

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Council held on
Thursday, 26 November 2009 at 7.00 p.m.

PRESENT: Councillor Charles Nightingale – Chairman
Councillor Tony Orgee – Vice-Chairman

Councillors: Frances Amrani, David Bard, Richard Barrett, Val Barrett, John Batchelor, Trisha Bear, Anthony Berent, David Bird, Francis Burkitt, Brian Burling, Tom Bygott, Nigel Cathcart, Jonathan Chatfield, Pippa Corney, Neil Davies, Douglas de Lacey, Jaime Dipple, Sandra Doggett, Simon Edwards, Sue Ellington, Roger Hall, Steve Harangozo, Liz Heazell, Mark Howell, Peter Johnson, Mervyn Loynes, Ray Manning, Robin Martlew, Mike Mason, Raymond Matthews, Cicely Murfitt, Alex Riley, Deborah Roberts, Neil Scarr, Bridget Smith, Hazel Smith, Julia Squier, Jim Stewart, Richard Summerfield, Robert Turner, Susan van de Ven, Buntly Waters, John Williams, Tim Wotherspoon and Nick Wright

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| Officers: | Greg Harlock | Chief Executive |
| | Alex Colyer | Executive Director, Corporate Services |
| | Steve Hampson | Executive Director, Operational Services |
| | Fiona McMillan | Acting Legal & Democratic Services Manager and Deputy Monitoring Officer |
| | Richard May | Policy and Performance Manager |

Parish Councillors and members of the public were also in attendance.

Apologies for absence were received from Councillors Nigel Bolitho, Janice Guest, Sally Hatton, James Hockney, Sebastian Kindersley, Janet Lockwood and David McCraith.

PRESENTATION

Olympic Lapel badges were offered to all Members. Councillor Jaime Dipple, Member Champion for the 2012 Olympics, addressed the Council following the presentation of the badges. She stated that the games could assist the Council in making positive differences to its communities and services. A number of sporting and cultural initiatives had already taken place and were underway, including the Open Up event at Milton Country Park, Bandstand Marathon, adoption of the free swimming initiative and award of grant aid to elite athletes. Comberton Village College had been approved as a pre-games training camp venue, and discussions were under way with a national Olympic Committee with a view to its country's athletes using the facilities. Cllr Dipple reported that she attended regular meetings with her counterparts at other local authorities in the county at which opportunities to work in partnership were taken forward. Full details would be set out within the action plan for the 2012 games, which it was hoped would be finalised in January 2010.

53. DECLARATIONS OF INTEREST

There were no declarations of interest.

54. MINUTES

Council **RESOLVED** that the Minutes of the Meeting held on 24 September 2009 be approved as a correct record, subject to the inclusion of Councillor Sandra Doggett within the list of Councillors who had submitted apologies for absence from the meeting.

55. ANNOUNCEMENTS

Councillor Charles Nightingale, Chairman of the Council:

- announced that he would be attending the funerals of Sergeant Fentiman, killed in action in Afghanistan, and that of Bob Bradford, a former employee of the Council with 38 years' service;
- wished Members and others present at the meeting a Happy Christmas and New Year;
- thanked staff for their fund-raising efforts on the recent Children in Need day, which had raised a total of £885; and
- advised that tickets were still available for the Carol Service on 13 December.

Councillor Ray Manning, Leader of the Council, announced that he had agreed changes to the Leader's Scheme of Delegation of Executive Functions. Copies of the revised scheme were circulated to Members present, the changes taking effect immediately.

56. QUESTIONS FROM COUNCILLORS AND THE PUBLIC**56 (a) From Cllr Deborah Roberts to Cllr Ray Manning, Leader of the Council**

Councillor Deborah Roberts asked the Leader of the Council the following question: "Please can the Leader update the Council as to how much was finally received from Cambridgeshire County Council towards the grant of £250,000 agreed by this council to Cambridge Rowing Lakes for the upgrading of the cafe area at Milton Country Park?"

Councillor Ray Manning, Leader of the Council, clarified that the total grant was £261,000. He stated that contractors for the work had been appointed, with preliminary work to commence during the week beginning 30 November. The estimated completed date for the project was 2 April 2010. Cllr Manning advised that the County Council had agreed to contribute £130,500 towards the costs of the project, and that the district council was currently in the process of submitting its claim for these funds. This Council was also close to releasing the first staged capital payment of £5,700 to meet the costs of the preliminary work.

