate governance, risk management and internal control.</p> <p>(ii) To give assurance to the Council that there is a sufficient and systematic review of the corporate governance, risk management and internal control arrangements within the Council.</p> <p>(iii) in conjunction with the Chief Finance Officer, to commission such “value for money” or special studies as considered appropriate;</p> <p>(iv) to consider the Performance Indicators and Local Authority Profile as published by the Audit Commission and, as appropriate, initiate investigative action;</p> <p>(v) to recommend to the Council action in respect any issues of major concern arising from audit reports and/or management letters.</p> <p>(vi) to maintain an overview of the main instruments of financial control, such as Standing Orders in relation to contracts, Financial Regulations etc., and, where appropriate, make recommendations to the Council for improvement.</p> <p>Shared responsibility with the Cabinet:</p> <p>(i) to monitor the overall efficiency and effectiveness of the internal and external audit services.</p> <p>(ii) to be informed by the Chief Finance Officer, at his discretion, of any matters of suspected fraud and/or mal-administration, pending receipt of an interim or final report.</p> <p>2. <u>External Audit</u></p> <p>Responsibility of the Audit Panel:</p> <p>(i) to oversee, generally, the work of external audit and provide a suitable forum for discussion of related matters;</p>	To the Chairman of the Panel and Officers as appropriate

		<p>(ii) to consider, annually, the programme of work to be performed by external audit and the draft audit time budget;</p> <p>(iii) to confirm that the managed audit approach between external audit and internal audit is working for the maximum advantage of the Council;</p> <p>(iv) to receive, upon request, periodic presentations on specialist audit areas or other matters of interest.</p> <p>Shared responsibility with the Cabinet:</p> <p>(i) to receive copies of all external audit reports including value for money studies;</p> <p>(ii) to monitor, annually, or more frequently where deemed appropriate, the implementation of agreed recommendations in respect of both external audit reports and management letters.</p> <p>3. <u>Internal Audit</u></p> <p>Responsibility of the Audit Panel:</p> <p>(i) to review and confirm annually with the Chief Finance Officer the Audit Risk Index and Strategic Audit Plan;</p> <p>(ii) in association with the Chief Finance Officer, to consider the total resource requirements for the coming year and the proposed level of fees and fee structure;</p> <p>(iii) to monitor the activities of the Internal Audit service provider and measure performance against plan;</p> <p>(iv) to review the annual report of the Internal Audit Manager;</p> <p>(v) to examine and review the planning and co-ordination of internal audits with the aim of confirming an effective and efficient service continues to be provided;</p> <p>(vi) to consider a quarterly report by the Audit Manager detailing audit coverage and the extent to which any major problems were highlighted.</p> <p>(vii) to consider the draft statement on internal control prior to its inclusion in the statement of accounts.</p>	
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APPENDIX A**ARTICLE 12
Officers****12.01 Management Structure**

- (a) **General.** The full Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.
- (b) **Chief Officers.** The full Council will engage persons for the following posts, who will be designated Chief Officers and who shall collectively form a Senior Management Team:

Post	Functions and areas of responsibility
Chief Executive (Head of Paid Service)	<p><u>Statutory functions of the Head of Paid Service as set out in 12.02 below.</u></p> <p>Overall corporate management and operational responsibility (including overall management responsibility for all officers)</p> <p>Departmental management and operational responsibility for the following service areas:</p> <p>Corporate Policy; Best Value; Public Relations/Information; Reception; Sustainability; Electoral Registration and Review; Community Strategy; Community Partnerships/Development; Arts Development; Sports Development; Community Safety; Milton Country Park; Travellers' Services</p> <p>Provision of professional advice to all parties in the decision making process.</p> <p>Together with the monitoring officer, responsibility for reviewing the Constitution.</p> <p>Representing the Council on partnership and external bodies (as required by statute or the Council).</p>
Chief Finance Officer	<p>Departmental management and operational responsibility for the following service areas:</p> <p>Financial Administration; Accountancy; Collection of Revenues (Council Tax, Non-Domestic Rates, Rents and Other Debts); Housing and Council Tax Benefit; Site Management; Postal Services; Printing Services; e-Government; Exchequer; Payroll; Internal Audit; Library; Human Resources; Legal Services; Local Land Charges; Democratic Services.</p>

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	<p>Together with the monitoring officer, responsibility for a system of record keeping for all the Council's decisions.</p> <p>Statutory responsibilities of chief finance officer set out in 12.04 below.</p> <p>Calculation of the council tax base, in accordance with S67 of the Local Government Act, as amended by S84 of the Local Government Finance Act 2003.</p>
<p>Development Services Director <u>Executive Director</u></p>	<p>Departmental management and operational responsibility for the following service areas:</p> <p>Development Control; Local Plans/Local Development Framework; Land Use; Transport and Economic Development; Building Control; Conservation of Built and Natural Environment; Listed Building Grants; Street Naming and Numbering; Housing Development; Travellers Sites</p>
<p>Housing and Environmental Services Director*</p>	<p>Departmental management and operational responsibility for the following service areas:</p> <p>Housing Management (Shire Homes); Housing Aid and Advice; Home Improvement Agency; Right to Buy; Lands; Contracted Building Repairs, Grounds Maintenance, Vehicle Maintenance, Taxi and Private Hire Car Inspection and Miscellaneous Direct Services in support of other Council functions;</p> <p>†*All Council's Licensing Functions; Environmental Health and Services including Dog Warden Service, Pest Control Service; Street Cleansing; Street Lighting; Swavesey By-Ways; Awarded Watercourses; Waste Management and Re-Cycling; Pollution Control; closure powers under Part 6 of the Anti-Social Behaviour Act 2003.</p> <p>(Line management only - all under operational control of Chief Environmental Health Officer)</p>
<p>Chief Environmental Health Officer <u>Monitoring Officer</u></p>	<p>Statutory functions of the Monitoring Officer as set out in 12.03 below.</p> <p>All Council's Licensing Functions; Environmental Health and Services including Dog Warden Service, Pest Control Service; Street Cleansing; Street Lighting; Swavesey By-Ways; Awarded Watercourses; Waste Management and Re-Cycling; Pollution Control</p>

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	<i>[Full operational control — only reporting to Housing and Environmental Services Director]</i>	
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- (c) **Head of Paid Service, Monitoring Officer and Chief Finance Officer.** The Council designates the following posts as shown:

Post	Designation
Chief Executive	Head of Paid Service
Head of Legal Services Executive Director	Monitoring Officer
Chief Executive	Chief Finance Officer

Such posts will have the functions described in Article 12.02-12.04 below.

(d) **Corporate Managers** The Council shall appoint Corporate Managers to carry out its functions through power delegated by the Chief Officers. The Chief Officers, together with the Corporate Managers, Principal Solicitor, Human Resources Manager and any other officer at the Chief Officers' discretion, shall collectively form an Executive Management Team.

(d)(e) **Structure.** The Head of Paid Service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of senior officers. This is set out at Part 7 of this Constitution.

12.02 Functions of the Head of Paid Service

- (a) Discharge of functions by the Council. The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- (b) Restriction on functions. The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

12.03 Functions of the Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Chief Finance

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Officer, the Monitoring Officer will report to the full Council or to the executive in relation to an executive function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

- (c) **Supporting the Standards Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.
- (d) **Receiving reports.** The Monitoring Officer will receive and act on reports made by ethical standards officers and decisions of the case tribunals.
- (e) **Conducting investigations.** The Monitoring Officer, or a representative appointed by him/her, will conduct investigations into matters referred by ethical standards officers and make reports or recommendations in respect of them to the Standards Committee.
- (f) **Proper officer for access to information.** The Monitoring Officer will ensure that executive decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- (g) **Advising whether executive decisions are within the budget and policy framework.** The Monitoring Officer will advise whether decisions of the executive are in accordance with the budget and policy framework.
- (h) **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.
- (i) **Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

12.04 Functions of the Chief Finance Officer

- (a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council or to the executive in relation to an executive function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring

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unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully [s.114 Local Government Finance Act, 1988]. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

- (b) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council [s.151 Local Government Act, 1972] and there is delegated to the Chief Finance Officer responsibility for the execution and administration of treasury management decisions. He/she will act in accordance with the Council's policy statements and treasury management practices and the Chartered Institute of Public Finance and Accountancy's Standard of Professional Practice on Treasury Management
- (c) **Contributing to corporate management.** The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- (d) **Providing advice.** The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (e) **Giving financial information.** The Chief Finance Officer will provide financial information to the media, members of the public and the community.

12.05 *Duty to Provide Sufficient Resources to the Monitoring Officer and Chief Finance Officer*

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

12.06 *Conduct*

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer / Member Relations set out in Part 5 of this Constitution.

12.07 *Employment*

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Part 4 of this Constitution.

APPENDIX A**12.08 General Delegated Powers and Proper Officer Responsibilities**
[repeated in Delegation Rules]

(a) Authority to exercise the powers and carry out all of the functions of the Council shall be delegated to the Chief Officers, subject to the following exceptions:

- (1) Matters reserved to the Council in accordance with Article 4.
- (2) Matters reserved to the Cabinet and individual Portfolio Holders in accordance with Part 3, Tables 2A and B.
- (3) Matters reserved to Regulatory and other Committees and Sub-Committees in accordance with Part 3, Tables 1 and 3.
- (4) Matters reserved to specific Officers by law or under the provisions of this Constitution.

The Chief Officers shall have authority to delegate their powers, functions and responsibilities, wholly or in part, to Corporate Managers or other senior staff reporting directly to them. These officers shall themselves have discretion to delegate powers to be exercised by suitably qualified and experienced officers within their areas of responsibility, subject to limitations on further delegation which may be imposed. In all cases:

- General and specific delegations, and any limitations upon them, shall be set out in writing.
- Delegated powers shall be exercised in accordance with the Council's agreed corporate priorities set out in the budget and policy framework agreed by the Council and with the Delegation Rules set out in Part 4 of this Constitution.
- Accountability for the actions of Corporate Managers and subordinate Officers shall remain with the Chief Officers.

~~(a)(b) The~~ Chief Officers shall have full power to do all such things and exercise all such discretions within their respective functions and areas of responsibility as set out in Article 12.01(b) above in relation to all operational matters, subject strictly to the Delegation Rules in Part 4. These powers, though described in general terms, are intended to allow Chief Officers freedom of operational management, within service areas, within policy and within budget. ~~Where there is doubt as to whether a power exists or existed, the Chief Executive shall after consulting any members of the executive or any relevant Chairmen of Committees, advise and may certify in writing accordingly. Such certificate shall be conclusive for all purposes.~~

~~(b)(c)~~ Any limit or restriction upon the general delegated powers under paragraph 3.3 of the Delegation Rules shall be reported to the Council and recorded by the proper officer [paragraph 4,

APPENDIX A

ibid]. In this paragraph and in all the Part 4 rules relating to committee, executive and Council administration, reference to the 'proper officer' shall mean the Chief Executive or such suitably experienced senior officer as the Chief Executive shall appoint

~~(e)~~(d) Unless otherwise provided by law or in this Constitution, each Chief Officer, within his or her respective functions and areas of responsibility set out in Article 12.01(b), shall also be the respective 'proper officer' in all cases where statute or regulation requires or provides for the Council to appoint a 'proper officer' but any Chief Officer may delegate any such responsibility to a suitably experienced senior officer

~~(d)~~(e) All proper officer appointments not already set out in this Constitution, other than general appointment under paragraph ~~(de)~~ above, whether of, or under delegation by, any Chief Officer, shall be recorded by the Chief Executive and that record shall be kept up to date and available for inspection in the same manner as the scheme of delegations of powers.

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Procedure for Local Investigation of Referred Complaints

Introduction and Summary

This note sets out the procedure which will be followed in the local investigation of allegations of misconduct by Councillors¹. No departure will be made from this procedure unless and until the Monitoring Officer² has first notified the Councillor against whom the allegation has been made of the proposed variation to the procedure and the reasons for that variation.

This procedure will apply to the investigation of allegations of breaches of the authority's Code of Conduct by elected and co-opted members of the authority and to breaches of the Parish Council Code of Conduct by parish councillors, and the word "Councillor" is taken to refer to all such persons. The authority has also resolved that the same procedure shall apply to the investigation of allegations of breaches of the authority's local protocols³, in so far as they apply to Councillors.

Where the Standards Board for England receives an allegation that a Councillor has breached the authority's Code of Conduct for Members, the Board refers the allegation to an Ethical Standards Officer for investigation⁴. At any point in that investigation the Ethical Standards Officer may determine that the allegation should be referred to the authority's Monitoring Officer (or in the case of a Parish Council, to the Monitoring Officer of the local District or Unitary Authority⁵). If the matter is referred before the Ethical Standards Officer has completed his investigation, the Monitoring Officer is then required to arrange for an Investigating Officer to investigate the allegation and to report the matter to the authority's Standards Committee⁶ (or to a Sub-Committee of the Standards Committee convened for that purpose⁷). Similarly, when the Monitoring Officer receives an allegation of a failure by a Councillor to comply with a local protocol, and he is of the opinion that the allegation merits investigation, he shall arrange for an Investigating Officer to investigate the allegation and to report the matter to the authority's Standards Committee. Where the Investigating Officer has found, after investigation, that the Councillor has not acted in breach of the authority's Code of Conduct for Members or a local protocol, the Standards Committee must meet to decide whether to accept that finding or to

¹ This procedure will apply to allegations of breach of the authority's Code of Conduct by elected and co-opted members of the authority and by the directly elected mayor of the authority (if any), and the word "Councillor" is to be taken to refer all such persons.

² The "Monitoring Officer" is an officer of the Council who has been designated as the authority's Monitoring Officer under section 5 of the Local Government and Housing Act 1989.

³ Authorities may supplement their Code of Conduct for Members with local protocols which do not form part of the Code of Conduct. Allegations of a breach of a local protocol may also constitute breaches of the Code of Conduct, and so fall within the jurisdiction of the Standards Board. Where a particular allegation of breach of protocol does not form a breach of the Code of Conduct, it would fall to be investigated and determined by the authority concerned. Accordingly this procedure will apply equally to allegations of breach of a local protocol, but by virtue of a delegation from Council rather than by virtue of the Local Authorities (Code of Conduct) (Local Determination) (Amendment) Regulations 2004 – SI 2004 No. 2617.

⁴ Section 58(2), Local Government Act 2000.

⁵ Where this procedure relates to a District or Unitary Authority's responsibilities in respect of a Parish Council, it refers to the District or Unitary Authority as the Principal Authority.

⁶ Section 59(4)(c), Local Government Act 2000.

⁷ Where an authority determines that individual allegations shall be considered by a Sub-Committee, or Regulations require that a complaint be considered by a Sub-Committee, references in this procedure to the Standards Committee should be read as being references to such a Sub-Committee.

proceed to a formal hearing. Where the Investigating Officer has found that there has been a failure to comply with the Code of Conduct for Members or a local protocol, or where the Standards Committee decides to hold a full hearing, there will then be a formal hearing to determine whether a breach of the authority's Code of Conduct has occurred and whether any action should be taken in consequence.

In this process, the function of the Investigating Officer is to ensure, as far as possible, that all the information which is relevant to the allegation is identified and presented to the Standards Committee, to enable the Standards Committee to come to an informed decision as to whether the Councillor has failed to comply with the authority's Code of Conduct for Members or a local protocol, and upon any consequent action. The Standards Committee acts in an inquisitorial manner, rather than an adversarial manner, seeking the truth in relation to the conduct of the Councillor on the balance of the information available to it, and may commission further investigation or information if it needs to do so in order to come to a decision.

1. Interpretation

- (a) 'Councillor' means the member of the authority who is the subject of the allegation being considered by the Standards Committee, unless stated otherwise. It also includes the Councillor's representative.
- (b) 'Investigating Officer' means the Ethical Standards Officer (ESO) who referred the report to the authority (and his or her nominated representative) or, in the case of matters that have been referred for local investigation, references to the Investigating Officer mean the person appointed by the Monitoring Officer to undertake that investigation (which may include the Monitoring Officer, and his or her nominated representative).⁸
- (c) 'The Matter' is the subject matter of the Investigating Officer's report.
- (d) 'The Standards Committee' refers to the Standards Committee or to any Standards Sub-Committee to which it has delegated the conduct of the hearing, unless the context indicates that it refers only to the Standards Committee itself.

2. Notification of Reference of Allegation to the Monitoring Officer

- (a) Appointment of Investigating Officer

Upon receipt of the allegation from an Ethical Standards Officer, the Monitoring Officer will appoint an Investigating Officer in respect of the allegation and instruct him to conduct an investigation of the allegation and to report thereon to the authority's Standards Committee. The Investigating Officer may be an officer of the authority⁹, an officer of another local authority, or an external Investigating Officer.

The Investigating Officer may appoint persons to assist him in the conduct of his functions and may obtain such professional advice as may be necessary for the conduct of the investigation.

⁸ This definition has been amended to make it clear that, when the Monitoring Officer arranges for someone else to undertake the investigation, the definition of the 'Investigating Officer' no longer includes the Monitoring Officer.

⁹ There are two distinct roles, that of the Investigating Officer and that of legal advisor to the Standards Committee. The Monitoring Officer may him/herself take on the role of the Investigating Officer. Where he / she does so, he / she must also arrange for a separate legal advisor to the Standards Committee in respect of the allegation.

(b) Notification to the Councillor

The Monitoring Officer will then notify¹⁰ in writing the Councillor against whom the allegation is made:

- (i) That the allegation has been referred to him for local investigation and determination;
- (ii) The identity of the person making the allegation (unless on the rare occasion at the outset of the investigation where identification of the complainant might prejudice the investigation or put the complainant at risk, this grant of anonymity being subject to constant review);
- (iii) Of the conduct which is the subject of the allegation;
- (iv) Of the section(s) of the Code of Conduct or local protocol which appear to him to be relevant to the allegation;
- (v) Of the procedure which will be followed in respect of the allegation; and
- (vi) Of the identity of the Investigating Officer.

The Monitoring Officer shall provide the Councillor with a copy of any report received from the Ethical Standards Officer.

(c) Notification to the Standards Committee

At the same time as notifying the Councillor, the Monitoring Officer will notify each member of the Standards Committee in writing of the matters set out in paragraphs 2(b) (i) – (iv) and (vi) above.

(d) Notification to the Parish Council Clerk

Where the allegation relates to the conduct of a member of a Parish Council in his capacity as such, at the same time as notifying the Councillor, the Monitoring Officer will notify the Clerk of the Parish Council concerned in writing of the matters set out in paragraphs 2(b) (i) – (iv) and (vi) above.

(e) Notification to the Person who made the Allegation

At the same time as notifying the Councillor, the Monitoring Officer will notify the person who made the allegation in writing of the matters set out in paragraphs 2(b) (i) – (iv) and (vi) above.

(f) Initial response of the Councillor

In notifying the Councillor of receipt of the allegation, the Monitoring Officer shall request the Councillor to respond to the Investigating Officer in writing within 30 days of notification as follows:

¹⁰ In very exceptional cases, where the Monitoring Officer has reason to believe that there is a serious risk of intimidation of witnesses or destruction of evidence, the Monitoring Officer may initiate an investigation before notifying the Councillor.

- (i) Advising the Investigating Officer whether the Councillor admits or denies the breach of the Code of Conduct or local protocol which is the subject of the allegation;
 - (ii) Listing any documents which the Councillor would wish the Investigating Officer to take into account in any investigation of the allegation, where possible providing copies of these documents, and informing the Investigating Officer of where the original documents may be inspected;
 - (iii) Providing the Investigating Officer with the name, address and telephone number (or other appropriate contact details) of any person or organisation whom the Councillor would wish the Investigating Officer to interview in the course of any investigation of the allegation; and
 - (iv) Providing the Investigating Officer with any information which the Councillor would wish the Investigating Officer to seek from any person or organisation.
- (g) Supporting information from the person who made the allegation

In notifying the person who made the allegation as above, the Monitoring Officer will request the person to respond to the Investigating Officer within 14 days:

- (i) Listing any documents which the person would wish the Investigating Officer to take into account in any investigation of the allegation, where possible providing copies of these documents, and informing the Investigating Officer of where the original documents may be inspected;
- (ii) Providing the Investigating Officer with the name, address and telephone number (or other appropriate contact details) of any person or organisation whom the person would wish the Investigating Officer to interview in the course of any investigation of the allegation; and
- (iii) Providing the Investigating Officer with any information which the person would wish the Investigating Officer to seek from any person or organisation.

3. Conduct of Investigation

(a) Purpose of the Investigation

The purpose of the Investigating Officer's investigation is to enable him to prepare and present to the Standards Committee a report which, together with any report provided by the Ethical Standards Officer, would provide the Standards Committee with sufficient information to determine whether the Councillor has acted in breach of the Code of Conduct or local protocol and, where there has been a breach of the Code of Conduct or local protocol, whether any action should be taken in respect of the Councillor or in consequence of the breach, and what any such action should be.

(b) Termination of the Investigation

The Investigating Officer may terminate his investigation at any point where he is satisfied that he has sufficient information to enable him to report to the Standards

Committee and to enable the Standards Committee to come to a considered decision on the allegation.

(c) Additional Matters

Where, in the course of his investigation, the Investigating Officer becomes aware of any other matter which appears to him to indicate a breach of the Code of Conduct or local protocol by the Councillor other than the breach which he is currently investigating, the Investigating Officer shall either:

- (i) *(where the additional matter relates to an apparent breach of the authority's Code of Conduct by a member of the principal authority)* report the matter to the Monitoring Officer who will provide the Councillor with details of the matter in the form set out in paragraphs 2(b) (iii) and (iv) above and invite the Councillor to provide a statement as to why the additional matter does not constitute a breach of the Code of Conduct. The Monitoring Officer will then determine whether to report the additional matter to the Standards Board;
 - (ii) *(where the additional matter constitutes an apparent breach of the authority's local protocols but not a breach of the Code of Conduct by a member of the principal authority)* report the matter to the Monitoring Officer who will provide the Councillor with details of the matter in the form set out in paragraphs 2(b) (iii) and (iv) above and invite the Councillor to provide a statement as to why the additional matter does not constitute a breach of the authority's local protocols. The Monitoring Officer will then take a decision whether to refer the matter to an Investigating Officer for local investigation and report to the Standards Committee as appropriate. Where the original matter relates to an allegation of breach of a local protocol, and the additional matter relates to a further breach of a local protocol of the same authority, the Monitoring Officer may, with the consent of the Councillor, request the original Investigating Officer to extend his investigation to include the additional matter;
 - (iii) *(where the additional matter relates to an apparent breach of the Code of Conduct or a local protocol by a Parish Councillor)* notify the Clerk to the Town or Parish Council of the additional matters and take no further action in respect thereof¹¹.
- (d) Following notification of the allegation to the Councillor, the Investigating Officer will identify an initial list of persons to be interviewed, organisations from whom information is to be sought and documents to be inspected as part of the investigation. Where the Councillor has provided the Investigating Officer with the information requested in accordance with Paragraphs 2(e) (ii) and (iii) above, the Investigating Officer shall include in this list each document, person and organisation referred to in that response, unless he is of the opinion that the inclusion of that document, person or organisation would unreasonably delay the completion of the investigation rather than to contribute to the accuracy of the Investigating Officer's final report. The Investigating Officer may supplement or amend this list at any stage of the investigation.

¹¹ As set out above, District Council Standards Committees would have no jurisdiction in respect of breaches of local protocols by parish and Town Councillors, which would have to be dealt with by the Parish Council itself unless the Parish Council has delegated the resolution of such matters to the District Council.

(e) Production of documents, information and explanations:

- (i) In the course of the investigation, the Investigating Officer and any person authorised on his behalf may make such enquiries of any person or organisation, and request any person or organisation to provide any document or information which is in his / its possession or control, or provide any explanation, as he thinks necessary for the purposes of carrying out the investigation.
- (ii) In the course of the investigation, the Investigating Officer and any person authorised on his behalf may require any authority of which the Councillor is a member to provide any document which is in his / its possession or control which he thinks necessary for the purposes of carrying out this investigation.

(f) Interviews

(i) Requesting attendance

In the course of the investigation the Investigating Officer may request any person to attend and appear before him or otherwise provide any information, document or explanation for the purpose of Paragraph 3(e) as he thinks necessary for the purposes of carrying out the investigation.

(ii) Representation

Any person who appears before the Investigating Officer arranges to be accompanied at their own expense by a solicitor or friend.

(iii) Notes of interviews

Where practicable, following the interview the Investigating Officer shall produce a written note of the material points of the interview, provide two copies of that note to the person interviewed and ask them to return one copy signed as a correct record of the interview, with such corrections or amendments as they may feel necessary for that purpose. All interviews will be tape-recorded.

(g) Costs

The Investigating Officer may, where he considers that it is appropriate in order to facilitate the conduct of the investigation, pay to any person who provides any document, information, advice or explanation in response to his request, all costs incurred, fees and professional charges subject to the maxima set by the authority.

(h) Reference back to the Standards Board (allegations of breach of the Code of Conduct for Members only)

At any point in the course of the investigation, if the Investigating Officer is of the opinion

- (i) that the seriousness of the matters which he is investigating, including any additional matters identified under Paragraph 3(c) above, is such that they may merit the application of a sanction beyond the powers of the Standards Committee, or

- (ii) that the nature of the allegations is such that it would be inappropriate for the Standards Committee to determine the matter,

he may, after consulting the Monitoring Officer, suspend his investigation and the Monitoring Officer shall then request the Ethical Standards Officer to resume his investigation of the matter.

Where the Ethical Standards Officer does resume his investigation, the Monitoring Officer shall ensure that the Councillor concerned, the person who made the complaint, the members of the Standards Committee and any Parish Council is informed of such resumption. Where the Ethical Standards Officer declines to resume his investigation, the Monitoring Officer shall instruct the Investigating Officer to resume his investigation.

4. The Draft Report

- (a) When the Investigating Officer is satisfied that he has sufficient information to meet the requirement set out in Paragraph 3(a), or has obtained as much information as is likely to be reasonably capable of being obtained, he shall prepare a draft report setting out:
 - (i) The details of the allegation;
 - (ii) The relevant provisions of the statute, of the Code of Conduct and any relevant local protocols;
 - (iii) The Councillor's initial response to notification of the allegation (if any);
 - (iv) The relevant information, advice and explanations which he has obtained in the course of the investigation;
 - (v) A list of any documents relevant to the matter;
 - (vi) A list of those persons whom he has interviewed and those organisations from whom he has sought information;
 - (vii) A note of any person or organisation who has failed to co-operate with the investigation and the manner in which they have failed to co-operate;
 - (viii) A statement of his draft findings of fact;
 - (ix) His conclusion as to whether the Councillor has or has not failed to comply with the Code of Conduct for Members of any authority or a local protocol; and
 - (x) Any recommendations which the Investigating Officer is minded to make to any authority concerned for reviewing or reconsidering any decision which was the subject of the breach of the Code of Conduct or local protocol or to remedy the position of any person who may have suffered detriment or injustice as a result of the breach. Where the allegation relates to a Parish Councillor, such recommendations would be recommendations which the Investigating Officer would recommend that the Standards Committee make to the Parish Council.
- (b) The draft report should also state that the report does not necessarily represent the Investigating Officer's final finding, and that the Investigating Officer will present a final

report to the Standards Committee once he has considered any comments received on the draft report.

