



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

COUNCIL MEETING
THURSDAY, 24 NOVEMBER 2011

AGENDA AND REPORTS

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

OUR VISION

- 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.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Trust
- Mutual respect
- A commitment to improving services
- Customer service

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 (as amended)."

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, 24 NOVEMBER 2011

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

DATED this 16 November 2011

JEAN HUNTER
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

PRESENTATIONS

There will be three presentations prior to the start of the formal meeting.

Committed Rural Housing

Councillor Mark Howell, Housing Portfolio Holder, will receive South Cambridgeshire District Council's "Committed Rural Housing" certificate from Claire Astbury, Lead Manager for East of England, National Housing Federation, in recognition of the Council's commitment to providing affordable housing in rural areas, and its support for the National Housing Federation's Save Our Villages campaign.

Bedfordshire Race and Equalities Council - Equality and Diversity Awards

The Council was presented with the Leading Change in Equality and Diversity award at the annual ceremony held on 14 October 2011. At the same event, Paul Williams, Equality and Diversity Officer, was highly-commended as runner-up in the individual Equality and Diversity Champion of the Year category. The Chairman of Council will present the individual and organisational awards and certificates to Paul and to Cllr Mark Howell, Cabinet Portfolio Holder for Equality and Diversity, respectively.

Tony Bradshaw Award for Best Practice in Ecology and Environmental Management

The Chairman will re-present to Rob Mungovan, ecology officer, the prestigious national Tony Bradshaw award for best practice, which Rob received from the Institute of Ecology and Environmental Management in recognition of his work to protect the largest colony of swifts in East Anglia, found at Accent Nene's re-development work at Fulbourn, an area now re-named The Swifts. The Tony Bradshaw award is an annual national competition for projects displaying best practice in the field of ecology and environmental management and is named in memory of the first President of the Institute who devoted his life to the science and practice of ecological restoration.

Democratic Services Contact Officer: Holly Adams 03450 450 500

1. **APOLOGIES**

2. **DECLARATIONS OF INTEREST**

3. **MINUTES**

To authorise the Chairman to sign the Minutes of the meeting held on 22 September 2011 as a correct record.

(Pages 1 - 10)

4. **ANNOUNCEMENTS**

To receive any announcements from the Chairman, Leader, the executive or the head of paid service.

5. **QUESTIONS FROM THE PUBLIC**

None received.

6. **PETITIONS**

TO NOTE that no petitions have been received since the last Council meeting.

7. **TO CONSIDER THE FOLLOWING RECOMMENDATIONS:**

7 (a) **Review of Standing Orders (including Public Recording of Meetings)
(Constitution Review Working Party, 10 November 2011)**

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

- (a) Standing Order 14.5, When a member may speak again, be amended to include: "A member who has spoken on a motion may not speak again whilst it is the subject of debate, except...(f) at the Chairman's discretion, to raise a point of information;" with subsequent paragraphs to be renumbered accordingly; and
- (b) Standing Order 14.13, Point of Information, be added as follows: "A member may ask to raise a point of information at any time, but will be permitted to speak only at the Chairman's discretion. A point of information may only be made where a member is aware that the Council has incorrect information before it on a material point. The member who raises the point of information must be able to cite evidence to support their statement. The point of information may be raised whilst another member is speaking but only if that member is willing to give way. The ruling of the Chairman on the admissibility of a point of information will be final." and subsequent Rules of Debate be renumbered accordingly.

The Constitution Review Working Party asks Council **TO NOTE** that it does not recommend any further changes to Standing Orders to address the public recording of meetings or social media use during meetings, as it was felt that the existing provisions for recording were sufficient, and that that nothing in the Constitution specifically prohibited the use of social media by the press, public, councillors or officers.

(Pages 11 - 14)

7 (b) **Head of Planning and Economic Development (Cabinet, 10 November 2011)
(Key)**

Cabinet **RECOMMENDED TO COUNCIL** that:

- (a) a new post of Head of Planning and Economic Development, reporting to the Corporate Manager (Planning and New Communities) be created; and
- (b) proposals to achieve savings from the Council's staffing structure be included within the 2012/13 budget to enable the funding of this post.

7 (c) HISTON and IMPINGTON: Amendments to Electoral Arrangements (Electoral Arrangements Committee, 21 November 2011)

The Electoral Arrangements Committee has been asked to **RECOMMEND TO COUNCIL** either:

- (a) the making of a Grouping Order (as requested) in the terms of the Draft Order attached to this agenda; or
- (b) the making of a Grouping Order in the terms of the Draft Order annexed subject to such amendments as the Committee recommends; or
- (c) to direct that a full Community Governance Review under the Local Government and Public Involvement in Health Act 2007 be undertaken, to set the remit for such review including the possible reduction of councillors from 26 to 19 and to defer any decision pending the outcome of that Review; or
- (d) that no order be made thus retaining the status quo, i.e., two parishes served by two parish councils.

The Electoral Arrangements Committee meets on 21 November 2011 and all members are invited to attend the meeting. The recommendations of the Electoral Arrangements Committee will be reported orally to Council.

The full reports presented to the Electoral Arrangements Committee are available on the Council's website, www.scambbs.gov.uk/meetings, under the Electoral Arrangements Committee meeting of 21 November 2011. Hard copies will be made available by Democratic Services if requested no later than 48 hours before the Council meeting.

(Pages 15 - 18)

8. RE-ALLOCATION OF COMMITTEE SEATS AND RE-APPOINTMENTS 2011/12
For decision.

(Pages 19 - 30)

9. COUNCIL MEETING SCHEDULE 2012/13
For decision.

(Pages 31 - 34)

10. QUESTIONS ON JOINT MEETINGS

| Joint Body | Date of Meeting | Minutes Published in Weekly Bulletin |
|--|------------------------|---|
| Joint Development Control Committee: Cambridge Fringes | 6 October 2011 | 2 November 2011 |

11. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES
None received.

12. QUESTIONS FROM COUNCILLORS

12 (a) From Cllr Jonathan Chatfield to the Leader of Council

"Could I ask the Leader to confirm the amount of money South Cambs will receive as New Homes Bonus in 2011/12, 2012/13, 2013/14, 2014/15 and 2015/16 and what percentage of this will be coming from the new development at Orchard Park this year?"

12 (b) From Cllr Douglas de Lacey to the Leader of Council

“At our last meeting, according to no less an authority than the Cambridge News, Cllr Clayton Hudson ‘stormed out’ after the vote not to suspend Standing Orders and permit tweeting, and ‘later posted a message on Twitter branding his fellow members “dinosaurs” and explaining he had “better things to be doing” with his time.’ Could the Leader please explain what things his members are expected to be doing which are better than considering the agenda items, listening to the points made in the debates, and voting on the basis of the evidence presented?”

12 (c) From Cllr John Williams to the Leader of Council

“Each autumn leaseholders in sheltered accommodation receive a statement for their service charge providing an estimate for the current financial year upon which their current charge is based, the actual charge for the previous year and any adjustment for the year before that. I understand why we have to produce an estimated service charge for the current year because the actual cost will not be known until after the end of the financial year, but why should leaseholders have to wait two years to receive any reimbursement for over payment (which can be as much as a three figure sum)?”

12 (d) From Cllr Tumi Hawkins to the Leader of Council

“One of the aims of South Cambridgeshire District Council is our commitment to providing a voice for rural life, playing our part improving rural services including transport links. Our transport links are under severe threat by recent bus subsidy removal and the quality of life for some residents has fallen. Is this authority submitting a response to the County Council bus consultation on behalf of South Cambridgeshire residents, and is it publicising the consultation to ensure residents are aware of it?”

12 (e) From Cllr Mike Mason to the Leader of Council

“With reference to the District Strategic Flood Risk Assessment, currently being revised, can members be advised if the Award Drain network has now been added to the database and the anticipated date of publication of the updated version?”

12 (f) From Cllr James Hockney to the Leader of Council

“Does the Leader consider that the new financing regime for the Housing Revenue Account presents any opportunities for new council house building over the next 30 years?”

