



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

COUNCIL MEETING
THURSDAY, 27 NOVEMBER 2014

AGENDA AND REPORTS

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

OUR LONG-TERM VISION

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

OUR VALUES

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

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

EXCLUSION OF PRESS AND PUBLIC

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, 27 NOVEMBER 2014

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

DATED 19 November 2014

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

PRESENTATION

To receive a presentation from Neil Darwin, Acting Chief Executive of the Greater Cambridge Greater Peterborough Enterprise Partnership, on the role of the Enterprise Partnership.

1. APOLOGIES

To receive Apologies for Absence from Members.

2. DECLARATIONS OF INTEREST

To receive any declarations of interest for items on this agenda.

3. REGISTER OF INTERESTS

Members are requested to inform Democratic Services of any changes in their Register of Members' Financial and Other Interests form.

4. MINUTES

To authorise the Chairman to sign the Minutes of the meeting held on the 25 September 2014 as a correct record.

(Pages 1 - 12)

5. ANNOUNCEMENTS

To receive any announcements from the Chairman, Leader, the Executive or the Head of Paid Service.

6. QUESTIONS FROM THE PUBLIC

To note that no questions from the public have been received.

7. PETITIONS

To note that no petitions for consideration by Full Council have been received since the last meeting.

8. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

**8 (a) Greater Cambridge City Deal Governance Arrangements
(Cabinet, 16 October 2014 and 13 November 2014)**

Cabinet **RECOMMENDED** that Full Council:

- (a) Approve the Terms of Reference for the Executive Board.
- (b) Approve the delegation of the Council's functions referred to in 4.3 of the Terms of Reference for the Executive Board
- (c) Appoint the Leader of the Council to represent the Council on the Executive Board.
- (d) Appoint a Member as the Council's substitute representative on the Executive Board.
- (e) Approve the Terms of Reference for the Assembly.
- (f) Authorise the Leader of the Council to appoint the Council's three representatives on the Assembly, in accordance with the proportionality principles set out in paragraphs 19 and 20 of this report.

Reports considered by Cabinet at its meetings on 16 October 2014 and 13 November 2014 can be accessed via the following link:

<http://tinyurl.com/pb9ve2u>

The proposed Terms of Reference and Standing Orders for the Greater Cambridge City Deal Executive Board and Assembly are attached.

(Pages 13 - 28)

**8 (b) Planning Committee Scheme of Delegation
(Planning Committee, 5 November 2014)**

The Planning Committee endorsed the revised planning scheme of delegation, as attached, and **RECOMMENDED** its approval by Full Council.

A copy of the report considered by the Planning Committee can be accessed via the following link:

<http://tinyurl.com/p4I7lft>

(Pages 29 - 32)

9. QUESTIONS ON JOINT MEETINGS

To note that no questions on joint meetings have been received.

10. QUESTIONS FROM COUNCILLORS

10 (a) From Councillor John Williams

"With Fulbourn and Great Wilbraham being subject to chaos caused by road works associated with cabling for a solar farm authorised by the discharge of planning conditions by this authority, without notice to local members or the parish councils, does the Planning Portfolio Holder agree with me that, although officers are under no legal obligation to inform let alone consult with local members or parish councils in these circumstances, this example shows that it would be beneficial and good practice for the local members and the parish councils directly affected to be given the opportunity to comment when this authority is minded to discharge planning conditions and would he ensure that this is done in future?"

10 (b) From Councillor Bridget Smith

"Could the Leader explain the process by which partner authorities were selected for shared services and in particular how each successful authority was judged to be appropriate as the lead authority?"

10 (c) From Councillor Jonathan Chatfield

"Could the Leader please outline all contact between South Cambridgeshire District Council and Persimmon Homes in the last 12 months and any proposed future contact?"

11. NOTICES OF MOTION

11 (a) Standing in the name of Councillor John Williams (debate adjourned at previous meeting)

Debate on Councillor John Williams' motion regarding the merging of Cambridge City Council and South Cambridgeshire District Council kerb side waste collection services was adjourned at the last meeting, to allow for Cabinet to consider a detailed business case on the proposals. Cabinet considered the business case at its meeting on 16 October 2014 and Councillor Williams has subsequently asked for his original motion to be withdrawn.

11 (b) Standing in the name of Councillor Robin Page

"That this Council no longer includes its two paragraphs '*Our Long-Term Vision*' on any of its documents and agendas and removes the '*Our Values*' item from the same documents.

The long term vision is quite clearly self-delusional and no longer appropriate in view of the development being imposed on South Cambridgeshire, whereas '*Our Values*' clearly replaces individual responsibility and judgement with corporate hype. This should have no part in the work of South Cambridgeshire District Council."

11 (c) Standing in the name of Councillor Aidan Van de Weyer

"This Council agrees that all votes, except for those taken by affirmation and for appointments, be recorded in the manner described in Standing Order 16.5 (Recorded Vote) and that the Constitution be amended accordingly".

12. DATES OF FUTURE MEETINGS 2015/16

To approve the following meeting dates for the 2015/16 municipal year:

21 May 2015
23 July 2015
24 September 2015
26 November 2015
28 January 2016
25 February 2016

13. CHAIRMAN'S ENGAGEMENTS

To note engagements attended by the Chairman and Vice-Chairman since the last Council meeting:

Date	Event	Attended by
26 September 2014	Opening of refurbished Cam pumping station, Waterbeach Level Internal Drainage Board	Chairman
4 October 2014	Opening of Harston Village Hall refurbishment	Vice-Chairman
10 October 2014	Garden Competition Awards Night, Scotsdales Garden Centre	Chairman and Vice-Chairman
12 October 2014	Mayor of Godmanchester Civic Service & Reception, St Mary's Church Godmanchester	Vice-Chairman
12 October 2014	Mayor of St Edmundsbury Suffolk Harvest Festival, St Edmundsbury Cathedral	Vice-Chairman
19 October 2014	Mayor of March Civic Service, St Peter's Church, March	Vice-Chairman
28 October 2014	Opening of Audley Way Horseheath – Passivhaus standards	Chairman
7 November 2014	SCDC Chairman's Reception, Madingley Hall	Chairman and Vice-Chairman
9 November 2014	Remembrance Sunday, Sawston Memorial Service	Chairman
11 November 2014	Veterans Day Ceremony, Cambridge American Cemetery, Coton	Chairman
11 November 2014	SCDC Remembrance Day flag raising	Vice-Chairman

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

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- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from 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.

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We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

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Disturbance by Public

If a member of the public interrupts proceedings at a meeting, 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. The meeting will be suspended until order has been restored.

Smoking

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is 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

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Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Council held on
Thursday, 25 September 2014 at 2.00 p.m.