- (c) The Investigating Officer shall then send a copy of his draft report in confidence to the Councillor and the person making the allegation, and request that they send any comments thereon to him within 14 days.
- (d) The Investigating Officer may send a copy of, or relevant extracts from his draft report in confidence to any person on whose evidence he has relied in compiling the draft report, and request that they send any comments thereon to him within 14 days.

5. The Final Report

- (a) After the expiry of that period (or such extended period as the Investigating Officer may allow), the Investigating Officer shall reconsider and amend his draft report in the light of any comments received, and produce and send to the Monitoring Officer his final report. The final report should state that the report represents the Investigating Officer's final findings and will be presented to the Standards Committee, and should have appended to it copies of any documents which the Investigating Officer has relied on in reaching his conclusions, such as background documents of telephone conversations, letters, and notes of interviews with witnesses;
- (b) The Monitoring Officer shall then send a copy of the final report to the Councillor, advising that:
 - (i) Where the final report concludes that there has not been a failure to comply with the Code of Conduct for Members or a local protocol, he will refer the report to the Standards Committee for their consideration; and
 - (ii) Where the final report concludes that there has been a failure by the Councillor to comply with the Code of Conduct for Members or with a local protocol, he will refer the report to the Standards Committee for a formal hearing.
- (c) The Monitoring Officer shall ensure that, when the agenda for the Standards Committee is sent out to members of the Standards Committee, including the final report, the agenda and the report are also sent to:
 - (i) The person who made the complaint;
 - (ii) The Clerk to the Parish Council (if any); and
 - (iii) The Ethical Standards Officertogether with a note explaining the circumstances under which the Standards Committee may conduct a hearing into the allegations, and the procedure for these events.
- (d) Where the Standards Committee considers the report in accordance with Paragraph 5(a)(ii) above, it shall make one of the following findings:
 - (i) That it accepts the Investigating Officer's finding that the Councillor has not failed to comply with the Code of Conduct for Members as set out in the allegation;

- (ii) That it accepts the Investigating Officer's finding that, on the facts as set out in the report, the Councillor has not failed to comply with a local protocol; or
 - (iii) That the matter should be considered at a hearing of the Standards Committee, conducted in accordance with the authority's adopted Procedure for Local Determination Hearings¹².
- (e) Where the Standards Committee finds as set out in Paragraph 5(b)(i) or (ii) above (no failure to comply with the Code of Conduct or with a local protocol), the Monitoring Officer shall, as soon as practicable thereafter, send a written notice of that finding and the reasons on which it was based, together with a copy of the Investigating Officer's report to:
- (i) The Councillor;
 - (ii) The Ethical Standards Officer;
 - (iii) The Standards Committee, if the finding was made by a Sub-Committee of the Standards Committee;
 - (iv) The Standards Committee of any other local authority (other than a Parish Council) of which the Councillor is also a member;
 - (v) The Parish Council, if the Councillor was also a member of a Parish Council; and
 - (vi) The person who made the allegation.

and shall ask the Councillor whether he objects to the publication of a notice of the finding in at least one local newspaper, and arrange for the publication of such a notice unless the Councillor so objects.

- (f) Where the Standards Committee finds as set out in paragraph 5 (b) (ii) above (that the matter should be considered at a full hearing) or the Investigating Officer's report contains a finding that the Councillor did fail to comply with the Code of Conduct or a local protocol, the Monitoring Officer shall arrange for the matter to be considered at such a hearing in accordance with the authority's adopted Procedure for Local Determination Hearings, subject to the following variations:
- (i) The hearing shall be conducted no sooner than 14 days from, and no later than 3 months from, the date on which the Monitoring Officer received the report of the Investigating Officer;
 - (ii) The report of the Investigating Officer shall be treated as if it constituted the report of the Ethical Standards Officer;
 - (iii) The Monitoring Officer will not conduct Pre-Hearing enquiries of the Councillor; and

¹² Note that this is not a finding that there has been a failure to comply with the Code of Conduct for Members or with a local protocol, but simply that, on the basis of the Investigating Officer's report, the Standards Committee is not at this stage prepared to come to a final conclusion that there has been no such failure to comply, and that the matter merits consideration at a full hearing.

- (iv) The Investigating Officer shall be responsible for presenting the report to the Standards Committee and introducing any witnesses whom he considers that the Standards Committee should hear in order to be able to give the matter proper consideration.

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Procedure for Local Standards Hearings

1. Interpretation

- (a) 'Councillor' is to be taken to refer to the elected or co-opted member of the authority or to the parish councillor who is the subject of the allegation being considered by the Standards Committee, unless stated otherwise. It also includes the Councillor's representative.
- (b) 'Investigating Officer' means the Ethical Standards Officer (ESO) who referred the report to the authority, and includes his or her nominated representative. In the case of matters that have been referred for local investigation, references to the Investigating Officer mean the person appointed by the Monitoring Officer to undertake that investigation (which may include the Monitoring Officer, or his or her nominated representative).¹
- (c) 'The Matter' is the subject matter of the Investigating Officer's report.
- (d) 'The Standards Committee' refers to the Standards Committee or to any Standards Sub-Committee to which it has delegated the conduct of the hearing.
- (e) 'The Democratic Services Officer' means an officer of the authority responsible for supporting the Standards Committee's discharge of its functions and recording the decisions of the Standards Committee.
- (f) 'Legal Advisor' means the officer responsible for providing legal advice to the Standards Committee. This may be the Monitoring Officer, another legally qualified officer of the authority, or someone appointed for this purpose from outside the authority.²
- (g) 'The Chairman' refers to the person presiding at the hearing.

2. Modification of Procedure

The Chairman may agree to vary this procedure in any particular instance where he is of the opinion that such a variation is necessary in the interests of fairness.

3. Representation

The Councillor may be represented or accompanied during the meeting by a solicitor, counsel or, with the permission of the committee, another person. Note that the cost of such

¹ This definition has been amended to make it clear that, when the Monitoring Officer arranges for someone else to undertake the investigation, the definition of the 'Investigating Officer' no longer includes the Monitoring Officer.

² In practice, the matter is referred by the ESO to the Monitoring Officer, who is then responsible for reporting the matter to the Standards Committee. It is therefore convenient for the Monitoring Officer to conduct the pre-hearing process, except in so far as the member requires it to be conducted at a meeting of the Standards Committee, and to present the introductory report to the Standards Committee at the commencement of the hearing. Where the Monitoring Officer is not legally qualified, he will need to ensure that a suitably qualified person is available to provide legal advice to the Standards Committee. It is obviously preferable that any such separate legal advisor be present throughout the hearing, in order to be able to provide such advice against an understanding of the context in which the advice is given.

representation must be met by the member, unless the Standards Committee has expressly agreed to meet all or any part of that cost³.

4. Pre-Hearing Procedure

Upon:

- (i) Reference of a matter from an Ethical Standards Officer for local determination following completion of the Ethical Standards Officer's report; or
- (ii) Receipt of the final report of the Investigating Officer including a finding that the Councillor failed to comply with the Code of Conduct for members; or
- (iii) A decision by the Standards Committee that the matter should be considered at a formal hearing of Standards Committee

the Monitoring Officer shall

- (a) Arrange a date for the Standards Committee's hearing;
- (b) Send a copy of the report to the Councillor and advise him of the date, time and place for the hearing;
- (c) Send a copy of the report to the person who made the allegation and propose a date, time and place for the hearing;
- (d) Notify the Parish Council of the matter and of the date, time and place of the hearing (where the allegation relates to the conduct of a member of a Parish Council in his capacity as such);
- (e) Request the Councillor to complete and return the model Pre-Hearing Forms A, B, D and E (attached), as recommended by the Standards Board for England within 14 days of receipt;
- (f) In the light of any Pre-Hearing Forms returned by the Councillor, determine whether the Standards Committee will require the attendance of the Ethical Standards Officer or Investigating Officer and any additional witnesses at the hearing to enable it to come to a properly considered conclusion at the hearing, and arrange for their attendance;
- (g) Prepare a Pre-Hearing Summary Report setting out the course of the allegation, investigation and Pre-Hearing Process and highlighting the issues which the Standards Committee will need to address; and
- (h) Arrange that the agenda for the hearing, together with the Pre-Hearing Summary Report and copies of any relevant documents are sent to:
 - (i) All members of the Standards Committee who will conduct the hearing;

³ Regulations under Section 101 of the Local Government Act 2000 grant authorities a discretion to provide an indemnity or to provide insurance to Councillors to meet the costs which they may incur in "Part 3 proceedings" (investigations, hearings or other proceedings under Part III of the 2000 Act), any such indemnity or insurance is required to be subject to a requirement to repay any sums received in the event that the member is found to have failed to comply with the Code of Conduct.

- (ii) The Councillor;
- (iii) The person who made the allegation; and
- (iv) The Ethical Standards Officer or Investigating Officer.

5. Legal Advice

The Standards Committee may take legal advice from its legal advisor at any time during the hearing or while they are considering the outcome. The substance of any legal advice given to the Standards Committee should be shared with the member and the Investigating Officer if they are present⁴.

6. Setting the Scene

At the start of the hearing, the Chairman shall introduce each of the members of the Standards Committee, the member (if present), the Investigating Officer (if present) and any other officers present, and shall then explain the procedure which the Standards Committee will follow in the conduct of the hearing.

7. Preliminary Procedural Issues

The Standards Committee shall then deal with the following preliminary procedural matters in the following order:

(a) Disclosures of Interest

The Chairman shall ask members of the Standards Committee to disclose the existence and nature of any personal or prejudicial interests which they have in the matter, and to withdraw from consideration of the matter if so required.

(b) Quorum

The Chairman shall confirm that the Standards Committee is quorate⁵.

(c) Hearing Procedure

The Chairman shall confirm that all present know the procedure which the Standards Committee will follow in determining the matter.

⁴ In the interests of openness, the Standards Committee may prefer to receive any such advice in the main hearing room in the presence of the Investigating Officer and the member. Where this is not practicable, the legal advisor should repeat in the presence of the Investigating Officer and the member the advice which he has tendered.

⁵ A meeting of the Standards Committee is not quorate unless at least three members of the Standards Committee are present for the duration of the meeting. The three members must include at least one Independent member, unless an Independent member would have been present but was precluded from participating in any of the business of the Standards Committee in consequence of a prejudicial interest under the Council's Code of Conduct. If the Standards Committee is responsible for Parish Council matters, it must include at least one Parish Council representative amongst its members. However it is only a requirement that the parish representative is actually present when the Standards Committee is dealing with a parish matter. Parish Sub-Committees, convened to deal with a parish matter, must have a parish representative of the Sub-Committee, but there is not a requirement for him actually to attend the meeting for it to be quorate.

[The Relevant Authorities (Standards Committee) Regulations 2001, Regulations 3 and 6. SI 2001 No. 2812.]

(d) Proceeding in the absence of the member

If the Councillor is not present at the start of the hearing:

- (i) The Chairman shall ask the Monitoring Officer whether the Councillor has indicated his intention not to attend the hearing;
- (ii) The Standards Committee shall then consider any reasons which the Councillor has provided for not attending the hearing and shall decide whether it is satisfied that there is sufficient reason for such failure to attend;
- (iii) If the Standards Committee is satisfied with such reasons, it shall adjourn the hearing to another date;
- (iv) If the Standards Committee is not satisfied with such reasons, or if the Councillor has not given any such reasons, the Standards Committee shall decide whether to consider the matter and make a determination in the absence of the Councillor or to adjourn the hearing to another date.

(e) Exclusion of Press and Public

The Standards Committee may exclude the press and public from its consideration of this matter where it appears likely that confidential or exempt information will be disclosed in the course of this consideration.

The Chairman shall ask the Councillor, the Investigating Officer and the legal advisor to the Standards Committee whether they wish to ask the Standards Committee to exclude the press or public from all or any part of the hearing. If any of them so request, the Chairman shall ask them to put forward reasons for so doing and ask for responses from the others and the Standards Committee shall then determine whether to exclude the press and public from all or any part of the hearing.

Where the Standards Committee does not resolve to exclude press and public, the agenda and any documents which have been withheld from the press and public in advance of the meeting shall then be made available to the press and public.

8. A failure to comply with the Code of Conduct⁶?

The Standards Committee will then address the issue of whether the Councillor failed to comply with the Code of Conduct in the manner set out in the Investigating Officer's report⁷.

⁶ The model procedure recommended by the Standards Board suggests that the Standards Committee should first determine findings of fact and then determine whether there has been a failure to comply with the Code of Conduct. These two are so closely connected that the Standards Committee may find that it can conveniently determine the two together without any loss of fairness.

⁷ Note that the Standards Committee's consideration is limited to a possible failure to comply with the Code of Conduct in the terms set out in the Investigating Officer's report. It is possible that, in the course of their consideration, the Standards Committee apprehend that the member may have failed to comply with the Code of Conduct in some other manner (for example that the member's alleged failure to treat a person with respect appears also, or in the alternative, to be conduct likely to bring the member's office or authority into disrepute). Note that such a possible additional or alternative failure will not be within the remit of the Standards Committee as, at that stage, the member will not have had notice of the Standards Committee's consideration of the possible additional or alternative failure and that it would therefore be unfair to proceed to consider that second matter at the hearing into the first alleged failure. Where the Standards Committee do apprehend a possible additional or alternative failure, a failure by

(a) The Chairman shall ask the Councillor to confirm that he maintains the position as set out in the pre-hearing summary.

(b) **The Pre-Hearing Process Summary**

The Chairman will ask the Monitoring Officer or the Democratic Services Officer⁸ to present his report, highlighting any points of difference in respect of which the Councillor has stated that he disagrees with any finding of fact in the Investigating Officer's report. The Chairman will then ask the Councillor to confirm that this is an accurate summary of the issues and ask the Councillor to identify any additional points upon which he disagrees with any finding of fact in the Investigating Officer's report.

- (i) If the Councillor admits that he failed to comply with the Code of Conduct in the manner described in the Investigating Officer's report, the Standards Committee may then make a determination that the Councillor has failed to comply with the Code of Conduct in the manner described in the Investigating Officer's report and proceed directly to consider whether any action should be taken (Paragraph 8);
- (ii) If the Councillor identifies additional points of difference, the Chairman shall ask the Councillor to explain why he did not identify these points as part of the pre-hearing process. He shall then ask the Investigating Officer (if present) whether he is in a position to deal with those additional points of difference directly or through any witnesses who are in attendance or whose attendance at the hearing can conveniently be arranged. Where the Standards Committee is not satisfied with the Councillor's reasons for failing to identify each additional point of difference as part of the pre-hearing process, it may decide that it will continue the hearing but without allowing the Councillor to challenge the veracity of those findings of fact which are set out in the Investigating Officer's report but in respect of which the Councillor did not identify a point of difference as part of the pre-hearing process, or it may decide to adjourn the hearing to allow the Investigating Officer and / or any additional witnesses to attend the hearing.

(c) **Presenting the Investigating Officer's report**

- (i) If the Investigating Officer is present, the Chairman will then ask the Investigating Officer to present his report, having particular regard to any points of difference identified by the Councillor and why he concluded, on the basis of his findings of fact, that the Councillor had failed to comply with the Code of Conduct. The Investigating Officer may call witnesses as necessary to address any points of difference.
- (ii) If the Investigating Officer is not present, the Standards Committee shall only conduct a hearing if they are satisfied that there are no substantial points of

a different member, or a failure in respect of the Code of Conduct of another authority, they should refer the second matter to the Monitoring Officer with a view to a separate allegation being made to the Standards Board for England.

⁸ As set out above, unless conflicted out, it is likely that the Monitoring Officer will:

- (i) Take on the conduct of the pre-hearing process;
- (ii) Present an introductory report to the Standards Committee at the commencement of the hearing setting out the outcomes of the pre-hearing process; **(continued overleaf)**
- (iii) Will (if legally qualified) act as the legal advisor to the Standards Committee; and
- (iv) Will distribute and publish any required notices of the Standards Committee's determination.

However, there may be reasons in particular cases for the Monitoring Officer to arrange for any or all of these functions to be carried out on his behalf.

difference or that any points of difference can be satisfactorily resolved in the absence of the Investigating Officer. In the absence of the Investigating Officer, the Standards Committee shall determine on the advice of the Monitoring Officer which witnesses, of any, to call. Where such witnesses are called, the Chairman shall draw the witnesses' attention to any relevant section of the Investigating Officer's report and ask the witness to confirm or correct the report and to provide any relevant evidence.

- (iii) No cross-examination shall be permitted but, at the conclusion of the Investigating Officer's report and / or the evidence of each witness, the Chairman shall ask the Councillor if there are any matters upon which the Standards Committee should seek the advice of the Investigating Officer or the witness.

(d) **The Councillor's response**

- (i) The Chairman shall then invite the Councillor to respond to the Investigating Officer's report and to call any witnesses as necessary to address any points of difference.
- (ii) No cross-examination shall be permitted but, at the conclusion of the Councillor's evidence and / or of the evidence of each witness, the Chairman shall ask the Investigating Officer if there are any matters upon which the Standards Committee should seek the advice of the Councillor or the witness.

(e) **Witnesses**

- (i) The Standards Committee shall be entitled to refuse to hear evidence from the Investigating Officer, the Councillor or a witness unless they are satisfied that the witness is likely to give evidence which they need to hear in order to be able to determine whether there has been a failure to comply with the Code of Conduct.
- (ii) Any member of the Standards Committee may address questions to the Investigating Officer, to the Councillor or to any witness.

(f) **Additional Evidence**

At the conclusion of the evidence, the Chairman shall check with the members of the Standards Committee that they are satisfied that they have sufficient evidence to come to a considered conclusion on the matter.

- (g) If the Standards Committee at any state prior to determining whether there was a failure to comply with the Code of Conduct are of the opinion that they require additional evidence on any point in order to be able to come to a considered conclusion on the matter, the Standards Committee may (on not more than one occasion) adjourn the hearing and make a request to the Investigating Officer to seek and provide such additional evidence and to undertake further investigation on any point specified by the Standards Committee.

(h) **Determination as to whether there was a failure to comply with the Code of Conduct**

- (i) At the conclusion of the Councillor's response, the Chairman shall ensure that each member of the Standards Committee is satisfied that he has sufficient information to enable him to determine whether there has been a failure to comply with the Code of Conduct as set out in the Investigating Officer's report.
- (ii) Unless the determination merely confirms the Councillor's admission of a failure to comply with the Code of Conduct (as set out in Paragraph 6(a)(i) above), the Standards Committee shall then retire to another room to consider in private whether the Councillor did fail to comply with the Code of Conduct as set out in the Investigating Officer's report.
- (iii) The Standards Committee shall take its decision on the balance of probability based on the evidence which it has received at the hearing.
- (iv) The Standards Committee's function is to make a determination on the matter. It may, at any time, return to the main hearing room in order to seek additional evidence from the Investigating Officer, the Councillor or a witness, or to seek the legal advice from or on behalf of the Monitoring Officer. If it requires any further information, it may adjourn and instruct an officer or request the Councillor to produce such further evidence to the Standards Committee.
- (v) At the conclusion of the Standards Committee's consideration, the Standards Committee shall consider whether it is minded to make an recommendations to the authority with a view to promoting high standards of conduct among Councillors.
- (vi) The Standards Committee shall then return to the main hearing room and the Chairman will state the Standards Committee's principal findings of fact and their determination as to whether the Councillor failed to comply with the Code of Conduct as set out in the Investigating Officer's report.

9. If the Councillor has not failed to follow the Code of Conduct

If the Standards Committee determines that the Councillor has not failed to follow the Code of Conduct in the manner set out in the Investigating Officer's report:

- (a) If the Standards Committee apprehends, from the evidence which they have received during the hearing, that a Councillor has failed to comply with the Code of Conduct (other than the matter which the Standards Committee has just determined), the Chairman shall outline the Standards Committee's concerns and state that the Standards Committee has referred this additional or alternative failure to the Monitoring Officer with a view to a further allegation being made to the Standards Board for England.
- (b) The Chairman should then set out any recommendations which the Standards Committee is minded to make to the authority with a view to promoting high standards of conduct among Councillors and seek the views of the Councillor, the Investigating Officer and the legal advisor before the Standards Committee finalises any such recommendations.

- (c) Finally, the Chairman should ask the Councillor whether he wishes the authority not to publish a statement of its findings in a local newspaper.

10. Action consequent upon a failure to comply with the Code of Conduct

- (a) The Chairman shall ask the Investigating Officer (if present, or otherwise the legal advisor) whether, in his opinion, the Councillor's failure to comply with the Code of Conduct is such that the Standards Committee should impose a sanction and, if so, what would be the appropriate sanction⁹.
- (b) The Chairman will then ask the Councillor to respond to the Investigating Officer's advice.
- (c) The Chairman will then ensure that each member of the Standards Committee is satisfied that he has sufficient information to enable him to take an informed decision as to whether to impose a sanction and (if appropriate) as to the form of the sanction.
- (d) Any member of the Standards Committee may address questions to the Investigating Officer or to the Councillor as necessary to enable him to take such an informed decision.
- (e) The Chairman should then set out any recommendations which the Standards Committee is minded to make to the authority with a view to promoting high standards of conduct among Councillors and seek the views of the Councillor, the Investigating Officer and the legal advisor;

⁹ The sanctions which are available to the Standards Committee under the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003, Regulation 7, as amended by the Local Authorities (Code of Conduct) (Local Determination) (Amendment) Regulations 2004 are any of the following:

- (i) Censure of that member;
- (ii) Restriction for a maximum period of three months of that member's access to the premises of the authority and that member's use of the resources of the authority, provided that such restrictions imposed upon the member –
 - (aa) are reasonable and proportionate to the nature of the breach; and
 - (bb) do not unreasonably restrict the member's ability to perform his functions and duties as a member;
- (iii) Partial suspension of that member for a period up to a maximum of three months;
- (iv) Suspension of that member for a period of partial suspension for a period up to a maximum of three months;
- (v) A requirement that the member submit a written apology in a form specified by the Standards Committee;
- (vi) A requirement that the member undergo training as specified by the Standards Committee;
- (vii) A requirement that the member undergo conciliation as specified by the Standards Committee;
- (viii) Partial suspension of that member for a period up to a maximum of three months or until such time as he submits a written apology in a form specified by the Standards Committee;
- (ix) Partial suspension of that member for a period up to a maximum of three months or until such time as he undergoes such training or conciliation as the Standards Committee may specify;
- (x) Suspension of that member for a period up to a maximum of three months or until such time as he submits a written apology in a form specified by the Standards Committee;
- (xi) Suspension of that member for a period up to a maximum of three months or until such time as he undergoes such training or conciliation as the Standards Committee may specify.

Any sanction imposed shall commence immediately unless the Standards Committee direct (for any sanction other than censure) that it shall commence on any date specified by the Standards Committee within six months of the date of the hearing.

A literal interpretation of these powers to aggregate sanctions would indicate that the Standards Committee could impose a combination of suspension and partial suspension, conditional and unconditional, adding up in any one case to some 12 months suspension in total. However, it was clearly not the intention of the legislature to enable the total combination of sanctions to extend beyond a single period of three months, and any sanctions which apply over a longer period might prove vulnerable on appeal.

- (f) The Standards Committee shall then retire to another room to consider in private whether to impose a sanction, what sanction to impose (where a sanction is to be imposed), and when that sanction should take effect, and any recommendations which the Standards Committee will make to the authority.
- (g) At the completion of their consideration, the Standards Committee shall return to the main hearing room and the Chairman shall state the Standards Committee's decisions as to whether to impose a sanction and (where a sanction is to be imposed) the nature of that sanction, and when it should take effect, together with the principal reasons for those decisions, and any recommendations which the Standards Committee will make to the authority.

11. Reference back to the Ethical Standards Officer

If, at any time before the Standards Committee has determined upon any appropriate sanction, the Standards Committee considers that the nature of the failure to comply with the Code of Conduct for Members is such that the appropriate sanction would exceed the powers of the Standards Committee, the Standards Committee may instruct the Monitoring Officer to request the Ethical Standards Officer to resume responsibility for the conduct of the matter, and may adjourn the hearing until the Monitoring Officer advises the Standards Committee of the Ethical Standards Officer's response to such a request.

12. The close of the hearing

- (a) The Standards Committee will announce its decision on the day of the hearing and provide the Democratic Services Officer with a short written statement of their decision, which the Democratic Services Officer will deliver to the Councillor as soon as practicable after the close of the hearing;
- (b) The Chairman will thank all those present who have contributed to the conduct of the hearing and formally close the hearing;
- (c) Following the close of the hearing, the Democratic Services Officer will agree a formal written notice of the Standards Committee's determination and the Monitoring Officer shall arrange for the distribution and publication of that notice (or a summary of that notice, where required) in accordance with Regulation 8 of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003.

13. Appeals

The Councillor may appeal against the decision of the Standards Committee by writing to the President of the Adjudication Panel for England, ensuring that his letter sets out the grounds for such an appeal, including a statement as to whether or not he consents to the appeal being heard by way of written representations, and is received by the President within 21 days of the date of the written notice of decision under Paragraph 9(c).

FORM A

Please enter the number of any paragraph where you disagree with the findings of fact in the ESO's report, and give your reasons and your suggested alternative.

Member's response to the evidence set out in the ESO's report

Paragraph number from the ESO's report	Reasons for disagreeing with the findings of fact provided in that paragraph	Suggestion as to how that paragraph should read

Please attach separate sheets if necessary.

FORM B
Other evidence relevant to the allegation

Please set out below, using the numbered paragraphs, any other evidence you feel is relevant to the allegation made about you.

Paragraph number	Details of the evidence
1	
2	
3	
4	
5	

Please attach separate sheets if necessary.

FORM C

Please set out below, using the numbered paragraphs, any factors that the Standards Committee should take into account if it finds that a member has failed to follow the Code of Conduct.

Representations to be taken into account if a member is found to have failed to follow the Code of Conduct

Please note that no such finding has been made yet.

Paragraph number	Factors for the Standards Committee to take into account when deciding whether or not to order any censure, restriction of resources or allowances, suspension or partial suspension
1	
2	
3	
4	
5	

Please attach separate sheets if necessary.

FORM D

Arrangements for the Standards Committee hearing

Please tick the relevant boxes.

