



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

COUNCIL MEETING
THURSDAY, 29 JANUARY 2009

AGENDA AND REPORTS

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

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

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, 29 JANUARY 2009

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

DATED 21 January 2009

GJ HARLOCK
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

AGENDA

PRESENTATION

The Leader of the Council will make a presentation reviewing performance during 2008 and looking ahead to the Council's strategic aims for the coming year.

1. APOLOGIES

2. DECLARATIONS OF INTEREST

3. MINUTES

To authorise the Chairman to sign the Minutes of the meeting held on 27 November 2008 as a correct record (**attached**).

(Pages 1 - 14)

4. ANNOUNCEMENTS

5. QUESTIONS FROM COUNCILLORS AND THE PUBLIC

5 (a) From Councillor Dr SEK van de Ven to the Housing Portfolio Holder

'In the Council's consultation on the prospective transfer of the housing stock, emphasis has been given to the likelihood of improvements to the condition of existing homes, and not to the scope for increasing the supply of affordable homes.

Many current tenants are concerned about the provision of new housing as part of the transfer deal, for their family members currently on the housing register.

At the moment the housing register indicates that about 3,500 extra dwellings are needed. Very few vacancies occur. How many new affordable homes does South Cambridgeshire Village Homes intend to build in its first five years, bearing in mind that need will only grow under present economic conditions?’

5 (b) From Councillor BZD Smith to the Housing Portfolio Holder

‘It is apparent that vulnerable tenants are sometimes unable to uphold the condition of their tenancy requiring them to maintain their property in a fit state. This has in some circumstances led to serious problems of vermin infestation for neighbours which in turn is costing South Cambridgeshire District Council significant amounts of money to remedy, as well as taking up huge amounts of officer time.

What routine measures are there in place to support tenants identified as vulnerable to live in our properties without breaching their tenancy agreements, thus causing nuisance to their neighbours and costing the Council a lot of money? If no such measures exist, is a proactive support structure not going to be more cost effective than the reactive system that appears to be current practice?’

5 (c) From Councillor FAR Amrani to the Leader of the Council

"At the December meeting of Cabinet, the Conservative administration made a decision to submit a request for a review of the boundary between South Cambridgeshire and Cambridge City. Given that Cabinet is fully aware of local opposition, following the parish council consultation earlier in the year, what benefit does the Leader of the Council believe this decision will offer to the people of South Cambs?"

5 (d) From Councillor Mrs PM Bear to the New Communities Portfolio Holder

Since the Cabinet appointed a member to be Olympic Champion for the Council as long ago as July last year, what exactly has been achieved other than the raising of an Olympic flag?

5 (e) From Councillor CR Nightingale to the Environmental Services Portfolio Holder

Can the Portfolio Holder confirm that the refuse collection service was successful over the Christmas period? Will she agree that Council should thank the Direct Labour Organisation (DLO) and Direct Services Organisation (DSO) for their efforts?

5 (f) From Councillor PW Topping to the Leader of the Council

Can the Leader of the Council update Council on the position in terms of addressing the recommendations from the Corporate Governance Inspection and in particular the continuing need for the Improvement Board?

5 (g) From Councillor R Hall to the Finance Portfolio Holder

Can the Portfolio Holder confirm that the Medium Term Financial Strategy coming to Council next month will consider the economic downturn in general and the impact of the reductions in interest rates in particular?

5 (h) From Councillor MJ Mason to the Environmental Services Portfolio Holder
Will the Portfolio Holder:-

- (a) Publish the email sent to the Corporate Manager for Health and Environmental Services, copied to the Chief Executive, the Leader and herself on 13 October 2008, concerning a major environmental incident in Histon and Impington , which had caused total failure of the sewage rising main for a period of six days?
- (b) Provide a comprehensive written answer to Council today, giving reasons why the request for a reply to a member, has been ignored despite reminders?
- (c) Now publish a detailed schedule of actions by the Manager and his staff to ensure better management by Anglian Water Services Ltd and this Council working in partnership, of any similar emergencies in future?

6. PETITIONS

To note all petitions received since the last Council meeting.

7. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

7 (a) Housing Futures: Formal Offer Document (Housing Portfolio Holder, 20 January 2009)

The Housing Portfolio Holder **RECOMMENDED TO COUNCIL:**

- (i) That Council notes the headline net capital receipt and General Fund impacts set out in appendix 2.
- (ii) That Council supports the additional enhancements within the offer to tenants of £5m in the first five years, including at least £2m for SCVH to enable the provision of new affordable homes in the district, over and above an investment programme of £323m over 30 years reflected in the indicative gross valuation, as reflected in appendix 2.
- (iii) That Council supports, subject to any amendments agreed to reflect comments from the Shadow Board or at the meeting, the draft formal consultation document attached as Appendix 3 as being the best possible transfer offer to tenants having regard to the financial impact on the Council.
- (iv) That Council agrees to proceed to formal consultation with its tenants on its transfer proposal, and to consider responses to that consultation at a future meeting.
- (v) That Council, while recognising that it can only proceed with its transfer proposal if the majority of secure tenants support its transfer offer in a secret ballot, will arrange an advisory ballot of leaseholders.
- (vi) That authority is delegated to the Executive Director, in consultation with the Housing Portfolio Holder, to approve the final print version of the offer document to be distributed to tenants.

*The covering report of the Executive Director and appendices 1-3 are **attached**.*

7 (b) A Vision for the Council (Cabinet, 15 January 2009)

Cabinet **RECOMMENDED TO COUNCIL** that the following Vision for the Council be adopted:

“We will make South Cambridgeshire a safe and healthy place where residents are proud to live and where there will be opportunities for employment, enterprise and world-leading innovation. We will be a listening Council, providing a voice for rural life and first-class services accessible to all.”

7 (c) Sustainable Communities Act 2007 (Cabinet, 15 January 2009)

Cabinet **RECOMMENDED TO COUNCIL** that the authority “opts in” to the Sustainable Communities Act 2007 by:

- A)** Publicising the process locally, including a deadline for proposals to be submitted the Council for consideration by the Panel (see below);
- B)** Asking the membership of the South Cambridgeshire Local Strategic Partnership Board to set up a Panel to consider proposals and try to reach agreement with the Panel as to the merits of a proposal and priorities between different proposals;
- C)** Consulting with those parties affected if the proposal involves the transfer of a responsibility from one public body to another;
- D)** Having regard to a list of matters set out in a Schedule to the Act;
- E)** Finally making a formal decision on whether to forward the proposal/s onwards to the Selector; and
- F)** Assessing the effectiveness of these arrangements at the end of the 2009/10 civic year.

The report considered by the Cabinet is available to view using the following [link to the Council's website \(www.scamb.gov.uk\)](#). Alternatively, a copy is available to view in the Members' Room or from Democratic Services, telephone (01954) 713016 e-mail democratic.services@scamb.gov.uk.

7 (d) Procedure for Initial Assessment of Complaints (Standards Committee, 10 December 2008)

At its last meeting, Council considered a recommendation from the Standards Committee, resolving that the matter be referred back to committee for further consideration. The committee subsequently reconsidered the matter at its meeting on 10 December 2008. The following draft Minute from the meeting sets out the background to and reasons for, the recommendation:

‘The Committee considered the matter afresh as directed by Council. Under the current legislation, following the receipt of a complaint against a councillor, the information allowed to be given to a subject member was simply the name of the complainant and the paragraphs of the Code which were alleged to have been breached. No details of any incident alleged to have led to a potential breach could

be given.

The Committee expressed a preference for the subject member to be fully informed of the substance of a complaint as soon as possible, however noted this was precluded by law. The committee felt that only being able to give the prescribed information could be upsetting for a subject member who may then try to put pressure on officers to supply further information. On balance it was felt that giving the Monitoring Officer the discretion whether to inform the subject member, depending on individual circumstances, which reflected the procedure set down in the statutory guidance, was preferable. Under the proposed amendment, it was anticipated that the subject member would be informed when the Assessment Panel had met to consider whether the case should be investigated at which stage the subject member could be given full details of the complaint.

In order to provide further clarification, it was felt that all members of the district council and all parish councillors should be asked to notify the Monitoring Officer in writing if they wished to be notified immediately if a complaint was made against them, rather than waiting for the Assessment Panel to meet when full details of the complaint could be given to them.'