PRESENT: Councillor David Bard – Chairman
Councillor Sue Ellington – Vice-Chairman

Councillors: Richard Barrett, Val Barrett, Henry Batchelor, Anna Bradnam, Francis Burkitt, Brian Burling, Nigel Cathcart, Jonathan Chatfield, Pippa Corney, Kevin Cuffley, Neil Davies, Simon Edwards, Alison Elcox, Andrew Fraser, Jose Hales, Roger Hall, Lynda Harford, Philippa Hart, Tumi Hawkins, Roger Hickford, James Hockney, Mark Howell, Peter Johnson, Sebastian Kindersley, Douglas de Lacey, Janet Lockwood, Mervyn Loynes, Ray Manning, Mick Martin, David McCraith, David Morgan, Cicely Murfitt, Charles Nightingale, Tony Orgee, Alex Riley, Deborah Roberts, Neil Scarr, Tim Scott, Ben Shelton, Bridget Smith, Hazel Smith, Jim Stewart, Peter Topping, Robert Turner, Bunty Waters, Aidan Van de Weyer, David Whiteman-Downes, John Williams, Tim Wotherspoon and Nick Wright

Officers:	Alex Colyer	Executive Director, Corporate Services
	Jean Hunter	Chief Executive
	Fiona McMillan	Legal & Democratic Services Manager and Monitoring Officer
	Graham Watts	Democratic Services Team Leader

1. APOLOGIES

Apologies for absence were received from Councillors Tom Bygott, Caroline Hunt, Raymond Matthews, Robin Page and Ed Stonham.

2. DECLARATIONS OF INTEREST

No declarations of interest were made at this stage of proceedings.

3. REGISTER OF INTERESTS

The Chairman reminded Members that they needed to update their register of interests whenever their circumstances changed.

4. MINUTES

The minutes of the meeting held on 5 June 2014 were confirmed and signed by the Chairman as a correct record.

5. ANNOUNCEMENTS

Councillor David Bard, Chairman of the Council, reminded Members that his Chairman's Reception would be held on 7 November 2014.

Councillor Ray Manning, Leader of the Council, welcomed Councillor Robert Turner to his first meeting of Full Council since his appointment as Portfolio Holder of Planning. Councillor Manning also made the following announcements:

- two workshops for Members from Cambridge City Council, Cambridgeshire County Council and South Cambridgeshire District Council on the Infrastructure Programme for the Greater Cambridge City Deal would be held on 2 October 2014 in Cambourne and 10 October 2014 in Cambridge. All Members were encouraged to attend either event;
- meetings were due to be held throughout October at Cambridge City Council, Huntingdonshire District Council and South Cambridgeshire District Council to consider shared services proposals. A report scheduled to be considered by Cabinet on 16 October 2014 would be published earlier than usual on 2 October 2014 to coincide with the publication of the same report by Cambridge City Council and Huntingdonshire District Council.

Members of the Council joined the Chairman by way of a round of applause in congratulating Councillor James Hockney on recently becoming a father for the first time.

6. QUESTIONS FROM THE PUBLIC

No questions from the public had been received.

7. PETITIONS

No petitions had been received.

8. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

8 (a) The Openness of Local Government Bodies Regulations 2014 (Civic Affairs Committee, 25 September 2014)

Councillor Kevin Cuffley, Vice-Chairman of the Civic Affairs Committee, proposed the recommendation contained within the report. The proposal was seconded by Councillor Douglas de Lacey.

Upon being put to the vote Council unanimously **AGREED** to set the level for officer decisions considered as 'materially affecting the Council's financial position' at Level 4 in the Council's Financial Regulations and above, i.e. at present values, over £50,000.

9. MEMBER DEVELOPMENT STRATEGY 2014-17

Councillor David Whiteman-Downes presented the Member Development Strategy for 2014-17 to the Council and proposed that it be approved. Councillor Ray Manning, Leader of the Council, seconded the proposal.

In debating the Strategy, Councillor Douglas de Lacey, Convenor of the Independent Group, was of the opinion that training and development opportunities did not appear to be as flexible and responsive as the Strategy's main objectives indicated. He cited an example whereby a Member of his group had not received Planning Committee training as he had been unable to attend the training session on the one date allocated. Councillors Lynda Harford, Chairman of the Planning Committee, and Robert Turner, former Chairman of the Planning Committee, both indicated that officers had offered one-to-one training to any Member unable to attend the main Planning Committee training session.

Upon being put to the vote Council **APPROVED** the Member Development Strategy for 2014-17.

10. APPOINTMENT TO THE INDEPENDENT REMUNERATION PANEL

Councillor Simon Edwards, Deputy Leader and Portfolio Holder for Finance and Staffing, proposed the recommendations contained within the report. Councillor Sebastian Kindersley seconded the proposal and Council:

- (a) **AGREED** to re-appoint Simon Harris as a member of the Independent Remuneration Panel for a three-year term of office, with an expiry date of 31 July 2017.
- (b) **CONFIRMED** that the level of expenses paid to the individual members of the Independent Remuneration Panel be no more than £200 each per financial year. The final amount payable to be agreed by the Executive Director in consultation with the Leader of the Council.

11. QUESTIONS ON JOINT MEETINGS

No questions on joint meetings were received.

12. QUESTIONS FROM COUNCILLORS**12 (a) From Councillor Peter Johnson**

Councillor Peter Johnson asked the Housing Portfolio Holder the following question:

"Why is a charge of £5 per hour being introduced for use of the Denson Close Waterbeach Sheltered Housing Community Room by the residents of that Sheltered Housing Scheme?"

Councillor Mark Howell, Portfolio Holder for Housing, responded to the question and said that this was not specific to the Waterbeach Sheltered Housing Community Room and that this affected all such facilities across the district. Charging for use of these facilities was considered as part of the sheltered housing review in 2011/12 and a report from that review came to his Portfolio Holder Meeting in February 2012 recommending a regularisation of charges to both internal and external groups. Councillor Howell reported that a significant period of time had been taken to allow for consultation on this issue and as a result of 115 letters being sent to individuals or organisations, only 9 people provided a response. He clarified that if solely for use by internal groups the charge would be £2.50 per hour, whereas the charge was £5 per hour for external groups, where the number of external people exceeded 55% of the group. Councillor Howell reflected on the cost of renting similar facilities, such as village halls or other community rooms, and felt that these charges were very reasonable.

As a supplementary question Councillor Johnson asked whether there were any further hidden charges.

Councillor Howell responded by saying that he had allowed two and a half years for these arrangements to be introduced so did not accept that they were hidden charges.

13. FROM COUNCILLOR KEVIN CUFFLEY

Councillor Kevin Cuffley asked the Leader of the Council the following question:

“Could the Leader explain how the new method of refuse collection will improve the service for residents given that there will be a break in service over the Christmas period?”

Councillor Ray Manning, Leader of the Council, responded to the question and explained that these changes were part of moving towards better working conditions that would eventually deliver a better service and savings. The service would be more resilient, with smarter and quicker routes, and the reduction of green bin collections during winter months when green waste was minimal would add to the potential for savings.

Councillor Manning reflected on the break in service over Christmas and was of the opinion that the way Christmas fell this year, with Christmas Day and Boxing Day being a Thursday and Friday respectively, made the impact seem worse than it was. Councillor Manning made it clear that side-waste would be collected when the rounds returned after the Christmas break.

The Leader added that the Scrutiny and Overview Committee would be asked to review the impact of the new arrangements in the New Year.

14. FROM COUNCILLOR SEBASTIAN KINDERSLEY

Councillor Sebastian Kindersley asked the Leader of the Council the following question:

“Many members of the Council were horrified by the recent appeal decisions at Waterbeach which effectively declared open season on our communities leaving them all vulnerable to unplanned, unsustainable and unwanted developments. Furthermore the decisions effectively destroyed the Council's ambition to have a plan-led development strategy with consequences not only for South Cambridgeshire but also the City of Cambridge.