<p>1</p>	<p>The proposed date for the Standards Committee hearing is given in the accompanying letter. Are you planning to go to the hearing?</p> <p>If 'No', please explain why.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Reason:</p>
<p>2</p>	<p>Are you going to present your own case?</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	
<p>3</p>	<p>If you are not presenting your own case, will a representative present it for you?</p> <p>If 'Yes', please state the name of your representative.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Name:</p>
<p>4</p>	<p>Is your representative a practising solicitor or barrister?</p> <p>If 'Yes', please give his or her legal qualifications. Then go to question 6.</p> <p>If 'No', please go to question 5.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Qualifications:</p>
<p>5</p>	<p>Does your representative have any connection with the case?</p> <p>If 'Yes', please give details.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Details:</p>
<p>6</p>	<p>Are you going to call any witnesses?</p> <p>If 'Yes', please fill in Form E.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	
<p>7</p>	<p>Do you, your representative or your witnesses have any access difficulties (for example, is wheelchair access needed)?</p> <p>If 'Yes', please give details.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Details:</p>

Please attach separate sheets if necessary.

<p>8</p>	<p>Do you, your representative or witnesses have any special needs (for example, is an interpreter needed)?</p> <p>If 'Yes', please give details.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Details:</p>
<p>9</p>	<p>Do you want any part of the hearing to be held in private?</p> <p>If 'Yes', please give reasons.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Reasons:</p>
<p>10</p>	<p>Do you want any part of the relevant documents to be withheld from public inspection?</p> <p>If 'Yes', please give reasons.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Details:</p>

Please attach separate sheets if necessary.

FORM E**Details of proposed witnesses to be called**

Please tick the relevant boxes.

Name of witness or witnesses	1		
	2		
	3		
WITNESS 1			
a	Will the witness give evidence about the allegation?	YES <input type="checkbox"/>	Outline of evidence:
	If 'Yes', please provide an outline of the evidence the witness will give.	NO <input type="checkbox"/>	
b	Will the witness give evidence about what action the Standards Committee should take if it finds that the Code of Conduct has not been followed?	YES <input type="checkbox"/>	Outline of evidence:
	If 'Yes', please provide an outline of the evidence the witness will give.	NO <input type="checkbox"/>	
WITNESS 2			
a	Will the witness give evidence about the allegation?	YES <input type="checkbox"/>	Outline of evidence:
	If 'Yes', please provide an outline of the evidence the witness will give.	NO <input type="checkbox"/>	
b	Will the witness give evidence about what action the Standards Committee should take if it finds that the Code of Conduct has not been followed?	YES <input type="checkbox"/>	Outline of evidence:
	If 'Yes', please provide an outline of the evidence the witness will give.	NO <input type="checkbox"/>	

Please attach separate sheets if necessary.

WITNESS 3		
a	<p>Will the witness give evidence about the allegation?</p> <p>If 'Yes', please provide an outline of the evidence the witness will give.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>Outline of evidence:</p>
b	<p>Will the witness give evidence about what action the Standards Committee should take if it finds that the Code of Conduct has not been followed?</p> <p>If 'Yes', please provide an outline of the evidence the witness will give.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>Outline of evidence:</p>

FORM F

Checklist for the pre-hearing process summary

After the Standards Committee has received responses from the member who the allegation has been made about and the ESO, it should prepare a summary of the main aspects of the case that will be heard.

The pre-hearing process summary should include:

- The name of the authority;
- The name of the member who the allegation has been made about;
- The name of the person who made the original allegation (unless there are good reasons to keep his or her identity confidential);
- Case reference numbers of the principal authority and The Standards Board for England;
- The name of the Standards Committee member who will chair the hearing;
- The name of the Monitoring Officer;
- The name of the ESO who referred the matter;
- The name of the clerk of the hearing or other administrative officer;
- The date the pre-hearing process summary was produced;
- The date, time and place of the hearing;
- A summary of the allegation;
- The relevant section or sections of the Code of Conduct;
- The findings of fact in the ESO's report that are agreed;
- The findings of fact in the ESO's report that are not agreed;
- Whether or not the member or the ESO will attend or be represented;
- The names of any witnesses who will be asked to give evidence; and
- An outline of the proposed procedure for the hearing.

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB3 6EA

t: 08450 450 500
f: 01954 713149
dx: DX 729500 Cambridge 15
minicom: 01480 376743
www.scambs.gov.uk



Date
Case Reference SBE...

To the Panel members, Subject Member and all interested parties:

Pre-Hearing Process Summary

Date, Time and Place:

Subject Member:

Complainant:

Panel Members:

Clerk:

Panel's Legal Advisor:

Monitoring Officer:

**Ethical Standards
Officer:**

Allegation:

The Code of Conduct:

**Findings of Fact in the
ESO's report that are
*agreed:***

**Findings of Fact in the
ESO's report that are
*not agreed:***

**Names of witnesses
who will be attending:**

Procedure:

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB3 6EA

t: 08450 450 500
f: 01954 713149
dx: DX 729500 Cambridge 15
minicom: 01480 376743
www.scambbs.gov.uk



Final Decision by the Standards Committee

Subject Member:

Complainant:

Case Reference:

Chairman of Standards Hearing Panel:

Standards Hearing Panel Members:

Monitoring Officer:

Ethical Standards Officer:

Clerk of the Hearing:

Date of Hearing:

Date of Report:

SUMMARY OF THE ALLEGATION:

RELEVANT SECTION(S) OF THE CODE OF CONDUCT:

SUMMARY OF THE EVIDENCE CONSIDERED AND REPRESENTATIONS MADE:

FINDINGS OF FACT, INCLUDING THE REASONS FOR THEM:

FINDING AS TO WHETHER OR NOT THE MEMBER FAILED TO FOLLOW THE CODE OF CONDUCT, INCLUDING THE REASONS FOR THAT FINDING:

PENALTIES APPLIED, IF ANY, INCLUDING THE REASONS FOR ANY PENALTIES:

RIGHT TO APPEAL:

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Council	25 January 2007
AUTHOR/S:	Corporate Manager (Planning & Sustainable Communities)	

**SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK:
ADOPTION OF CORE STRATEGY DEVELOPMENT PLAN DOCUMENT****Purpose**

1. The Core Strategy Development Plan Document, a key document of the South Cambridgeshire Local Development Framework, is now at the end of the plan making process, the binding report of the independent Inspectors having been received. This report recommends the Core Strategy Development Plan Document now be adopted.

Background

2. The Council Submitted the Core Strategy Development Plan Document (DPD) to the Secretary of State in January 2006, alongside five other DPDs; Development Control Policies DPD, Site Specific Policies DPD, Cambridge East Area Action Plan (AAP), Cambridge Southern Fringe AAP and Northstowe AAP. This marked the start of a statutory six-week period of public consultation during which representations could be made. Following this, a further six-week period of public consultation was held in March – April 2006 on ‘Objection Sites’, in accordance with planning regulations. A public Examination into the “soundness” of the plan followed, conducted by independent Inspectors, with hearings held in July 2006, during which the Inspectors considered representations made on the Submission Core Strategy and Objection Sites. The Council received its binding Inspectors’ Report in November 2006; the first Core Strategy in the country to be found “sound”.

Binding Inspectors’ Report

3. The Inspectors recommended relatively few changes to the submission draft Core Strategy. The main features of the Inspectors’ Report include:
 - No change to the Strategic Vision and Objectives;
 - Inclusion of a new strategic Green Belt Policy to set the context for establishing detailed boundaries in the other DPDs;
 - Amendment to the Housing Provision Policy to make it a sequential policy, remove references to numbers of dwellings at different stages in the sequence, and include provision for affordable housing;
 - Deletion of Policy ST/3 Edge of Cambridge, Figure 1, and supporting text in paragraphs 2.9 – 2.22 to remove reference to specific sites;
 - Adjustment to Figure 3 Housing Land Supply in the Rural Area to remove reference to specific sites and to update figures to the end of March 2006;
 - Elevation of Fulbourn from Minor Rural Centre to Rural Centre;
 - Elevation of Papworth Everard from Group Village to Minor Rural Centre;

- Inclusion of a new strategic Employment Provision Policy to ensure sufficient employment land is available, and adjustment to the Employment Land Supply figures to the end March 2005;
- Rewording of Policy ST/9 Phasing of Housing Land to better reflect the high priority of delivery and clarify the approach towards phasing, and deletion of the Housing Trajectory and associated text.

Next Step

4. The conclusions reached by the Inspectors are binding and the Council must incorporate the changes required by the Inspectors. The regulations require that the Council must adopt the DPD as soon as practicable following receipt of the Inspectors' report unless the Secretary of State intervenes.
5. Members are therefore asked to resolve to adopt the Core Strategy DPD. The Core Strategy DPD as proposed to be adopted comprises the Submission DPD (January 2006) amended in accordance with the Inspectors' binding report of the Examination into the Core Strategy DPD, received by the Council on 9 November 2006 (as contained in Appendix 1).
6. Once adopted, the Core Strategy DPD will become part of the statutory development plan for South Cambridgeshire and will supersede corresponding parts of South Cambridgeshire Local Plan 2004. Other parts of the Local Plan will remain "saved policies" under transitional arrangements until superseded by policies in the other submitted DPDs or until September 2007 (or later with the agreement of the Secretary of State). A schedule setting out the position in relation to the policies of the Local Plan 2004 and the Core Strategy is attached at Appendix 2.

Adoption Process

7. Once the Council has adopted the DPD it must accord with Regulations 35 and 36 (of the Town and Country Planning (Local Development) (England) Regulations 2004), as soon as reasonably practicable, which in summary require:

Regulation 35:

- The local planning authority must publish the Inspectors' recommendations and the reasons;
- Make a copy of the Inspectors' report available for inspection at the Council's office during normal office hours at the places at which the pre-submission proposal documents were made available under regulation 26(a) of the 2004 Regulations and place it on the Council's website;
- Inform those who requested to be notified of the publication of the Inspectors' report.

Regulation 36:

- Prepare an Adoption Statement (effectively a public notice);
- Prepare a Sustainability Statement, which is a statement of how the sustainability appraisal process has been taken into account during the plan process;

- Advertise that the DPD has been adopted, and where and when it can be inspected;
 - Make the adopted DPD, Adoption Statement and Sustainability Statement available for inspection during normal office hours at the places at which the pre-submission proposals documents were made available under regulation 26(a) and place them on the website (it may also be made available to purchase);
 - Send a copy of the Adoption Statement to those who have asked to be notified of adoption;
 - Send a copy of the adopted DPD and Adoption Statement to the Secretary of State;
 - Publish a copy of the final Sustainability Report and place it on the website.
7. The Core Strategy Final Sustainability Report remains as published in January 2006 with the Submitted Core Strategy DPD. No changes to the Sustainability Appraisal were identified by the Inspectors to be necessary in making their binding recommendations. The adopted Plan is also accompanied by a Sustainability Statement describing the sustainability appraisal process that supported the preparation of the plan (see Appendix 3).
8. There is also a requirement to carry out a further process known as a Habitats Directive Assessment (HDA). Whilst national regulations have not yet been published, the requirement of the Habitats Directive is current and the Council has received legal advice that an HDA should be prepared for the Core Strategy prior to adoption.
9. HDA deals with European sites designated as being of importance to nature conservation. These comprise Natura 2000 sites designated under the Habitats Directive (92/43/EEC). Ramsar sites are of European importance and are also included, consistent with government guidance in PPS9, although designated under the separate Ramsar Convention 1971. It is an assessment of the potential effects of a proposed plan or project, which is not necessary for the management of the site and which is likely to have a significant effect, on one or more site, in view of the site's conservation objectives. There are 4 stages to the Habitats Directive Assessment process: Screening; Appropriate Assessment; assessment of alternative solutions; and compensatory measures. If it is concluded at the screening stage that there will be no likely significant impacts of the plan, alone or in combination with other plans or projects, there is no need to carry out subsequent stages.
10. An HDA Screening Report has been prepared for the Core Strategy, consistent with EU guidance, and having regard to other relevant guidance, which concludes that there will be no likely significant impacts of the Plan on relevant European sites in or close to the district and therefore addresses the first stage only of the Habitats Directive Assessment process (as contained in Appendix 4). This has been prepared in consultation with Natural England who confirmed by letter dated 16 January 2007 that they "*consider the screening matrix and accompanying documentation has been well prepared*" and that "*Natural England support the conclusion that policies in the Core Strategy are unlikely to have significant impacts upon the European Sites located within and in the vicinity of the District, and that an Appropriate Assessment is therefore not required for this Strategy*".

11. As with the former plan making process, the new system allows for a legal challenge to be made to the High Court. Any person aggrieved by the Core Strategy DPD may make an application under Section 113 of the Planning and Compulsory Purchase Act 2004 to the High Court on the grounds that the document is not within the appropriate powers and / or a procedural requirement has not been complied with. Any such application must be made not later than the end of the period of six weeks starting on the date on which the DPD was adopted.

Options

12. There are no options to put before Members at this stage.

Implications

13. Financial	Within existing budget.
Legal	None, subject to there being no High Court challenge.
Staffing	Within existing resources.
Risk Management	The effect of any slippage to the timetable could be significant to meeting the Structure Plan development strategy for the Cambridge area.
Equal Opportunities	None.

Consultations

14. There were no consultations at this stage in the plan making process, other than with Natural England on the Habitats Directive Assessment.

Effect on Annual Priorities and Corporate Objectives

15. Affordable Homes	<ul style="list-style-type: none"> Assist the Council's objectives to deliver quality accessible development in the district. Include the provision of affordable housing and the effective delivery of sustainable development at Northstowe and other major developments on the edge of Cambridge and development of sustainable communities. Assist the delivery of the Community Strategy. Be used by Cambridgeshire Horizons to help the early and sustained development of the necessary services and infrastructure.
Customer Service	
Northstowe and other growth areas	
Quality, Accessible Services	
Village Life	
Sustainability	
Partnership	

Conclusions/Summary

16. The Core Strategy DPD is now at the end of the plan making process and can now be adopted. Following submission to the Secretary of State in January 2006, the plan has been consulted on and independently examined. The Council was the first in the country to receive a binding Inspectors' report in November 2006 that found the plan to be "sound". The next step is to formally adopt the plan when it will become part of

the statutory development plan for South Cambridgeshire and will supersede relevant parts of South Cambridgeshire Local Plan 2004.

Recommendations

17. Members are invited to:

- a. **RESOLVE TO ADOPT** the Core Strategy DPD, as contained in Appendix 1, and proceed in accordance with Regulations 35 and 36;
- b. **AGREE** the Sustainability Statement as contained in Appendix 3; and
- c. **AGREE** the Core Strategy Habitats Directive Assessment as contained in Appendix 4.

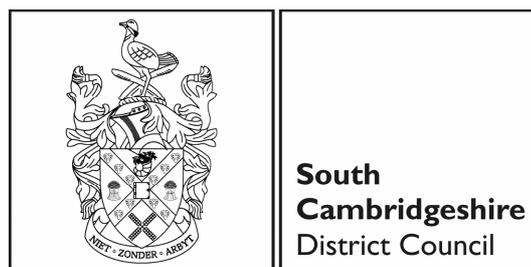
Background Papers: the following background papers were used in the preparation of this report:

Submission Core Strategy DPD, January 2006

Inspectors' Report of the Examination into the South Cambridgeshire Core Strategy DPD, 9 November 2006

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Local Development Framework

Core Strategy

Development Plan Document

For Adoption, Incorporating Inspectors' Binding Changes

South Cambridgeshire District Council

January 2007

Gareth Jones, B Sc. (Hons), MRTPI – Corporate Manager, Planning and Sustainable Communities

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1. INTRODUCTION TO THE SOUTH CAMBRIDGESHIRE LDF

WHAT IS A LOCAL DEVELOPMENT FRAMEWORK?

- 1.1 The Local Development Framework (LDF) for South Cambridgeshire will replace the existing Local Plan which was adopted in February 2004. It is being prepared under the new government legislation for development plans. The LDF comprises a number of Development Plan Documents (DPDs) that set out policies and proposals for the development and use of land in the district, the first DPDs cover the period to 2016. The LDF includes a vision for the future of South Cambridgeshire and objectives and targets, which developments must meet to secure that vision. Once adopted, planning applications and other decisions will be made in accordance with it.
- 1.2 The Local Development Framework:
- Takes account of national, regional and strategic planning policies;
 - Identifies sites for, and requirements of, major development;
 - Provides the framework of policies for assessing all planning applications;
 - Enables infrastructure and service providers to bring forward their services when needed by new development;
 - Enables the public to be fully involved in developing local policies and proposals.
- 1.3 The Local Development Framework forms part of the Development Plan for South Cambridgeshire. The Development Plan is made up of those plans which have been statutorily adopted and which cover the District. The composition of the current Development Plan is set out in the Council's Local Development Scheme. This document sets out how the Council will move from the previous to the current development plans system, and lists which Local Development Documents are to be produced and when.
- 1.4 The East of England Regional Spatial Strategy (RSS) will replace the Cambridgeshire and Peterborough Structure Plan when it is published in its final form by the Secretary of State. A number of Structure Plan policies will be 'saved', and remain valid until at least 28th September 2007, under the transitional provisions of the Planning and Compulsory Purchase Act 2004.

CONTEXT

- 1.5 South Cambridgeshire is located centrally in the East of England region at the crossroads of the M11 / A14 roads and with direct rail access to London and to Stansted Airport. It is a largely rural district which surrounds the city of Cambridge and comprises over 100 villages, none currently larger than 8,000 persons. It is surrounded by a ring of market towns just beyond its borders, which are generally 10–15 miles from Cambridge. Together, Cambridge, South Cambridgeshire and the Market Towns form the Cambridge Sub-Region. South Cambridgeshire has long been a fast growing district and in 2003 had a population of over 130,000 persons (bigger than Cambridge itself) and has become home to many of the clusters of high technology research and development in the Cambridge Sub-Region.
- 1.6 The regional context is set out in the Regional Planning Guidance for East Anglia (RPG6), which was approved in November 2000. It aims to focus a higher proportion of Cambridgeshire's growth into the Cambridge Sub-Region and proposes a sequential approach to the planning of development, with much of the development concentrated into and on the edge of Cambridge (subject to a review of the Cambridge Green Belt), including development in South Cambridgeshire, and into a new town beyond the outer boundary of the Green Belt.
- 1.7 The LDF will enable the step change in growth required in the Regional Spatial Strategy and Structure Plan, particularly in the rate of housing development. South Cambridgeshire will be experiencing an almost 40% increase in housing development between 1999 and 2016. In the past much of the housing development in the Cambridge area has been directed to the villages and towns beyond the city. Whilst there has been employment growth elsewhere, Cambridge has remained the dominant centre of employment. As demand has outstripped the supply of housing close to Cambridge, people have located further from Cambridge increasing commuter flows through the district. Most of the new development in the district (on sites not yet committed) will take place on the edge of Cambridge and in a new town near to Longstanton and Oakington, named Northstowe.
- 1.8 The national context is set out in Planning Policy Statements (the replacement to Planning Policy Guidance Notes), Circulars and other advice from Government. Whilst some of those national policies will require local interpretation, a great number do not. The Local Development Framework will not repeat that advice which must also be taken into account in determining planning applications.
- 1.9 RPG6 informs the strategy in the Cambridgeshire and Peterborough Structure Plan 2003. This will be the last of its kind and will be superseded

by a new Regional Spatial Strategy (RSS). Whilst under the terms of the new plan making system the LDF must be in general conformity with RPG6, in the circumstances of the Cambridge Area it is also appropriate and consistent for the LDF to meet the policy requirements of the Structure Plan. The housing requirement set out in the Structure Plan is detailed in the Core Strategy. The Core Strategy DPD will be reviewed when the new RSS has been approved.

COMMUNITY STRATEGY

- 1.10 The Local Development Framework will be a key mechanism for delivering the South Cambridgeshire Community Strategy. All local authorities are required by the Local Government Act 2000 to "prepare a community strategy for promoting the economic, environmental and social well-being of their areas and contributing to the achievement of sustainable development in the UK."
- 1.11 The Strategy is the result of a partnership between the district and county councils, working with the health services, the police, parish councils, the business and voluntary sector. These groups have come together in the South Cambridgeshire Strategic Partnership to produce the Community Strategy. The Local Strategic Partnership will continue to develop a joint approach to the important issues, whenever possible, and will oversee the delivery of the Strategy. The Local Development Framework will be important in securing those parts of the Community Strategy which involve the development, or use of land and buildings.
- 1.12 The Community Strategy is reviewed regularly and includes actions for the following 3 year period which focus on meeting key aspects of the vision taking priority at the time and reflecting potential opportunities. Some of these will relate to district wide policies contained in the LDF, including issues such as affordable housing. Others will relate to the major developments in the district, which are addressed in planning terms in Area Action Plans, and which are a key priority for many of the stakeholders and service providers involved in the Local Strategic Partnership.

RELATIONSHIP WITH OTHER PLANS AND STRATEGIES

- 1.13 The Council has consulted all key stakeholders at three stages in the preparation of the DPDs and it is for them to advise the Council how their own strategies affect the South Cambs LDF. Where such information has been received, this has been taken into account in preparing the DPDs. Where organisations did not advise the Council of their delivery plans, it will

be for Cambridgeshire Horizons, as the delivery vehicle for the Cambridge Sub-Region, to draw together the delivery plans for all aspects of the major developments as part of the negotiations on the planning obligations agreements.

CORNERSTONE OF SUSTAINABILITY

- 1.14 The LDF aims to improve the overall quality of life for residents of South Cambridgeshire in a way which will also benefit future generations. Taking a sustainable approach to economic, social and environmental issues will be at the heart of the plan and will be closely related to the national strategy for sustainable development which has four objectives:
- Social progress which recognises the needs of everyone;
 - Effective protection and enhancement of the environment;
 - Prudent use of natural resources; and
 - Maintenance of high and stable levels of economic growth and employment.
- 1.15 European Directive 2001/42/EC requires an 'environmental assessment' of plans and programmes prepared by public authorities that are likely to have a significant effect upon the environment. This process is commonly known as 'strategic environmental assessment' (SEA), and covers relevant plans and programmes whose formal preparation begins after 21 July 2004. Among the documents to which this requirement will apply are land use plans that cover a wide area, such as the LDF.
- 1.16 The Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal (SA) of all emerging Development Plan Documents and Supplementary Planning Documents. As the draft guidance explaining this requirement makes clear, SA and SEA are similar processes that involve a comparable series of steps. If there is a difference between them, it lies in the fact that SEA focuses on environmental effects whereas SA is concerned with the full range of environmental, social and economic matters.
- 1.17 A Sustainability Appraisal Scoping Report has been prepared, and been the subject of public participation. This highlights economic, social and environmental issues relevant to the area, and objectives to test the LDF against. A Sustainability Report, incorporating an 'Environmental Report' has been prepared to accompany each DPD.

COMMUNITY INVOLVEMENT

- 1.18 The Core Strategy has been prepared following a programme of consultation and public participation. Consultation with the community on the future planning of South Cambridgeshire began at the end of 2001 with the publication of an Issues Report. In April 2004 the Council carried out an initial consultation with statutory bodies, as required under the new system of plan making, to ensure that it was aware at an early stage of any programmes and plans that would affect the LDF. This was followed in October 2004 by consultation on issues and options, which gave people the opportunity to comment on how the local planning authority should approach the preparation of a particular development plan document. A Preferred Option Report (Pre-Submission Draft) of the DPD was published in June 2005 and was subject to a six-week long public participation period, allowing people to make representations to be considered by the Council.
- 1.19 The DPD was then submitted to the Secretary of State in January 2006, and made available for a further six-week consultation period. Representations received were considered at an independent Examination, conducted by Inspectors appointed by the Secretary of State to consider the soundness of the Plan. The independent Inspectors subsequently produced a report, which was binding on the Council. Further information on the plan preparation process can be found on the Council's website: www.scambs.gov.uk.

2. STRATEGY

THE STRATEGIC VISION FOR SOUTH CAMBRIDGESHIRE

1. The vision for South Cambridgeshire is that it will contribute to satisfying the development needs of the Cambridge Sub-Region rather than those generated by pressures to the south, or elsewhere, while preserving and enhancing its rich built and natural heritage and distinctive character. The district will plan for enhanced infrastructure to meet the needs of the expanded population. It will continue to provide an attractive rural hinterland and setting for the historic city of Cambridge. Those parts closer to Cambridge will be protected by a Green Belt. It will prosper in its own right as a rural district that makes up the largest part of the Cambridge Sub-Region. It will continue to develop as part of the home of the largest cluster of research and development activity in Europe whilst maintaining and where possible improving the character, environment, economy and social fabric of its villages and countryside.
2. Much of the high level of development needed to support the cluster and improve the balance between homes and jobs in the sub-region must take place in South Cambridgeshire, and will be focussed into urban extensions to the built-up area of Cambridge and in a small new town north west of the city. The objective is that these locations will become successful, vibrant, healthy new communities. As part of a sequential policy of encouraging a more sustainable pattern of living, only limited development will take place within villages in the district, with most of that limited development focussed into those larger, more sustainable, Rural Centres where modest growth will bring about improvements in the relative sustainability of individual villages or groups of villages and the recycling of previously developed land. All villages will be kept separate from one another and from Cambridge, Northstowe and the market towns. The emphasis will be on providing quality homes for all, including affordable housing to meet local needs, to ensure the creation of sustainable and balanced communities.

OBJECTIVES

- ST/a** To provide an adequate and continuous supply of land for housing and employment, to meet strategic requirements, in sustainable locations.

- ST/b** To locate development where access to day-to-day needs for employment, shopping, education, recreation, and other services is available by public transport, walking and cycling thus reducing the need to travel, particularly by private car.
- ST/c** To create new and distinctive sustainable communities on the edge of Cambridge connected to the rest of the city by high quality public transport and other non-motorised modes of transport which will enhance the special character of the city and its setting.
- ST/d** To create a sustainable small new town close to but separate from the villages of Longstanton and Oakington connected to Cambridge by a high quality rapid transit system along the route of the disused St Ives railway. The new town will make best use of previously developed land.
- ST/e** To protect the varied character of the villages of South Cambridgeshire by ensuring that the scale and location of development in each village is in keeping with its size, character and function and that the buildings and open spaces which create their character are maintained and where possible enhanced.
- ST/f** To provide and enable provision of enhanced infrastructure to meet the needs of the expanded population.
- ST/g** To ensure development addresses sustainability issues, including climate change mitigation and adaptation issues, maximising recycling and reuse of resources, and reduce waste and pollution.
- ST/h** To support the Cambridge Area's position as a world leader in research and technology based industries, higher education and research, particularly through the development and expansion of clusters.
- ST/i** To ensure that any new development results in appropriate provision for the protection and enhancement of native biodiversity in order to contribute towards biodiversity gain, whilst having regard to the site's current biodiversity value. Opportunities for increased access to the countryside and enjoyment of biodiversity should be viewed as integral aspects of new development.
- ST/j** To ensure that the district's built and natural heritage is protected and that new development protects and enhances

cherished townscape assets of local urban design, cultural, and conservation importance, and character of the landscape.