13. NOTICE OF MOTION

13 (a) Standing in the names of Councillors Simon Edwards and Mervyn Loynes

This Council recognises the acute hardship many people are experiencing as the coalition government begins to put our country back on a sound financial footing.

Council also acknowledges that to support the governments reduced spending plans, staff salaries at this authority will, for a second year, remain frozen for the year 2011/12.

Council notes that member allowances have also been frozen for the last 3 years, and in recognition of the difficulties our residents and our staff are experiencing in the current economic climate, and to support this council’s revised spending plans, this council resolves not to increase member allowances, or expenses, for a further year in 2012/13.

14. CHAIRMAN'S ENGAGEMENTS

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

| Date | Venue / Event |
|-------------|---|
| 7 Oct 2011 | Harlow Council Civic Dinner |
| 7 Oct 2011 | Huntingdonshire District Council Musical Extravaganza (attended by the Vice-Chairman) |
| 8 Oct 2011 | East Anglian Region Tree Warden Forum (also attended by the Vice-Chairman) |
| 13 Oct 2011 | Local Democracy Week Open Day for Young People, South Cambridgeshire Hall, Cambourne |
| 15 Oct 2011 | Swavesey Community Pavilion Opening |
| 16 Oct 2011 | Godmanchester Annual Civic Service |
| 21 Oct 2011 | Annual Awards Celebration: Best Kept Garden and Community Hero Awards, Scotsdale's Garden Centre, Great Shelford |
| 23 Oct 2011 | Mayor of March Civic Service |
| 24 Oct 2011 | Marshall's Tour |
| 25 Oct 2011 | Citizenship Ceremony, Shire Hall |
| 4 Nov 2011 | Chairman's Reception, TWI, Granta Park, Abington Hall |
| 10 Nov 2011 | 100 Houses: Official Opening at Walnut Close, Landbeach |
| 11 Nov 2011 | Veterans' Day Ceremony, American Cemetery, Madingley |
| 11 Nov 2011 | South Cambridgeshire District Council Flag Raising and 2- Minute Silence, South Cambridgeshire Hall, Cambourne (attended by the Vice-Chairman) |
| 14 Nov 2011 | Feast Committee Presentation: Village Heroes, Great Shelford |
| 18 Nov 2011 | Mayor of Cambridge Reception (attended by the Vice- Chairman) |
| 19 Nov 2011 | 120th Anniversary Concert, Histon Baptist Church (attended by the Vice-Chairman) |
| 21 Nov 2011 | Celebration of Youth Arts, Cottenham |

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. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can obtain both neck loops and earphones from Reception.

Toilets

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

Recording of Business and Use of Mobile Phones

The Council is committed to openness and transparency. The Council and all its committees, sub-committees or any other sub-group of the Council or the Executive have the ability to formally suspend Standing Order 21.4 (prohibition of recording of business) upon request to enable the recording of business, including any audio / visual or photographic recording in any format.

Use of social media during meetings is permitted to bring Council issues to a wider audience. To minimise disturbance to others attending the meeting, all attendees and visitors are asked to make sure that their phones and other mobile devices are set on silent / vibrate mode during meetings.

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 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.

45. ANNOUNCEMENTS

Council welcomed Councillor Mervyn Loynes back from his recent ill health, and asked the Chairman to send the Council's best wishes to Councillor Peter Johnson for a speedy recovery.

The Chairman sought Council's agreement to suspend Standing Order 21.4 Recording of Business to allow the proceedings to be recorded, and explained that this would be the last time he would make this request of Council as, at its 24 November 2011 meeting, Council would be asked to amend the wording of Standing Order 21.4 in favour of recording in any format. The Chairman clarified that Council would be allowing any attendees, not just councillors, to record the meeting.

In response to the Chairman's request, Councillor Sebastian Kindersley, seconded by Councillor Edd Stonham, proposed that Standing Order 21.4 Recording of Business be suspended to allow recording in any format to take place at the meeting.

Members speaking in favour of the motion stated that:

- Recording meetings through a variety of media made the Council's business more accessible to a greater range of residents;
- There was no obligation on councillors to record proceedings, but those who wished to do so were able both to listen to debate and record it, as tweeting took only a few seconds; and
- South Cambridgeshire was a high-tech area with a large number of residents who engaged through social media and the Council should not vote to exclude those who wished to use new communications methods.

Members who opposed the motion stated that:

- Councillors who recorded proceedings were being disrespectful of the meeting and not paying sufficient attention to the business on which they were to vote;
- Council officers should not use social media; and
- It was objectionable for people to tweet or blog while in a meeting.

Suspension of a standing order required two-thirds of councillors present and voting in favour: the vote was held and, with 43 members present, of whom 26 members voted in favour, 11 voted against and 6 abstained, the motion was declared **LOST**.

The Leader announced that the recent Boundary Commission proposals would be referred to the next meeting of the Electoral Arrangements Committee for consideration.

46. QUESTIONS FROM THE PUBLIC

None received.

47. PETITIONS

None received.

48. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:**48 (a) Procedure for the Annual Establishment of, and Appointments to, Committees and other Bodies (Constitution Review Working Party, 8 September 2011)**

Council considered a new procedure for the establishment of, and appointments to, committees at Annual Council meetings. All councillors had received a copy of the procedure in August and no representations had been made. The Constitution Review Working Party had recommended the procedure to Council unanimously.

On the proposal of Councillor Ray Manning, seconded by Councillor Tony Orgee as Chairman of the Constitution Review Working Party, Council **RESOLVED** to incorporate into Part 4 of the Council's Constitution the Procedure for the Annual Establishment of, and Appointments to, Committees and other Bodies.

48 (b) Revised Gifts, Hospitality and Sponsorship Policy (Constitution Review Working Party, 8 September 2011)

The Constitution Review Working Party had recommended to Council adoption of a revised Officer Code of Conduct and separate Gifts, Hospitality and Sponsorship Policies for Members and for Officers, all of which took into account recent best practise guidance and included the provisions of the Bribery Act 2010, which had come into force on 1 July 2011. Council asked that the words 'for the most part' be removed from the Guidance for Officers, and recognised that a list of minor typographical errors had been submitted to officers for correction before publication.

In response to a query, the Legal and Democratic Services Manager advised that the policy indicated that officers should not accept tips in return for services, and undertook to ensure that this advice was communicated to all staff.

On the proposal of Councillor Tony Orgee, seconded by Councillor Sebastian Kindersley, and subject to the amendments made at the meeting, Council **RESOLVED** to incorporate into Part 5 of the Council's Constitution the revised Officer Code of Conduct and the separate Gifts, Hospitality and Sponsorship Policies for Officers and for Members.

48 (c) Climate Change Action Plan 2011-2013 (Sustainability, Planning and Climate Change Portfolio Holder's meeting 9 September 2011)

The Leader, on behalf of the Sustainability, Planning and Climate Change Portfolio Holder, had recommended the Climate Change Action Plan 2011-2013 for adoption, noting that members had considered it in great detail at recent meetings.

Councillor Peter Topping, Sustainability, Planning and Climate Change Portfolio Holder, assured members that sufficient financial resources existed to support the actions, and noted that, although there was some discontent expressed at the meeting about a reference in the plan to climate change being "man made", South Cambridgeshire residents expected the Council to take steps to address its impact. He paid tribute to Councillor Stephen Harangozo for his support and enthusiasm for the plan and commended the plan to Council.

On the motion of Councillor Ray Manning, seconded by Councillor Peter Topping, Council **RESOLVED** to adopt the Climate Change Action Plan 2011-2013.

Councillor Deborah Roberts recorded her vote against adoption of the Climate Change Action Plan 2011-2013.

48 (d) Review of Polling Districts and Polling Places (Electoral Arrangements Committee, 12 September 2011)

Councillor Robert Turner, Chairman of the Electoral Arrangements Committee, presented the Committee's recommendations following the review of polling districts and polling places. Councillor Simon Edwards asked that recommendation (e) clarify that the Electoral Services Team could be asked to look for an alternative location in Cottenham for voting to take place.