Could the Leader please outline the steps he and the Cabinet have taken to take control and leadership of the situation relating to the Waterbeach appeal decisions, in particular (but not limited to) details of contact/discussions/meetings with Members of Parliament, Ministers, Government bodies/groups, Parliamentary Select Committees, senior civil servants, the media, other authorities facing the same or similar issues, the Local Government Association and South Cambridgeshire's Parish Councils?”

Councillor Robert Turner, Portfolio Holder for Planning, responded to the question and informed Council that he would be holding regular Portfolio Holder Meetings where any Member could attend and ask questions on this issue. He would also be holding a meeting with all political group leaders on 26 September 2014 and had indicated to officers that he would like regular meetings with the Inspector as part of the examination process.

Councillor Sebastian Kindersley was of the opinion that nothing had been done to change the impact of these decisions at Waterbeach and even the Memorandum of Understanding with Cambridge City Council would not change anything. He did not believe any negotiations with the bodies referred to in his original question had taken place, which he claimed was a complete dereliction of duty and abandonment of leadership, and asked the Portfolio Holder, as a supplementary question, what he intended to do about it.

Councillor Turner referred to an email he sent to all Members of the Council when the initial decision at Waterbeach was announced, in which he invited any Member to contact him if they were of the view that the Council should challenge the decision.

He emphasised that he had not received a single response from any Member of the Council to that email, which made it clear in his mind at the time that the consensus of opinion from the Council was that an appeal should not be submitted. He reiterated that he would meet on a regular basis with the Inspector throughout the examination process and do as much as he could to ensure that the Local Plan went through as soon as practically possible.

Councillor Turner reflected on a number of appeals that had been submitted elsewhere in the country and recent debates held in parliament on this issue, none of which had been successful or had resulted in different outcomes. In closing, he reminded Members that the Council voted through the Local Plan for submission to the Secretary of State in March 2014 and although some Members voted against it, he was of the opinion that the Council would be in a much more difficult position had the Plan not have been submitted at that stage.

15. FROM COUNCILLOR JANET LOCKWOOD

Councillor Janet Lockwood asked the Housing Portfolio Holder the following question:

“Please could the Housing Portfolio Holder tell Council how many developments of six houses or more have been allowed to give commuted sums to the Council in lieu of affordable housing, and how the commuted sums for affordable housing from small developments have been spent over the past ten years?”

Councillor Mark Howell, Portfolio Holder for Housing, reported that in the last five years there had been 78 Section 106 development sites, excluding the Cambridge Southern Fringe strategic sites. For 65 of those developments the affordable housing element had been utilised to generate 940 new affordable homes across the district. Commuted sums had been accepted on the 13 remaining schemes where the Council had waived the right to 32 units for an amount of £945,977. £914,073 of this money had been spent on 14 schemes in the same time period, enabling a further 83 affordable homes to be built which was a ratio of 2.6 new homes for every one unit taken as a commuted sum.

Councillor Howell also highlighted that there had been a significant contribution to the Council's commuted sum pot of over £1 million in respect of new developments in Papworth Everard where there was no requirement for extra affordable homes within the village. A specific programme to spend this money was being developed.

Councillor Lockwood, as a supplementary question, asked how much of the original funding remained and where this was held in the Council's budget.

Councillor Howell confirmed that approximately £31,000 was waiting to be spent and that this currently sat within the Council's housing budget.

15 (a) From Councillor Bridget Smith

Councillor Bridget Smith, Leader of the Liberal Democrat Group, asked the Portfolio Holder for Economic Development the following question:

“The recent performance of our Local Enterprise Partnership (LEP) has been poor in the extreme with proportionally less money awarded to us than to other LEPs. What is this Council planning to do to ensure that our LEP improves its performance and productivity and that South Cambridgeshire in particular derives maximum benefit from the LEP?”

Councillor Nick Wright, Portfolio Holder for Economic Development, reminded the Council that the Greater Cambridge Greater Peterborough Enterprise Partnership was one of five partners for the Greater Cambridge City Deal and was very supportive towards that, as well as being financially supportive with regard to the A14 improvement scheme.

Councillor Wright shared Councillor Smith's disappointment with regard to the first round of growth agenda funding granted to the Local Enterprise Partnership, however, he was confident that with increasing local authority engagement, through the City Deal process in particular, the Partnership should receive a better share of funding in the next round.

Councillor Smith was concerned that there was only four weeks to go before the next bid for growth agenda funding had to be submitted. She felt that residents had a right to know how the Local Enterprise Partnership was spending public money in the area and was particularly interested to understand how the governance model behind the Partnership operated. Councillor Smith therefore asked, as a supplementary question, whether the Council's Corporate Governance Committee would be scrutinising the governance of the Local Enterprise Partnership.

Councillor Wright made the point that the Local Enterprise Partnership's Board made decisions as to the governance model to be used by the wider Partnership. The Corporate Governance Committee at its meeting on 3 September 2014 had expressed an interest in considering the governance of the Local Enterprise Partnership, further to which an invitation had been extended to the Partnership's Chief Executive Officer to attend the next meeting. Due to imminent changes in key personnel at the Partnership it was felt by the Chairman of the Corporate Governance Committee that it was not the appropriate time to follow up this invitation.

16. FROM COUNCILLOR TUMI HAWKINS

Councillor Tumi Hawkins asked the Leader of the Council the following question:

"On 10th February 2012, a High Court Judge ruled that 'The saying of prayers as part of the formal meeting of a Council is not lawful under section 111 of the Local Government Act 1972, and there is no statutory power permitting the practice to continue'.

This Council subsequently and swiftly abolished the long standing practice of saying prayers before Full Council meetings.

On 18 February 2012, this shocking ruling was subsequently overtaken when the Local Government Secretary Eric Pickles announced a major new power contained in the Localism Act 2011 which he fast tracked, to allow local councils to continue to include prayers at meetings. Mr Pickles in announcing the new powers said:

'As a matter of urgency I have personally signed a Parliamentary order to bring into force an important part of the new Localism Act - the general power of competence - that gives councils the vital legal standing that should allow them to continue to hold formal prayers at meetings where they wish to do so.'

'We will stand for freedom to worship, for Parliamentary sovereignty, and for long-standing British liberties.'

This Council has yet to act on this revised directive.

Can the Leader please tell us when this Council will stand up for freedom to worship in this authority and take steps necessary to enable the return of our long standing practice of prayer to be said before Full Council meetings?"

Councillor David Bard, Chairman of the Council, answered the question and confirmed that changes to the practice of saying prayers at meetings of Full Council occurred as a result of the Chairman's discretion when Councillor Jim Stewart was Chairman of the Council seven years ago and was nothing to do with the court ruling in 2012. Councillor Bard would continue the practice of allowing those in attendance to have a moment's reflection in silence before the commencement of proceedings so that individuals could choose to do whatever they wanted in accordance with their own personal beliefs.

17. NOTICES OF MOTION

17 (a) Standing in the name of Councillor Robin Page

This notice of motion was **DEFERRED** to the next meeting.