ST/k To locate development where it will ensure maximum use of previously developed land and minimise loss of countryside and the best and most versatile agricultural land.

GREEN BELT

POLICY ST/1 Green Belt

A Green Belt will be maintained around Cambridge which will define the extent of the urban area. The detailed boundaries of the Green Belt will be established in Development Plan Documents.

- 2.1 The Cambridge Green Belt serves a number of purposes which are derived from Government guidance (PPG2) and the Cambridgeshire and Peterborough Structure Plan. The Green Belt keeps land open and free from development over a long period, which extends beyond the plan period, in order to give assurance that its boundaries will endure.
- 2.2 The Cambridge Green Belt is relatively small in extent. It's purposes are defined as:
- To preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre;
 - To maintain and enhance the quality of its setting;
 - To prevent communities in the environs of Cambridge from merging into one another and with the city.
- 2.3 In defining the Green Belt and the policies which should be applied to it, regard will be given to the special character of Cambridge and it's setting, which include:
- Key views of Cambridge from the surrounding countryside;
 - A soft green edge to the city;
 - A distinctive urban edge;
 - Green corridors penetrating into the city;

- Designated sites and other features contributing positively to the character of the landscape setting;
 - The distribution, physical separation, setting, scale and character of Green Belt villages;
 - A landscape which retains a strong rural character.
- 2.4 The Cambridge Green Belt was established in the 1965 Development Plan. A review of the Green Belt was undertaken in the 1980s resulting in the Cambridge Green Belt Local Plan 1992. A further review was undertaken in the South Cambridgeshire Local Plan 2004.
- 2.5 The Green Belt boundaries are now being reviewed to serve the long-term development needs of Cambridge, taking into account Regional Planning Guidance for East Anglia (RPG6), the Cambridgeshire and Peterborough Structure Plan 2003, and PPG2. The Structure Plan identifies the broad locations where major growth will take place on the edge of Cambridge as urban extensions and at the new town of Northstowe. These are indicated in very general terms in Policy ST/2 below. Revised Green Belt boundaries are required to enable the necessary development to take place. The outer boundary of the Green Belt is being reviewed to take account of the creation of the new town of Northstowe to ensure the continued separation of settlements.

HOUSING PROVISION

- 2.6 The Cambridgeshire and Peterborough Structure Plan 2003 sets a target of 20,000 additional homes to be built in South Cambridgeshire between 1999 and 2016. The Structure Plan takes a sequential approach to locating development to meet the needs of the Cambridge Sub-Region which focuses development on the city and will require a review of the Cambridge Green Belt which was first established in 1965, last reviewed in 1992 and rolled forward into the South Cambridgeshire Local Plan 2004. Taking a sequential approach to development means that if more development can be located in and on the edge of Cambridge than the Structure Plan envisaged then the amount of development in villages will be correspondingly lower.

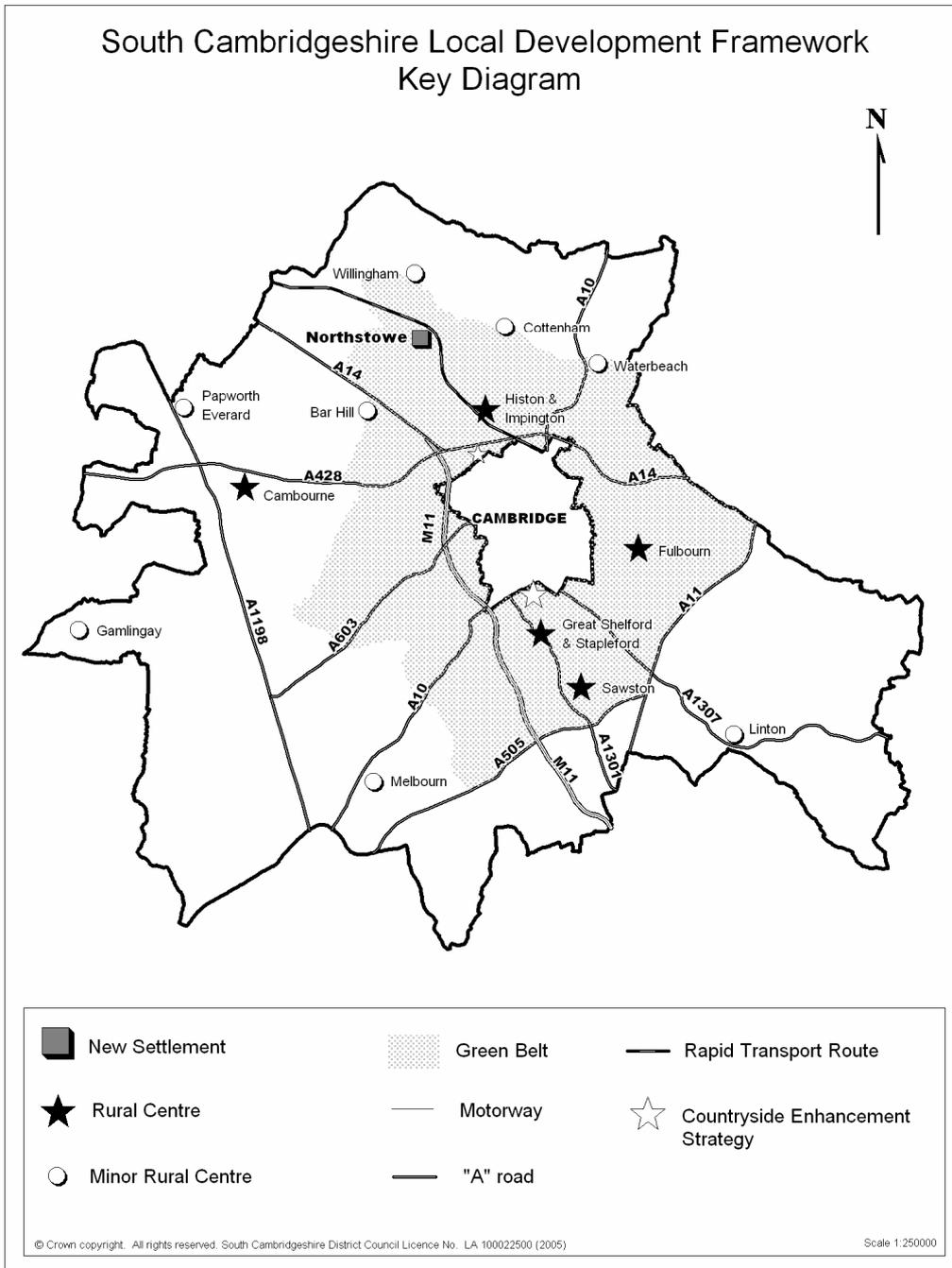
POLICY ST/2 Housing Provision

The District Council will make provision for 20,000 new homes in South Cambridgeshire during the period 1999 to 2016 in locations in the following order of preference:

1. On the edge of Cambridge;
2. At the new town of Northstowe;
3. In the rural area in Rural Centres and other villages.

The provision of affordable housing, including housing for Key Workers, will be sought as part of overall housing provision.

- 2.7 As a major part of the Cambridge Sub-Region, the pressures for housing development in South Cambridgeshire remain strong and must be carefully managed to ensure that the qualities and characteristics that attract people to the area in the first place are not damaged. The Strategy is one of concentrating development on Cambridge through a number of urban extensions to the city and at the new town of Northstowe north west of Cambridge. These major developments are addressed in a series of Area Action Plans. The strategy also allows for limited development to meet local needs in Rural Centres and other villages. The development strategy is illustrated on the Key Diagram.
- 2.8 The Local Development Framework aims to ensure that enough land is genuinely available to provide a realistic prospect of meeting the Structure Plan 2003 housing guideline of approximately 20,000 new homes in South Cambridgeshire during the period 1999 to 2016. Land so far identified has a capacity of approximately 19,000 dwellings during the plan period. Of this, about 4,180 dwellings are likely to come from urban extensions to Cambridge, 4,800 from Northstowe, and 10,050 from the rural area. The shortfall between land so far identified and the housing requirement will be made up by sites to be identified in Area Action Plans and the Site Specific Policies DPD.



POLICY ST/3 Re-Using Previously Developed Land and Buildings

Between 1999 and 2016 at least 37% of new dwellings will either be located on previously developed land or utilise existing buildings.

- 2.9 Making efficient use of land, including through re-use of previously developed land, is central to the approach to delivering sustainable development detailed in Planning Policy Statement 1: Delivering Sustainable Development. The target of 37% was established in the Structure Plan. It is lower than the national target, reflecting the nature of the district and the growth that must be accommodated. Previously developed land is defined in Planning Policy Statement 3: Housing, Annex B.

NEW TOWN OF NORTHSTOWE

- 2.10 To the **NORTH WEST** of Cambridge beyond the current Green Belt, separate from but close to the villages of Longstanton and Oakington, a small new town of up to 10,000 homes will be built, of which 4,800 homes will be provided by 2016. Located east of Longstanton village and north of Oakington village, it will be developed adjoining a new rapid transit route on the line of the former St Ives railway line and make best use of the previously developed land at Oakington Airfield. The new town will include a town centre serving the town and the nearby villages, and a strategic level of new employment principally allowing for the continued growth of the high technology research and development sector. Associated countryside recreation, access and landscape improvements will be provided around the new town.
- 2.11 This proposal is the subject of a separate Area Action Plan.

RURAL SETTLEMENT POLICY

- 2.12 A substantial contribution to the dwelling requirement has already been made by the rural area, through housing completions since 1999 and current commitments (dwellings with outline or full planning permission).
- 2.13 A small number of outstanding allocations from Local Plan 2004 are carried forward, where planning permission has not yet been granted. These allocations were tested through the Local Plan 2004 in the context of the sustainability criteria in PPG3 and are anticipated to come forward for development by 2006. This interim housing supply is important in securing

a continuous supply of land in the early part of the plan period, and to allow an adequate lead in period for the major strategic sites.

- 2.14 The Urban Capacity Study 2005 analyses the number of windfalls likely to come forward within South Cambridgeshire villages based on the rural settlement policies in the plan.

FIGURE 1: Housing Land Supply in the Rural Area

1. Completions to end March 2006	5,088
2. Unimplemented planning permissions at end March 2006 ¹	3,136
3. Forecast windfalls 2006 to 2016 (from Urban Capacity Study 2005, updated to reflect position at March 2006)	984
4. Additional development at Cambourne (increased density within existing footprint)	700
5. Rural settlement housing allocations	142
Total Provision	10,050

NOTE:

- ¹ Where sites from Local Plan 2004 now have planning permission, detailed work has been done to assess when they are likely to come forward and all are anticipated to be completed by 2016. Cambourne is also anticipated to be completed before 2016. All remaining sites with existing planning permission have been discounted by 10% to allow for sites that may not come forward.

- 2.15 A small number of outstanding allocations from Local Plan 2004 are carried forward, where planning permission has not yet been granted, where they are within Rural Centres or Minor Rural Centres and there are clear indications they will come forward. These allocations were tested through the 2004 Local Plan in the context of the sustainability criteria in PPG3. Other allocations in less sustainable villages have not been carried forward. This housing supply is important in securing a continuous supply of land in the early part of the plan period, and to allow an adequate lead in period for the major strategic sites.
- 2.16 Policy P1/1 of the Cambridgeshire and Peterborough Structure Plan allows for a limited amount of the overall development provision to be within identified Rural Centres where it can contribute to the specified social and economic need of those communities or to groups of communities. In particular, the Rural Centre of Cambourne is still evolving and there remain a number of areas to come forward for development in accordance with the Masterplan. However, development within the remainder of the developable area should be to a slightly higher density than originally planned given changes in government guidance requiring a minimum

housing density of 30 dwellings per hectare. Initial indications show this is likely to bring forward a level of development in the order of 700 dwellings, adequate to meet the remainder of the Structure Plan guidelines for the rural area.

RURAL CENTRES

POLICY ST/4 Rural Centres

1. The following villages are identified as Rural Centres:

- a. **Cambourne**
- b. **Fulbourn**
- c. **Great Shelford and Stapleford**
- d. **Histon and Impington**
- e. **Sawston**

2. Development and redevelopment without any limit on individual scheme size will be permitted within the village frameworks of Rural Centres, as defined on the Proposals Map, provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development.

- 2.17 Rural Centres are the larger more sustainable villages which generally have a population of at least 3,000 and have good access to a secondary school (either within the village or accessible by good public transport, unless there are similar community facilities available within the village), employment opportunities (at least a ratio of 1 job for every village resident economically active), contain a primary school, food shops (including a small supermarket), post office, surgery and have good public transport services to Cambridge or a market town (the minimum requirement is good public transport).
- 2.18 Future development will comprise development and redevelopment within the village frameworks. Since the Rural Centres comprise the most sustainable villages in South Cambridgeshire there is no strategic constraint on the amount of development or redevelopment of land for housing that can come forward within the village frameworks, provided that the proposals are in accordance with the policies in the Plan.

MINOR RURAL CENTRES**POLICY ST/5 Minor Rural Centres**

- 1. The following villages are selected as Minor Rural Centres:**
 - a. Bar Hill**
 - b. Cottenham**
 - c. Gamlingay**
 - d. Linton**
 - e. Melbourn**
 - f. Papworth Everard**
 - g. Waterbeach**
 - h. Willingham**

- 2. Residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted within the village frameworks of Minor Rural Centres, as defined on the Proposals Map.**

- 3. Where development of a larger scale (9 to 30 dwellings) would place a material burden on the existing village services and facilities the District Council will use its powers under Section 106 of the Town and Country Planning Act 1990 to secure financial contributions at an appropriate level towards their development or improvement. Further guidance will be provided in a Supplementary Planning Document.**

- 2.19 Villages that perform less well against the criteria set out in the Structure Plan than those identified as Rural Centres, but which nevertheless perform a role in terms of providing services and facilities for a rural hinterland, are designated as Minor Rural Centres. Those villages which perform this role, but are situated close to Cambridge and Northstowe have been discounted as the larger town centres will be more effective at serving the immediate rural area.
- 2.20 Within Minor Rural Centres there is scope in principle for larger scale windfall development within the village framework. This would allow larger villages with a reasonable level of services to provide services and facilities for surrounding smaller villages, to achieve more development. However, the overall scale of development should be restricted in recognition of their more limited services. A maximum scheme size of 30 dwellings is used as a guideline figure to indicate the upper limit of housing development likely to be suitable.

- 2.21 However, in order to ensure that residential development is not promoted in unsustainable locations, the acceptability of developments above group scale in Minor Rural Centres is dependent on existing facilities and services being improved. The areas in which a particular village performs less well against the Structure Plan criteria should be improved as part of any development over 8 dwellings. Developer contributions will be sought to obtain the necessary improvements.

GROUP VILLAGES

POLICY ST/6 Group Villages

1. The following villages are selected as Group Villages:

Balsham	Fen Drayton	Longstanton
Barrington	Fowlmere	Meldreth
Barton	Foxton	Milton
Bassingbourn	Girton	Oakington
Bourn	Great Abington	Orwell
Castle Camps	Great Wilbraham	Over
Comberton	Guilden Morden	Steeple Morden
Coton	Hardwick	Swavesey
Dry Drayton	Harston	Teversham
Duxford	Haslingfield	Thriplow
Elsworth	Hauxton	Whittlesford
Eltisley	Highfields Caldecote	
Fen Ditton	Little Abington	

2. Residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings will be permitted within the village frameworks of Group Villages, as defined on the Proposals Map.
3. Development may exceptionally consist of up to about 15 dwellings where this would make the best use of a single brownfield site.

- 2.22 Group villages are generally less sustainable locations for new development than Rural Centres and Minor Rural Centres, having fewer services and facilities allowing only some of the basic day-to-day requirements of their residents to be met without the need to travel outside the village. All Group Villages have at least a primary school and limited development will help maintain remaining services and facilities and provide for affordable housing to meet local needs.

INFILL VILLAGES**POLICY ST/7 Infill Villages****1. The following villages are selected as Infill-Only Villages:**

Abington Pigotts	Heydon	Newton
Arrington	Hildersham	Pampisford
Babraham	Hinxton	Papworth St Agnes
Bartlow	Horningsea	Rampton
Boxworth	Horseheath	Shepreth
Carlton	Ickleton	Shingay-cum-Wendy
Caxton	Kingston	Shudy Camps
Childerley	Knapwell	Six Mile Bottom
Conington	Kneesworth	Stow-cum-Quy
Croxton	Landbeach	Tadlow
Croydon	Litlington	Toft
East Hatley	Little Chishill	Weston Colville
Grantchester	Little Eversden	Weston Green
Graveley	Little Gransden	West Wickham
Great Chishill	Little Shelford	West Wrating
Great Eversden	Little Wilbraham	Whaddon
Harlton	Lolworth	Wimpole
Hatley St George	Longstowe	
Heathfield	Madingley	

2. Residential development and redevelopment within the village frameworks of these villages, as defined on the Proposals Map, will be restricted to not more than 2 dwellings (indicative size) comprising:

- a. A gap in an otherwise built-up frontage to an existing road, provided that it is not sufficiently large to accommodate more than two dwellings on similar curtilages to those adjoining; or**
- b. The redevelopment or sub-division of an existing residential curtilage; or**
- c. The sub-division of an existing dwelling; or**
- d. The conversion or redevelopment of a non-residential building where this would not result in a loss of local employment.**

3. In very exceptional circumstances a slightly larger development (not more than about 8 dwellings) may be permitted where this

would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village.

- 2.23 Infill-Only Villages are generally amongst the smallest in South Cambridgeshire. These villages have a poor range of services and facilities and it is often necessary for local residents to travel outside the village for most of their daily needs. These villages generally lack any food shops, have no primary school and may not have a permanent post office or a village hall or meeting place. Development on any scale would be unsustainable in these villages, as it will generate a disproportionate number of additional journeys outside the village.

EMPLOYMENT PROVISION

POLICY ST/8 Employment Provision

Policies in Local Development Documents will ensure sufficient employment land is available to enable further development of the high technology clusters and meet local needs. Additional land will be brought forward for employment development at the Strategic Employment Locations of Northstowe, Cambridge East and Northwest Cambridge.

FIGURE 2: Projected Employment Land Supply

Components of Supply:	Area (ha)
1. Completions 2002-2005	21.23
2. Sites with Planning Permission end March 2005	103.32
3. Cambridge Northern Fringe	5.63
4. Village Employment Land	1.35
5. Strategic Employment Locations	50.00
6. Windfalls	11.00
Total	192.53

- 2.24 Notwithstanding the forecast take up rates in the 2003 Structure Plan, there has been a slow down in the economy of the Cambridge Sub-Region in the early years of this decade. This has led to a supply surplus both in terms of empty floorspace and uncompleted commitments. Once the market picks up again, it is likely this surplus will be utilised, and new provision will be sought, including through windfall development.

2.25 The take up of employment land has been as follows since 2002:

Year	Total Net Gain in Employment Land - Completions (ha)
2002/3	11.21
2003/4	8.27
2004/5	1.65
Total	21.13

2.26 The relatively low net gains in employment land in the early years of the period indicate why the estimated take up rates may not be met. It must be emphasised that the figures in Table 2.2 of the Structure Plan is an estimate of annual take up which it assumed will continue into the future. Because of the selective management of growth policy it is not a target that has to be met if the local economy does not grow at the anticipated rate by relaxing the policy to attract footloose industries. If as shown, take up has not been as strong in the early years of the post 2002 period, the total estimated take up might not be accurate. This means that the planned supply of employment land would be likely to last longer rather than a requirement to allocate additional employment land.

2.27 The existing land commitments provide a wide range variety of types and locations for employment development. Existing commitments for research and development include sites at Granta Park, Babraham Hall, Cambridge Research Park, Hinxton Hall, and Cambridge Science Park. Other commitments include land at Cambourne Business Park, Buckingham Way Business Park, Papworth Business Park, Longstanton Business Park, Dales Manor Business Park, Sawston and Norman Way, Over. There are also a wide variety of smaller sites, including in rural areas, which take advantage of the stock of rural buildings available.

2.28 The only new land allocations for employment in the LDF are the Strategic Employment Locations identified by Policy P2/3 of the Cambridgeshire Structure Plan. This land will be allocated through the Area Action Plans. These are the sites chosen for their ability to play a major role in the employment strategy for the Cambridge Sub-Region. It is sound that these areas should be the focus of new employment in the district.

2.29 The Local Development Framework must ensure sufficient provision of a range of suitable employment land, to respond to the Cambridgeshire and Peterborough Structure Plan 2003 guidelines. Land must be available, capable of being developed, and provide a variety of sites to meet differing needs. Sites must also be consistent with the development principles detailed earlier in this document.

- 2.30 Commercial land take-up between mid 1991 and March 2002 averaged 10.7 hectares per year. The Structure Plan foresees the annual rate increasing to 14 hectares, giving a total estimated land take-up of 196 hectares 2002 to 2016.

RETAIL

POLICY ST/9 Retail Hierarchy

1. **A retail hierarchy of preferred centres will be taken into account in considering proposals for retail development.**
2. **The hierarchy of centres in South Cambridgeshire is as follows:**
 - a. **Northstowe town centre;**
 - b. **Cambridge East district centre;**
 - c. **Rural Centres village centres;**
 - d. **Other villages village centres (Minor Rural Centres, Group Villages and Infill Villages).**
3. **Any proposals for new retail provision in these centres should be in scale with their position in the hierarchy.**

- 2.31 Cambridge is the relevant city centre in the local hierarchy while the ring of market towns just outside the district represent town centres. The centre at Northstowe will also be considered a town centre in the hierarchy. The centre at Cambridge East will perform a function equivalent to that of a large district centre. Village centres at Rural Centres fulfil the role of local centres but are not appropriate locations for shopping development which serve urban centres and which are subject to the sequential test set out in Policy SF/2 in the Development Control Policies DPD. Rural Centres are the appropriate location for shopping to serve their local catchment area only. The same principle applies to Minor Rural Centres, Group Villages and Infill Villages, which serve even smaller catchment areas than Rural Centres and cater for very localised shopping needs.

- 2.32 Planning Policy Statement 6: Planning for Town Centres advises that development plans should establish a range of centres from city centres, through town centres to district centres, local centres and village centres. Structure Plan Policy P3/2 requires that shopping proposals should be of a scale appropriate to the size of the centre and its catchment area. Policy E9 of Draft Regional Spatial Strategy sets out the regional structure of retail

centres. Although it uses a different terminology, it is not incompatible with Policy ST/9.

- 2.33 There is no further need for major sub-regional shopping provision in the Cambridge Sub-Region in the period to 2016, other than approximately 30,000 m² of shopping development within the central area of Cambridge City which has been granted planning permission. Major sub-regional shopping provision is considered to be any proposal of more than 1,400 m² convenience floor area or in excess of 10,000 m² comparison shopping floor area, or which together with other nearby development or proposals will exceed these thresholds.
- 2.34 In view of the provisions of Structure Plan Policy P9/10, it is unlikely that proposals for major sub-regional shopping provision will receive planning permission in South Cambridgeshire. Exceptionally, in Northstowe, there will be a need for convenience and comparison floor area provision of a scale in excess of these thresholds, which ensures that the settlement is sustainable. However, the District Council does not intend that Northstowe should perform a sub-regional shopping role that has a significant impact on the role of Cambridge. Further guidance on proposals for convenience and comparison retail in Northstowe is contained in the Northstowe Area Action Plan.
- 2.35 There will also be a need for shopping provision in the urban extensions to Cambridge. Further guidance on proposals for convenience and comparison retail in the urban extensions is contained in the relevant Area Action Plans.

3. PHASING AND DELIVERY

OBJECTIVES

- P/a To ensure appropriate mechanisms are in place to secure the efficient and timely delivery of the development strategy.**
- P/b To set out phasing policies for the delivery of housing in the district.**
- P/c To consider the rate and timing of delivery of housing and associated development in the district.**

DELIVERY MECHANISMS

- 3.1 The new plan making system has an increased emphasis on demonstrating how the policies of the plan will be delivered, particularly housing. The Core Strategy has been prepared in consultation with stakeholders at three stages of consultation. The Council is also involved in the preparation of other key strategies and plans such as its Community Strategy and strategies being prepared by others such as the Cambridgeshire Long-Term Transport Strategy and Local Transport Plan. Cambridgeshire Horizons is leading on a number of sub-regional strategies in which the Council is involved, looking at issues such as formal sports, and green infrastructure.
- 3.2 Cambridgeshire Horizons' key focus is on the delivery of the development strategy for the Cambridge Area. As such, it is assisting the local authority with mechanisms to ensure prompt and efficient delivery of the major developments and necessary infrastructure. There is a recognised urgency to ensure that plans are in place to increase the rate of housing development and in particular to bring forward the major developments to meet the needs of the Cambridge Area. Various partnership working arrangements have been in place for the major developments since around the time of the adoption of the Structure Plan for the majority of the major developments. These include Member Reference Groups, officer Steering Groups and Topic Groups to facilitate further partnership working with the main stakeholders on key issues such as community facilities and drainage. This approach will help the landowners / developers to develop the plans and strategies required by the various policies of the Local Development Framework, with full and early input from the local authorities and key stakeholders to seek to ensure they are capable of being approved and delivered.
- 3.3 Cambridgeshire Horizons will have a key role in helping to draw together the identified requirements of the major developments as work on planning

applications progresses and in facilitating discussions on planning obligation agreements. This independent input will assist partnership working between the local authority and the landowners / developers and ensure a realistic approach to negotiations.

PHASING OF HOUSING LAND

POLICY ST/10 Phasing of Housing Land

As the aim is to achieve a continuous high level of dwelling production throughout the Plan period, urban extensions to Cambridge will be phased only where required because of environmental or other constraints. The new settlement of Northstowe and other sites will not be phased. Where applicable, phasing policies will be set out in AAPs. Should the required rates of housing delivery not be achieved, Supplementary Planning Documents may be produced in order to bring forward housing construction on specific sites.