On the motion of Councillor Robert Turner, seconded by Councillor Raymond Matthews, Council **RESOLVED** that:

- (a) all existing polling districts and polling places within South Cambridgeshire be retained;
- (b) the polling district of WH2 – Whittlesford South be retained and the polling place for this district be defined as The Parishes of **Duxford** and **Whittlesford**;
- (c) subject to completion and assessment of suitability, to adopt the Eco-hub as the polling station for **Gamlingay**;
- (d) subject to assessment of suitability, to adopt the Cade Memorial Hall as the polling station for **Eltisley**; and
- (e) as **Cottenham** Parish Council has indicated that the Sports and Social Club may be demolished and re-built, the Electoral Services Team be requested to investigate and locate an appropriate replacement building for the voting to take place, should the need arise.

49. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA): REVISED POLICY

Councillor Francis Burkitt, Corporate Governance Committee Chairman, presented the revised Regulation of Investigatory Powers Act 2000 (RIPA) Policy. He explained that the Council used this power rarely, but very responsibly and only in the public interest: it had been used only six times since 2009/10 to investigate incidences of benefit fraud or fly-tipping, all of which had resulted in successful prosecution of offenders, saving public funds and protecting the environment for the benefit of residents. The Corporate Governance Committee would monitor future use of the policy.

In response to members' queries it was clarified that:

- The inclusion of officers' names was based on good practice advice from the external trainer who provided training to the Council, based on advice from the Office of Surveillance Commissioners, and that the Executive Director (Corporate Services) would have the authority to ensure that the list was updated as required;
- The Council had never used a Covert Human Intelligence Source (CHIS) and had no plans to do so; and
- The policy addressed the possibility of other family members or neighbours being captured by surveillance operations, known as 'collateral damage', and that the possibility of this must be considered carefully before taking action;
- The Protection of Freedoms Bill was currently going through Parliament and, once enacted, local authorities could require Magistrates' approval before using RIPA powers.

Members thanked the Legal and Democratic Services Manager and the Fraud Manager for their work on the revised policy and advice given to the Corporate Governance Committee Chairman.

On the proposal of Councillor Francis Burkitt, seconded by Councillor Simon Edwards, Council **RESOLVED** to:

- (a) adopt the updated policy;
- (b) designated the Executive Director (Corporate Services) as the Council's Senior Responsible Officer in respect of the operation of RIPA and to delegate authority to the Executive Director (Corporate Services) to change the Senior Responsible Officer where required and to arrange authorisation of other officers to ensure the effective operation of RIPA;
- (c) delegate responsibility to the Corporate Governance Committee to receive quarterly updates on the Council's use of RIPA powers and to review the RIPA policy on an annual basis and make amendments as necessary.

Council **NOTED** the information contained in the report about the authority's use of surveillance powers in 2010-11.

50. APPOINTMENTS TO THE LICENSING AND SCRUTINY & OVERVIEW COMMITTEES 2011/12

Following the resignation of Councillor Mervyn Loynes from the Licensing Committees and the Scrutiny and Overview Committee for the remainder of the 2011/12 civic year, Council **APPOINTED**

- (a) Councillor Ben Shelton to the Licensing Committee, Licensing Committee (2003 Act) and Licensing Committee (2005 Gambling Act) in place of Councillor Mervyn Loynes for the remainder of 2011/12;
- (b) Councillor Alison Elcox to the Scrutiny and Overview Committee in place of Councillor Mervyn Loynes for the remainder of 2011/12; and
- (c) Councillor Val Barrett as the Conservative Group's fourth substitute member of the Scrutiny and Overview Committee for the remainder of 2011/12, in place of Councillor Alison Elcox.

51. QUESTIONS ON JOINT MEETINGS

In response to a question from Councillor Sebastian Kindersley about the adoption of farm crime as a South Cambridgeshire Crime and Disorder Reduction Partnership (CDRP) target priority, Councillor Tom Bygott, who had attended the CDRP meeting on 26 July 2011, explained that South Cambridgeshire was a rural authority, providing a voice for rural life and that the Cabinet supported a reduction in farm crime as a target priority. Councillor James Hockney noted that the CDRP targets had been discussed in detail at the 6 September 2011 Scrutiny and Overview Committee meeting.

52. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

None received.

53. QUESTIONS FROM COUNCILLORS

53 (a) From Cllr John Batchelor to the Leader of Council

Councillor John Batchelor asked, "I believe the Economic Development Portfolio Holder has not held any public Portfolio Holder Meetings and does not intend having any in the future. If this is the case how can Scrutiny monitor his activities and provide democratic accountability?"

Councillor Nick Wright, Economic Development Portfolio Holder, explained that he had

not ruled out having any meetings but did not believe that it would be appropriate to convene any at this point. He would be taking quarterly reports to Cabinet, as Economic Development was important across all portfolios and service areas. These reports would include a set of annual priorities, and regular financial monitoring and oversight of actions taken to meet the agreed priorities. Cabinet, at its 8 September 2011 meeting, had agreed the first set of annual priorities; in future years Cabinet would be asked to agree the priorities at the beginning of each financial year in line with the annual service planning process. Councillor Wright added that Scrutiny monitors and opposition spokesmen were welcome to question him at Cabinet meetings, and offered to schedule informal briefings at the request of monitors and spokesmen.

Councillor Batchelor welcomed Councillor Wright's suggestions, but expressed concern about the proposed informal briefings, asking as his supplementary question how monitors would be able to hold the Portfolio Holder to account on behalf of taxpayers. Councillor Wright replied that he would be willing to reconsider but was not anxious to hold meetings just for the sake of having meetings, and that the briefings would be open to all members to provide any background information on the material in the Cabinet reports.

53 (b) From Cllr Mike Mason for the Leader of Council

Councillor Mike Mason asked, "In view of the disquiet expressed by members of the Planning Committee at its last meeting, concerning the drainage conditions now being negotiated for the proposed development at Cambourne, will the Leader give a detailed and categorical assurance that the concerns of the Swavesey Internal Drainage Board have been addressed and agreed by all parties prior to signing?"

Councillor Sue Ellington, Environmental Services Portfolio Holder, replied that the Planning Committee, on 7 September 2011, had delegated powers to officers to approve the Cambourne 950 development proposals in consultation with the Planning Committee Chairman and / or Vice-Chairman, the Environmental Services Portfolio Holder and the Leader. An assurance was given at the Planning Committee meeting to consult with the Swavesey Internal Drainage Board (IDB), of which Councillor Ellington was a member. Councillor Ellington noted that negotiations between the District Council, the IDB and the Environment Agency continued and assured Councillor Mason that Swavesey IDB members had been consulted and informed of the development proposals. Developers had undertaken to ensure that the IDB's request for a guarantee of maintenance in perpetuity to a flood risk of 1 in 10 of drains along Rampton Road to Webb's Hole would be included within the planning application.

The Portfolio Holder, in response to Councillor Mason's supplementary question, undertook to continue to seek the Environment Agency's agreement to maintain the area of drain beyond Webb's Hole.

53 (c) From Cllr Bridget Smith to the Leader of Council

Councillor Bridget Smith asked, "Could the Leader please tell us with whom, when and at what meetings he or his colleagues made the case for the inclusion of more than one District Councillor to represent the five District Councils on the Cambridgeshire Community Wellbeing Partnership and would he agree that just one fails the Government's requirement for this Board to be 'introducing more democratic accountability through Member representation?'"

Councillor Sue Ellington, Environmental Services Portfolio Holder, explained that the Board would receive project proposals from a number of Community Wellbeing network

panels, one of which would serve as the mechanism for the District Councils, and possibly the City Council, to have their input.

Councillor Ellington, in response to Councillor Smith's supplementary question, confirmed that the District Council Board member would be drawn from the network panel and assured members that South Cambridgeshire's priorities would be put before the Board. She also noted that the Board would be a shadow board for the first year and there would be opportunities for the District Councils to make representations for a different governance model if they felt that the initial structure were insufficient for their needs. It was also confirmed that the District Council network panel members would not be 'dual-hatted' District and County Councillors, so would represent only the District Councils.