The Committee **RECOMMENDED TO COUNCIL** that the Procedure for the Initial Assessment of Complaints, set out at Part 5 M(2) of the Constitution be amended to read ***(amendments and additions marked in bold italics)***:

Acknowledging receipt of a complaint

On receiving a complaint and after determining that it is a Code complaint:

- (a) The Monitoring Officer shall send written acknowledgement to the complainant,
- (b) ***The Monitoring Officer has the discretion, subject to (c) below***, to inform the subject member of that complaint, *(having due regard to the Data Protection Act 1998 and Section 63 of the Local Government Act 2000 as modified by Regulation 12 of the regulations)* including:
 - (i.) the name of the complainant (unless the complainant has requested confidentiality and the standards committee has not yet considered whether or not to grant it)
 - (ii.) the relevant paragraphs of the Code of Conduct that are alleged to have been breached.
 - (iii.) a statement explaining that a written summary of the allegation will only be provided to the subject member once the assessment sub-committee has met to consider the complaint,
 - (iv.) and the date of the meeting of the Assessment Panel, if known.

(c) To assist the Monitoring Officer in the application of the discretion referred to in (b) above, all Councillors shall be invited to notify him/her in writing should they wish to be notified upon receipt of Code of Conduct complaints against them.

(subsequent paragraphs renumbered accordingly).

8. MEMBERS' ALLOWANCES FOR 2009-2010

The Independent Remuneration Panel **RECOMMENDED TO COUNCIL** that, effective from 1 April 2009 to 31 March 2010 (unless specified otherwise):

- (a) In recognition of the work undertaken by Members, in particular those balancing work and council commitments, and in order to encourage people from a wide range of backgrounds and skills to serve as local councillors in the future and not suffer an unreasonable financial disadvantage, the basic allowance be increased by 3%.
- (b) The Special Responsibility Allowance (SRA) for the Leader, Deputy Leader, Cabinet Members, Chairmen/Vice-Chairmen of Council, Scrutiny & Overview and Planning Committees; Chairmen of Corporate Governance and Employment Committees be increased by 3%.
- (c) In recognition of its standing, an SRA be awarded to the Convenor of the Minor Opposition Group; the amount to be 50% of the SRA payable to the Leader of the Major Opposition Group.
- (d) Having taken into account the reduction in the number of meetings held in the municipal year, the SRA for the Chairman of the Licensing Committee be gradually phased out; therefore, for 2009/10, the allowance to be reduced by 50% of the 2008/09 allowance.
- (e) No payments be made to Chairs of the Licensing (2003) Act panels.
- (f) In noting that the workload had substantially increased since April 2008, the SRA paid to the Chairman of the Standards Committee be increased to £1,000 pa, the Independent members allowance be increased to £600 pa and Parish members allowance be increased to £400 pa. The foregoing amounts to be backdated to 1 April 2008.
- (g) In recognition of the impact of the project on the district and, due to the position having comparable duties to those of the Planning Committee Chairman, an SRA of £4570 be payable to the Chair of the Northstowe Joint Development Control Committee. A backdated payment of £4437 from 1 April 2008 should also be paid. This particular SRA to apply only when the Chairman of the Committee is a South Cambridgeshire District councillor.
- (h) The Dependants' Carer's allowance to be increased by 3%.
- (i) No changes to be made to the Travel, Subsistence or Overnight Subsistence allowances.

Report and appendix attached.

(Pages 133 - 138)

9. REVIEW OF COUNCIL VALUES

Report **attached.**

Council is **RECOMMENDED** to affirm its support for the following values:

- Customer Service
- Commitment to improving services
- Mutual respect
- Trust

and to request that work to embed these values in the work of the Council be undertaken as expeditiously as possible.

(Pages 139 - 140)

10. APPOINTMENT TO THE SOUTH CAMBRIDGESHIRE VILLAGE HOMES SHADOW BOARD

Following the resignation of Councillor Mrs SA Hatton, Council is recommended to approve the appointment of Councillor Dr SA Harangozo as replacement.

11. SCRUTINY AND OVERVIEW COMMITTEE CHANGE TO MISSION STATEMENT

At a training event in Autumn 2008, members of the Scrutiny and Overview Committee attended a training event at which a vision for scrutiny at the Council was discussed. As part of this exercise, the Committee reviewed its Mission Statement set out in Article 6.02 of the Constitution. The current Mission Statement reads as follows:

“To enable the Council to achieve its corporate objectives and annual priorities through constructive challenge and the promotion of best practice, innovation and democratic accountability”

Members and the Leader of the Council suggested changes to the Mission Statement and requested additional wording to explain the Committee’s role in plainer language. The proposed changes were subsequently endorsed by the Committee at its meeting in December 2008. Given that this information is set out in Article 6 of the Constitution, Council approval is required for the change, consequently it is **RECOMMENDED** that the Scrutiny and Overview Mission Statement be amended as follows:

(amendments marked in ***bold italics***):

“***To support the work of the Council in achieving*** its corporate objectives and annual priorities through constructive challenge and the promotion of best practice, innovation and democratic accountability.