- 3.4 It is important to ensure that there is a continuous supply of housing land over the plan period. The major strategic sites are the key to the delivery of the housing requirement. Developments on allocations carried forward from Local Plan 2004 and windfalls in the rural area should come forward at an early date to meet needs to 2006. This interim housing supply is important in securing a continuous supply of land in the early part of the plan period, and to allow an adequate lead in period for the major strategic sites.
- 3.5 Any Supplementary Planning Document on phasing will take account of various matters including land availability, the provision of infrastructure, completion rates and the balance between brownfield and greenfield completions.
- 3.6 In the case of this plan, the 'saved' policies of the Cambridgeshire and Peterborough Structure Plan 2003 provide the detailed housing guidelines for South Cambridgeshire. The statutory requirement is for the district's plans to be in general conformity with RPG6 rather than the Structure Plan. Under the new plan making system it is the RSS and the district LDFs that form the development plan. In practice for South Cambridgeshire District Council, the Structure Plan is still a key material consideration for plan making. The policies of the Structure Plan are 'saved' under transitional arrangements and the plan is in general conformity with the current Regional Spatial Strategy in RPG6.
- 3.7 An Annual Monitoring Report will be produced and this will contain housing trajectories. Many of the factors influencing the delivery of housing are

beyond the control of the local planning authority or the development industry. The role of monitoring will be important in assessing the actual performance in terms of delivery of this and other parts of the development strategy. A monitoring strategy is set out in Chapter 4.

4. MONITORING

OBJECTIVE

M/a To ensure appropriate mechanisms are in place to monitor the efficient and timely delivery of the development strategy.

PLAN MONITOR MANAGE

POLICY ST/11 Plan Monitor Manage

- 1. Compliance with policies and allocations in the Local Development Framework (LDF) will be continuously monitored throughout the plan period. If, through monitoring, it appears that policies and allocations are not being met, the following mechanisms will be triggered:**
 - a. Review of housing and employment land supply and allocations;**
 - b. Action to bring forward sites for development, wherever possible in partnership with landowners and developers;**
 - c. Action to bring forward development on previously developed land;**
 - d. Action to secure the timely provision of infrastructure;**
 - e. Review of relevant parts of the LDF.**
- 2. If land supply significantly exceeds estimated take-up rates, applications outside the urban extensions to the built up area of Cambridge and outside Northstowe may be refused, until the Plan is reviewed.**

- 4.1 Monitoring provides information on the performance of policy, the delivery of development and impacts on the environment. Monitoring will help the local planning authority assess whether its plans remain sound or whether adjustments need to be made to continue to meet the Plan's objectives. The presence of clear mechanisms for implementation and monitoring forms part of the test of soundness of the Local Development Framework.
- 4.2 In order to assess the effectiveness of the policies in the delivery of development and protection of the environment, it is important that

continuous monitoring and review of policies in the LDF is undertaken. Monitoring and review will take place on an annual basis. If, as a result of monitoring and review, it appears that development is not coming forward in a sustainable or timely manner, the District Council will be proactive in using its powers to respond to changing circumstances, for example, through the use of Compulsory Purchase Orders to unlock sites, or through the review of land allocations or policies in the LDF.

- 4.3 Policy ST/3 requires a minimum of 37% of new dwellings in South Cambridgeshire to be built on previously developed land between 1999 and 2016 in accordance with Structure Plan Policy P5/2. Achieving this will depend particularly on the rate and phasing of development at Cambridge East and the new town of Northstowe. The Plan Monitor Manage approach will be used to guide the phasing of development and performance against the previously developed land target. Where monitoring shows that sites are not coming forward as anticipated, other sites will be brought forward in the programme, having particular regard to the priority for previously developed land.

MONITORING INDICATORS

- 4.4 Every local planning authority now has to produce an Annual Monitoring Report (AMR) for submission to the Secretary of State. This forms part of the overall package of documents making up the Local Development Framework for each district.
- 4.5 A set of indicators has been developed specifically for monitoring the LDF, building on guidance in the ODPM publication Annual Monitoring Reports: A Good Practice Guide. These comprise the following types of indicator:

- **Output Indicators:**
 - **Core Output Indicators:** these are indicators that all local authorities must monitor and they are listed in the Good Practice Guide. The Core Indicators address a number of key planning variables which fall under the topic areas of Business Development, Housing, Transport, Local Services, Minerals, Waste, Flood Protection, Biodiversity and Renewable Energy. The Core Indicators that local authorities are required to monitor are based on the existing regional Core Output Indicators that regional planning bodies are required to monitor. This reflects the need for compatibility to exist between the Annual Monitoring Reports of the regional planning body and the LDF Annual Monitoring Reports of the local authorities within that region.

- **Local Indicators:** these address the outputs of policies which are not covered by the Local Development Framework Core Indicators. Local Indicators provide scope for addressing issues which are of particular local importance; the Local Indicators therefore reflect local circumstances and issues that prevail in South Cambridgeshire.
 - **Significant Effects Indicators:** these measure the significant effects of the plan or programme. Significant Effects Indicators are drawn from the Sustainability Appraisal Scoping Report. Whereas Output Indicators are intended to measure the direct effect of a policy in terms of the extent to which it has achieved its objective, Significant Effects Indicators provide a more holistic view of the impact of a policy by allowing the examination of any unintended positive and negative effects of the policy.
 - **Contextual Indicators:** these describe the wider social, environmental and economic background against which Local Development Framework policy operates.
- 4.6 The Core Strategy Output indicators developed through the LDF Monitoring Strategy 2005 are included at Table 1 at the end of this chapter.

HOUSING TRAJECTORY

- 4.7 A housing trajectory will be prepared as one of the Core Indicators that districts are required to monitor in their Annual Monitoring Reports, as set out in Table 1. The role of the housing trajectory is to integrate the “Plan, Monitor, Manage” approach to housing delivery by showing past performance and estimating future performance. The housing trajectory will illustrate this information in a graphical form. The AMR housing trajectory for South Cambridgeshire will compare the levels of actual and projected completions over the period of the plan with the housing trajectory contained in the Core Strategy.

RESPONDING TO DELIVERY ISSUES

- 4.8 In the event that the AMR identifies delivery issues in relation to the development strategy, where key policy targets are not being met, these would need to be assessed as part of the AMR process and a decision reached on whether any change was required to the Core Strategy, other parts of the LDF, or through other mechanisms.

- 4.9 A key aspect of monitoring the Core Strategy will be the number of homes being built. The number of homes coming forward in the district at the highest stages in the development sequence, that is within the built-up area of Cambridge or on the edge of Cambridge through Green Belt review, will need to be assessed in the AMR together with the position in Cambridge City, as the Structure Plan brackets those stages in the sequence together. If there is a significant shortfall or surplus in the provision in those stages of the sequence, it may be necessary to review the housing policies of both Councils for sites at these higher order stages in the sequence, to seek to make the necessary adjustment in build rates or provide elsewhere.
- 4.10 Whilst it is not anticipated, if the situation were to arise where this could not meet the housing needs of the area, there would be a need to review the development strategy for the Cambridge Sub-Region to identify the next most sustainable location for the shortfall in development. This is in the context of a Structure Plan hierarchy which has the new town of Northstowe next in the locational sequence for development, followed by sites within, and then on the edge of, market towns. Villages are at the bottom of the sequence and no shortfall within or on the edge of Cambridge or at Northstowe will be made up through new allocations in villages in South Cambridgeshire.

TABLE 1: Core and Local Output Indicators

Strategic Objectives ST/a and ST/b, and Strategic Objectives ST/e-ST/k, are addressed in this Table. Strategic Objectives ST/d and ST/c, which respectively relate to Northstowe and to the developments at Cambridge East and Cambridge Southern Fringe, are addressed in Tables in the respective Area Action Plans. All the indicators are relevant to the strategic objectives, and targets are included where they are relevant to the Core Strategy. Where targets are not identified in this Table, they will be identified in other DPDs.

ST/a To provide an adequate and continuous supply of land for housing and employment, to meet strategic requirements, in sustainable locations.				
Indicator number	Indicator	Type of Indicator	Related Core Strategy Policies	Targets
CO1a	Amount of land developed for employment by type: (i) B1 (ii) B2 (iii) B8	Core		
CO1b	Amount of land developed for employment, by type, which is in development areas defined in the LDF (Northstowe, Cambridge Southern Fringe and Cambridge East): (i) B1 (ii) B2 (iii) B8	Core		<i>See indicators relating to Strategic Objectives ST/c and ST/d, which address development in each of the major development areas at Northstowe, Cambridge East and Cambridge Southern Fringe.</i>
CO1c	Percentage of CO1a, by type, which is on previously developed land.	Core		
CO1d	Employment Land Supply by type with full planning permission and with outline planning permission.	Core		
CO1f	Amount of employment land lost to residential development: (i) In the district as a whole. (ii) Within village frameworks.	Core		
CO2a	Housing trajectory. <i>For further details on the data requirements for the housing trajectory, see the housing trajectory section of the Monitoring Strategy.</i>	Core	ST/1	a) The annualised level of housing completions approximates as closely as possible to the Strategic requirement. b) The cumulative level of completions approximates as closely as possible to the Strategic requirement of 20,000 dwellings over the LDF period.
CO2d	Affordable housing completions.	Core		
LOA2	Mix of affordable housing.	Local		
LOA3	Number of rural exceptions sites for affordable housing coming forward for affordable housing and number of dwellings on those sites.	Local		

CO4a Office Development	Amount of completed office (B1) , retail and leisure development. <i>Core Indicator CO4a is split into three separate indicators for office, retail and leisure development respectively. The retail and leisure elements of the indicator are considered to relate more closely to Strategic Objective ST/b, and are therefore included in the table for that strategic objective.</i>	Core		
LOA4	Number of gypsies and travelling showpeople living on sites without planning permission.	Local		
CO2b	Percentage of new and converted dwellings on PDL.	Core	ST/2	At least 37% of all dwellings (new and converted) on Previously Developed Land.
LOA1	Market housing mix.	Local		
ST/b To locate development where access to day-to-day needs for employment, shopping, education, recreation, and other services is available by public transport, walking and cycling thus reducing the need to travel, particularly by private car.				
Indicator number	Indicator	Type of Indicator	Related Core Strategy Policies	Targets
CO2c	Percentage of new dwellings completed at: (1) less than 30 dph; (2) 30 dph or greater and less than 50 dph; and (3) 50 dph or greater.	Core		
CO3a	Percentage of non-residential development complying with car-parking standards set out in LDF.	Core		
CO3b	Percentage of new residential development within 30 minutes public transport time of a GP, hospital, primary and secondary school, employment and a major health centre.	Core		
CO4a Retail	Amount of completed office (B1), retail and leisure development. (i) Amount of retail floorspace built in A1, A2 and A3 Use Classes. (ii) Amount of retail floorspace committed in A1, A2 and A3 Use Classes.	Core		
CO4a Leisure	Amount of completed office (B1), retail and leisure development. Type and size of new leisure facilities in D2 Use Class built in the District.	Core		

LOB1	(a) Gains or losses of open space / outdoor recreation land resulting from new developments. (b) Percentage of planning permissions meeting standards set out in SF/13.	Local		
ST/c To create new and distinctive sustainable communities on the edge of Cambridge connected to the rest of the City by high quality public transport and other non-car modes of transport which will enhance the special character of the City and it's setting.				
Indicator number	Indicator	Type of Indicator	Related Core Strategy Policies	Targets
SEE TABLES IN THE MONITORING CHAPTERS OF THE CAMBRIDGE EAST AREA ACTION PLAN AND THE CAMBRIDGE SOUTHERN FRINGE AREA ACTION PLAN.				
ST/d To create a sustainable small new town close to but separate from the villages of Longstanton and Oakington connected to Cambridge by a high quality rapid transit system along the route of the disused St Ives railway. The new town will make best use of previously developed land.				
Indicator number	Indicator	Type of Indicator	Related Core Strategy Policies	Targets
SEE TABLES IN THE MONITORING CHAPTER OF THE NORTHSTOWE AREA ACTION PLAN.				
ST/e To protect the varied character of the villages of South Cambridgeshire by ensuring that the scale and location of development in each village is in keeping with its size and character and that the buildings and open spaces which create their character are maintained and where possible enhanced.				
Indicator number	Indicator	Type of Indicator	Related Core Strategy Policies	Targets
LOE1	(a) Average size of housing developments in Rural Centres, Minor Rural Centres, Group Villages and Infill Villages. (b) Largest development coming forward in Rural Centres, Minor Rural Centres, Group Villages and Infill Villages. (c) Total dwellings built by village category.	Local	ST/4, ST/5, ST/6, ST/7	Rural Centres: None; Minor Rural Centres: Maximum development size of 30 dwellings; Group Villages: Maximum development size of 8 dwellings (or exceptionally up to 15 dwellings); Infill Villages: Maximum development size of 2 dwellings (or exceptionally up to 8 dwellings).
LOE2	Amount of land designated as: a) Protected Village Amenity Areas; and b) Adjacent to an Important Countryside Frontage lost to development each year.	Local		

ST/f To provide and enable provision of enhanced infrastructure to meet the needs of the expanded population.

Indicator number	Indicator	Type of Indicator	Related Core Strategy Policies	Targets
LOF1	Investment secured for infrastructure and community facilities through developer contributions.	Local		

ST/g To ensure development addresses sustainability issues, including climate change mitigation and adaptation issues, maximising recycling and reuse of resources, and reduce waste and pollution.

Indicator number	Indicator	Type of Indicator	Related Core Strategy Policies	Targets
LOG1	Amount of new development completed: - on previously-undeveloped functional flood-plain land, and - in flood risk areas, without agreed flood defence measures.	Local		
CO9	Renewable energy capacity installed by type.	Core		
LOG2	Proportion of development proposals greater than 1,000m ² or 10 dwellings including renewable energy technology providing at least 10% of their predicted energy requirements.	Local		

ST/h To support the Cambridge Area's position as a world leader in research and technology based industries, higher education and research, particularly through the development and expansion of clusters.

Indicator number	Indicator	Type of Indicator	Related Core Strategy Policies	Targets
LOH1	Amount of land committed for "employment cluster" development in the district in the following sectors: 1) Biotechnology and biomedical 2) Computer services 3) Electronic engineering 4) Information technology / telecommunications 5) Medicine 6) Research and Development 7) Other locally-driven high-technology clusters as they emerge	Local		

ST/i To ensure that any new development results in appropriate provision for the protection and enhancement of native biodiversity in order to contribute towards biodiversity gain, whilst having regard to the site's current biodiversity value. Opportunities for increased access to the countryside and enjoyment of biodiversity should be viewed as integral aspects of new development.

Indicator number	Indicator	Type of Indicator	Related Core Strategy Policies	Targets
CO8	Change in areas and populations of biodiversity importance, including: (i) Change in priority habitats and species (by type); and (ii) Change in areas designated for the intrinsic environmental value including sites of international, national, regional or sub-regional significance.	Core		
LO11	Amount of new development completed within, or likely to adversely affect, internationally or nationally important nature conservation areas: RAMSAR sites, SPAs, SACs, NNRs, SSSIs.	Local		

ST/j To ensure that the district's built and natural heritage is protected and that new development protects and enhances cherished townscape assets of local urban design, cultural, and conservation importance, and character of the landscape.

Indicator number	Indicator	Type of Indicator	Related Core Strategy Policies	Targets
LOJ1	Number of listed buildings and buildings at risk.	Local		

ST/k To locate development where it will ensure maximum use of previously developed land and minimise loss of countryside and the best and most versatile agricultural land.

Indicator number	Indicator	Type of Indicator	Related Core Strategy Policies	Targets
CO2b <i>This indicator is also included under the table for Strategic Objective A.</i>	Percentage of new and converted dwellings on PDL.	Core	ST/2	At least 37% of all dwellings (new and converted) on Previously Developed Land.
CO1c	Percentage of Core Indicator CO1a, by type, which is on previously developed land.	Core		
LOK1	Amount of inappropriate development in the Green Belt by type.	Local		

GLOSSARY OF TERMS

AAP	Area Action Plan	Provides a statutory planning framework for an area of change
AH	Affordable Housing	A wide variety of types and tenures of housing where the common feature is that it is subsidised in some way to make it affordable to those who cannot afford a home on the open market
AOD	Above Ordnance Datum	The Ordnance Datum is the mean sea level at Newlyn in Cornwall calculated between 1915 and 1921, taken as a reference point for the height data on Ordnance Survey maps.
B1(c)	Use Class B1(c)	Light Industry
B2	Use Class B2	General Industry
B8	Use Class B8	Wholesale warehouse, distribution centres and repositories
BAP	Biodiversity Action Plan	Encouraging a wide range of fauna and flora in a locality
	Biophysical	Biophysics is an interdisciplinary field which applies techniques from the physical sciences to understanding biological structure and function. The subject lies at the borders of biology, physics, chemistry, mathematics, engineering, genetics, physiology and medicine.
BIS	Bus Information Strategy	Part of the Local Transport Plan
	Cambridge Area	The area covered by Cambridge City Council and South Cambridgeshire District Council
	Cambridgeshire and Peterborough Structure Plan	Statutory plan that sets out broad development requirements in the County to 2016 (Prepared by the County Council)
	Car Pooling	Shared use of a car(s) by a group of people
	Climate Proofing	Climate proofing aims to ensure buildings and associated infrastructure are capable of enduring the future impacts of climate change, for example minimising risk of flooding, minimising risk of subsidence, installing water saving measures and devices, and using materials that have low / zero CO ₂ and green house gas emissions.
CHP	Combined Heat and Power	Using waste heat from power stations to heat nearby houses
	Country Park	An area of countryside which is landscaped and managed for informal recreation and includes some visitor facilities such as car parking, toilets and an interpretation centre
CPZ	Controlled Parking Zone	An area in which special parking controls are applied
	Community Strategy	Strategy for promoting the economic, environmental and social well-being of the area and contributing to the achievement of District Wide sustainable development

CS	Core Strategy	An element of planning policy within the LDF
CSR	Cambridge Sub-Region	Comprises Cambridge, South Cambridgeshire and the Market Towns
DPD	Development Plan Document	Statutory document having been through Independent Examination
dph	Dwellings per hectare	At least 30 in most circumstances, as required by PPG3: Housing, RSS 6 and Structure Plan
EA	Environment Agency	
EEDA	East of England Development Agency	
EERA	East of England Regional Assembly	
EIA	Environmental Impact Assessment	Considers the potential environmental effects of land use change, enabling decisions on land use change to be taken with full knowledge of the likely environmental consequences
EiP	Examination in Public	Inquiry led by an independent Planning Inspector into proposals for and objections to LDDs
GADG	Growth Area Delivery Grant	Infrastructure funding
GHG	Greenhouse Gases	Carbon Dioxide and other emissions, causing global warming
GO-East	Government Office for the Eastern Region	
GPDO	General Permitted Development Order	Provides permitted development rights which allow certain types of development to proceed without the need for a planning application
	Good local public transport service	Minimum service frequencies of every 30 minutes during the day, hourly in the evenings and on Saturdays. Every 2 hours or better on Sundays.
	Green Corridor	Areas of open land which penetrate into an urban area for amenity and recreation
	Green Separation	The area of open land required to keep apart two separate communities and maintain their individual identities
	Greywater	The mildly polluted wastewater from shower / bath, washbasin and washing machine
HNS	Housing Needs Survey	Assessment of housing needs across the whole district
HQPT	High Quality Public Transport	Generally service frequencies of at least a 10 minutes peak / 20 minutes inter-peak. Weekday evening frequencies of ½ hourly until 11pm, Saturday ½ hourly 7am - 6pm, then hourly and Sunday hourly 8am - 11pm. Also provides high quality low floor / easy access buses, air conditioning, prepaid / electronic ticketing, Real Time information and branding to encourage patronage.
	Infrastructure Partnership	Responsible for co-ordination of the delivery of housing and infrastructure across the Cambridge Sub-Region

	Key Worker Housing	Discounted market housing targeted at specific groups, including teachers, nurses and others whose role relates to the care and comfort of the community or sustaining the local economy, and who are unable to meet their housing needs on the open market.
LAP	Local Area for Play	
LAPC	Local Authority Pollution Control	
LAPPC	Local Authority Pollution Prevention and Control	
LCA	Landscape Character Assessment	Assessment of the landscapes, wildlife and natural features into distinct character areas
LDD	Local Development Document	Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs)
LDF	Local Development Framework	A "folder" containing LDDs, LDS, SCI etc.
LDS	Local Development Scheme	Sets out the LDDs to be produced over the next 3 years
LEAP	Local Equipped Area for Play	
	Local Needs	The definition varies depending on the circumstances in which it is used. Where talking about types of housing or employment provision in the district it will often relate to the needs of the wider Cambridge area. Where talking about local needs as identified through the Housing Needs Survey it refers specifically to the needs of the district. With regard to exceptions sites for affordable housing it refers to the needs of the village / parish
LPA	Local Planning Authority	e.g. South Cambridgeshire District Council
LSP	Local Strategic Partnership	Public service providers, local communities, voluntary, public and private sectors co-ordinate improvements in public services to achieve sustainable economic, social and physical regeneration
LTP	Local Transport Plan Masterplan	Sets out transport strategy for Cambridgeshire Strategic & Local Master Plans
MOD	Ministry of Defence	
MUGA	Multi-Use Games Area	
NEAP	Neighbourhood Equipped Area for Play	
NNR	National Nature Reserve	Protect the important areas of wildlife habitat and geological formations
PENs	Previously Established New Settlements	e.g. Bar Hill
	Parish Plan	A vision of how a town or village should be, addressing social, economic or environmental issues
PPC	Pollution Prevention Control	
PPG	Planning Policy Guidance	National planning guidance

PPS	Planning Policy Statement	New form of national planning guidance replacing PPGs
PV	Photovoltaic Energy	Solar energy from photovoltaic cells
PVAA	Protected Village Amenity Area	Open land protected for its contribution to the character of the village
RWH	Rainwater Harvesting	Using rainwater for flushing toilets, etc.
RPG	Regional Planning Guidance	Planning guidance for the region (See RSS)
RSS	Regional Spatial Strategy	New name for RPG
RTBI	Real Time Bus Information	A display in the bus shelter showing how long until the next bus arrives
	Rural Enterprise	An enterprise where a countryside location is necessary and acceptable, which contributes to the rural economy, and / or promotes recreation in and the enjoyment of the countryside. Examples may include types of farm diversification, recreation and tourism
SA	Sustainability Appraisal	An appraisal against sustainability criteria of proposals for LDDs by independent consultants
SAP	Standard Assessment Procedure	Assessment procedure for energy rating of dwellings
SCI	Statement of Community Involvement	Shows how the wider community and stakeholders are to be involved in the process of producing a LDF
	Sustainable Development	Development that meets the needs of the present, without compromising the ability of future generations to meet their own needs
SEA	Strategic Environmental Assessment	Integration of environmental considerations into the preparation and adoption of plans, promoting sustainable development
	Section 106	Planning agreements that secure contributions (in cash or in kind) to the infrastructure and services necessary to facilitate proposed developments
SIP	Space for Imaginative Play	
SOS	Strategic Open Space	Public Open Space of more than local significance such as Country Parks
SPD	Supplementary Planning Document	Informal policy which has been the subject of public participation (the new name for SPG)
SPG	Supplementary Planning Guidance	See SPD
SSSI	Site of Special Scientific Interest	Designated site of national importance to wildlife and/or geology
SUDS	Sustainable Urban Drainage Systems	May take the form of swales, lagoons, permeable paving, green roofs and sensitively re-engineered channels or reed beds
TA	Transport Assessment	Assessment of the expected additional traffic generation (all modes) for new development
TP	Travel Plan	Plan setting out a series of measures to encourage the use of modes other than the private car

UCS	Urban Capacity Study	Assessment of vacant land within built-up areas which could be developed
VDS	Village Design Statement	Produced by communities to show what kind of development they want as part of their settlement

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Council	25 th January 2007
AUTHOR/S:	Chief Executive / Democratic Services Manager	

CLIMATE CHANGE MEETING

Purpose

1. To determine the detail of establishing a "Climate Change Meeting".

Background

2. At its meeting on 28th September 2006 (Minute 6d refers), Council resolved that:
 - *a Climate Change Meeting be established, meetings to be held on a set day at a set time, preferably on the same day as another meeting with a large attendance, as this might assist in adhering to sustainability principles regarding transport costs and member and officer time; and*
 - *costs be split proportionally between all portfolios or borne by Council as a whole because of the important impact of climate change on all portfolios.*
3. The Meeting will report directly to Council.

Considerations

4. Council now needs to consider the following issues:
 - Terms of Reference
 - Size and membership of the Meeting, and officer support
 - Name

The Climate Change Meeting will need to consider the following at its inaugural meeting:

- Purpose and Targets
 - Opportunities for achieving added value to the Council's activities
 - Relationships: Meeting, Portfolio Holder, lead Officers.
 - Preferred meeting day and time
5. ***Terms of Reference***

Suggested Terms of Reference are:

 - To identify activities and processes within South Cambridgeshire that could be considered as contributing to climate change, and to encourage residents to adopt practices that minimise or eliminate any adverse impact.
 - To consider how the District Council can best achieve its corporate objectives and priorities so as to minimise or eliminate any adverse impact from climate change

by considering, among other things, the design and construction of new housing and public buildings.

- To consider how Members and staff of South Cambridgeshire District Council can contribute as individuals to the reduction or elimination of any adverse impact from climate change.
- To evaluate the effectiveness of energy management within South Cambridgeshire Hall, the Waterbeach Depot, and sheltered housing schemes, and identify any way in which improvements could be made that would reduce the Authority's carbon footprint.
- To address environmentally-friendly transport issues in relation to the Council's vehicle fleet, including its staff car leasing scheme, and to encourage 'green' commuting by Members, staff and residents.
- To examine the benefits of climate change mitigation measures in the context of their financial implications.

6. ***Size and Membership of Meeting, and officer support***

In determining the Meeting's size, Council may wish to consider

- Effectiveness
- Cost
- The greater flexibility of identifying rooms for smaller meetings part way through the year

At its Annual meeting in May 2006, Council decided that all formal Committees, Sub-Committees and other Member bodies should be established on a politically-proportional basis. This means, for example, that a nine-Member Climate Change body would consist of four Conservatives, three Liberal Democrats and two Independents. As is the case with meetings of the Cabinet, Regulatory Committees and Advisory Meetings, any Member of Council, not being a member of the relevant Member body, would be entitled to attend its meetings.

- Questions:**
- (a) What is the membership of the Meeting likely to be? Will it simply consist of SCDC members or would it help to widen the membership to include key Local Strategic Partnership representatives (possibly as part of an LSP sub-Meeting to take forward new climate change actions in the emerging Sustainable Communities Strategy)?
 - (b) Who will be the lead officer, and how will the Meeting function so as both to maximise its own effectiveness and minimise its demands on the wide-ranging responsibilities of the Strategic Development Officer?

7. ***Name***

Terms such as "advisory" and "Group" cause confusion as to the body's status. In the context of a Member body reporting to Council, rather than to any one Portfolio Holder or to the Cabinet, Members may wish to adopt a name such as 'Climate Change Working Party' (the Constitution Review Working Party reports directly to

Council), 'Climate Change Working Group', 'Climate Change Forum' or 'Climate Change Meeting'.