53 (d) From Cllr James Hockney to the Leader of Council

Councillor James Hockney, noting the high level of public response to a petition and Facebook page opposing development of 13,000 homes at Waterbeach Barracks, asked, "Does the Leader agree that we will not need a further major new settlement in order to achieve our housing targets within the next plan period?"

Councillor David Bard, Vice-Chairman of Council, replied on behalf of Councillor Tim Wotherspoon, Northstowe & New Communities Portfolio Holder, who was unable to be present at the meeting due to his attendance as a Council representative at an event in Cambridge. Councillor Bard explained that he would respond generally and not comment on any specific site, and assured members that a review of the Council's Local Development Framework had begun. Part of the review would be an assessment of potential development sites, the criteria for which included the projected population growth.

In response to Councillor Hockney's supplementary question, Councillor Bard emphasised that the onus would be on developers, not the Council, to demonstrate that any particular site would be viable for development.

53 (e) From Cllr Sebastian Kindersley to the Leader of Council

Councillor Sebastian Kindersley asked, "In July 2010 the Local Public Service Agreement (LPSA) Reward Grant Phase 2 was withdrawn; leaving South Cambridgeshire DC without £468,468 that had been committed to local and community projects. It also left the Council £57,121 overspent owing to payments already made but not recompensed by the County Council which acted as Banker to the scheme. The County has now received upwards of £4.5m to complete the LPSA commitments but is refusing to hand over the cash to the Districts. This means that - for example - the Connections Youth Bus purchased in phase 1 cannot now be used in the area.

"When I questioned the Leader about this at Cabinet on September 8th he extremely unhelpfully refused to discuss the matter at all despite opportunities to do so under items 4 and 10 of the Agenda. Given that refusal we are unaware what efforts - if any - he has made to keep this cash for the use of local people and projects; where he made these efforts and with whom.

"As Chairman of the Local Strategic Partnership - the overseeing Board in charge of this debacle - could Cllr Manning please tell us and South Cambridgeshire's citizens why he allowed this money to be taken by the County Council without even bothering to call a meeting of the LSP to discuss or agree it?"

Councillor Ray Manning, Leader of Council, replied that at least £57,121 would be returned to the Community Chest for grants of up to £1,000 for smaller projects, as announced at his 15 September 2011 Portfolio Holder meeting. He spoke in favour of the County Council's proposal to use funds to deliver high-speed broadband across Cambridgeshire, which would benefit all residents and increase opportunities for new businesses and jobs outside the City. He denied having been unhelpful at the Cabinet meeting, clarifying that he welcomed questions from non-Executive members about issues on the agenda or which directly affected their individual wards, and explained that it had not proven possible to schedule a meeting of the Cambridge City and South Cambridgeshire Local Strategic Partnership Board to discuss the County Council's decision before the County Council Cabinet meeting.

Councillor Kindersley, as his supplementary question, stated that the County Council had always intended to invest in high-speed broadband whether or not it used the LPSA reward grant, and queried whether the Leader's support for the County Council decision was in the best interests of South Cambridgeshire residents. Councillor Manning stated that the use of LPSA reward grant at the start of the high-speed broadband project would reduce capital costs, thereby decreasing the amount of interest payments, which would benefit South Cambridgeshire taxpayers. He added that he felt that the use of the reward grant to increase availability of high-speed broadband was a practical solution for the benefit not only of South Cambridgeshire but also of all Cambridgeshire residents.

54. NOTICE OF MOTION

54 (a) Standing in the name of Councillor Tumi Hawkins

Councillor Tumi Hawkins stated that she had proposed her motion to give Council the opportunity to acknowledge the service provided by the Direct Labour Organisation (DLO) and offer staff best wishes for the future, and to receive clarification as to why the Cabinet had decided to put the contract out to tender. Councillor Ray Manning, seconding the motion, agreed with the wording of the motion as written and hoped that DLO staff knew that the Council had not wanted this outcome, but had previously been heavily criticised by the Audit Commission for not putting the contract to tender.

Councillor Douglas de Lacey proposed an amendment, seconded by Councillor Deborah Roberts, that the motion state that "Council is hugely disappointed that the DLO was not awarded the contract". Councillors Hawkins and Manning accepted this proposal and therefore the amendment became part of the substantive motion.

Councillors discussed the improvement in the DLO service since it was reorganised in 2004, the benefit and profit brought to the authority by the DLO, and the tenants' high levels of satisfaction. Councillor Hawkins regretted that members had been advised that they could not call-in the decision to award the tender to Mears, as advice had been given that this could have exposed the Council to legal action by the successful tenderer. Councillor James Hockney, Scrutiny and Overview Committee Chairman, noted that councillors had had the opportunity to raise their concerns by calling-in the original decision to put the contract out to tender, but that no members had done so.

Councillor Mark Howell, Housing Portfolio Holder, explained that the Audit Commission had given the authority two out of three stars for its housing service, and had supported the decision to put the DLO contract to tender to ensure that tenants would receive a good quality of service at lower cost. DLO staff would be transferred to the successful contractor, so tenants would continue to work with the same operatives.

The Chairman reminded Council that it was his responsibility to rule on the application of

Standing Orders.

It was **RESOLVED** that “Council is hugely disappointed that the DLO was not awarded the contract, but recognises and is appreciative of the excellent service that staff of the DLO have to date, given to the Council in general and to Council Tenants in particular. Their performance was all the more remarkable in the face of the long period of uncertainty surrounding their future. It is to their credit, and speaks of their professionalism and dedication that their service ratings improved and remained very high.

“We ask the Executive Director to pass on our gratitude to all the DLO staff, and to say that we wish them the very best as they move employment to Mears, an arrangement that the Council envisages will secure their employment and give them greater opportunity to continue to provide excellent service to Council tenants for the foreseeable future.”

55. CHAIRMAN'S ENGAGEMENTS

The Chairman explained that ‘YOPEY’ was the Young Person of the Year Award and that the fourth annual award service had been held at Peterborough Cathedral. He spoke of feeling inspired by the activities of the young people nominated for awards and remembered that the first YOPEY awards had been held in Cambourne under the Chairmanship of Councillor Cicely Murfitt.

The Meeting ended at 4.10 p.m.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council

24 November 2011

AUTHOR/S: Executive Director (Corporate Services) / Legal and Democratic Services
Manager

AMENDMENTS TO STANDING ORDERS (INCLUDING PUBLIC RECORDING OF MEETINGS)**Purpose**

1. To recommend to Council amendments to standing orders. This is not a key decision but must be agreed by full Council because it requires changes to be made to the Constitution. It was first published in the May 2011 Forward Plan.

Recommendations

2. That Council resolve that:
 - (a) Standing Order 14.5, When a member may speak again, be amended to include: "A member who has spoken on a motion may not speak again whilst it is the subject of debate, except...**(f) at the Chairman's discretion, to raise a point of information,**" with subsequent paragraphs to be renumbered accordingly; and
 - (b) Standing Order 14.13, Point of Information, be added as follows: "A member may ask to raise a point of information at any time, but will be permitted to speak only at the Chairman's discretion. A point of information may only be made where a member is aware that the Council has incorrect information before it on a material point. The member who raises the point of information must be able to cite evidence to support their statement. The point of information may be raised whilst another member is speaking but only if that member is willing to give way. The ruling of the Chairman on the admissibility of a point of information will be final." and subsequent Rules of Debate be renumbered accordingly.

Reasons for Recommendations

3. The addition of standing order 14.13 and amendment of standing order 14.5 will clarify the rules of debate to incorporate points of information.

Considerations**Points of information**

4. Although 'points of information' are recognised in the rules of parliamentary debate, the model Constitution, on which the Council's standing orders are based, makes no reference to them. Including in the Constitution a rule of debate about raising a point of information would support the Chairman in the application of standing orders and provide members with a means of correcting misinformation.
5. As already happens at Council meetings, any member wishing to raise a point of information need indicate this to the Chairman by standing to speak and stating, "Point of information, Chairman". The member must then receive the permission of the Chairman to speak. If the point of information had been raised during another

member's speech, the member wishing to raise the point of information must also receive the agreement of the member then speaking to give way.