17 (b) Standing in the name of Councillor Sebastian Kindersley

Councillor Sebastian Kindersley proposed the following motion:

"This Council welcomes the increased funding and improved coordination that the City Deal will bring. However the emerging details of the undemocratic decision-making process and inadequate scrutiny structure raise profound concerns. The current proposals can only be acceptable if the City Deal is a stepping stone towards a unitary authority.

This Council therefore requests that the Cabinet and officers begin actively working towards the creation of a unitary council, in particular by engaging with neighbouring councils, political groups and central government. This should be done as publicly and transparently as possible, for example through a joint working party, so that the whole electorate can be informed and involved in the discussion."

Councillor Kindersley made it clear that the purpose of this motion was not to commit the Council in anyway, but simply to ask that preliminary work commenced on the concept of creating a unitary authority. With significant partnership working already occurring between Councils in Cambridgeshire, or likely to occur in the near future, through various shared services proposals and the Greater Cambridge City Deal he felt that it was the right time and an ideal opportunity to explore the creation of a unitary authority.

Reflecting on what he perceived as being a great deal of confusion experienced by residents in understanding which services were the responsibility of Parish Councils, the District Council and the County Council, Councillor Kindersley felt that a unitary authority arrangement would make much more sense to them. He also listed a number of Councils in the last three years who had established unitary arrangements whereby tens of millions of pounds in each case had been saved as a result.

Councillor Deborah Roberts seconded the proposal and was in favour of investigating the prospect of a unitary authority, especially in view of the amount of money that she felt could be saved.

In debating the motion, the following comments were made:

- a unitary authority brought with it strategic advantages, particularly with regard to planning, transport and housing;
- the proposed governance arrangements for the Greater Cambridge City Deal meant that from 2019 the Local Plan would in fact be decided by the three Leaders of the three partner Councils and representatives from the Local Enterprise Partnership and University, rather than by this Council. It would therefore be better for a unitary authority to be established with proper control and influence over all of its areas of responsibility, with proper democracy;
- the motion was solely proposing an evidence gathering exercise to enable the Council, at the relevant time, to make an informed decision on whether or not to establish a unitary authority;
- South Cambridgeshire District Council and Cambridgeshire County Council had two completely different focuses, so a unitary authority in this area would not be well-suited. The District Council was focused on 'place' in terms of services such as planning, housing, street cleaning, and waste collection whereas the County Council had a focus on 'people' through services such as education and social services for example. There were naturally cross-overs, but the primary focuses were very different;
- the City Deal, and other shared services proposals, sought to identify strategic partners for those services that could be delivered jointly, enabling the Council to draw on the knowledge and experience of other partners to improve the level of service for residents;
- it was clear from Ministers that combined authorities were seen as the way forward, rather than unitary authorities. A combined authority for the City Deal, should such an arrangement be introduced, would see transport powers transferred from the County Council for the first time;
- the City Deal had been considered and worked up in partnership for the last two years and it should be given an opportunity to progress. The three partner Councils would be asked to make a definitive decision on the City Deal proposals in due course, meaning that this issue would be debated at a meeting of Full Council.

Voting on the motion, with 19 votes in favour, 32 votes against and 1 abstention, the motion was lost.

Enough Members as prescribed by the Council's Standing Orders requested a recorded vote. Votes were therefore cast as follows:

In favour

Councillors Henry Batchelor, Anna Bradnam, Jonathan Chatfield, Neil Davies, Jose Hales, Philippa Hart, Tumi Hawkins, Peter Johnson, Sebastian Kindersley, Douglas de Lacey, Janet Lockwood, Mervyn Loynes, Cicely Murfitt, Deborah Roberts, Bridget Smith, Hazel Smith, Jim Stewart, Aidan Van De Weyer and John Williams.

Against

Councillors Richard Barrett, Val Barrett, Francis Burkitt, Brian Burling, Nigel Cathcart, Pippa Corney, Kevin Cuffley, Simon Edwards, Alison Elcox, Sue Ellington, Andrew Fraser, Roger Hall, Lynda Harford, Roger Hickford, James Hockney, Mark Howell, Ray Manning, Mick Martin, David McCraith, David Morgan, Charles Nightingale, Tony Orgee, Alex Riley, Neil Scarr, Tim Scott, Ben Shelton, Peter Topping, Robert Turner, Bunty Waters, David Whiteman-Downes, Tim Wotherspoon and Nick Wright.

Abstention

Councillor David Bard.

18. STANDING IN THE NAME OF COUNCILLOR JAMES HOCKNEY

Councillor James Hockney proposed the following motion:

“The Council expresses disappointment with the recent decisions by Planning Inspector Pete Drew, allowing appeals against refusal of planning permission for developments on Cody Road and Bannold Road Waterbeach. These have given rise to considerable uncertainty and anxiety, especially among residents of my ward, concerning development of land not allocated for housing either in the current Local Development Framework or the submission Local Plan.

The Council welcomes the agreement between Cambridge City Council and South Cambridgeshire District Council on a Memorandum of Understanding that the phasing of housing delivery across the two areas should be taken together, including for calculating the five-year land supply.

The Council also looks to the inspector heading the public examination into the Cambridge City and South Cambridgeshire Local Plans to provide clarity on the five-year land supply question at the earliest opportunity so to protect communities like Waterbeach from speculative developments.”

Councillor Hockney reflected on the loss of the Barracks at Waterbeach and the significant impact that this had on the village, coupled with the threat of a new town as part of the Council’s submission Local Development Plan. An important aspect set out in the Local Plan from the perspective of the community of Waterbeach was the partial separation between the village and the proposed town. Councillor Hockney said that these decisions by the Planning Inspector had now taken this partial separation away, with another 57 applications having been approved which were originally refused by the Council’s Planning Committee. He was pleased that the Committee refused the applications, as he was of the view that this sent a signal out to developers that South Cambridgeshire District Council was not afraid to refuse applications just because of the risk of losing a planning appeal.

Councillor Hockney went on to state that this was not just an issue for Waterbeach, but could relate to any community in South Cambridgeshire that had speculative development coming forward.

Councillor Alison Elcox seconded the proposal and agreed that this issue affected every ward in South Cambridgeshire.

Councillor Sebastian Kindersley proposed an amendment to remove the last paragraph of the motion and replace it with the following:

“This Council formally and respectfully requests that the Inspector moves consideration of all housing land supply issues to the start of the Inquiry proceedings.”

The proposer and seconder of the original motion accepted the amendment, which became the substantive motion.

It was proposed by Councillor Ray Manning and seconded by Councillor Alex Riley that the motion be put to the vote, further to which Council unanimously **AGREED** the following motion:

“The Council expresses disappointment with the recent decisions by Planning Inspector Pete Drew, allowing appeals against refusal of planning permission for developments on Cody Road and Bannold Road Waterbeach. These have given rise to considerable uncertainty and anxiety, especially among residents of my ward, concerning development of land not allocated for housing either in the current Local Development Framework or the submission Local Plan.

The Council welcomes the agreement between Cambridge City Council and South Cambridgeshire District Council on a Memorandum of Understanding that the phasing of housing delivery across the two areas should be taken together, including for calculating the five-year land supply.