Options

- 8. Having previously agreed to the principle of a Climate Change body, Council's options have been summarised in paragraphs 5 to 7 inclusive of this report.

Implications

- 9. The Climate Change body would best be served by having a small budget of its own, therefore it is recommended that the sum of £3,000 be approved for inclusion in the 2007-2008 estimates. It is not anticipated that any budget will be required in the current financial year.

10.	Legal	The Meeting would need to recognise what is, and is not, within its statutory powers
	Staffing	A new Strategic Development Officer will be in post by March 2007.
	Risk Management	Any risks are already being managed by the day-to-day activities of officers, and the Climate Change body should take the opportunity to assist in advancing such management, where appropriate.
	Equal Opportunities	No specific implications

Consultations

- 11. No formal consultation has been necessary in preparing this report.

Effect on Annual Priorities and Corporate Objectives

12.	Affordable Homes Customer Service Northstowe and other growth areas Quality, Accessible Services Village Life Sustainability Partnership	While climate change is a worldwide phenomenon, South Cambridgeshire District Council must focus on contributing to the local debate by working in partnership with parishes, the County Council, other stakeholders in Cambridgeshire, and with government agencies. It will be important, from the outset, to enhance people's quality of life by planning new developments in ways that reflect efforts to reduce carbon emissions, secure modal shift away from private cars towards public transport, such as the Guided Bus, and encourage the use of renewable energy, including in affordable homes.
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Recommendations

- 13. It is **RECOMMENDED** that Council
 - (a) Establish a 'Task and Finish' body called the Climate Change Working Group, consisting of nine District Council Members, appointed on a proportional basis, supported by relevant Council officers, and by independent experts co-opted as and when required, and detailed to present its report to Council within a set period. [in the event of further issues arising following that report, the Working Group could be re-established];
 - (b) Approve the Terms of Reference set out in paragraph 5, adding further terms as required;

- (c) Address the questions raised in paragraphs 6(a) and 6(b);
- (d) Approve the inclusion of £3,000 in the 2007-2008 estimates by way of budget for the group, and
- (e) Delegate to the Democratic Services Section the task of convening meetings within guidelines set by Members.

Background Papers: the following background papers were used in the preparation of this report: None

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**MEMBERS' REMUNERATION PANEL
MEETING HELD ON 20 DECEMBER 2006
AT SOUTH CAMBRIDGESHIRE HALL
AT 09:30**

Present: John Bridge (Chairman of Cambridge Chamber of Commerce)
Valerie, Lady Bright (Magistrate and Business owner)
Ruth Rogers (Deputy Chief Executive, Age Concern)
Maggie Jennings, Democratic Services Officer

In attendance by invitation:

Cllr John Batchelor – Spokesperson for the Lib/Dems
Cllr Roger Hall – Spokesperson for the Conservatives, Vice-Chairman of Scrutiny & Overview Committee and Licensing Committee
Cllr Mrs Cicely Murfitt – Chairman of the Council

1. Election of Chairman

1.1 It was agreed that Ruth Rogers be elected Chairman of the meeting.

2. Order of Business

2.1 The Panel were requested in particular, to consider the following items:

- (a) At the request of the Licensing Committee Chairman, that there be a reduction in the Special Responsibility Allowance (SRA)
- (b) To consider the SRA for Portfolio Holders as the number was reduced from 8 to 7 in May this year as one Portfolio Holder had taken on the responsibility of two areas
- (c) At the request of Dave Kellaway to review the allowance for Parish Members on the Standards Committee
- (d) Payment of a SRA to the Leader of the Opposition
- (e) To note the comparative figures of the Daventry Benchmarking Group

3. Discussion with Cllr Mrs Cicely Murfitt

3.1 Cllr Mrs Murfitt informed the Panel:

- That it would not be political to raise the allowances due to the financial situation of the Council
- Allowances should be paid to only those that have additional duties
- She agreed with the reduction of the SRA for the Chairman of Licensing Committee as there had not been the number of hearings anticipated and it was not expected that there would be many hearings as a result of the Gambling Act

- Many Councillors attend their own Parish Council meetings; some have more than one Parish meeting to attend, Mrs Murifft does not claim expenses for attending those meetings
- The Chairman's allowance did not cover all her expenses, particularly in respect of appropriate dresswear for Council functions, nor to host an annual reception for dignitaries from the surrounding area
- There was a need to attract people with experience to become Councillors and in particular the younger element; she did however recognise that it was difficult to combine working and Council duties
- She was on-call 24-7
- The difference in allowances for Parish and Independent members of the Standards Committee appeared an anomaly
- That these were her own personal views

4. Discussion with Cllr John Batchelor

4.1 Cllr Batchelor informed the Panel:

- That the Lib/Dems had withdrawn from Cabinet as seats had been lost at the last election that were gained by the Conservatives and it was felt that during consideration of Council matters some Independents would vote with the Conservatives and the Lib/Dems wanted evidence of that. Cllr Batchelor also alleged an underhand election campaign against his party
- That the Council had recently agreed not to include in the Council's constitution recognition of an opposition party, however he felt that a responsible opposition should be recognised with a Special Responsibility Allowance
- That when Cllr David Bard steps down as Leader of the Council in January, although he would remain responsible for planning growth areas, he would not have the duties as in his previous role
- He felt that Independent and Parish members of the Standards Committee should receive the same allowance

5. Discussion with Cllr Roger Hall

5.1 Cllr Hall informed the Panel:

- That as the number of Portfolio Holders would be reviewed in the near future, a change in the SRA be considered at that time
- That an increase in the Basic Allowance be on a par with the increase received by officers of the Council, ie approximately 2.5%
- He had no view on the allowances for Standards Committee, as he hoped that there would be fewer meetings in the future
- The reduction in the SRA for the Licensing Chairman should be reviewed once the Gambling Act was enforced
- That travel allowances should remain the same

6. Conclusions of the Panel

6.1 The Panel agreed,

- (a) That there be a 2.5% increase in the Basic Allowance and Special Responsibility Allowances
- (b) The SRA for Chairman of the Licensing Committee be reduced to £2,100

- (c) The Parish Member allowance for Standards Committee be raised to £262 in line with the Independent Member, plus a 2.5% increase as stated in (a) above
 - (d) That there be no change in Dependants' Carers' Allowances, Travel Allowances, Subsistence Allowances and Overnight Subsistence. NB Members would be expected to exercise prudence when booking hotel accommodation
 - (e) That it was inappropriate to pay a SRA in respect of Leader of the Opposition when the position was not recognised by the Council's Constitution
 - (f) There be no change in the SRA paid to Portfolio Holders
- 6.2 The information relating to the Daventry Benchmarking Group Comparison figures was noted by the Panel.

The meeting closed at 11.20am

(Subsequent to the meeting, additional information regarding the difference in payment to Independent and Parish members of the Standards Committee in 2006/07 was considered by the Panel and in light of that information, the Panel agreed that the difference of £52.00 on the 2006/07 allowance should remain with an increase of 2.5% in respect of the 2007/08 allowance. These figures are reflected in the table)

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Transformation Committee held on
Tuesday, 21 November 2006 at 2.00 p.m.

PRESENT: Councillor Dr DR Bard – Chairman

Councillors: JD Batchelor SM Edwards
SGM Kindersley Mrs DSK Spink MBE

Officers: Susan Gardner Craig Human Resources Manager
Steve Hampson Executive Director
Greg Harlock Chief Executive
Richard May Democratic Services Manager

Councillors NN Cathcart, Mrs A Elsby, R Hall, Mrs EM Heazell, Mrs CAED Murfitt, Mrs DP Roberts and RT Summerfield were also in attendance.

1. MINUTES OF THE LAST MEETING

The Minutes of the meeting held on 17 July 2006 were approved as a correct record and signed by the Chairman.

2. DECLARATIONS OF INTEREST

Councillor SGM Kindersley declared a personal interest as an elected Cambridgeshire County Councillor.

3. TRANSFORMATION PROJECT STATUS REPORT

The Committee considered a report summarising the key issues which had occurred in the Transformation Project since the last meeting. The Chief Executive advised that delays in the appointment of the second business analyst had delayed the Business Process Reviews. In response to concerns regarding the outcomes of the business process review of planning, he advised that it had been appropriate to undertake the review of the Planning Service first as this provided a natural follow-up from independent reports by the Audit Commission. Furthermore, the opportunity to undertake a business process review had been welcomed by lead Officers within the service.

The Committee noted the report.

4. EXCLUSION OF THE PUBLIC

RESOLVED that the press and public be excluded from the meeting during consideration of the following item in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 (as amended) (exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A of the Act).

5. SECOND TIER REORGANISATION

The Committee considered a report by the Senior Management Team (SMT) recommending proposals for the reorganisation of the Council's second tier officer

structure.

The Chief Executive introduced the report, outlining the background to, and rationale for, its recommendations. Having been tasked by Members to review the second tier structure within six months of their appointment, SMT had developed a proposal for the creation of five new Corporate Manager posts supported by the retention of four existing second tier posts. The four retained second tier posts were intended to maintain management capacity at its current level without introducing additional significant financial burdens on the Council's funds.

The Chief Executive advised that, through this proposal, the reorganisation could be implemented in a way that minimised the risk of losing significant numbers of current senior management staff. In the medium term further changes, particularly in the Finance and Support Service area, could be made when opportunities arose, for example when the postholders left the Council's employment. This approach retained senior management capacity in the short to medium term whilst affording the opportunity for review at a later stage. In the event that current employees successfully applied for the new Corporate Manager posts then an early opportunity to review third tier requirements would be presented.

The Chief Executive referred to the principles followed in developing the proposal set out in paragraph 5 of the report, adding that it was also based on Members' desire for two Chief Officer posts only.

The Chief Executive drew Members' attention to the following key aspects of the proposal, as set out in the report:

- The new Corporate Managers would have cross-cutting briefs as well as management responsibilities for the services under their remit.
- Modest financial provision would be made to increase the remuneration of up to five third tier managers whose duties might broaden as a consequence of a new structure.
- It was proposed that the new Corporate Manager – Finance and Support post should have, as an essential requirement, the holding of a prescribed accountancy qualification. This would enable the transfer of Section 151 responsibilities from the present Chief Executive, if required in future.
- The proposal had been subject to extensive consultation with the Officers likely to be affected.

The Chief Executive drew the Committee's attention to the proposal that the Executive Director be designated as Monitoring Officer and that the current post of Head of Legal Services be made redundant. The Committee was advised that this aspect of the proposal would, if agreed, require a separate recommendation to Council. Members were advised that the Deputy Monitoring Officer had expressed concern at this proposal, given that best practice suggested that the Monitoring Officer should possess an appropriate legal qualification and that there would be a conflict between the Executive Director's statutory role as Monitoring Officer and his responsibility for service delivery. Whilst acknowledging these concerns, SMT had concluded that the proposal would enhance the role of Monitoring Officer and would take away the need to appoint a new Chief Officer.

The Chief Executive asked the Committee to consider written representations from the Head of Policy and Communications and Deputy Monitoring Officer, together with other supporting documentation, copies of which were circulated at the meeting.

Members of the Committee, and other Members present, asked questions and made comments on the proposal. Some Members expressed concern that there did not appear to be a clear business case for the restructuring in terms of identifying efficiency saving and improved customer service, and the view was expressed that the second tier review should be deferred until after the receipt of the Corporate Governance Inspection report, due to be made public in January 2007.

Other Members supported the recommendations, considering that it was appropriate to implement the second tier review at this stage rather than await the outcome of the Corporate Governance Inspection (CGI) as acting now provided a window of opportunity before current arrangements for discretionary compensatory added years were withdrawn after 31 March 2007 and would minimise the uncertainty for the postholders affected caused by ongoing delays in the Transformation Project. In addition, the Council had previously committed itself to this course of action having requested that SMT undertake the review. Whilst there were undoubtedly risks involved and associated costs, it was felt that the proposal provided the best way forward for the organisation.

The Committee considered the interview process for the Corporate Managers should the recommendations be agreed, taking the view that interviews should be undertaken by the Employment Committee whose Members had received the necessary training.

RESOLVED

- (1) That the second tier structure set out at Appendix A to the report be adopted with effect from 1st January 2007 and that SMT be requested to establish and evaluate posts and arrange for recruitment to proceed in line with the Council's reorganisation and redundancy procedure.
- (2) That Council 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 HRA for 2006/07, and from 2007/08 on going revenue expenditure of £80,000 pa and £45,000 pa respectively).
- (3) That Council resolve that, with effect from 31 December 2006, the combined post of Head of Legal Services and Monitoring Officer be made redundant as part of the Second Tier restructuring proposals and that the role of Monitoring Officer be reallocated to the Executive Director with effect from 1 January 2007
- (4) That, following implementation of the second tier structure, SMT be requested to review third tier management arrangements with the new Corporate Managers.
- (5) That interviews for the Corporate Manager posts be undertaken by the Employment Committee.

The Meeting ended at 3.40 p.m.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Cabinet held on
Thursday, 14 December 2006

PRESENT: Councillor Dr DR Bard (Leader of Council)
Councillor Mrs DSK Spink MBE (Planning and Economic Development Portfolio Holder and Deputy Leader of Council)

Councillors:	SM Edwards	Resources, Staffing, Information & Customer Services Portfolio Holder
	Mrs VG Ford	Community Development Portfolio Holder
	JA Hockney	Conservation, Sustainability and Community Planning Portfolio Holder
	RMA Manning	Environmental Health Portfolio Holder
	Mrs DP Roberts	Housing Portfolio Holder

Officers in attendance for all or part of the meeting:

Holly Adams	Democratic Services Officer
Andy Glaves	Choice Based Lettings Project Officer
Steve Hampson	Executive Director
Greg Harlock	Chief Executive
Caroline Hunt	Principal Planning Policy Officer
Denise Lewis	Head of Strategic Housing
Simon McIntosh	Corporate Manager for Policy, Performance and Partnerships
Guy Moody	Democratic Services Officer
Kelly Quigley	Communications Officer
Dale Robinson	Corporate Manager for Health & Environmental Services
Paul Swift	Policy and Performance Review Manager
Alison Talkington	Senior Planning Policy Officer
Gwynn Thomas	Principal Accountant (Housing)
Tim Waller	Planning Policy Officer (Monitoring)

Councillors RE Barrett, JD Batchelor, NN Cathcart, R Hall, Mrs EM Heazell, Mrs CA Hunt, SGM Kindersley, Mrs CAED Murfitt, Mrs HM Smith, RT Summerfield, RJ Turner and Dr SEK van de Ven were in attendance, by invitation.

Procedural Items

1. MINUTES OF PREVIOUS MEETING

The Leader was authorised to sign as a correct record the minutes of the meeting held on 9 November 2006.

Disabled Facilities Grant Policy and Funding (Minute 6)

The Executive Director undertook to provide Councillor Mrs EM Heazell with details about virement after his meeting with the Strategic Lead for Community Living for the Primary Care Trust.

2. DECLARATIONS OF INTEREST

The following personal interests were declared:

Councillor Dr DR Bard	As a member of Sawston Parish Council, previous occupiers of 57 High Street (minute 10)
Councillor JD Batchelor	As a member of Cambridgeshire County Council (minutes 8 and 11)
Councillor SGM Kindersley	As a member of Cambridgeshire County Council (minutes 8 and 11)
Councillor Mrs HM Smith	As a member of Milton Parish Council and Milton Community Centre (minute 13)
Councillor RT Summerfield	As a member of Milton Parish Council and Milton Community Centre (minute 13)
Councillor RJ Turner	As a member of Cambridgeshire County Council (minutes 8 and 11)

**Recommendation to
Council**

3. WORKFORCE PLAN 2006/07 TO 2008/09

The Resources, Staffing, Information & Customer Services Portfolio Holder commended the revised Workforce Plan, which incorporated the many changes undergone since the original plan was approved in June 2005, and which would support the Council's continuing evolution and link with the forthcoming review of portfolios. He highlighted the improvement in staff retention and the appointment of staff from ethnic minorities. There was strong support for the Council taking a lead role in the re-introduction of trainee and apprenticeship programmes, even on a small scale. The Constitution Review Working Party would be making recommendations to Council before May 2007 on new portfolios which aligned with the new corporate structure.

Cabinet **RECOMMENDED TO COUNCIL** that the Workforce Plan 2006/07 to 2008/09 be approved.

Decisions made by Cabinet

4. LOCAL DEVELOPMENT FRAMEWORK ANNUAL MONITORING REPORT

The Planning and Economic Development Portfolio Holder advised members that the complete report, which was available for download from the Council's website, demonstrated the Council's progress against key milestones for plan preparation established in the Local Development Scheme.

Cabinet **AGREED** to delegate to the Planning and Economic Development Portfolio Holder agreement of the Local Development Framework Annual Monitoring Report for submission to the Department of Communities and Local Government.

5. SUB-REGIONAL CHOICE-BASED LETTINGS SCHEME: DRAFT ALLOCATIONS POLICY

Cabinet, at its meeting of 8 September 2005, had agreed in principle to proceed with the implementation of a sub-regional choice-based lettings (CBL) scheme in order to

achieve compliance with CBL delivery by 2010. The Choice-Based Lettings Advisory Group had been considering the detail of the scheme and a draft policy had been produced for consultation with partner Registered Social Landlords, statutory agencies, tenants, applicants, Parish Councils and other locally-based organisations whose clients might be affected.

Councillor Mrs EM Heazell, Chairman of the Choice-Based Lettings Advisory Group, reported that the term “adequately housed” was still under discussion, as what was deemed to be adequate varied from person to person. Other issues being considered were the relative sizes of bedrooms and the allocation of a two-bedroom dwelling to a pregnant woman after 24 weeks of pregnancy, which removed that property from the stock even if, in a worst-case scenario, the pregnancy did not go to term or the child died at birth or in infancy.

Cabinet **AGREED** that the draft policy be approved for a twelve-week consultation starting in January 2007.

Cabinet **NOTED** the contents of the draft lettings policy.

6. AMENDMENTS TO LETTINGS POLICY

The current lettings policy required minor amendments to address current targets and priorities before it would be superseded by the introduction of the Choice-Based Lettings scheme in 2007. Overall performance was good, except for the Best Value Performance Indicator (BVPI) for average length of time spent in hostel accommodation for homeless families including a dependent or expected child. The Executive Director confirmed that the existing partnership arrangements to provide private sector accommodation through King Street Housing Association provided better alternatives to B&B or hostel accommodation for the benefit of homeless households, but disadvantaged the Council in terms of BVPI targets.

Cabinet **AGREED** that the Council’s lettings policy be amended by the addition of the following paragraphs:

- (a) The additional points for residing in temporary accommodation are given:
 - (i) To hostel residents either when they move into hostel accommodation or when a rehousing obligation is accepted by the Council, whichever is later;
 - (ii) To other occupants of temporary accommodation if they are adequately housed in their current accommodation and this can be provided permanently;
 - (iii) Prior to six months in other exceptional circumstances at the discretion of the Housing Advice and Options Manager in line with the delegated authorities;
- (b) Add an additional category of ‘A need for move on accommodation’ under the reasons for awarding welfare points; and
- (c) Formalise the practice of giving reduced priority to applicants with current or former tenant arrears to ensure that this is covered by the policy, unless there are exceptional circumstances, through adding the following into the lettings policy: “Applicants with current or former tenant arrears or other outstanding debt to the Council will receive less priority for an offer of accommodation unless there are exceptional circumstances. In these circumstances consideration will be given to the date and amount of the debt outstanding and any arrangements made to clear the arrears and adherence to these arrangements.”

7. WHISTLEBLOWING POLICY

Cabinet had considered the revised Whistleblowing Policy in September 2006 and the Standards Committee had subsequently confirmed the amendments made at that meeting.

Cabinet **AGREED** to adopt the revised Whistleblowing Policy.

8. CAMBRIDGESHIRE & PETERBOROUGH MINERALS & WASTE DEVELOPMENT PLAN CONSULTATION DOCUMENT

The Cambridgeshire County Council had published a consultation document on preferred options for the Minerals and Waste Development Plan (MWDP). The District Council had objected to the two Issues and Options Papers for the emerging MWDP due to the absence of a clear strategy for provision of major waste management facilities, lack of Sustainability Appraisals and Strategic Environmental Assessment of the various options, and the move directly from a general approach in the Issues and Options papers to a Preferred Option without an interim consultation stage on the overall strategy and site options.

The Minerals and Waste Core Strategy Development Plan Document (DPD) at the Regulation 26 stage should include a clear spatial strategy for both waste and minerals, but the Preferred Options stage of the DPD still did not provide such a strategy. Whilst there was now an indication of the scale of the waste issue and the overall type and number of major waste facilities required across the whole plan area, this was not contained in a preferred option in the Core Strategy. Furthermore, there was no indication in the DPD of the number of household waste recycling centres (HWRC) required, although a paper presented alongside the Preferred Options documents provided information.

There was no broad spatial strategy for the type and number of facilities needed in different parts of the plan area and an indication of their intended catchments; in the absence of this type of spatial element to the Core Strategy, there was no clear policy framework against which to judge the allocations in the Site Specific Policies DPD and to assess whether there was an appropriate level of provision and whether it was in the right locations. Whilst the District Council accepted the need to provide new waste facilities to meet the needs of current and future populations, this must be considered in the context of a clear strategy.

Proposed Household Waste Recycling Centre (HWRC) at Hauxton

The Planning and Economic Development Portfolio Holder read out a letter from Councillor Mrs JE Lockwood, local member for Hauxton, detailing the residents' objections to the proposals for a waste recycling and recovery facility on the former Bayer CropScience (West) site, citing as reasons traffic on the A10, forthcoming residential development nearby and access roads cutting across proposed new sports fields. Councillor Mrs EM Heazell, local member for Haslingfield, supported Mrs Lockwood's statement and added the objections from residents of Haslingfield. She reported that Cambridgeshire County Council officers had confirmed that there was no intention to close the existing HWRC at Thriplow. Councillor SGM Kindersley, a member of the Cambridgeshire County Council Development Control Committee, explained that there had been a unanimous decision of that body to return the Hauxton site for re-consideration and that a wider search area be considered, but that this had been over-ruled by the County Council's Cabinet. There was agreement amongst many members that it felt as if the County Council already had taken a decision on the site and that the public consultation on this and other proposals was 'cynical'.

Proposed Waste Water Treatment Works at Honey Hill, Horningsea / Fen Ditton

Councillor Kindersley reported that the County Council Development Control Committee had been informed that there were no options other than Honey Hill being considered for the proposed waste water treatment works, even though that site was not supported by the County's own site selection assessment. No consideration had been given to allowing Anglian Water to remain on its existing site, although that company had said that it had adequate land for a new facility on its current site. The Planning and Economic Development Portfolio Holder felt that Anglian Water needed to make a definite statement about its future plans and whether or not it intended to relocate.

Councillor Mrs CA Hunt, local member for Teversham, highlighted the risk to the Bridge of Reeds project, which was unlikely to proceed if the waste water treatment works were moved to Honey Hill. She felt that the City Council had not proven that it had failed to find alternative suitable brownfield sites for the facility within its own borders, or demonstrated that the proposed housing was needed. She queried whether the Honey Hill facility could be sustainable, with an approximate £1.2 million additional annual operating costs arising from energy required to transport waste water through increased pipeline lengths. She reported that the County Council's Head of Strategic Planning had commented at a public meeting on 26 November that other sites, and retention of the existing site, would be considered and that some level of public consultation on these options would be undertaken.

Conclusion

The Planning and Economic Development Portfolio Holder assured members that the Council was making every effort to object to consultation being carried out on a single set of preferred options in the absence of a clear spatial strategy, and that she had met with Cambridgeshire Horizons and representatives of other authorities to discuss the situation. Sites were needed for the waste and other facilities, but it was premature to undertake consultation on proposed sites without a spatial strategy to determine the number of sites required and the best locations for accommodating the needs of the growing population.

The Principal Planning Policy Officer explained that the County Council had carried out two Issues and Options consultations and had now reached the Preferred Option stage of the planning process, during which they had to demonstrate why the preferred sites had been chosen. Members expressed concern that the next stage in the planning process was submission. The Council could put forward further objections at this stage and make formal representations through a Public Examination if the County Council made a submission without addressing the District Council's concerns; it was noted that this would incur some financial cost. Officers undertook to include members' comments in the response to the County Council.

Cabinet **AGREED** the responses to the Minerals and Waste Development Plan consultation as contained in Appendices 2 and 3 to the report, with the inclusion of comments made by members at the meeting.

9. CRIMINAL RECORDS BUREAU (CRB) CHECKS FOR COUNCILLORS

The Scrutiny and Overview Committee had recommended that Cabinet develop a policy on Criminal Records Bureau (CRB) checks for members, but a Cabinet decision was deferred pending a visit from the CRB Assurance Manager. The Assurance Manager had clarified that the position held by an elected member did not meet the CRB eligibility criteria to enable the Council to request that a disclosure check be undertaken.

Cabinet **AGREED** not to proceed with the proposal to require that all members be

subject to a Criminal Records Bureau (CRB) check but, in the event of a councillor commencing in a role which does meet the CRB eligibility criteria, that the Leader or Democratic Services Manager advise the Council's CRB lead counter-signatory and that a CRB check be undertaken and the reasons for the councillor being CRB checked clearly be documented against the eligibility criteria.

Cabinet **NOTED** the guidance provided by the CRB Assurance Manager.

10. SAWSTON: 57/59 HIGH STREET, DISPOSAL OF COUNCIL PROPERTY ON OPEN MARKET

The Housing Portfolio Holder confirmed that there had not been any Registered Social Landlord interest in the redevelopment of the properties on High Street, Sawston. Councillor Dr DR Bard, local member, reported that Sawston Parish Council supported the proposals provided that the conservation aspects were dealt with appropriately.

Cabinet **AGREED** that planning consent be sought for the change of use of 57 High Street, Sawston to residential, and that both 57 and 59 High Street, Sawston be placed for sale on the open market, valued for retail use (no. 59) with potential for residential use above (no. 57).

11. LOCAL GOVERNMENT WHITE PAPER

The government had issued a white paper on local government, "Strong and Prosperous Communities", a summary of which was presented to Cabinet to inform members of matters arising from the paper. The paper was a statement of intent, not a consultation document.

The Leader reminded members of the previous local government re-organisation exercise from 1992-5, during which arguments were made against a merger with Cambridge City Council, and supported the recommendations that the Council not apply for unitary status for the same reasons as in 1995. He also noted that surveys conducted prior to the introduction of new political structures in 2001 had demonstrated that the majority of residents related more to their local parish councils than to the district council, making it very difficult to justify having a directly elected mayor. Although there could be benefits for applying to become a partner pathfinder authority pioneering an enhanced two-tier local government model, current resources were insufficient to pursue this option. There was surprise expressed at the reference to re-warding an area to have single member wards, following the Electoral Commission's creation of multi-member wards during the last Periodic Electoral Review, and members noted that representatives of single-member wards could be excluded from debates due to personal and prejudicial interests, leaving their residents without local representation.