56 (b) From Cllr Mike Mason to Cllr Simon Edwards, Finance and Staffing Portfolio Holder

Councillor Mike Mason asked the Finance and Staffing Portfolio Holder the following question:

'I refer Councillor Edwards specifically to the Cambridge News report dated Monday 2 September with the headline "Travellers pay 4% of sewerage costs", together with document HS19 forming part of the agenda report to the Standards Committee Hearing Panel meeting held on April 15th 2009.

'Will Councillor Edwards please:

- (a) Now confirm if he or the finance service has written off all or part of the £13,000 debt owed to the Council and,
- (b) Give an indication to Council of the approximate cost of administration, including bailiffs and court fees, incurred to date?'

Councillor Simon Edwards, Finance and Staffing Portfolio Holder, advised that none of the £13,000 debt had been written off. He advised further that Court papers would be

issued during the following week, the fee for which was £85. 32 hours of officer time had been spent on debt recovery to date, allocated between the finance (20 hours) and legal (12 hours) teams. The total was anticipated to exceed 40 hours.

By way of a Supplementary Question, Councillor Mason referred the Portfolio Holder to an extract from document HS19 which appeared to state that it was unlikely that Council would be able to recover its costs in this case. He requested that Councillor Edwards review the document further, with a view to considering other action which might be appropriate, given the circumstances of the case.

The Portfolio Holder's response elaborated on the various difficulties the Council sometimes faced in collecting debts. In some cases, the debtors absconded, in response to which legal charges could be placed on the land vacated which remained attached to the land, regardless of ownership. In other cases, the debtors had a genuine inability to pay, in which case staged payments could be imposed by the courts. Such payments could be very small, and incur a net loss to the Council in terms of the administration costs of collection versus the amounts received. Officers had delegated powers to write-off outstanding debts considered to be irrecoverable, and could do so in this case. The Portfolio Holder advised that he had requested to be kept informed as to progress in recovering this debt, and on any decision to write off any amounts under officers' delegated powers.

57. PETITIONS

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

- From sheltered housing scheme residents in Cottenham, Fulbourn, Grantchester, Over, Papworth Everard and Willingham, from Willingham Medical Practice and from care workers and carers in general, in respect of the Sheltered Housing Service, dated 1 October 2009 and referred to the Cabinet on 12 November 2009;
- From residents of Bassingbourn in respect of site options consultation to inform the development of the Gypsy and Traveller Development Plan Document. The petition would be submitted to the New Communities Portfolio Holder for consideration along with other representations received during the consultation period, at his meeting in March 2010.

58. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

58 (a) Review of General Fund Medium Term Financial Strategy (Cabinet, 8 October 2009)

Council Simon Edwards moved, Councillor Ray Manning seconded and Council **RESOLVED**, with 26 Members voting in favour, 20 against and one abstention, that the Medium Term Financial Strategy, and the underlying assumptions within it (set out at Agenda pages 13-22) be approved as the basis for the planning of the budget for 2010/11 onward.

Councillor Deborah Roberts requested to be recorded as voting against the Motion.

During debate of this item, Council **RESOLVED**, in accordance with Standing Order 22.1, to suspend Standing Order 12.5 for the duration of this item to enable debate on the matter to exceed thirty minutes.

58 (b) Medium Term Financial Strategy: Proposals to meet Current and Future Years' Savings Targets (Cabinet, 12 November 2009)

Councillor Simon Edwards moved, Councillor Ray Manning seconded and Council **RESOLVED**, with 24 Members voting in favour and 22 against, that the Chief Executive be authorised, in consultation with the Leader of the Council and Finance and Staffing Portfolio Holder, to approve expenditure, outside budgetary provisions, to meet the costs of any redundancies and early retirements brought about as a consequence of the proposals agreed in respect of the package of savings for 2010-11 and consequential restructuring and changes to service levels.

58 (c) Housing Services Review (Cabinet, 12 November 2009)

Councillor Mark Howell moved and Councillor Ray Manning seconded the following recommendation by the Cabinet:

'That the Chief Executive, in consultation with the Leader of the Council and Finance and Staffing Portfolio Holder, be authorised to approve expenditure, outside budgetary provision, to meet the costs of any redundancies and early retirements brought about as a consequence of the proposals in respect of exposing the district responsive repairs service to competitive tendering, the restructuring of the sheltered housing service from a site-based to a floating support model and the reduction in the grounds maintenance budget.'

The vote was declared invalid by the Chairman. The proposal, on being put again, was declared **LOST**, with 22 Members voting in favour and 25 against.