This Council formally and respectfully requests that the Inspector moves consideration of all housing land supply issues to the start of the Inquiry proceedings.”

19. STANDING IN THE NAME OF COUNCILLOR JOHN WILLIAMS

Councillor John Williams proposed the following motion:

“With negotiations going on between South Cambridgeshire District Council and Cambridge City Council on the merging of the kerb side waste collection service of the two authorities, this Council wants to see as a result of any such merger no further deterioration in quality and frequency of its household refuse collection service which has seen the South Cambridgeshire household recycling rate be far better than that of the city.”

Councillor Williams was concerned about the changes to refuse collection rounds over the Christmas period this year and the impact that this would have on the level of service provided to residents. He was also keen to ensure that the high level of service provided by South Cambridgeshire District Council with regard to refuse collection did not deteriorate as a result of entering into a shared service with Cambridge City Council.

Councillor Bridget Smith seconded the proposal.

Councillor Alex Riley proposed the deletion of the words ‘further’ and ‘quality and frequency of’ so that the motion read:

“With negotiations going on between South Cambridgeshire District Council and Cambridge City Council on the merging of the kerb side waste collection service of the two authorities, this Council wants to see as a result of any such merger no deterioration in its household refuse collection service which has seen the South Cambridgeshire household recycling rate be far better than that of the city.”

This amendment was accepted by the original proposer and seconder and became the substantive motion.

Councillor Douglas de Lacey proposed an amendment to replace the words ‘wants to see’ with the word ‘insists’. The amendment was not accepted by the proposer of the original motion and so the amendment was withdrawn.

Councillor Mick Martin, Portfolio Holder for Environmental Services, welcomed the positive comments about the performance of the refuse collection service. He made it clear that the first principle of operating a shared service was that it must provide the same or better service to residents. A document outlining the business case for the proposed shared service arrangement would be published shortly for consideration by the Council's Cabinet, the details of which were confidential at this stage. Councillor Martin was of the opinion that any decision made on the motion at this meeting would be premature and could potentially obstruct the proposals contained within the Cabinet report.

In view of Councillor Martin's comments, Councillor Alex Riley proposed that the Council adjourned debate of this motion to enable Cabinet to consider the report on the shared services proposal at its October meeting. Councillor de Lacey seconded the proposal and Council **ADJOURNED** the debate of this motion.

20. **STANDING IN THE NAME OF COUNCILLOR AIDAN VAN DE WEYER**

Councillor Aidan Van de Weyer moved the following motion:

"While recognising that the new town of Northstowe requires a huge amount of infrastructure investment from developers and that affordable housing obligations must allow developments to be economically viable, this Council is concerned that affordable housing provision in Northstowe is being squeezed down to a level that threatens the sustainability of the new town and the contribution that it can make to the district-wide supply of social housing.

This Council reiterates its support for the planning policies concerning affordable housing.

This Council expects the Homes and Communities Agency to agree that all information about viability is made public so that the decisions on this matter can be fully scrutinised."

Councillor Van de Weyer reflected on the good work taking place at Northstowe, particularly with regard to public transport within the town and good links to Cambridge, the inclusion of attractive and safe cycling facilities and decent educational facilities from the outset, but was of the opinion that there was still a lot to do to get it right. He felt that the people who lived there needed to form a sustainable community and that almost all of the market housing would be beyond the reach of any family that did not have two very good incomes. Councillor Van de Weyer was therefore keen to ensure that the level of affordable housing for Northstowe was as near to 40% as possible.

Councillor Tim Wotherspoon, Portfolio Holder for Strategic Planning and Transportation, seconded the proposed.

Council unanimously **AGREED** the motion.

21. **CHAIRMAN'S ENGAGEMENTS**

Council noted those engagements attended by the Chairman and Vice-Chairman since the last meeting.

It was noted that the Vice-Chairman had not attended the photo call with the Minister on 30 July 2014 due to a cancellation.

The Meeting ended at 3.50 p.m.

GREATER CAMBRIDGE CITY DEAL EXECUTIVE BOARD

TERMS OF REFERENCE

1. Parties

Cambridge City Council
Cambridgeshire County Council
South Cambridgeshire District Council
The Greater Cambridge Greater Peterborough Enterprise Partnership
The University of Cambridge

2. Status

The Greater Cambridge Executive Board has been established by Cambridge City Council, Cambridgeshire County Council and South Cambridgeshire District Council. It is a joint committee of the three Councils, established by Cambridgeshire County Council under section 102(1)(b) of the Local Government Act 1972 and by Cambridge City Council and South Cambridgeshire District Council under section 9EB of the Local Government Act 2000.

3. Membership

3 elected members with full voting rights (one from each of the three member Councils)
2 non-voting members (one from the Local Enterprise Partnership and one from the University of Cambridge).

4. Functions of the Executive Board

- 4.1 The Executive Board is established to ensure that the objectives of the Greater Cambridge City Deal are met. The Greater Cambridge City Deal aims to enable a new wave of innovation-led growth by investing in the infrastructure, housing and skills that will facilitate the continued growth of the Cambridge Phenomenon. To this end, the Board will have oversight of the strategic direction and delivery of the City Deal and its objectives.
- 4.2 The Executive Board will also be responsible for the commissioning of projects funded by money provided through the City Deal, and for overall control of that programme of investments. The scheme promoter for each individual project will be responsible for the delivery of that budget, under the oversight of the Executive Board. This shall also apply to circumstances in which funding is provided to the

Board by the member Councils or by other parties, such as the Local Enterprise Partnership.

- 4.3 The three Councils agree to delegate exercise of their functions to the Executive Board to the extent necessary to enable the Board to pursue and achieve the objectives of the Greater Cambridge City Deal and to undertake any actions necessary, incidental or ancillary to achieving those objectives, and, accordingly, the three Councils shall make the necessary changes to their respective schemes of delegation. The Executive Board may further delegate to officers of the three Councils.
- 4.4 The Executive Board will consider any reports and recommendations from the Joint Assembly as appropriate.

5. Professional and administrative support

- 5.1 Cambridgeshire County Council shall act as the accountable body for the Executive Board in respect of financial matters and its financial procedure rules will apply in this context.
- 5.2 Committee management and administrative support to the Executive Board will be provided by South Cambridgeshire District Council.
- 5.3 The lead role on projects shall be determined by the Board, subject to the principle that the lead authority should be the Council primarily responsible for the service in question for their area. The procurement and other rules of the lead authority will apply in respect of projects.

6. Standing Orders

The Executive Board will be governed by the Standing Orders set out in Annex A attached to these Terms of Reference.

7. Costs

- 7.1 The three Councils will each bear its own costs in relation to the operation of the Executive Board, with the exception of approved project delivery costs met from budgets managed by the Board.
- 7.2 Each Council makes a legally binding commitment that, should it withdraw from or modify its role within the Executive Board, it agrees to pay all additional costs that fall to be met by the other partner Councils that are reasonably attributable to that decision. This could include, for example, the costs that are locked in to projects that have already been committed to, or the costs of dissolving integrated officer and Member arrangements and re-establishing independent arrangements.