There was support for strengthening the overview and scrutiny role, especially provisions for requiring public service partners to appear before or provide information to the Council's Scrutiny and Overview Committee. Councillor R Hall, Vice-Chairman of the Scrutiny and Overview Committee, welcomed the proposals and stated that the body's enhanced role and powers should not be underestimated.

Councillor SGM Kindersley expressed concern that Cabinet was being asked to agree recommendations not to pursue unitary status, as there had not been much recent debate about the proposals, and he felt that the government eventually would not allow the current two-tier system to continue. In response to requests to refer the issue to full Council, the Leader explained that the short timescale given to debate the issue precluded its reference to full Council and that Cabinet had to make a decision now to

inform officers and partners of the way the authority wished to proceed.

The Chief Executive, responding to queries from Councillor Mrs EM Heazell, explained that he had received a letter from the Cambridge City Council Chief Executive asking if the two authorities, along with Cambridgeshire County Council, wanted to submit a joint response, but that all three Chief Executives acknowledged that the government's timescale made it impossible to schedule special meetings of their authorities. Having conducted an informal consultation with members of the Cabinet and with the leader of the Liberal Democrat group, the Chief Executive responded that there was no support to seek unitary status at this time; his letter made clear that this was a conclusion reached on informal discussions with members and did not commit the Council to any course of action.

Cabinet AGREED

- (a) Not to apply for unitary status at this time, nor to become a partner pathfinder authority pioneering an enhanced two-tier local government model at this time; and
- (b) To wait until the enabling legislation, regulations and guidance were published before requesting appropriate bodies and / or lead officers to consider the principles the authority wishes to adopt and the practical implications of implementing the legislative, etc., requirements.

12. SHEPRETH: 74-76 FROG END: OUTCOME OF OPTIONS APPRAISAL

In view of the anticipated costs of refurbishing two semi-detached three-bedroom houses at 74-76 Frog End, Shepreth, an options appraisal had been undertaken to determine whether the properties could be acquired for refurbishment by a partner Registered Social Landlord (RSL), sold on the open market, sold for general redevelopment purposes or disposed of to an RSL partner for redevelopment of the site as affordable housing. The Housing Portfolio Holder drew members' attention to the results of the local consultation exercise, which showed that the proposal for the Council's retaining and redeveloping the site as shared ownership housing was supported by the local member, parish council, Frog End Residents' Association and tenants. She confirmed that the refurbishment would result in better properties than existed at present and that the Council would seek to ensure that 100% of the equity could not be available for purchase, therefore retaining the properties within the Council's affordable housing stock.

Councillor Dr SEK van de Ven, local member, reported that the number of responses she had received from residents demonstrated the need for affordable housing in Shepreth and suggested that redevelopment within the existing footprint would be acceptable as long as adequate parking were provided. She clarified that she supported the recommendation, but also a small-scale development as, due to traffic issues, she could not support any high-density development.

Cabinet **AGREED** that retention and refurbishment of the existing units for shared ownership be the preferred option for the pair of semi-detached properties at 74-76 Frog End, Shepreth.

13. MILTON COUNTRY PARK - IMPROVING FACILITIES / FUTURE MANAGEMENT

Cabinet had considered the future management of the park at its February, June and September 2006 meetings and, in line with previous decisions, car parking charges were being introduced from January 2007, catering arrangements were being re-tendered, the College of West Anglia would be using the park for aspects of its country park

management curriculum and negotiations were underway with external organisations for the establishment of a Trust to take on the park. The Community Development Portfolio Holder thanked the Head of Community Services and the Rangers for their work on the report. She urged park users to help support the park, explaining that it was necessary to raise a substantial proportion of the £75,000 identified in the Medium Term Financial Strategy, as well as a proportion of the £30,000 estimated annual parking charges, by the end of summer 2007 or else the park risked closure.

The Leader clarified the Council's position: the Council could not afford the continuing running costs of the park and could keep the park open only with an external partner. Councillor R Hall, Chairman of the Milton Country Park Advisory Group, concurred with this statement, and supported the establishment of an external Trust to manage the park. Other members agreed that a deadline must be set to focus attention on the risk that the park could be closed, and that, although it was primarily a resource for Cambridge City, Milton and the surrounding villages, it was paid for by all South Cambridgeshire taxpayers.

The Head of Community Services clarified that discussions were on-going about the identification of the park as a strategic open space around Cambridge and that he would be meeting on 15 December 2006 with the Cambridgeshire County Council Head of Property Asset Management about the County Council, a Beacon Council for asset management, undertaking an arms-length review of the park land. In light of Cabinet's intention to set a deadline for establishment of a Trust, this review might not be progressed.

Councillors Mrs HM Smith and RT Summerfield, local members for Milton, urged the Council to commit resources to work with Milton Parish Council to establish a Trust, and the Community Development Portfolio Holder explained that officers would participate in such a partnership only if the Trust were to save the Council money in the long run. Councillor Mrs Smith cautioned that closing the park would not be a cost-neutral option and asked for a further report outlining the ramifications.

Cabinet was minded not to proceed with applying for Local Nature Reserve designation of all land in the park north of the 13th Public Drain at this time, as such a status could affect the uses of the site and its attractiveness to organisations interested in forming a management trust.

Cabinet **AGREED** to establish the medium / long-term future of Milton Country Park through:

- (a) Undertaking an Asset Management Review with the assistance of Cambridgeshire County Council, subject to the outcome of the 15 December 2006 meeting between the Head of Community Services and the Cambridgeshire County Council Head of Property Asset Management, and
- (b) Seeking an appropriate external organisation to take on by 31 August 2007 the management and possible ownership of the park, whether through a Trust or by another suitable agency, but if no suitable partnership could be arranged or appeared likely by that date, that officers be instructed to take the necessary steps to close the park.

Cabinet **NOTED** the proposals for reducing the current and future net cost of the park through increasing income through car parking charges, re-tendering the catering operation, lettings of the visitor centre and obtaining sponsorship for the park, and reductions in expenditure on services.

Members congratulated the Head of Community Services on his new appointment.

14. CAPITAL AND REVENUE ESTIMATES FOR STAFFING AND CENTRAL OVERHEAD ACCOUNTS

The Resources, Staffing, Information & Customer Services Portfolio Holder presented the estimates, which included the savings identified in the Medium Term Financial Strategy. Two corrections were made to Appendix A: the recharges to all Portfolio Direct Services from Staffing and Admin Buildings (inc. Depot) were (15,897,700) in the 2006/07 Revised column and (16,595,430) in the 2007/08 Estimate column.

Cabinet **AGREED** to:

- (a) Confirm the inflation figure of 2½% both for general expenditure and pay awards, on which all the estimates were being prepared;
- (b) Approve the revenue estimates and recharges as presented and shown at Appendices A and B to the report; and
- (c) Approve the capital programme as shown at Appendix C.

15. INTERNAL AUDIT SERVICE TENDER EXERCISE

The Resources, Staffing, Information & Customer Services Portfolio Holder had agreed at his September meeting that invitations to tender be issued to five organisations for the internal audit contract. Bentley Jennison had ranked first for both three- and four-year contract periods.

Cabinet **AGREED** the intention of awarding the internal audit service contract to Bentley Jennison for an initial four-year period from 1 April 2007, subject to conditions and to the mandatory standstill period required under EU procurement rules.

16. LOCAL AREA AGREEMENTS - PROGRESS TOWARDS STRETCH TARGETS

The majority of Local Area Agreement (LAA) interventions, or actions, were on track, with nearly two-thirds being delivered to plan, although there were areas where performance needed to be strengthened if targets were to be met by the end of the three-year agreement. The Leader drew members' attention to the new indicators in the priority areas of affordable housing, sustainable communities and climate change, community cohesion and sport, which aligned closely with the Council's corporate objectives.

Cabinet

- (a) **NOTED** the progress on current Local Area Agreement (LAA) targets and requested portfolio holders and service heads to continue to maximise performance on LAA targets in general and in particular on those which would earn reward grant;
- (b) **SUPPORTED** the direction being taken by the LAA refresh; and
- (c) **REQUESTED** portfolio holders and service managers to give realistic consideration as to how they could contribute towards LAA targets through the 2007/08 service plan process (in January, February and March 2007) while still giving priority to the three Council priorities.

17. LOCAL AUTHORITY FINANCE SETTLEMENT 2007/08

The government had confirmed that the local authority finance settlement 2007/08 would be £7.562 million, the same amount given as a provisional figure nearly twelve months ago, despite the challenges facing the Council.

Cabinet **AGREED** that the letter attached at Appendix B to the report be issued in response to the consultation on the Local Authority Finance Settlement 2007/08, subject to an amendment in paragraph (iii) to state that £102.26 was the maximum Council Tax the Council was allowed to set, and with authority delegated to the Chief Executive to finalise the wording of paragraph (v).

18. BANKING SERVICES

The Resources, Staffing, Information & Customer Services Portfolio Holder had agreed that negotiations with the Council's present bank be undertaken, as the service was considered to be satisfactory and good working relationships had been established between Council staff and the bank.

Cabinet **AGREED** that a five-year contract be negotiated with the Council's current bankers to comply with Contract Standing Order 4.5.

19. TRADE WASTE BUSINESS PLAN

Cabinet **DEFERRED** this item pending further investigation of financial and resource implications.

Information Item

20. HOUSING REVENUE ACCOUNT (HRA) OVERVIEW / SUBSIDY

The Housing Portfolio Holder presented this information item, explaining that it was the first time such a report had been prepared, giving a broad overview of the present Housing Revenue Account (HRA) situation and the likely financial pressures it would face over the next few years. Members acknowledged the urgency of the capital programme funding which would be reduced unless the Council could identify additional grants and / or contributions, or made recourse to borrowing. The Chairman of Council and Housing Portfolio Holder agreed to liaise to consider an extra-ordinary meeting of Council to consider the HRA Business Plan.

Cabinet **NOTED** the report.

Cabinet thanked the Principal Accountant (Housing) for her report.

Standing Items

21. MATTERS REFERRED BY SCRUTINY AND OVERVIEW COMMITTEE

None.

22. UPDATES FROM CABINET MEMBERS APPOINTED TO OUTSIDE BODIES

The Leader reported on the extensive negotiations he had been undertaking with the Council's partners about the future of Cambridgeshire Horizons as the local development vehicle, and about joint planning services. He would be attending a Cambridgeshire Horizons board meeting after Cabinet finished.

He highlighted his concerns about the demands of the Leadership in addition to his personal and professional life. Due to professional commitments, he felt unable to do justice to the role of the Leader and he announced his intention to resign the office after the 11 January 2007 Cabinet meeting. Councillor RMA Manning, Environmental Health Portfolio Holder, had indicated his willingness to serve as interim Leader until Council made a formal appointment on 25 January 2007. The Leader envisaged that the Planning and Economic Development Portfolio Holder would accept the responsibilities of the Environmental Health Portfolio. Councillor Dr DR Bard would focus on the growth agenda and continue as the Council's representative on Cambridgeshire Horizons and the other growth area partners. A review of the portfolios would be presented to Council before the annual meeting in May 2007, taking into consideration the new organisational structures and also the workloads of the existing portfolios.

Councillor RMA Manning supported Councillor Dr Bard's decision to stand down as Leader to focus on the growth agenda, and members expressed their support of Councillor Manning's candidature for the interim Leadership.

The Chairman of the Council led members in thanking Councillor Dr Bard for his work as Leader, especially in light of the many stressful situations facing the Council, and for his dignified manner in standing down from the Leadership.

The Meeting ended at 1.15 p.m.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 6 December 2006 at 10.00 a.m.

PRESENT: Councillor NIC Wright – Chairman
Councillor SGM Kindersley – Vice-Chairman

Councillors:	Dr DR Bard	JD Batchelor
	Mrs PM Bear	RF Bryant
	TD Bygott	Mrs A Elsby
	Mrs JM Guest	R Hall
	Mrs SA Hatton	Mrs CA Hunt
	RB Martlew	Mrs CAED Murfitt
	CR Nightingale	EJ Pateman
	Mrs DP Roberts	NJ Scarr
	Mrs HM Smith	Mrs DSK Spink MBE
	JH Stewart	RJ Turner
	JF Williams	

Officers in attendance for all or part of the meeting:

Nigel Blazeby (Area Planning Officer), Gareth Jones (Corporate Manager for Planning & Sustainable Communities), Andrew Moffat (Area Planning Officer), Rob Mungovan (Ecology Officer), Melissa Reynolds (Area Two Planning Officer), David Rush (Development Control Quality Manager), Ian Senior (Democratic Services Officer), Paul Sexton (Area Planning Officer), Pamela Thornton (Senior Planning Assistant) and Colin Tucker (Head of Legal Services)

Councillors Mrs EM Heazell, Mrs JE Lockwood, RMA Manning and RT Summerfield were in attendance, by invitation.

Apologies for absence were received from Councillor RE Barrett, Mrs PS Corney, Mrs VG Ford and A Riley.

1. **GENERAL DECLARATION OF INTEREST**

Councillor SGM Kindersley declared a personal interest as a Cambridgeshire County Councillor with regard to all those items on the agenda involving input from that Authority.

2. **MINUTES OF PREVIOUS MEETING**

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 1st November 2006.

3. **S/2025/06/F – FOWLMERE (AMBERLEY, LONG LANE)**

The Committee **APPROVED** the application for the reason set out in the report from the Head of Planning Services, subject to the Conditions referred to therein.

Councillor Mrs DP Roberts declared a personal and prejudicial interest as one of the applicants, withdrew from the Chamber, took no part in the debate and did not vote.

Councillor Mrs CAED Murfitt declared a personal interest as an elected colleague of Mrs DP Roberts, one of the applicants.

Councillor NJ Scarr was not present in the Chamber at any stage during the debate, and did not vote.

4. S/2033/06/F – FULBOURN (11 TEASEL WAY)

The Committee **APPROVED** the application for the reasons set out in the report from the Head of Planning Services, subject to the Conditions referred to therein.

Councillor R Turner declared a personal interest as an owner of property in close proximity to the application site.

Councillors Dr DR Bard, Mrs CAED Murfitt and Mrs DSK Spink did not attend the site visit on 4th December 2006, took no part in the debate and did not vote.

Councillor Mrs SA Hatton was not present in the Chamber during the first part of the debate, and did not vote.

5. S/1742/06/F- GIRTON (HOWE CLOSE SPORTS FIELD, WHITEHOUSE LANE, OFF HUNTINGDON ROAD)

The Committee **APPROVED** the application, as amended by letter and plan date stamped 1 November 2006, for the reasons set out in the report from the Head of Planning Services, subject to the Conditions referred to therein.

Councillor Dr DR Bard declared a personal interest because his daughter is a student at Anglia Ruskin University (the applicant).

6. S/2103/06/RM – GIRTON (LAND OFF WELLBROOK WAY)

The Committee gave officers **DELEGATED POWERS TO APPROVE** the application, subject to the receipt of amended plans detailing changes required to landscaping of the scheme and to no other material planning issues being raised by consultees yet to respond, the completion of a variation to the Section 106 Legal Agreement to address the provision of affordable housing, and to appropriate safeguarding Conditions.

7. S/1919/06/F – HARDWICK (6 MAIN STREET)

The Committee **APPROVED** the application for the reasons set out in the report from the Head of Planning Services, subject to the Conditions and informatives attached to Application no. S/2156/05/F.

Councillor JH Stewart declared a personal and prejudicial interest by virtue of his friendship with the occupiers of no. 16 Main street, Hardwick, withdrew from the Chamber, took no part in the debate and did not vote.

8. S/2069/06/F – HARSTON (41 LONDON ROAD)

The Committee gave officers **DELEGATED POWERS TO APPROVE** the application, subject to the receipt of an amended corrected site location plan, for the reasons set out in the report from the Head of Planning Services and subject to the Conditions referred to therein, Condition 10 being amended to refer to a minimum distance of 10 metres (rather than 15 metres as stated in the report) and to the consideration of any comments received prior to expiry of the consultation period.

9. S/1222/06/F – HASLINGFIELD (THE BARN, CHARITY FARM, HARSTON ROAD)

The Committee **APPROVED** the application for the reasons set out in the report from the Head of Planning Services, subject to the Conditions referred to therein.

Councillor SGM Kindersley declared a personal interest as Cambridgeshire County Councillor for the Gamlingay Electoral Division, which includes the Parish of Haslingfield.

10. S/1870/06/F - LINTON (LAND R/O 20 BACK ROAD)

The Committee gave officers **DELEGATED POWERS TO APPROVE** the application, for the reasons set out in the report from the Head of Planning Services, subject to the Conditions referred to therein and to consideration of any comments received from the Environment Operations Manager and to consideration being given to a 10-year (instead of a five year) landscaping maintenance Condition. Members also resolved that an informative be attached to the permission stating that any application for development on an adjacent site would be considered together with this development and those approved under references S/1870/05/F and S/1212/06/F in order to establish whether affordable housing, open space, an education contribution and any other obligations should be provided and, if so, to what extent.

11. S/1907/06/F- LINTON (LAND R/O 42 BACK ROAD)

The Committee **APPROVED** the application, as amended by drawings numbered 15A and 16A date stamped 20th November 2006, for the reasons set out in the report from the Head of Planning Services and subject to the Conditions referred to therein, consideration being given to a 10-year (instead of a five year) landscaping maintenance Condition. Members also resolved that an informative be attached to the permission stating that any application for development on an adjacent site would be considered together with this development and those approved under references S/1870/05/F and S/1212/06/F in order to establish whether affordable housing, open space, an education contribution and any other obligations should be provided and, if so, to what extent.

12. S/1875/06/RM & S/1877/06/RM – LONGSTANTON (LAND WITHIN PHASE 2, HOME FARM)

The Committee gave officers **DELEGATED POWERS TO APPROVE** the application subject to the revisions set out in the report, to Conditions that reflect those attached to planning consent S/2069/04/RM, and to an additional Condition relating to construction working hours.

Councillor JD Batchelor was not present in the Chamber during the debate, and abstained from voting.

13. S/1876/06/RM – LONGSTANTON (LAND WITHIN PHASE 2, HOME FARM)

The Committee gave officers **DELEGATED POWERS TO APPROVE** the application subject to the revisions set out in the report, to Conditions that reflect those attached to planning consent S/2069/04/RM, and to an additional Condition relating to construction working hours.

14. S/1981/06/F – GREAT CHISHILL (BARN B, MAY STREET FARM)

The Committee **APPROVED** the application unconditionally, for the reasons set out in the report from the Head of Planning Services.

15. S/2009/06/F – MILTON (5 PEARSON CLOSE)

Prior to considering this application, Members attended a site visit on 4th December 2006. The Committee **REFUSED** the application contrary to the recommendation in the report from the Head of Planning Services. They agreed the reasons for refusal as being the overbearing nature in view of the proposed extension's position and proximity to no. 6 Pearson Close, with consequent adverse impact on amenities and light enjoyed by the occupiers of this property. Accordingly, the application was contrary to Policy HG12 of the South Cambridgeshire Local Plan 2004.

Councillor Mrs HM Smith declared a personal interest as a member of Milton Parish Council, and that she was considering the matter afresh.

Councillors Dr DR Bard, Mrs SA Hatton, Mrs CAED Murfitt and Mrs DP Roberts did not attend the site visit on 4th December 2006, took no part in the debate and did not vote.

16. S/2034/06/F – GRAVELEY (HILLCREST FARM, TOSELAND ROAD)

Graveley being in the ward represented by the Chairman, Councillor SGM Kindersley took the Chair for this item.

The Committee **APPROVED** the application for the reason set out in the report from the Head of Planning Services, subject to the Conditions referred to therein.

17. S/2085/06/F – SAWSTON (LAND ADJACENT 9 DALE WAY)

Following the receipt of a parking plan date stamped 23 November 2006, the Committee **APPROVED** the application for the reasons set out in the report from the Head of Planning Services and subject to the Conditions referred to therein.

Councillor Dr DR Bard declared a personal interest as a member of Sawston Parish Council, and was considering this application afresh.

Councillor Mrs SA Hatton declared a personal interest as a member of Sawston Parish Council and Chairman of its Planning Committee. She informed Members that she never exercised her vote as Chairman of the Parish's Planning Committee, and was considering this application afresh.

18. S/1502/06/LB & S/1503/06/F- BABRAHAM (THE GEORGE INN AT THE BLACK BARN, HIGH STREET)

The Committee **APPROVED** both applications, as amended by drawings numbered RC_A100c, RC_A101a, RC_A201c and RC_A202c date stamped 25 September 2006 and letter dated 23rd October 2006, for the reasons set out in the report from the Head of Planning Services and subject to the Conditions referred to therein.

Councillor Mrs CAED Murfitt did not attend the site visit on 4th December 2006, took no part in the debate and did not vote.

19. S/1902/06/F - HINXTON (LORDSHIP FARM, MILL LANE)

The Committee gave offices **DELEGATED POWERS TO APPROVE** the application, as amended by plans date stamped 30 November 2006 addressing the Conservation and Design Manager's comments set out in paragraphs 17 and 18 of the report and clarifying the sill height of the windows in bedrooms 4 and 5 of Unit 2, subject to the prior completion

of a Section 106 Legal Agreement requiring the payment of a commuted sum in lieu of the provision of affordable housing on-site.

20. S/1839/06/F – GREAT SHELFORD (SCOTSDALE GARDEN CENTRE, 120 CAMBRIDGE ROAD)

The Committee was **MINDED TO APPROVE** the application, contrary to the recommendation in the report from the Head of Planning Services, subject to it being referred to the Secretary of State under the Green Belt Direction 2005, and it not being called in for determination. Members agreed the reasons for approval as being

- The absence of a suitable alternative site, despite an extensive search having been made
- The lack of any significant adverse impact upon the openness of the Green Belt
- The nature of the site as part-Brownfield
- The nature of the proposed use and service to be provided
- The prior existence on site of adequate car parking facilities, thereby not requiring additional car parking in the Green Belt

Councillor CR Nightingale declared a personal interest as Chairman of Great Shelford Parish Council, and that he was considering the matter afresh.

Councillor Mrs DP Roberts declared a personal interest as a customer of Scotsdale Garden Centre.

Councillor Mrs CAED Murfitt did not attend the site visit on 4th December 2006, took no part in the debate and did not vote.

21. S/2061/06/F - GREAT SHELFORD (LAND ADJACENT TO 1 DAVEY CRESCENT)

The Committee **REFUSED** the application, in line with officers' amended recommendation. Members agreed the reasons for refusal as being those recommended by the Local Highways Authority, namely the lack of parking and turning on site, and highway safety.

Councillor CR Nightingale declared a personal interest as Chairman of Great Shelford Parish Council, and that he was considering the matter afresh.

22. S/1857/06/F – WILLINGHAM (FOX'S MEADOW, PRIEST LANE)

The Committee **APPROVED** the application for the reasons set out in the report from the Head of Planning Services, on exactly the same terms as planning consent no. S/2416/02/F dated 4 February 2003, namely for a temporary period of three years, and subject to the Conditions referred to in the report.

23. S/2102/06/CC – WILLINGHAM (WILLINGHAM TRAVELLERS SITE, MEADOW ROAD)

The Committee considered an application by Cambridgeshire County Council to vary Condition 2 of Planning Permission S/1437/89 relating to the bund so as to allow for an alternative layout and alternative number of pitches at Willingham Travellers Site, Meadow Road. Members' views were being sought because of Willingham Parish Council's concerns relating to traveller-related proposals generally in the Parish.

The Head of Planning Services highlighted the main aspects of a report being presented to the County Council's Development Control Committee on 11 December 2006.

Councillor RMA Manning (a local Member) conveyed the Parish Council's concern that the application to vary Condition 2 was a surreptitious attempt to re-open the former County Council-run site. He made it clear that, at the very least, the Bund should be re-instated following completion of the proposed re-alignment works.

Councillor Mrs DP Roberts shared Councillor Manning's concern, regretting that the County Council had not seen fit to consult South Cambridgeshire District Council at an earlier stage. She felt that the apparent disproportionate costs to be incurred could suggest further proposals for the site, as yet unknown.

Drainage of the site was a further issue.

The Committee **INSTRUCTED** Officers to forward Members' concerns to Cambridgeshire County Council with a view to them being presented to the Development Control Committee meeting on 11 December 2006.

Councillor SGM Kindersley declared a personal interest as a member of Cambridgeshire County Council's Development Control Committee. The Head of Legal Services had confirmed that, as a "dual hatted" Member, Councillor Kindersley was at liberty to take part in the District Council Planning Committee's debate on this application.

24. S/1889/06/F – OVER (LAND REAR OF 54 THE LANES)

The Committee **APPROVED** the application for the reasons set out in the report from the Head of Planning Services, subject to the Conditions referred to therein.

25. CAMBOURNE PHASE 6 UPPER CAMBOURNE DEVELOPMENT BRIEFING DOCUMENT

The Committee considered a report on the Cambourne Phase 6 Upper Cambourne Development Briefing Document for Development Control purposes as part of the Cambourne Design Guide.

Councillor E Pateman (a local Member) indicated his approval in principle, but hinted that the intention, referred to in paragraph 11 of the report, that the rural character of the village should be preserved by limiting onward vehicular access to buses only, might lead to him reconsidering that position in the future.

The Committee gave officers **DELEGATED POWERS TO APPROVE OR REFUSE** the Cambourne Phase 6 Upper Cambourne Development Briefing Document subject to progress on amendment and the incorporation of advice on the sustainability policies contained in the South Cambridgeshire Local Plan 2004 and the Core Strategy of the Local Development Framework.

26. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

The Committee noted a report on Appeals against planning decisions and enforcement action.

The Meeting ended at 2.40 p.m.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny and Overview Committee held on
Thursday, 16 November 2006

PRESENT: Councillor MP Howell – Chairman
Councillor R Hall – Vice-Chairman

Councillors:	RE Barrett	RF Bryant
	Mrs SM Ellington	Mrs EM Heazell
	SGM Kindersley	MJ Mason
	DC McCraith	DH Morgan
	CR Nightingale	AG Orgee
	Mrs HM Smith	RT Summerfield
	Dr SEK van de Ven	

Councillors SM Edwards and Mrs DSK Spink MBE were in attendance, by invitation.

Officers:	Patrick Adams	Senior Democratic Services Officer
	Greg Harlock	Chief Executive
	Tim Wetherfield	Head of Policy and Communication

1. APOLOGIES

Apologies for absence were received from Councillor CAED Murfitt.