6. The Constitution Review Working Party unanimously recommended to Council that provisions be made in standing orders for the raising and addressing of points of information.

Public recording of meetings

7. Standing order 21.4 reads: "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." The wording of standing order 21.4 dates from 1972, updated in 2000 to make reference to the Executive, and is part of the standing orders relating specifically to disturbance of a meeting caused by members of the public.
8. The Constitution Review Working Party's unanimous decision was not to make any amendment to the standing orders about public recording of meetings, as the existing provisions already permit the members of each individual body to vote at the start of each meeting whether or not to allow the proceedings to be recorded. The Working Party's view was that such a decision ought to remain the responsibility of each body based on the circumstances of each meeting.

Use of social media during meetings

9. On 23 Feb 2011, Bob Neill, Parliamentary Under Secretary of State, Communities and Local Government (CLG), wrote to all Council Leaders and Monitoring Officers encouraging Councils to stop barring use of social media during meetings. The Constitution Review Working Party considered in detail the Council's existing standing orders, and concluded that nothing in the Constitution specifically prohibited the use of social media by the press, public, councillors or officers.
10. Members of the Constitution Review Working Party agreed, with one vote against, that no change be made to the existing standing orders, and therefore that the press, public, councillors and officers who wished to do so were able to use social media, e-mail, text messaging services, and to use laptops or other mobile electronic devices in meetings, provided that such use did not create a disturbance. The Chairman already has the discretion to act where any conduct is found to be creating a disturbance to the meeting.
11. The Constitution Review Working Party has tasked officers with investigating the hearing loop system and, if it is found to be susceptible to interference by mobile phones, to include on the guidance notes for visitors to South Cambridgeshire Hall a notices in public meeting rooms a requirement that mobiles be operated on the Council's public WiFi network rather than a mobile phone network to minimise disturbance to any attendees using the loop system.

Options

12. The Constitution Review Working Party considered options about adding specific standing orders to address social media use by the public and by councillors, and whether or not to adopt a filming protocol for members of the public wishing to record a meeting. These options were not recommended to Council by the Constitution Review Working Party as, after much consideration, the Working Party felt that the existing provisions were sufficient.

Implications

| | | |
|-----|--------------------------------------|--|
| 13. | Financial | None. |
| | Legal | Any person using social media during Council meetings would still be required under the existing standing orders to ensure that in doing so they do not create a disturbance to the meeting. Councillors and officers, when using social media, are still obliged to uphold their various legislative and employment requirements. In particular, any councillors who choose to use social media in meetings must pay particular heed to avoiding the appearance of bias or predetermination. |
| | Staffing | None specific. |
| | Risk Management | The Chairman retains the authority to act if any conduct, whether by councillors or the public, is disrupting the meeting. |
| | Equality and Diversity | It has been reported that mobile phones, even when in silent / vibrate mode, cause interference with the hearing loop system in the Council's meeting rooms, which is disconcerting for people with a hearing impairment. Use of WiFi enabled devices such as laptops and tablets does not appear to cause the same interference, as it is the response of mobile phones to an incoming call which creates the interference. A replacement microphone system is intended to be installed and functional by end of December 2011. This will be a modern wireless system using up-to-date technology and should be better able to ignore erroneous signals such as those from mobile phones. In any event, the Chairman will be able to use his/her discretion to restrict use of any devices which are causing interference on the hearing loop system. |
| | Equality Impact Assessment completed | No. This is primarily an administrative matter only. |
| | Climate Change | None specific. |

Consultations

14. Elected members were advised at the 22 September 2011 Council meeting that this matter would be returning for a full Council decision on 24 November 2011 and that all councillors were invited to the Constitution Review Working Party meeting on 10 November 2011. Members had also been invited to make representations in writing if they are unable to attend the Constitution Review Working Party meeting.
15. The issue has also been in the Forward Plan for six months, through which public could make representations. No responses were received from the press or public.

Consultation with Children and Young People

16. The twenty-four attendees at the Local Democracy Week and Youth Council launch event on 13 October 2011, all of whom were aged 16-17, were invited to make suggestions on how the Council communicates with young people and how young people want to receive information from their local Council. Responses received are summarised below:

- (a) Everyone should be allowed to tweet: it shows transparency;
- (b) Councillors should be able to tweet summaries of what is happening in meetings;
- (c) Twitter should also be used after meetings to summarise what happened;
- (d) Twitter keeps people up-to-date and makes them more likely to get involved;
- (e) Contributions made through social media remain in the public domain, so are open to everyone;
- (f) The forward plan and details of decisions should be publicised through social media and supplemented with a blog or discussion topic on Facebook of what the Council is doing every year so people can comment; and
- (g) *South Cambs magazine* should publicise what is available on the Council's social media channels, and also summarise this information for the benefit of those who do not use the internet.

Effect on Strategic Aims

17. Commitment to being a listening authority: the Council will respond to requests to record meetings where the media or public seek to do so, always maintaining the public interest in ensuring that meetings are free from disruption and that the public's right to privacy is considered. A listening authority seeks to have conversations with its residents through two-way communication. Authorities which engage actively with residents through a variety of media realise a greater public response, and their decisions are made taking into account a wider, more representative range of input from residents and partners.

Conclusions / Summary

18. The proposed changes to standing orders will clarify the operation of Council and committee meetings for councillors, for officers and for members of the press and public in attendance, and the protocol on recording of meetings demonstrates the Council's commitment to openness and transparency.

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

23 February 2011 Letter from Communities and Local Government
24 March 2011 Constitution Review Working Party report
SCDC Constitution
Constitutions of other local authorities

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Section 11 LOCAL GOVERNMENT ACT 1972**DRAFT****SOUTH CAMBRIDGESHIRE DISTRICT (PARISHES OF HISTON AND IMPINGTON)****GROUPING ORDER 20[]**

Order grouping the parishes of Histon and Impington under a common parish council.

WHEREAS –

- (1) The parishes of Histon and Impington are neighbouring parishes and the Parish Meetings of both parishes have applied to the South Cambridgeshire District Council (“the District Council”) for an Order grouping parishes under a common parish council.
- (2) The parishes of Histon and Impington currently have separate parish councils but share certain resources including the Clerk and office.

NOW THEREFORE the District Council, in exercise of its powers under section 11 of the Local Government Act 1972 and of all other powers enabling them, in that behalf, hereby make the following order:

1. The Parishes of Histon and Impington shall be grouped under a common parish council. The group shall be named “The Histon & Impington Group” and the common parish council shall be named “Histon & Impington Parish Council”.
2. The common parish council shall consist of nineteen (19) councillors of whom [11] shall be elected to represent the parish of Histon and [8] shall be elected to represent the parish of Impington.
3. The term of office of every parish councillor elected on the day of election of 3rd May 2012 for the parishes of Histon and Impington shall be [4] years. The persons elected shall come into office on the fourth day after such ordinary day of election and shall retire on the fourth day after the ordinary day of election of councillors in [2016].
4. Elections of all parish councillors for the parishes of Histon and Impington shall be held simultaneously on the ordinary day of election of councillors on 3rd May 2012 and every fourth year after 2012.
5. The annual meeting of the common parish council in 2012 shall be held on or within 14 days after the day on which the first parish councillors take office and shall be convened by the Clerk of Histon Parish Council.