58 (d) Waste & Recycling Strategic Review (Cabinet, 12 November 2009)

It was noted that recycling banks would be removed, as per the existing policy, where the owner(s) of a particular site requested it or where the quantity of materials collected was so low as to adversely affect the financial viability of maintaining collections.

Councillor Tom Bygott moved, Councillor Sue Ellington seconded and Council **RESOLVED**, with 30 Members voting in favour, 13 against and four abstentions:

- (a) That household waste and recycling services be reconfigured to provide a two stream co-mingled dry recycling service alongside the existing alternate weekly green and black-wheeled bins, by the replacement of the existing kerbside box recycling service with a blue 240lt wheeled bin and 40lt inner caddy (fitting inside the blue bin) collected on alternate weeks by 'twin-pack' collection vehicles on the same day as the existing green bin;
- (b) That the dry recyclable materials to be collected by the new service include paper (telephone directories; newspapers & magazines; general paper) within a inner caddy and mixed dry recyclables including cans and tins (steel and aluminium); aerosols; glass; plastic bottles; hard plastic (pots, tubs, and trays); cartons (tetra packs); cardboard; aluminium foil placed in the blue wheeled bin. Further materials to be added (i.e. plastic film) as processing facilities allow;
- (c) That the re-configured refuse and recycling collection service be implemented and operated by the Council's in-house environment operations unit as a directly managed service together with the street cleansing services;
- (d) That all staffing, plant and equipment required to implement the re-configured service (option 7) be approved as detailed in the report to the Waste & Recycling Task and Finish Group on the 10 September 2009; and

- (e) That the 2009/10 and 2010/11 capital programme be amended by £1,510,000 to allow for the procurement of the blue bins and caddy inserts to be procured in this financial year.

58 (e) Gambling Act 2005 Statement of Policy (Environmental Services Portfolio Holder's meeting, 23 October 2009)

Councillor Ray Manning moved, Councillor Tom Bygott seconded and Council **RESOLVED** that the Gambling Act 2005 Statement of Policy, attached as Appendix B to the report presented to the Licensing Committee at its meeting on 23 October 2009 and taking into account comments made by Members at that meeting, be adopted.

58 (f) Anti-Theft, -Fraud and -Corruption Policy (Finance and Staffing Portfolio Holder, 18 November 2009)

Councillor Simon Edwards moved, Councillor Ray Manning seconded and Council **RESOLVED:**

- (1) that the revised Anti-Theft, Fraud and Corruption Policy be approved, incorporating the changes identified in the report and appendices, for inclusion in Part 5 of the Constitution.
- (2) that the Constitution be amended to remove the policy from Section 5G (Appendix to the Officers' Code of Conduct), and to include it as a standalone Section 5H (subsequent sections to be renumbered accordingly).

59. COUNCIL MEETING SCHEDULE 2010/11

Councillor Ray Manning moved and Councillor Simon Edwards seconded a Motion that Council meetings take place on the dates proposed in paragraph 9 of the report. The Motion, on being put, was agreed with no Members voting against.

Councillor Ray Manning moved and Councillor John Batchelor seconded a Motion that all Council meetings during the 2010-2011 Civic Year commence at 2.00 pm.

Councillor Nick Wright moved and Councillor Simon Edwards seconded an amendment that the meetings in July and November 2010 and April 2011 commence at 6.00 pm. The amendment, on being put, was declared lost, with 19 Members voting in favour and 25 against.

The substantive Motion, on being put, was declared carried, with 35 Members voting in favour, eight against and one abstention.

Council therefore **RESOLVED:**

- (1) that meetings during the 2010-2011 Civic Year be scheduled to take place on the following dates:
 - 22 July 2010;
 - 23 September 2010;
 - 25 November 2010;
 - 27 January 2011;
 - 24 February 2011 (Budget Meeting)
 - 14 April 2011;
 - 26 May 2011 (Annual Meeting); and
- (2) that the above meetings start at 2.00 pm.

60. CHANGE TO THE LIBERAL DEMOCRAT GROUP REPRESENTATION ON THE CLIMATE CHANGE WORKING GROUP

At the request of the Leader of the Major Opposition Group, this item was **WITHDRAWN** from the Agenda.

61. CHANGE TO THE COUNCIL'S REPRESENTATION ON THE TRUSTEES OF FRANCIS JOHN CLEAR ALMSHOUSES, MELBOURN

Council **RESOLVED** that the appointment of Councillor Val Barrett as a Trustee of Francis John Clear Almshouses, Melbourn in place of Councillor Janice Guest, until May 2012, be approved.