The Committee will add value to the work of the Council by -

- ***Challenging policies, performance and decisions in a constructive way***
- ***Making recommendations for improvement, based on best practice***
- ***Looking for new ways of doing things***
- ***Making sure that the Council remains responsible to local people.”***

12. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

13. NOTICES OF MOTION

13 (a) Standing in the name of Councillor SGM Kindersley

This Council notes the Government's plans to introduce ID cards. This scheme will impact all South Cambridgeshire residents' lives.

This Council believes:

- 1) That the disadvantages of such a scheme will outweigh any likely benefits to the people of South Cambridgeshire.
- 2) That the scheme will do little, if anything, to prevent terrorism, crime or fraud.
- 3) That the national database that underpins the identity card scheme may facilitate criminal fraud, terrorism and potential state abuses of human rights.
- 4) That the ID card and database proposals are likely to alter fundamentally the relationship between the state and the individual.

According to Government estimates, the cost of such a scheme could reach £7.5 billion, with independent commentators predicting substantially higher costs. As the current plan stands South Cambridgeshire residents will be required to pay £93 for a passport and ID card together.

This Council resolves to:

- 1) affiliate to the 'No2ID' campaign, which already includes MPs and several political parties
- 2) make representations at every possible stage, reiterating this Council's opposition to ID cards
- 3) take no part in any pilot scheme or feasibility work in relation to the introduction of the national identity cards
- 4) make it a policy of the council to ensure that national identity cards would not be required to access council services or benefits unless specifically required to do so by law
- 5) only co-operate with the national identity card scheme where to do otherwise would be unlawful.

13 (b) Standing in the name of Councillor MJ Mason

Council takes note of the statements concerning the delivery of the Cambridgeshire Guided Busway by the County Council, in its Cabinet Report of 16 December 2008, in its publication entitled Weathering the Storm dated January 2009 and in its Press Release dated 12 January 2009.

Council formally requests that our Joint Planning partners publish a report giving full and complete details of the delays to service commencement and the financial implications for Cambridgeshire Council Tax Payers, as a result of borrowing the money to complete the construction programme.

14. CHAIRMAN'S AND VICE-CHAIRMAN'S ENGAGEMENTS

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

Date	Venue / Event
4 December	Young Person of the Year Awards, Marshall's Airport
8 December	Opening Air Assault Museum, Imperial War Museum, Duxford
9 December	Handover of staff presents to Friends of Fulbourn Hospital
10 December	Presenting Health and Safety Certificates to SCDC staff

11 December	Presenting prizes at staff 5-a-side competition
12 December	County Council Reception, Shire Hall
17 December	Visit to SCDC Depot, Waterbeach, with Christmas goodies
19 December	Judging Best Decorated Office event, SCDC offices

(2) To note the Vice-Chairman's engagements since the last Council meeting:

Date	Venue / Event
8 December	Cambridge News Community Awards
11 December	Presenting prizes at staff 5-a-side competition
12 December	County Council Reception, Shire Hall
17 December	Visit to SCDC Depot, Waterbeach, with Christmas goodies
19 December	Christmas lights and Carols, Orchard Park
3 January	Duke of Edinburgh Gold Awards
12 January	Demolition of Airey Houses, Coton
17 January	Royal British Legion Conference

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

While the District Council endeavours to ensure that visitors come to no harm when visiting South Cambridgeshire Hall, those visitors also have a responsibility to make sure that they do not risk their own or others' safety.

Security

Members of the public attending meetings in non-public areas of the Council offices must report to Reception, sign in, and at all times wear the Visitor badges issued. Before leaving the building, such visitors must sign out and return their Visitor badges to Reception.

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. 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

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. 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 lifts.

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, sub-committee or other sub-group of the Council or the executive.

Banners, Placards and similar items

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

Since 1 July 2008, the Council has operated a new Smoke Free Policy. Visitors are not allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. Visitors are not allowed to bring food or drink into the meeting room.

Mobile Phones

Visitors are asked to make sure that their phones and other mobile devices are set on silent / vibrate mode during meetings or are switched off altogether.