- 7.3 The firm intention is that the Executive Board will continue until it is either replaced by a Combined Authority, subject to the carrying out of a governance review following necessary legislative changes, or until the programme is completed. Recognising the very serious implications of withdrawal from the Board for the delivery of the City Deal programme, if a Council decides to withdraw from or modify its role within the Board, it commits to sharing this with the Committee at the earliest possible opportunity, and to entering into constructive discussions to avoid this happening or to reach a way forward.

GREATER CAMBRIDGE CITY DEAL EXECUTIVE BOARD

STANDING ORDERS

1. Membership

- 1.1 The Executive Board will have a voting membership of three, each Council being entitled to appoint one voting member.
- 1.2 The Executive Board will also have two non-voting members, to be co-opted by the Committee on a nomination by each of the Greater Cambridge Greater Peterborough Enterprise Partnership and the University of Cambridge.

2. Alternate or substitute members

- 2.1 Each Council will be entitled to appoint one named alternate or substitute member who may act in all aspects as a voting member of the Executive Board in the absence of the voting member appointed.
- 2.2 Alternative or substitute members will be invited to attend all meetings of the Executive Board.
- 2.3 The Greater Cambridge Greater Peterborough Enterprise Partnership and the University of Cambridge will each be entitled to nominate an alternate or substitute non-voting member to act in the absence of their principal co-opted member.

3. Term of office

- 3.1 The term of office of voting and alternate or substitute voting members shall end:
 - if rescinded by the appointing Council; or
 - if the member ceases to be a member of the appointing Council.
- 3.2 The Greater Cambridge Greater Peterborough Enterprise Partnership and University of Cambridge may at any time ask the Executive Board to replace their nominated co-opted member and alternate or substitute member by way of further nomination.

4. Appointment of Chairman and Vice-Chairman

- 4.1 The Executive Board will appoint a Chairman and Vice-Chairman at its first meeting and thereafter annually at the first meeting following the Annual Meetings of the three Councils. The Chairman and, in his or her absence, the Vice-Chairman shall have a casting vote.

4.2 The non-voting co-opted members of the Executive Board shall not act in the role of either the Chairman or the Vice-Chairman of the Executive Board.

5. Quorum

5.1 The quorum for meetings of the Executive Board will be three voting members.

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

5.3 If there is no quorum at any stage during a meeting, the Chairman will adjourn the meeting for a period of ten minutes, or longer, at their discretion. If there remains no quorum at the expiry of this period, the meeting will be closed and the remaining items will be declared null and void.

6. Member conduct

6.1 Executive Board members appointed by the three Councils shall be bound by the Code of Conduct of their nominating authority. Board members nominated by the Greater Cambridge Greater Peterborough Enterprise Partnership and the University of Cambridge will be bound by the Code of Conduct of South Cambridgeshire District Council.

6.2 If a member persistently disregards the ruling of the Chairman, or person presiding the meeting, by behaving improperly or offensively or deliberately obstructs business, the Chairman, or person presiding the meeting, may move that the member be not heard further. If seconded, a vote will be taken without discussion.

6.3 If the member continues to behave improperly after such a motion is carried, the Chairman, or person presiding the meeting, may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, a vote will be taken without discussion.

7. Notice of and summons to meetings

7.1 Notice will be given to the public of the time and place of any meeting of the Executive Board in accordance with the Access to Information rules of South Cambridgeshire District Council.

7.2 At least five clear working days before a meeting, a copy of the agenda and associated papers will be sent to every member of the Executive Board. The agenda will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such details as are available.

8. Meeting frequency

The Executive Board will meet on at least a quarterly basis, with one of those meetings acting as the annual meeting.

9. Voting

- 9.1 Executive Board members commit to seek, where possible, to operate on the basis of consensus.
- 9.2 Should it not be possible in a specific instance to find a consensus, the issue will be deferred to a later meeting of the Executive Board. Executive Board members can choose to simply re-submit the item to a following meeting, or to refer the item to the Joint Assembly for consideration and recommendation. Following this, a vote will be again taken and, if a consensus is still not achievable, the decision will be made on the basis of a simple majority.
- 9.3 The voting members of the Executive Board will act with due regard to the opinions of the non-voting members of the Board.

10. Reports and recommendations from the Joint Assembly

The Executive Board will receive reports and recommendations from the Joint Assembly as appropriate and the Chairman of the Assembly, or a nominated representative on his or her behalf, will be entitled to attend meetings of the Board to present them.

11. Questions by the public and public speaking

At the discretion of the Chairman, members of the public may ask questions at meetings of the Executive Board. This standard protocol is to be observed by public speakers:

- (a) notice of the question should be given to the Democratic Services team at South Cambridgeshire District Council (as administering authority) by 10am the day before the meeting;
- (b) questioners will not be permitted to raise the competence or performance of a member, officer or representative of any partner on the Executive Board, nor any matter involving exempt information (normally considered as 'confidential');
- (c) questioners cannot make any abusive or defamatory comments;
- (d) if any clarification of what the questioner has said is required, the Chairman will have the discretion to allow other Board members to ask questions;
- (e) the questioner will not be permitted to participate in any subsequent discussion and will not be entitled to vote;

- (f) the Chairman will decide when and what time will be set aside for questions depending on the amount of business on the agenda for the meeting. Normally questions will be received as the first substantive item of the meeting;
- (g) individual questioners will be permitted to speak for a maximum of three minutes;
- (h) in the event of questions considered by the Chairman as duplicating one another, it may be necessary for a spokesperson to be nominated to put forward the question on behalf of other questioners. If a spokesperson cannot be nominated or agreed, the questioner of the first such question received will be entitled to put forward their question.

12. Petitions

Petitions received in relation to the Greater Cambridge City Deal will be referred to the Joint Assembly for consideration. Any matters arising from petitions considered by the Assembly can be reported to the Board, as per Standing Order 10.

13. Participation at Executive Board meetings by other members of partner Councils or other representatives of partner bodies

At the discretion of the Chairman, other elected members of the three partner Councils or other representatives from the Greater Cambridge and Greater Peterborough Enterprise Partnership or the University of Cambridge may be entitled to speak and participate at meetings of the Board.

14. Minutes

- 14.1 The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record.
- 14.2 The minutes will be accompanied by a list of agreed action points, which may be discussed in considering the minutes of the previous meeting should they not be specifically listed as items on the agenda for the meeting.

15. Exclusion of the public and press

Members of the public and press may be excluded from meetings in accordance with the Access to Information rules of South Cambridgeshire District Council with regard to the consideration of exempt or confidential information.

16. Recording of proceedings

The recording in any format of meetings of the Executive Board is permitted, except:

- where the Chairman, or person presiding the meeting, rules that filming is being undertaken in such a way that is disruptive or distracting to the good order and conduct of the meeting;
- where the public have been excluded from the meeting in accordance with the Access to Information rules of South Cambridgeshire District Council during the consideration of exempt or confidential information.

17. Disturbance by public

- 17.1 If a member of the public interrupts proceedings, the Chairman, or person presiding the meeting, will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room.
- 17.2 If there is a general disturbance in any part of the meeting room open to the public, the Chairman, or person presiding the meeting, may call for that part to be cleared.
- 17.3 If there is a general disturbance making orderly business impossible, the Chairman, or person presiding the meeting, may adjourn the meeting for as long as he or she thinks is necessary.