The Chairman welcomed Councillor AG Orgee to his first meeting of the Scrutiny and Overview Committee.

2. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 19 October 2006 were accepted as a correct record subject to the following amendment:

- The words "Councillor Edwards" be replaced with "The Communications Manager" at the start of the first sentence of the final paragraph on page 6.

Bus Service Sub-Group

Councillor R Hall agreed to arrange the first meeting of the Bus Service Sub-Group, which will discuss the issue of bus services in the District and the consultation strategy with the County Council. It was also agreed that as the Planning and Economic Development portfolio holder Councillor Mrs DSK Spink will be kept informed of any recommendations coming out of the Sub-Group.

Citizen Advice Bureaux using space at the Council Office

The Senior Democratic Services Officer agreed to ascertain whether any progress had been made with regard to the possibility of the Citizen Advice Bureaux hiring out Council office space, which had been raised at October's meeting.

3. DECLARATIONS OF INTEREST

Councillors SGM Kindersley, DC McCraith and AG Orgee declared personal interests as County Councillors.

4. PUBLIC QUESTIONS

None.

5. SCRUTINY & OVERVIEW COMMITTEE AGENDA PROGRAMME

Land drainage

It was agreed that Councillor Dr SEK van de Ven would bring a report to the Committee on a Land Drainage issue in the New Year. Officers from this Council and the County Council had expressed their intention to attend.

Partnership working with the County Council

Due to a number of concerns members had regarding partnership working with the County Council, the Committee agreed to include this issue on the Committee's agenda programme.

Cambridgeshire Horizons

It was noted that this issue would be discussed at Council next week. In view of this it was agreed that a decision on whether to discuss this matter at the Committee's next meeting in December would be made by the Chairman, Vice-Chairman and Councillor SGM Kindersley, who had raised this matter.

Overheads and accounts

With the agreement of the Chief Executive, the Committee decided to scrutinise the Departmental and Central Overhead accounts at its next meeting in December.

General Fund and Revenue estimates

The Committee agreed that the Chairman and Vice-Chairman would meet as usual with the Chief Executive and the Resources, Staffing and Information and Customer Services portfolio holder to discuss the General Fund and Revenue estimates. The monitors of this portfolio were invited to attend. Other members of the Committee were encouraged to examine the estimates and to attend this meeting if they had any queries.

Strategic Risk Register

It was suggested that the bi-annual officer group called the Safety Committee should report its findings to the Scrutiny Committee. It was agreed that the Chairman, Councillor Edwards, Councillor Mrs EM Heazell and Councillor Dr SEK van de Ven would ascertain the most effective way this issue could be scrutinised.

East of England Plan report

It was noted that the Council had already responded to the Inspector's recommendations regarding this report, but that the Government had not yet published its proposed modifications. These were expected by the end of the year. Councillor Mrs DSK Spink reminded the Committee that the Plan detailed what was expected for the next 20 years and the Committee agreed to wait until the Government had responded before deciding whether to scrutinise this issue.

6. REPORTS FROM MONITORS

Community Development

This Group had not met since the last meeting. Its next meeting would be held on 23 November 2006.

Conservation, Sustainability and Community Planning

This Group met on 3 November 2006 and in the absence of the two monitors the Chairman and Vice-Chairman had attended. The Chairman stated that it had been a productive meeting, which had highlighted the lack of choice for portfolio holders, due to

budgetary constraints.

Environmental Health

This Group had met on 24 October and had been attended by Councillors Mrs CAED Murfitt and RF Bryant from the Committee. The monitors had been encouraged to play a full part in the proceedings and were thanked for their input.

Housing

This Group had met on 8 November 2006 and had been attended by Councillors RE Barrett and Mrs EM Heazell. Councillor Mrs Heazell explained that as part of the DLO recovery plan a DLO Strategic Management Board had been set up. The Housing portfolio holder was currently considering the offer made by the Monitors that they attend the meetings of this Board. The Committee **recommended** that the portfolio holder permit the two monitors to attend the meetings of the Strategic Management Board.

Planning and Economic Development

It was understood that the meeting of 21 November 2006 had been postponed to 15 December.

Resources, Staffing, Information and Customer Services

This Group had not met since the last meeting. Its next meeting would be held on 21 November 2006.

7. MEDIUM TERM FINANCIAL STRATEGY 2007/08 TO 2010/11

Councillor SM Edwards, the Resources, Staffing, Information and Customer Services portfolio holder, presented this report, which focussed on the General Fund, and highlighted the approach towards achieving a balanced strategy. It was noted that last week's Cabinet had recommended to Council the approval of the Medium Term Financial Strategy based on Appendix 3B and the full savings in Appendix 2.

Risks

Concern was expressed at the list of unquantifiable spending pressures in Appendix 1, as any one of the 20 unquantifiable spending pressures could have serious financial implications for the Council.

Risk: implementing Climate Change Bill

In response to questioning, Councillor Edwards agreed that the possible implications of the Climate Change Bill were a real concern to the Council. It was suggested that the Climate Change Meeting should meet to discuss this issue.

Risk: homelessness

Concern was expressed at the possibility of further costs in providing housing advice and dealing with homelessness cases, especially in the event of a downturn in the housing market.

Risk: financing the restructuring of the second and third tiers

In response to questioning, Councillor Edwards reported that there would have to be a strengthening of the third and fourth tiers as a consequence of the redundancies of staff in the top and second tiers.

The Chief Executive explained that it would be meaningless to try and estimate the savings that will result from the second tier restructuring before the process was agreed and the posts to be made redundant were identified.

Risk: Local Government Pension Scheme

Councillor Edwards explained the changes to the Local Government Pension Scheme. The exact details of the Scheme had not yet been agreed.

Saving: phasing out postal payments

Councillor Edwards explained that the Council will save money by phasing out the acceptance of payment by cheque. He recognised Members' concerns regarding this matter, which was why he had taken the decision to phase it out, instead of an immediate cessation, as this would give the Council time to discuss alternate methods of payment, such as direct debit, with those residents who still paid bills by cheque.

Saving: increasing the cost of a summons

Councillor Edwards explained that the cost of a summons for non payment would be increased from £15 to £65. He hoped that this would act as a deterrent resulting in fewer missed payments.

Saving: bin delivery charge

A new bin delivery charge would be introduced for new properties and this would be paid by the developer.

Saving: reduction in maintenance cost at Cambourne

The budget for Grounds Maintenance around the office in Cambourne would be reduced by 50%.

Saving: cheaper visual impairment software

It was understood that although the Council would not now be paying £4,700 for enhancing the web site for the visually impaired, improvements would be made with the introduction of a cheaper software package, which was currently being used by East Cambridgeshire District Council.

Saving: office space

Councillor Edwards agreed that if possible the Council's available office space should be rented out to a partner organisation and he announced his intention to formalise the process of approaching suitable organisations regarding this opportunity.

Saving: staff buses and travel allowance

It was noted that the provision of staff buses and the extra travel allowance due to the move to Cambourne was due to cease from 30 April 2008. Concern was expressed about the possible loss of staff as a result of this. The Chief Executive replied that he was aware of the issues facing individual members of staff. He explained that the use of the staff bus had been disappointing and so it had been made available to new staff, who now made up half the users. Councillor Edwards added that the cessation date of this service had been known since its inception.

Saving: Milton Country Park

Councillor Edwards stated that the proposed £75,000 savings from Milton Country Park's budget was achievable. It was understood that actually reducing this budget by more than 50% could prove very difficult due to recharges from other staff working in other sections.

Saving: interest from capital reserves

The Council planned to hold back £100,000 of allocations to capital grant reserves, which will lead to an increase in the amount of interest earned. It was understood that for the purposes of the Medium Term Financial Strategy, inflation had been calculated at 2.5%.

Saving: car parks

By passing responsibility for car parks to the parish councils the Council could save £11,500. It was suggested that the Council should retain ownership of car parks in villages that had been designated as rural centres. However, it was countered that in terms of cost and the number of residents it would benefit, this would be an inappropriate use of Council funds.

Saving: Travellers

In response to questioning Councillor Edwards confirmed that he was taking legal advice on the possibility of claiming back legal costs as a consequence of the successful action taken by the Council in the High Court.

The Head of Policy and Communications explained that following a decision taken by Council in January 2006 funds that had been earmarked for planning enforcement on Travellers' sites could also be used for all Traveller related issues.

It was expected that the Council could earn £3,900 by offering staff time on Traveller issues to neighbouring authorities.

Stock Condition Survey

Councillor Edwards stated that he would wait until the Stock Condition Survey was completed before deciding whether he supported a transfer of the housing stock.

Approach to Government

It was noted that the Council was still awaiting a response from the Local Government Minister to Andrew Lansley MP's request for an urgent meeting to discuss the Council's financial situation.

The Chief Executive explained that the Government had calculated that the Council would receive council tax from new homes at the average rate for district authorities, despite the fact that the Council had been capped and had been forced by the Government to levy its tax at well below the average rate.

It was stated that although the Council had areas of deprivation, these were too small to register on the Government indices.

It was suggested that the Council should inform the Government that it will only perform its statutory duties, as the authority did not have the resources to do anything else.

Revising the Medium Term Financial Strategy

Councillor Edwards explained that the Medium Term Financial Strategy was a live document, which would be revised twice a year.

The Chairman thanked Councillor Edwards and the Chief Executive for their informative answers.

8. SCRUTINY AND OVERVIEW COMMITTEE WEBPAGE

The Senior Democratic Services Officer presented this report, which updated the Committee on the development of the Scrutiny and Overview Committee webpage on the recommendation of the Scrutiny Sub-Group. The development of the consultative function on the webpage was highlighted. It was understood that there were no extra financial costs for the improvement of the webpage as the Council already owned the necessary software and storage space.

It was noted that photographs had been taken at this meeting and would be included on the webpage. It was agreed that the Council needed to be aware that not all residents had broadband.

The Committee supported the improvements to the Scrutiny webpage.

9. TO NOTE THE DATES OF FUTURE MEETINGS

The Committee **NOTED** the following future meeting dates:

2006: 21 December

2007: 18 January, 15 February, 15 March, 19 April & 17 May

The Meeting ended at 4.05 p.m.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny and Overview Committee held on
Thursday, 21 December 2006

PRESENT: Councillor R Hall – Chairman
Councillor RF Bryant – Vice-Chairman

Councillors:	Mrs EM Heazell	SGM Kindersley
	MJ Mason	DC McCraith
	Mrs CAED Murfitt	CR Nightingale
	Mrs HM Smith	RT Summerfield

Councillors Dr DR Bard, SM Edwards, Mrs DP Roberts and Mrs DSK Spink MBE were in attendance, by invitation.

Officers:	Patrick Adams	Senior Democratic Services Officer
	Greg Harlock	Chief Executive
	Simon McIntosh	Corporate Manager for Policy, Performance and Partnerships
	Tim Wetherfield	Head of Policy and Communication

1. APOLOGIES

Apologies were received from Councillors Mrs SM Ellington, MP Howell, DH Morgan, AG Orgee and Dr SEK van de Ven.

In the absence of the Chairman, Councillor R Hall became acting Chairman and the Committee agreed that Councillor RF Bryant should be Vice-Chairman for this meeting.

2. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 16 November 2006 were accepted as a correct record, subject to the following amendments:

- In the third paragraph in minute 7, the words “advisory group” were substituted with the word “meeting”.
- The first sentence under the heading “Risk: Local Government Pension Scheme” be amended to read “Councillor Edwards explained the changes to the Local Government Pension Scheme.”
- In the last sentence under the heading “Saving: interest from capital reserves” the figure of 3.5% be amended to 2.5%.
- The word Traveller or Travellers be capitalised throughout the minutes.
- The words “was so” be removed from the second paragraph under the heading “Approach to Government”.

Strategic Management Board

Councillor Mrs DP Roberts responded to the recommendation made by the Committee that the two monitors of the Housing portfolio holder attend meetings of the Strategic Management Board by stating that this was a small quarterly meeting, which she

attended with officers and a tenant representative to check that agreed procedures were being implemented at the DLO. The Board reported to the Housing portfolio holder meetings so the monitors would be kept informed of any developments. For these reasons Councillor Mrs Roberts was declining the Committee's request that the two monitors attend meetings of this Board.

3. **DECLARATIONS OF INTEREST**

Councillors SGM Kindersley and DC McCraith declared personal interests as County Councillors.

4. **PUBLIC QUESTIONS**

None.

5. **DRAFT AGENDA PROGRAMME AND PROGRAMME OF KEY DECISIONS**

Councillor Hall introduced this item on the Committee's agenda programme and invited suggestions for items to be discussed at next month's meeting.

Post Office closures

After a brief discussion the Committee agreed that the organisation Postwatch be invited to report to January's meeting on the number of post offices in the District that were likely to be closed.

Stock Condition Survey

Councillor Mrs Roberts suggested that the Committee should focus on the implications that the Stock Condition Survey would have on the Housing Revenue Account. The Survey was due to be completed in March 2007 and so the Committee agreed to put this matter on the agenda programme, provisionally for April's meeting.

Corporate Government Inspection (CGI) Report

It was agreed that the Committee should examine the CGI report but recognised that it would not be available before January's meeting. This item was put on the agenda programme, to be discussed once the CGI report had been published.

Lettings Policy Advisory Group

It was noted that this Advisory Group had held its first meeting and that the agenda programme needed to be amended to reflect this.

Cambridgeshire Horizons

Councillor MJ Mason expressed concern about a policy statement that had been made by the Council on its relationship with Cambridgeshire Horizons without any input from non-executive Members. He acknowledged that, on the request of the Planning and Economic Development portfolio holder, the Planning Policy Manager had spoken to him on this matter for approximately two hours, but he remained convinced that the Committee should examine this issue.

Partnership with County Council

Councillor CR Nightingale asserted that a Task and Finish Group needed to be set up to examine the Council's partnership with the County Council, especially in light of the positioning of a relief road to Addenbrookes. At the request of Councillor Nightingale, the Head of Policy and Communication spoke on this issue. He suggested that the Committee should focus on service issues which are the District Council's responsibility and that a scrutiny of matters which this authority undertakes together with others should

focus on this Council's contribution to the partnership. The Chief Executive added that a protocol existed between this authority and the County Council, which encouraged executive Members and senior officers to attend other Council's Scrutiny Committees on specific issues of common interest in the spirit of joint working. He requested that any scrutinising of the partnership arrangements with the County Council operate within this protocol.

The Committee agreed that a Task and Finish Group be set up to examine partnership working with the County Council.

Programme of key decisions

It was noted that the version of the Forward Programme attached to the agenda had been superseded by January's Forward Programme, which had been published in the last few days.

6. REPORTS FROM MONITORS

Community Development

This Group met on 23 November 2006 and had been attended by Councillors DC McCraith and Mrs HM Smith. It was reported that it had been a productive meeting with a number of small grants awarded to deserving local bodies. However, although Milton Country Park had been discussed no mention had been made of the proposal, which was agreed by Cabinet on 14 December, to consider the closure of the park if a management transfer agreement with an external organisation could be reached by 31 August 2007. It was noted that this proposal had not been included in the recommendations in the Cabinet report. A member of the Committee made the following points:

- This issue had drifted for 6 months.
- Discussion had taken place at Cabinet that should not have occurred in public session.
- Cabinet's decision had been *ad hoc*.
- It was understood that staff had been notified of Cabinet's decision via the media.

Councillor Mrs Spink stated that the decision had been properly considered and had not been *ad hoc*. Councillor SM Edwards asserted that it was inappropriate to discuss this matter in depth in the absence of the Community Development portfolio holder.

The Head of Community Services explained that staff at the park had been notified of both the decision to make one of the part-time rangers redundant by 31 March 2007 and the need to pass the management of the park to an external organisation by 31 August 2007 if it were to remain open. The media had emphasised the negative aspects of this decision and this had possibly caused the confusion that had been alluded to by a member of the Committee. In response to questioning, the Head of Community Services explained that three staff were required to continue to deliver the service as it is currently delivered. However, these tasks had been carried out by staff based in Cambourne to cover staff sickness and it was envisaged that volunteer staff could be used from 1 April 2007.

It was noted that the park was always accessible on foot, although the facilities of the park were only open in daylight hours.

In response to suggestions that Cabinet's decision should be called-in, Councillor Summerfield explained that both local members had rejected this action, as they both

thought it more important to explore ways in which the park could remain open.

Planning and Economic Development

It was reported that neither Scrutiny Monitor had been able to attend this meeting on 15 December, although the opposition monitor, Councillor JF Williams, had been in attendance.

Resources, Staffing, Information and Customer Services

This Group had met on 21 November and 19 December since the last meeting. Councillor Summerfield reported that the latest performance figures for staff sickness and staff turnover indicated that the Council would meet its annual targets for these two performance indicators. It was noted that the contract for the distribution of South Cambs magazine had been put out to tender. In addition the Council was withholding the final payment to the contractors for the building of the Council Office, as a number of items on the snagging list had not yet been completed.

Protocol for monitors

Councillor Mrs DP Roberts asserted that a protocol should be drawn-up detailing the responsibilities of the Monitors, as it was unclear to her what their responsibilities were and, in particular, whether they should be participating in the portfolio holders' meetings or only attending as observers.

Members of the Committee made the following comments:

- The monitoring process empowered non-executive Members and a protocol, which restricted their right to participate, would be detrimental to the democratic process.
- The portfolio holder chaired their meetings and could determine whether monitors participated or just observed.
- This was a new initiative and so the Committee should wait a few months, review the process, and then decide whether a protocol was necessary.

The Committee decided not to take this matter any further.

7. DEPARTMENTAL AND CENTRAL OVERHEAD ACCOUNTS

The Chairman invited questions from the Committee.

In response to questioning Councillor Edwards explained that there could be a one-off saving of £300,000, as the Council's bill for energy consumption had not been great as had been anticipated.

It was understood that the quote by a Member at the last Council meeting, which had put the estimated value of the Council's Cambourne offices at the £10.7 million, had been based on insurance value only and had not taken account of the value of the land.

It was noted that this report had already been agreed by Cabinet and that further discussion by the Committee would be of limited use.

8. THE FUTURE OF THE SCRUTINY COMMITTEE

8 (a) Implications of the Government's White Paper on Local Government

In view of the fact that the Members had only received the Vice-Chairman's report by

e-mail two days before the meeting, the Committee agreed to defer this item to the next meeting.

8 (b) Feedback From Scrutiny Training at Newmarket on 20 November 2006

The Chairman invited comments on the training course attended by 10 Committee members in Newmarket in November. The following comments were made:

- It was disappointing that the course did not cover practical techniques on how to scrutinise issues.
- A course which focussed on the challenges facing district councils might have been more useful.
- The course implied that this authority's scrutiny function required more officer time.

In response to questioning the Senior Democratic Services Officer explained that minutes were expected to include a summary of the topic under discussion, details of the debate, including any alternative recommendations proposed and finally the conclusion made by the Committee. He concluded that reducing the Committee's minutes to a summary or action list would be of limited benefit as an officer would still have to attend the Committee and the production of action points still required officer time.

9. TO NOTE THE DATES OF FUTURE MEETINGS

The Committee **NOTED** the following future meeting dates:

2007: 18 January, 15 February, 15 March, 19 April & 17 May.

The Meeting ended at 3.40 p.m.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Cabinet held on
Thursday, 11 January 2007

PRESENT: Councillor Dr DR Bard (Cabinet Member)
Councillor Mrs DSK Spink MBE (Planning and Economic Development Portfolio Holder and Deputy Leader of Council)

Councillors: JA Hockney Conservation, Sustainability and Community Planning Portfolio Holder
RMA Manning Environmental Health Portfolio Holder
Mrs DP Roberts Housing Portfolio Holder

Officers in attendance for all or part of the meeting:

Holly Adams	Democratic Services Officer
Steve Hampson	Executive Director
Greg Harlock	Chief Executive
Tony Marks	Enforcement Officer - Development Control
Simon McIntosh	Corporate Manager (Policy, Performance and Partnerships)
Dale Robinson	Corporate Manager (Health & Environmental Services)

Councillors JD Batchelor, RF Bryant, EW Bullman, Mrs A Elsby, R Hall, Mrs EM Heazell, Mrs CAED Murfitt, CR Nightingale and RT Summerfield were in attendance, by invitation.

Apologies for absence were received from Councillors SM Edwards, Mrs VG Ford and SGM Kindersley.

Procedural Items

1. MINUTES OF PREVIOUS MEETING

The Leader was authorised to sign as a correct record the minutes of the meeting held on 9 November 2006, subject to the following correction:

Updates from Cabinet Members Appointed to Outside Bodies (Minute 22)
“...members expressed their support of Councillor Manning’s *candidature for the* interim Leadership.”

1 (a) Matters Arising

Shepreth: 74-76 Frog End: Outcome of Options Appraisal (Minute 12)
Councillor Dr SEK van de Ven, local member for Shepreth, had sent an e-mail requesting a correction to this minute, but Cabinet agreed to retain the original text, which they felt was an accurate précis of the debate. Cabinet noted that it was not necessary to produce a verbatim record.

Milton Country Park – Improving Facilities / Future Management (Minute 13)
A statement from Councillor Mrs VG Ford, Community Development Portfolio Holder, was read, correcting recent media reports and stating that the Council did not want to close the park but, following capping, could not continue to run it at its historic costs. Full

Council had agreed in the Medium Term Financial Strategy that the park would generate £75,000 income, and a long-term partner was being sought for its management. The Council did not profit from the sale of refreshments at the kiosk.

2. DECLARATIONS OF INTEREST

Councillor JD Batchelor declared a personal interest as an elected member of Cambridgeshire County Council.

Recommendation to Council

3. DISCRETIONARY RATE RELIEF

Relief traditionally had been awarded to qualifying local organisations and small businesses which relied on financial assistance to remain viable and the proposed policy would formalise existing practice for the award of discretionary rate relief other than for charitable organisations. All applications would be considered on their individual merits and a degree of flexibility would be retained to award relief in exceptional circumstances where an application was considered to be particularly deserving but fell outside the scope of the policy. The Chief Executive clarified that village halls run as charities could apply for relief in accordance with the policy adopted by Cabinet in December 2005 on discretionary rate relief for charitable organisations, whilst those with other management arrangements could be considered under this proposed policy.

Cabinet **RECOMMENDED TO COUNCIL** that the policy for the award of discretionary rate relief set out in the appendices to the Cabinet report be adopted in order to facilitate future awards of relief from the financial year 2007/08 onwards.

4. PERFORMANCE MANAGEMENT (MILESTONES AND PERFORMANCE INDICATORS) QUARTERLY REPORT 2006/07 - 6 MONTH REPORT

Cabinet received the six-month performance report, which focussed on areas where performance risked not meeting targets. Individual portfolio holders would be reviewing specific areas of concern and the actions undertaken to achieve the targets would be the subject of a future report. The Chief Executive clarified that "critical delays" referred to areas where failure to achieve the targets would have a major impact on the organisation. Cabinet acknowledged that performance against some targets was driven by factors beyond the authority's control.

Cabinet **AGREED** to:

- (a) Confirm the importance of trying to achieve performance indicator targets and milestone dates in relation to the areas identified in paragraphs 7 to 20 of the report; and
- (b) Review action at each portfolio holder meeting on the performance indicators and milestones listed in paragraph 27 of the report to ensure that 2006/07 targets are achieved whenever possible.

5. DIRECT LABOUR ORGANISATION BUSINESS PLAN

The Housing Portfolio Holder commended officers for their efforts over the past two years to bring the Direct Labour Organisation up to its current standard: it was expected to break even and could make a small surplus. Officers were working to identify ways to

bring in more work in the future and to be in a successful position to compete on the open market in two years' time. It was confirmed that the Orchard system was reconciled regularly to the Financial Management System (FMS).

Cabinet **AGREED** to allocate additional Kitchen and Bathroom refurbishment work to the Direct Labour Organisation (DLO), to the value of up to £200,000 within the current financial year.

Cabinet **NOTED** the DLO Working Business Plan.

Cabinet offered its congratulations to all officers involved with the recent successes of the DLO.

6. CAMBRIDGESHIRE WASTE COLLECTION / DISPOSAL PARTNERING AGREEMENT

The Environmental Health Portfolio Holder commended the final draft of the Waste Private Finance Initiative (PFI) Agreement, which was not a legal document but a partnership agreement to be presented by Cambridgeshire County Council to the successful PFI contractor as part of the overall contract.

Cabinet **AGREED** to:

- (a) Approve the final draft (v6, 01/12/06) of the Waste PFI Partnering Agreement (the Agreement) for future waste disposal arrangements in the County; and
- (b) Delegate authority to the Environmental Health Portfolio Holder to sign the Agreement.

7. EXTENSION OF HOURS TO POST D.2.32

The Planning and Economic Development Portfolio Holder highlighted concerns expressed by parish councils about the need for enforcement. Extension of the hours of this post would increase resources available for enforcement action and would not incur any additional costs to the General Fund.

Cabinet **AGREED** that:

- (a) Post D.2.32 be extended to 37 hours per week, taking effect from 1 February 2007;
- (b) The cost of this be met from the earmarked reserves for Traveller Issues; and
- (c) The 18-month contract be reviewed in June / July 2007 following agreement of the medium term priorities.

Cabinet thanked the enforcement team for their work under often difficult circumstances.

Information Items

8. QUARTERLY MONITORING REPORT INCLUDING BUDGETARY CONTROL AND PRUDENTIAL INDICATORS: THIRD QUARTER 2006/07

The Leader drew attention to the projected underspends on the General Fund, Housing Revenue Account (HRA) and Capital, resulting from efforts to reduce expenditure and from increased interest rates nationally.

Cabinet **NOTED** the projected expenditure position and the monitoring of prudential indicators, and **REFERRED** the report to the next Resources, Staffing, Information & Customer Services Portfolio Holder meeting for more detailed consideration.

Cabinet extended its thanks to officers for their work on the projected expenditure position and the prudential indicators.

Standing Items

9. MATTERS REFERRED BY SCRUTINY AND OVERVIEW COMMITTEE

None.

10. UPDATES FROM CABINET MEMBERS APPOINTED TO OUTSIDE BODIES

A letter had been sent to Yvette Cooper with the proposals for joint working arrangements between South Cambridgeshire District Council, Cambridge City Council, Cambridgeshire County Council and Cambridgeshire Horizons. Details had been circulated to the groups as agreed and a press release had been issued shortly before Christmas.

11. LEADER'S ANNOUNCEMENT

Councillor Dr DR Bard confirmed that his resignation as Leader of the Council would take effect immediately after the Cabinet meeting and thanked his Cabinet colleagues and members of Council for their support. Cabinet members thanked Councillor Dr Bard for his Leadership during a difficult time in the Council's history.

**The Meeting ended at 10.51
a.m.**