6. There shall be a separate parish meeting for each parish. Sub-paragraph 14(3) of Schedule 12 of the Act shall not apply.
7. Where under the provisions of an enactment or instrument the consent of the parish meeting for a parish is required in respect of any act done, or proposed to be done, by a parish council, the consent of the parish meeting of each parish affected by the act shall be necessary in respect of such act done or proposed to be done, by the common parish council.
8. For the purposes of the application to the parishes of all or any of the provisions of section 79 of the Charities Act 1993 and of any provision of the Local Government Act 1972 with respect to the custody of parish documents, so as to preserve the separate rights of each parish, the common parish council shall be deemed to be a separate parish council for each parish PROVIDED that the consent of the parish meeting for any parish shall be required to any act of the common parish council under the said provisions which relates only to the affairs of that parish.
9. The annual assemblies of the parish meetings of Histon and Impington shall be held before the fourth day after the ordinary election of councillors in 2012.
10. The Parish Councils of Histon and Impington shall cease to exist on such fourth day after the ordinary election of councillors in 2012.
11. All property, staff and liabilities vested in or attaching to the Parish Councils of Histon and Impington shall by virtue of this Order on such fourth day be transferred to and vest in or attach to the common parish council

All contracts, deeds, bonds, agreements and other instruments subsisting in favour of, or against, and all notices in force which were given by, or to, the Parish Councils of Histon and Impington shall as from such fourth day be of full force and effect in favour of, or against, the common parish council.

Any action or proceeding or any cause of action or proceeding, pending or existing at such fourth day by, or against, the parish Councils of Histon and Impington shall not be prejudicially affected by this Order and may be continued, prosecuted and enforced by or against the common parish council.
12. The accounts of the Parish Councils of Histon and Impington and the committees and offices thereof shall be made up to the said fourth day and shall be audited in like manner and subject to the same incidents and consequences as if this Order had not been made PROVIDED that any sum certified by a district auditor as due from any person shall be paid to the common parish council.
13. All properties in the parish of Histon shall be subject to the Council Tax precept determined by the District Council until 31st March 20[].

All properties in the parish of Impington shall be subject to the Council tax precept determined by the District Council until 31st March 20[].

14. The Interpretation Act 1978 shall apply for the interpretation of an Act of Parliament.
15. This Order may be cited as the South Cambridgeshire District (Parishes of Histon and Impington) Grouping Order 2011 and shall come into operation on the making hereof.

In pursuance etc.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council

24 November 2011

AUTHOR/S: Executive Director (Corporate Services) / Legal and Democratic Services
Manager

RE-ALLOCATION OF COMMITTEE SEATS AND APPOINTMENTS FOR 2011/12**Purpose**

1. To seek Council's approval of the re-allocation of seats on committees and the appointment of members and substitute members to committees following changes to the political balance of Council. This is not a key decision but has been brought to Council because only the Council may make this decision.

Recommendations

2. The political group leaders recommend that Council resolve:
 - (a) to approve the re-allocation of seats, as set out in **Appendix A**; and
 - (b) to approve the nominations of the political groups to seats on committees, where nominations have changed as set out in **Appendix B**; and
 - (c) to maintain the current membership of the Standards Committee until the end of the 2011/12 municipal year.

Reason for Recommendations

3. The power to allocate seats and make appointments to committees rests with full Council.

Background

4. Section 15 of the Local Government and Housing Act 1989 imposes a duty on the local authority at its annual meeting, or as soon as possible after it, to review the allocation of seats on the committees of the Council between the political groups. The Council may carry out such a review at any other time and may do so if requested by a political group. In the event of a mid-year change to the Council's political balance, the political group leaders are asked to consider only the allocation of seats to committees of the sizes agreed at the Annual General Meeting of Council, and to make their recommendations to Council.
5. The following principles laid down in the Act apply to the allocation of seats:
 - (a) that not all the seats on the body are allocated to the same political group;
 - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
 - (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to

the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

6. These principles must be applied as far as is practicable. Where adjustments are required to reflect rounding up and down of fractions, officers will make recommendations as to which figures best meet the principles, but the final decision rests with Council on the recommendation of the political group leaders.
7. The Local Government and Housing Act 1989 requires that, once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.

Considerations

Political Proportionality and Nominations

8. The political balance of the Council can be calculated by using the simple formula below (to two decimal places);

$$\frac{\text{No. of Political Group Members} \times 100}{57 \text{ Councillors}}$$

$$\frac{55 \times 100}{57 \text{ Councillors}} = 96.49\%$$

| | |
|-------------------|--------------|
| Conservative | 56.14% |
| Liberal Democrat | 31.58% |
| Independent Group | <u>8.77%</u> |
| TOTAL | 96.49% |

9. Each of the political groups (formed when two or more councillors notify the Chief Executive, as Proper Officer, of their wish to be treated as a group) is entitled to a certain number of seats on committees. This is based upon their group's percentage representation on the Council as a whole, as detailed above. The calculation to determine the entitlement of political groups to seats on committees is as follows:

$$\frac{\% \text{ from Table 1} / \text{Total No. of Group members}}{100} \times \text{Total No. of Seats Available}$$

| | |
|--------------------------------------|-------------|
| Conservative (56.14%/55) x 100 = | 45.96 |
| Liberal Democrat (31.58%/55) x 100 = | 25.85 |
| Independent Group (8.77%/55) x 100 = | <u>7.18</u> |
| TOTAL | 78.99 |

10. After undertaking the above calculation for each of the political groups represented on the Council, the notional entitlement to seats is as follows:

| | |
|-------------------|----------|
| Conservative | 46 |
| Liberal Democrat | 26 |
| Independent Group | <u>7</u> |
| TOTAL | 79 |

11. Councillors who do not join a group will have **no** entitlement to seats on committees and do not have to be allocated seats on any committee. Seats can be allocated to these members, however, at the discretion of the Council. Although the appointment of non-group members to any bodies technically upsets the political balance calculations, Council may make these appointments so long as there is no dissent expressed by any councillor (known as a "no dissent" alternative).

12. Three committees specifically had been affected due to their size or their composition before the mid-year change to the political balance: Planning, Licensing and Employment.

- (a) **Planning Committee** (14 seats) should be:
Conservatives – 8 seats (was 8)
Liberal Democrats – 5 seats (was 4)
Independent Group – 1 seat (was 2)
- (b) **Licensing Committee** (15 seats) should be:
Conservatives – 9 seats (was 8 seats; currently 9, one of whom is Cllr Riley)
Liberal Democrats – 5 seats (was 5 seats; currently 5)
Independent Group – 1 seat (was 2 seats, one of whom was Cllr Riley; currently 1)

The Conservative Group has supported Councillor Riley's request to continue serving on the Licensing Committee, therefore there is no need for any adjustment.

- (c) **Employment Committee** (7 seats) should be:
Conservatives - 4 seats (was 5)
Liberal Democrats - 2 seats (was 2)
Independent Group - 1 seat (was 0)

13. Council must also address the overall allocation of seats to best meet the notional entitlement to seats given at paragraph 10, which takes precedence over the allocation of seats on any individual committee. The political group leaders have agreed to make a manual adjustment to the Employment Committee membership, which will become:

Conservatives – 4 seats
Liberal Democrats – 3 seats
Independent Group – 0 seats

14. This adjustment satisfies the legal requirement to meet the notional entitlement to seats. **Appendix A** sets out the political group leaders' recommended allocation of seats. The nominations of political groups to seats on committees, including substitute members, are set out in **Appendix B**.

Standards Committee

15. The Standards Committee is not subject to the political balance requirements of the Local Government and Housing Act 1989. It is also the only Council committee for which the nominations are made by the full Council rather than by the political groups, to demonstrate that the representatives command the support of the whole authority, regardless of party political loyalties. The Constitution requires that the Standards Committee include at least 6 district councillors, and that it should include representatives from all groups represented on the Council and be constituted to ensure that no one political group dominates (Article 9).

16. The current district council membership of the Standards Committee is:

Cllr Nigel Cathcart, Labour (non-group)
Cllr Roger Hall, Conservative
Cllr Janet Lockwood, Liberal Democrat
Cllr Cicely Murfitt, Independent (non-group)
Cllr Tony Orgee, Conservative
Cllr Alex Riley, Conservative
Cllr Jim Stewart, Liberal Democrat

17. Bearing in mind that the overall composition, membership and responsibilities of the Standards Committee will be reviewed by Council in early 2012, and that the existing members have all received the support of the whole authority to serve as the District Council’s representatives, it is recommended that the existing membership of the Standards Committee continue for the remainder of the 2011/12 municipal year.