18. Interpretation of Standing Orders

The ruling of the Chairman of the Executive Board as to the application of these Standing Orders shall be final.

19. Suspension of Standing Orders

Any of these Standing Orders may, as far as is lawful, be suspended by motion passed unanimously by those entitled to vote.



GREATER CAMBRIDGE CITY DEAL JOINT ASSEMBLY

TERMS OF REFERENCE

1. Parties

Cambridge City Council
Cambridgeshire County Council
South Cambridgeshire District Council
The Greater Cambridge Greater Peterborough Enterprise Partnership
The University of Cambridge

2. Status

The Greater Cambridge City Deal Joint Assembly has been established by Cambridge City Council, Cambridgeshire County Council and South Cambridgeshire District Council. It is a joint advisory committee of the three Councils, established under section 102(4), Local Government Act, 1972.

3. Membership

3 elected members appointed by each of the three member Councils
3 members nominated by the Greater Cambridge Greater Peterborough Enterprise Partnership
3 members nominated by the University of Cambridge

4. Functions of the Joint Assembly

- 4.1 The Joint Assembly is established to advise the Greater Cambridge City Deal Executive Board with regard to the latter's role in achieving the objectives of the Greater Cambridge City Deal Agreement dated 19 June 2014.
- 4.2 The Assembly will act as a forum for discussion with a wider range of members and stakeholders across the Greater Cambridge area, so that the Executive Board benefits from a wider range of expertise in making its decisions.
- 4.3 To this end, the Assembly may receive and comment on ("pre-scrutinise") reports to the Executive Board, may offer advice to the Board on the discharge of its functions and may review its work.
- 4.4 The Assembly may develop its own work programme and submit reports or recommendations to the Executive Board for consideration, as appropriate.

5. Professional and administrative support

5.1 Committee management and administrative support to the Joint Assembly will be provided by South Cambridgeshire District Council.

5.2 Other professional support will be provided to the Assembly on an ad hoc basis as agreed between the three Councils.

6. Standing Orders

The Joint Assembly will be governed by the Standing Orders set out in Annex A attached to these Terms of Reference.

7. Costs

The three Councils, the Greater Cambridge Greater Peterborough Enterprise Partnership and the University of Cambridge will each bear its own costs in relation to the operation of the Joint Assembly.

GREATER CAMBRIDGE CITY DEAL JOINT ASSEMBLY

STANDING ORDERS

1. Membership

- 1.1 The Joint Assembly will have a membership of 15, with each Council being entitled to appoint three members and the Greater Cambridge Greater Peterborough Enterprise Partnership and the University of Cambridge both being entitled to nominate three members.
- 1.2 The appointments of the three Councils will represent the political composition of the Greater Cambridge area. Appointments by Cambridge City Council and South Cambridgeshire District Council will therefore be proportional to the political composition of the respective authority, whereas appointments by Cambridgeshire County Council will be proportional to those electoral divisions that fall within the Greater Cambridge area.
- 1.3 Members nominated by the Greater Cambridge Greater Peterborough Enterprise Partnership and the University of Cambridge will become co-opted members on endorsement by the Executive Board.

2. Alternate or substitute members

No alternate or substitute members will be permitted on the Joint Assembly.

3. Term of office

- 3.1 The term of office of members and alternate or substitute members from the three Councils shall end:
- if rescinded by the appointing Council; or
 - if the member ceases to be a member of the appointing Council.
- 3.2 The Greater Cambridge Greater Peterborough Enterprise Partnership and University of Cambridge may at any time ask the Joint Assembly to replace their nominated co-opted member and alternate or substitute member by way of further nomination.
- 4. Appointment of Chairman and Vice-Chairman**
- 4.1 The Joint Assembly will appoint a Chairman and Vice-Chairman at its first meeting and thereafter annually at the first meeting following the Annual Meetings of the three Councils. The Chairman and, in his or her absence, the Vice-Chairman will have a casting vote.

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

5. Quorum

5.1 The quorum for meetings of the Joint Assembly will be five members.

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

5.3 If there is no quorum at any stage during a meeting, the Chairman will adjourn the meeting for a period of ten minutes, or longer, at their discretion. If there remains no quorum at the expiry of this period, the meeting will be closed and the remaining items will be declared null and void.

6. Member conduct

6.1 Joint Assembly members appointed by the three Councils shall be bound by the Code of Conduct of their nominating authority. Assembly members nominated by the Greater Cambridge Greater Peterborough Enterprise Partnership and the University of Cambridge will be bound by the Code of Conduct of South Cambridgeshire District Council.

6.2 If a member persistently disregards the ruling of the Chairman, or person presiding the meeting, by behaving improperly or offensively or deliberately obstructs business, the Chairman, or person presiding the meeting, may move that the member be not heard further. If seconded, a vote will be taken without discussion.

6.3 If the member continues to behave improperly after such a motion is carried, the Chairman, or person presiding the meeting, may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, a vote will be taken without discussion.

7. Notice of and summons to meetings

7.1 Notice will be given to the public of the time and place of any meeting of the Joint Assembly in accordance with the Access to Information rules of South Cambridgeshire District Council.

7.2 At least five clear working days before a meeting, a copy of the agenda and associated papers will be sent to every member of the Joint Assembly. The agenda will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such details as are available.

8. Meeting frequency

The Joint Assembly may set its own timetable for meetings but will initially meet quarterly, normally on a date preceding meetings of the Executive Board in order to allow the Assembly to consider issues the Board will be taking decisions on and advise accordingly.

9. Voting

9.1 All Joint Assembly members will be voting members.

9.2 Voting for meetings of the Joint Assembly will be conducted on the basis of a simple majority.

10. Reports and recommendations from the Joint Assembly to the Executive Board

The Chairman of the Joint Assembly, or a nominated representative on his or her behalf, will be entitled to attend meetings of the Executive Board to present reports and recommendations from the Assembly as appropriate.

11. Questions by the public and public speaking

At the discretion of the Chairman, members of the public may ask questions at meetings of the Joint Assembly. This standard protocol is to be observed by public speakers:

- (a) notice of the question should be given to the Democratic Services team at South Cambridgeshire District Council (as administering authority) by 10am the day before the meeting;
- (b) questioners will not be permitted to raise the competence or performance of a member, officer or representative of any partner on the Joint Assembly, nor any matter involving exempt information (normally considered as 'confidential');
- (c) questioners cannot make any abusive or defamatory comments;
- (d) if any clarification of what the questioner has said is required, the Chairman will have the discretion to allow other Assembly members to ask questions;
- (e) the questioner will not be permitted to participate in any subsequent discussion and will not be entitled to vote;
- (f) the Chairman will decide when and what time will be set aside for questions depending on the amount of business on the agenda for the meeting. Normally questions will be received as the first substantive item of the meeting;
- (g) individual questioners will be permitted to speak for a maximum of three minutes;

- (h) in the event of questions considered by the Chairman as duplicating one another, it may be necessary for a spokesperson to be nominated to put forward the question on behalf of other questioners. If a spokesperson cannot be nominated or agreed, the questioner of the first such question received will be entitled to put forward their question.