62. MEMBERS' ALLOWANCES - APPOINTMENT OF MEMBER TO THE INDEPENDENT REMUNERATION PANEL

Council **RESOLVED** that Ms Ruth Rogers be reappointed to the Independent Remuneration Panel for a further period of one year ending 26 November 2010.

63. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

Councillor Bridget Smith drew Members' attention to a report she had submitted from a meeting she had attended of the County Council Children and Young People's Services Scrutiny Committee on 22 October 2009. The report should have been included with the printed Agenda but, due to a clerical error for which the Chief Executive apologised, it had been omitted. Hard copies were tabled at the meeting.

Councillor Mike Mason drew Members' attention to a report, tabled with the permission of the Chairman, of recent meetings he had attended of the Cambridgeshire Guided Busway Local Liaison Forum.

64. NOTICES OF MOTION

64 (a) Amendment standing in the name of Cllrs Nigel Cathcart and Jim Stewart to a Motion in the names of Cllrs Liz Heazell and Sebastian Kindersley

Council considered an amended Motion standing deferred from the last meeting, following the passing of a Procedural Motion to adjourn the debate. Prior to the adjournment, Councillor Nigel Cathcart had moved and Councillor Jim Stewart seconded the amendment set out at Agenda item 13(a).

Councillor Liz Heazell, mover of the original Motion, indicated her acceptance of the amendment, which, in accordance with Standing Order 14.6(b), was therefore incorporated into the substantive Motion.

Following representations from Councillor Mark Howell in his capacity as Housing Portfolio Holder, and with the consent of the meeting required under Standing Order 14.7(a), she altered her Motion further to incorporate the following changes (marked in ***bold italics***):

'Concern is mounting particularly amongst our sheltered housing residents and their families regarding our services provided for the vulnerable elderly. There is also rising public concern on this issue.

While many Council sheltered residents have found the emergency cover very satisfactory ***and realise that service charges are very much lower than in the***

private sheltered sector, there are many apprehensions being voiced about the prospect of more change and less staff on-site hours **together with increased charges / rents**.

Council agrees to subject all services for sheltered housing residents, provided by us **or by partners across the district**, to a review, with the objective of achieving the best possible standard of service provision, which will be conducted by a Task and Finish Group set up by the Portfolio Holder.'

Council **RESOLVED**, with no Members voting against, that the Motion be agreed as altered and set out above.

64 (b) Standing in the name of Cllr Mike Mason

Councillor Mike Mason moved and Councillor Deborah Roberts seconded a Motion in the following terms:

'In the matter of the proposed development of Northstowe, Council notes with concern, in spite of previous indications to the contrary, that:-

- (a) Further detailed planning applications are still awaited and that members, having previously approved additional staff appointments, are now being asked to make cuts in the planning and new communities sections.
- (b) The recommendations now being imposed by the Planning Inspectorate, are completely unrealistic in terms of housing target numbers to be completed within the Local Development Framework (LDF) plan period.
- (c) The Immigration Service remains in occupation of the former airfield buildings without the benefit of planning permission.
- (d) Infrastructure improvements to the A14 and the construction of the guided busway has yet to be completed, with no Section 106 developer contributions likely to be forthcoming.

'Council instructs the Chief Executive and Leader to write to Communities and Local Government, Homes and Communities Agency and the developers, requesting a definitive public statement as to their current position and intentions for the site, informing them, with reference to (a) – (d) above and with the prospect of diminishing financial resources in the foreseeable future, that the policies in the Local Development Framework have become unsustainable and will not be implemented within the plan period.'

With the consent of the meeting required under Standing Order 14.7(a), Councillor Mason altered his Motion to revise paragraph (c) as follows (amendment marked in **bold italics**):

'The Immigration Service remains in occupation of the former airfield buildings **with a planning permission expiring in 2010**.'

Councillor Alex Riley moved and Councillor Cicely Murfitt seconded an amendment to remove the following words from the Motion:

'Informing them, with reference to (a) – (d) above and with the prospect of diminishing financial resources in the foreseeable future, that the policies in the Local Development Framework have become unsustainable and will not be implemented within the plan period.'

In accordance with Standing Order 14.6(b), Councillors Mason and Roberts accepted the amendment which consequently became incorporated as the Substantive Motion.

The Motion, on being voted on, was declared lost, with 14 Members voting in favour, 19 against and two abstentions.

65. CHAIRMAN'S ENGAGEMENTS

Council noted the list of engagements attended by the Chairman since the last meeting, set out in the Agenda.

The Meeting ended at 10.32 p.m.