Mandatory Training Requirements

18. Political groups have been reminded that members and substitute members of Planning, Licensing and Employment may serve on these bodies only once they have received the necessary training.

Options

19. The requirement to allocate seats according to political groups’ proportionate strengths can be overridden by some other arrangement, either in relation to all committees, sub-committees and other bodies or in relation to any individual committee, sub-committee or other body, provided that no councillor votes against the alternative arrangement when it is proposed (a “no dissent” alternative).

Implications

| | |
|--------------------------------------|--|
| 20. Financial | The cost of servicing these committees will be met through the existing budgets. |
| Legal | As set out in the body of the report. |
| Staffing | None. |
| Risk Management | None. |
| Equality and Diversity | The Council is under a statutory duty to ensure that equality and diversity is a key part of the decision making process of the Council. Therefore, attention is drawn to the importance of ensuring that appointments to committees are underpinned by appropriate training on the statutory equality framework. The introduction of essential member training provides the assurance that members of committees will be able to fulfil their obligations with a full understanding of equality and diversity issues. This is fundamental to the Council being able to meet its statutory responsibilities. However, consideration must be given to members not completing the training or not attending, and the steps to be taken in these circumstances, once the member has been appointed. |
| Equality Impact Assessment completed | No. Not applicable. |
| Climate Change | None. |

Consultations

21. Consultation has been undertaken in respect of this report with the Leaders of each of the political groups represented on the Council. Their agreement has been obtained to the calculations relating to the allocations of seats on committees and their respective nominations have been put before Council for approval.

Consultation with Children and Young People

22. None. This is strictly a matter for councillors.

Effect on Strategic Aims

23. Appointing members to the committees, in accordance with the political balance of the Council, and the associated allocation of seats on committees, will enable the Council to properly discharge its functions.

Conclusions / Summary

24. The Council is recommended to confirm the calculations relating to the allocation of seats on committees and to appoint the nominations of political groups to committees. In addition, the Council is recommended to appoint the Chairmen and Vice-Chairmen of Committees.

Background Papers: the following background papers were used in the preparation of this report: Local Government and Housing Act 1989
Local Government (Committees and Political Groups) Regulations 1990
Council agendas and minutes

Contact Officer: Holly Adams – Democratic Services Team Leader
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Re-allocation of seats as recommended by political group leaders

| Body | Size | Conservatives | Liberal Democrats | Independent Group |
|------------------------------------|-------------|----------------------|--------------------------|--------------------------|
| Climate Change Working Group | 10 | 6 | 3 | 1 |
| Corporate Governance | 7 | 4 | 2 | 1 |
| Electoral Arrangements | 7 | 4 | 2 | 1 |
| Employment | 7 | 4 | 3 | 0 |
| Licensing | 15 | 9 | 5 | 1 |
| Planning | 14 | 8 | 5 | 1 |
| Planning Enforcement Sub-Committee | 7 | 4 | 2 | 1 |
| Scrutiny and Overview | 12 | 7 | 4 | 1 |
| Total Seats | 79 | 46 | 26 | 7 |

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Group nominations to Council bodies for remainder of 2011/12 (changed highlighted in *bold italics*)

| Body | Notes | Conservatives | Liberal Democrats | Independent Group | Non-Group ¹ |
|-----------------------------------|--|---|---|---|--|
| Climate Change Working Group | 10 members (6 Conservative, 3 Liberal Democrat, 1 Independent Group) No restriction on Cabinet members serving | David Bard Tom Bygott Mick Martin Ted Ridgway Watt Peter Topping David Whiteman-Downes Substitutes: 1) Roger Hall 2) Richard Barrett 3) Tony Orgee 4) Ben Shelton | Jose Hales Stephen Harangozo Bridget Smith Substitutes: 1) Liz Heazell 2) Trisha Bear 3) Janet Lockwood 4) Hazel Smith | Douglas de Lacey Substitutes: 1) Sally Hatton 2) 3) 4) | |
| Constitution Review Working Party | <i>Ex-officio:</i> Leader Deputy Leader Chairman of Council Chairman or Vice-Chairman of Scrutiny and Overview Committee <i>Nominations:</i> 1 representative of each of the recognised political groups | no appointment Substitutes: 1) Roger Hall 2) Richard Barrett 3) 4) | Jim Stewart Substitutes: 1) Janet Lockwood 2) 3) 4) | Mike Mason Substitutes: 1) Neil Scarr 2) 3) 4) | Nigel Cathcart (seat accepted from Conservative group) |
| Corporate Governance | 7 members (4 Conservative, 2 Liberal Democrat, 1 Independent Group) Cabinet members may serve as substitutes but not as committee members. Scrutiny and Overview Committee Chairman may be a member, but may not be Chairman. | Richard Barrett Francis Burkitt David McCraith Charlie Nightingale Substitutes: 1) Ted Ridgway Watt 2) Ben Shelton 3) Roger Hall 4) Raymond Matthews | John Batchelor John Williams Substitutes: 1) Bridget Smith 2) Lynda Harford 3) Liz Heazell 4) | Douglas de Lacey Substitutes: 1) 2) 3) 4) | |

¹ Seats offered by political groups to non-group members come from the political group's initial allocation.

| Body | Notes | Conservatives | Liberal Democrats | Independent Group | Non-Group ¹ |
|------------------------|---|--|---|--|------------------------|
| Electoral Arrangements | <p>7 members (4 Conservative, 2 Liberal Democrat, 1 Independent Group)</p> <p>Cabinet members may serve as substitutes but not as committee members.</p> | <p>Roger Hall Raymond Matthews Robert Turner Bunty Waters</p> <p>Substitutes: 1) Mick Martin 2) David McCraith 3) Val Barrett 4) Richard Barrett</p> | <p>Hazel Smith Edd Stonham</p> <p>Substitutes: 1) Sebastian Kindersley 2) 3) 4)</p> | <p>Mike Mason</p> <p>Substitutes: 1) Neil Scarr 2) 3) 4)</p> | |
| Employment | <p>7 members (4 Conservative, 3 Liberal Democrat)</p> <p>Cabinet member with responsibility for staffing required to serve – this is included as one of the seats allocated to that party, not as a separate seat.</p> | <p>David Bard Brian Burling Pippa Corney Simon Edwards Alex Riley -1 (to be announced at Council meeting)</p> <p>Substitutes: 1) Val Barrett 2) Richard Barrett 3) Charlie Nightingale 4) Tony Orgee</p> | <p>John Batchelor Liz Heazell Jim Stewart</p> <p>Substitutes: 1) Lynda Harford 2) Sebastian Kindersley 3) 4)</p> | <p>Alex Riley</p> | |

| Body | Notes | Conservatives | Liberal Democrats | Independent Group | Non-Group ¹ |
|-----------|---|--|---|---|---|
| Licensing | <p>15 members (9 Conservative, 5 Liberal Democrat, 1 Independent Group)</p> <p>Cabinet member with responsibility for licensing may serve – this is included as one of the seats allocated to that party, not as a separate seat</p> | <p>Richard Barrett Val Barrett Alison Elcox Roger Hall Raymond Matthews David McCraith Charlie Nightingale Alex Riley Ben Shelton</p> <p>Substitutes: 1) David Bard 2) 3) 4)</p> | <p>Trisha Bear Jose Hales Liz Heazell Janet Lockwood</p> <p>Substitutes: 1) Hazel Smith 2) 3) 4)</p> | <p>Sally Hatton Alex Riley</p> <p>Substitutes: 1) Neil Scarr 2) 3) 4)</p> | <p>Cicely Murfitt (seat accepted from Liberal Democrat group)</p> <p>Substitutes: 1) Nigel Cathcart (seat accepted from Liberal Democrat group)</p> |
| Planning | <p>14 members (8 Conservative, 5 Liberal Democrat, 1 Independent Group)</p> <p>Cabinet member with responsibility for development control may serve – this is included as one of the seats allocated to that party, not as a separate seat</p> | <p>Val Barrett Brian Burling Pippa Corney Caroline Hunt Mervyn Loynes David McCraith Charlie Nightingale Robert Turner</p> <p>Substitutes: 1) David Bard 2) Ben Shelton 3) Richard Barrett 4) Raymond Matthews</p> | <p>Trisha Bear Lynda Harford Tumi Hawkins Sebastian Kindersley Hazel Smith</p> <p>Substitutes: 1) Jose Hales 2) John Batchelor 3) Jim Stewart 4)</p> | <p>Sally Hatton or Deborah Roberts (to be notified at Council meeting)</p> <p>Substitutes: 1) Neil Scarr 2) Mike Mason 3) Douglas de Lacey 4)</p> | |

| Body | Notes | Conservatives | Liberal Democrats | Independent Group | Non-Group ¹ |
|--|--|---|---|--|------------------------|
| Planning Enforcement Sub-Committee (for appointment by Planning Committee at its next meeting) | 7 members (4 Conservative, 2 Liberal Democrat, 1 Independent Group) All members and substitute members must be members of Planning Committee | Val Barrett Pippa Corney Mervyn Loynes Charlie Nightingale Substitutes: 1) Brian Burling 2) David McCraith 3) Robert Turner 4) Caroline Hunt | Sebastian Kindersley Hazel Smith Substitutes: 1) Lynda Harford 2) Tumi Hawkins 3) 4) | Sally Hatton or Deborah Roberts (to be notified at Council meeting, subject to decision made about Planning Committee membership) Substitutes: 1) 2) 3) 4) | |
| Scrutiny and Overview | 12 members (7 Conservative, 4 Liberal Democrat, 1 Independent Group) No executive members may serve | Alison Elcox Roger Hall James Hockney Clayton Hudson Ted Ridgway Watt Ben Shelton Bunty Waters David Whiteman-Downes Substitutes: 1) Richard Barrett 2) Charlie Nightingale 3) Val Barrett 4) | Jose Hales Tumi Hawkins Liz Heazell Bridget Smith Substitutes: 1) Lynda Harford 2) John Batchelor 3) Edd Stonham 4) | Mike Mason Substitutes: 1) Deborah Roberts 2) Sally Hatton 3) 4) | |

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council

24 November 2011

AUTHOR/S: Executive Director (Corporate Services) / Legal and Democratic Services
Manager

CALENDAR OF COUNCIL MEETINGS FOR THE 2012/13 CIVIC YEAR**Purpose**

1. To recommend a programme of meetings for the 2012/13 Civic Year (May-May) for consideration and agreement by Council in accordance with Standing Order 2.1. This is not a key decision, but has been in the Forward Plan since August 2011.

Recommendations

2. That Council resolve that meetings during the 2012/13 Civic Year be scheduled to take place at 2 pm on the following dates:
 - (a) Thursday 26 July 2012
 - (b) Thursday 27 September 2012
 - (c) Thursday 22 November 2012
 - (d) Thursday 31 January 2013
 - (e) Thursday 28 February 2013 (Budget)
 - (f) Thursday 25 April 2013
 - (g) Thursday 23 May 2013 (Annual)

Reasons for Recommendations

3. It is considered that a schedule of seven Council meetings per year best provides a timely forum in which all Councillors can debate issues of concern to the district.

Considerations

4. It is proposed that five ordinary meetings be scheduled during the 2012/13 Civic Year, plus a meeting to set the budget in February 2013 and an Annual Meeting in May 2013.
5. The meetings schedule aims to make best use of members' and senior officers' time and it has already been acknowledged that business likely to be considered at the 31 January 2013 meeting could be carried over to the 28 February 2013 meeting. Bringing the January 2013 meeting forward a week does not match proposed meeting dates for Cabinet and Scrutiny and Overview Committee, and conflicts with meetings already scheduled by other authorities. Members are asked to include the 31 January 2013 meeting date in their diaries at this point, but to note that the meeting could be cancelled.
6. Cambridgeshire County Council and Cambridge City Council both operate on a two-yearly meetings cycle to allow greater forward planning, and so have already set their meetings and joint meetings for 2012/13 and 2013/14 and South Cambridgeshire District Council meetings will need to fit around dates of joint committee meetings and meetings of the full County Council so joint committee and dual-hatted members are able to meet all their commitments.

7. The meeting dates proposed take into account already scheduled meetings of Cambridgeshire County Council, the Joint Development Control Committee: Cambridge Fringes, school and bank holidays, and party conferences.
8. The proposed meeting dates are set out in the following table, providing for the same number of meetings as in the three previous civic years:

| Date | Type of meeting |
|-------------------|-----------------|
| 26 July 2012 | Ordinary |
| 27 September 2012 | Ordinary |
| 22 November 2012 | Ordinary |
| 31 January 2013 | Ordinary |
| 28 February 2013 | Budget |
| 25 April 2013 | Ordinary |
| 23 May 2013 | Annual |

Implications

| | |
|--------------------------------------|--|
| 9. Financial | The cost of Members' travelling expenses remains at around £375 per meeting. The cost of paper and postage remains at around £110 per meeting of the full Council. The agreement of additional Council meetings would result in these costs rising proportionally. |
| Legal | There is a legal requirement for the whole Council to meet at certain times to carry out functions only it can perform such as appointing committees and deciding the budget. There is no required number for ordinary meetings. In years where there are no election to be held, such as 2013, the Annual Meeting must be held in March, April or May. |
| Staffing | A higher number of meetings would entail a proportionately greater demand on senior officer time. |
| Risk Management | None specific. |
| Equality and Diversity | None specific. |
| Equality Impact Assessment completed | No. Setting the meetings schedule is largely an administrative process. |
| Climate Change | The Council meeting schedule is dictated by the business needs of the authority to ensure that there is a regular forum for members' debates. Workshops, training events and other meetings are regularly scheduled on the same day as meetings of the full Council to maximise attendance and opportunities for car sharing or use of public transportation, and to minimise the number of journeys to and from the Council office. These are primarily scheduled during the day to minimise additional heating / cooling, lighting and electricity requirements outside of regular office hours, in accordance with the 2011/12 Council approach to promote low-carbon living, and the South Cambridgeshire Climate Change Action Plan, which states "The vision is for South Cambridgeshire, by the end of 2013, to stand out as a local area leader in its contribution towards the national target of reducing greenhouse gas emissions by a third in the next ten years". (See also Nottingham Declaration on Climate Change and the Council's 10:10 commitment) |

Consultations

10. The following were consulted on the provisional schedule of meetings and start times:
- (a) Leader of Council;
 - (b) Major Opposition Group Leader;
 - (c) Acting Convenor of the Independent Group;
 - (d) Senior Management Team;
 - (e) Executive Management Team;
 - (f) Head of Accountancy, who has confirmed that the proposed schedule does not pose any problem, particularly for the date of the February 2012 budget-setting meeting;
 - (g) Equality and Diversity Officer, who noted that a partial Equality Impact Assessment on the timing of meetings had been conducted and its finding that there was no one meetings time suitable to all had been accepted by the Equality and Diversity Steering Group;
 - (h) Team Leader (Communities) as lead officer for sustainability and climate change issues, who provided the climate change implications detailed above;
 - (i) Cambridgeshire County Council, which confirmed that the proposed meeting dates do not clash with its Council meetings; and
 - (j) Cambridge City Council, which confirmed that the proposed meeting dates do not clash with joint committee meetings.

Consultation with Children and Young People

11. None.

Effect on Strategic Aims

12. The scheduling of an appropriate number of Council meetings at which the policy and budgetary frameworks are agreed (and amended where necessary) and other business dealt with in accordance with Article 4 of the Constitution, is essential to the efficient and effective operation of the whole organisation. It is considered that a schedule of seven Council meetings per year best provides a timely forum in which all Councillors can debate issues of concern to the district, whilst allowing Officers and Members sufficient time between formal meetings to progress work towards meeting the Council's strategic aims.

Conclusions / Summary

13. The proposed meeting dates are almost identical to those of previous years, and have been found to provide a timely forum for conducting Council business.

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

SCDC Constitution
Nottingham Declaration on Climate Change
South Cambridgeshire Climate Change Action Plan
10:10 Campaign carbon reduction commitment

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