12. Petitions

12.1 At the discretion of the Chairman, members of the public may submit and present petitions to the Joint Assembly. This standard protocol is to be observed by petitioners:

- (a) petitions should include a clear statement of the petition organiser's concerns and what they would like the Joint Assembly to do;
- (b) petitions must relate to something which is within the responsibility of the Joint Assembly, or over which the Assembly has some influence;
- (c) petitions must include the name and contact details of the petition organiser;
- (d) petitions must include at least 500 signatures. Petitions below this threshold will not be presented to the Joint Assembly, but Assembly members will be notified of them as long as they contain at least 50 signatures;
- (e) petitions must be submitted to the Democratic Services Team at South Cambridgeshire District Council (as the administering authority) either in paper format or using its e-petitions facility at least 5 clear working days before the date of the meeting;
- (f) petition organisers will be permitted to present their petitions for a maximum of three minutes;
- (g) where more than one petition is received in time for a particular meeting and they are considered by the Chairman as supporting the same outcome or being broadly similar in intent, it may be necessary for a spokesperson to be nominated and present the petitions. If a spokesperson cannot be nominated or agreed, the petition organiser of first petition received will be entitled to present their petition;
- (h) petitions will be rejected if the Chairman considers them to be abusive or libellous, frivolous, vague or ambiguous, rude, offensive, defamatory, scurrilous or time-wasting or require the disclosure of exempt information (normally considered as 'confidential').

12.2 Any matters arising from petitions considered by the Joint Assembly can be reported to the Executive Board as per Standing Order 10.

13. Participation at Joint Assembly meetings by other members of partner Councils or other representatives of partner bodies

At the discretion of the Chairman, other elected members of the three partner Councils or other representatives from the Greater Cambridge and Greater Peterborough Enterprise Partnership or the University of Cambridge may be entitled to speak and participate at meetings of the Assembly.

14. Minutes

- 14.1 The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.
- 14.2 The minutes will be accompanied by a list of agreed action points, which may be discussed in considering the minutes of the previous meeting should they not be specifically listed as items on the agenda for the meeting.

15. Exclusion of the public and press

Members of the public and press may be excluded from meetings in accordance with the Access to Information rules of South Cambridgeshire District Council with regard to the consideration of exempt or confidential information.

16. Recording of proceedings

The recording in any format of meetings of the Joint Assembly is permitted, except:

- where the Chairman, or person presiding the meeting, rules that filming is being undertaken in such a way that is disruptive or distracting to the good order and conduct of the meeting;
- where the public have been excluded from the meeting in accordance with the Access to Information rules of South Cambridgeshire District Council during the consideration of exempt or confidential information.

17. Disturbance by public

- 17.1 If a member of the public interrupts proceedings, the Chairman, or person presiding the meeting, will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room.
- 17.2 If there is a general disturbance in any part of the meeting room open to the public, the Chairman, or person presiding the meeting, may call for that part to be cleared.
- 17.3 If there is a general disturbance making orderly business impossible, the Chairman, or person presiding the meeting, may adjourn the meeting for as long as he or she thinks is necessary.

18. Interpretation of Standing Orders

The ruling of the Chairman of the Joint Assembly as to the application of these Standing Orders shall be final.

19. Suspension of Standing Orders

Any of these Standing Orders may, as far as is lawful, be suspended by motion passed unanimously by those entitled to vote.

Agenda Item 8b

Appendix A

Proposed Scheme of Delegation for Consideration By Planning Committee 5th
November 2014.

Powers and Functions Delegated by the Planning Committee (Table 3)

(Please note: This is how the constitution appears on the Council's website with the proposed changes highlighted)

Planning and New Communities Director / Head of New Communities/ Development Control Manager / Team Leaders

Powers and Functions delegated by the Planning Committee

A. Powers delegated to Planning and New Communities Director, Head of New Communities, Development Control Manager, and Team Leaders to be exercised in accordance with the provisions of the approved Development Plan and the Council's planning policies.

1. The determination, with or without conditions, of applications for or amendments to:

- (a) Planning Permission (Outline and Full Applications)
- (b) Listed Building Consent
- (c) Advertisement Consent
- (d) Approval of Reserved Matters
- (e) Hazardous Substance Consent
- (f) Consent to cut down, top, lop, uproot or destroy trees under Section 198 of the Town and Country Planning Act 1990
- (g) Consent under Sections 36 and 37 of the Electricity Act 1989 (i.e., generating stations and overhead lines) (Circular 14/90)
- (h) All types of prior notifications of permitted development
- (i) Applications under Article 21 of the General Development Procedure Order for the discharge of conditions.
- (j) Certificate of Lawful Development (existing and proposed)
- (k) Certificate of Lawfulness for Proposed Works to a Listed Building
- (m) Application under section 73 of the 1990 Planning Act to Vary or remove planning conditions.
- (n) Applications to remove protected hedgerows.
- (o) Applications for non-material minor amendments to existing planning permissions; or
- (p) Any other type of new planning application as may be introduced by the government.

Except where any one of the following applies:

(i) For Major or Minor Developments a recommendation of approval would conflict with written representations on material planning grounds received from a Parish Council within the specified consultation period where such representations would not substantially be satisfied through the imposition of conditions. Provided that this exception shall not apply in the case of a reserved matters application where the Parish Council has expressed in writing an objection that relates solely to the principle of development approved by the outline planning permission.

(ii) An elected member of the District Council has, within 21 days of the date of registration of an application, requested in writing and the Planning and New Communities Director, Head of New Communities or Development Control Manager has agreed that Committee

determine the application with or without a site visit by members. Such written requests should set out the material planning reason(s) why the application is suitable for determination by Committee. Such requests shall be considered by the Planning and New Communities Director, **Head of New Communities or Development Control Manager** in consultation with the Chairman of Planning Committee, taking into account:

Relevant material considerations raising significant planning concerns
Significant implications for adopted policy
The nature, scale and complexity of the proposed development

The member will be expected to attend the Committee meeting at which the application they referred is to be discussed.

(iii) A proposed recommendation of approval would be contrary to the provisions of the approved Development Plan and would need to be referred to the Secretary of State.

(iv) The application is submitted by or on behalf of a councillor of the District Council (or by their spouse / partner), by any member of staff of the District Council's Planning & New Communities Service (or their spouse / partner) or by any member of the District Council's Management Team (or by their spouse / partner).

(v) The application for Major or Minor development is submitted by or on behalf of the District Council or on land owned by the District Council except for the approval of developments to which no objection on material planning reasons has been received.

(vi) The application proposes affordable housing on an exception site outside a village framework in the approved Development Plan and the Parish Council disagrees with the District Council on material planning grounds.

(vii) The Planning and New Communities Director, **Head of New Communities , Development Control Manager, and Team Leaders** (as the case may dictate) considers that the application should be presented to Committee for decision.

2. (1) To make all discretionary assessments referred to in the statutory provisions listed in sub-paragraph 2 (5) below, subject to the following safeguards:

(a) the Chairman of Planning Committee and the local member(s) should first be consulted but no assessment or action shall be invalid by reason of any failure to consult

(b) in the following cases any assessment shall be referred to Planning Committee (with the appropriate officer's recommendation) and shall not be determined by officers:

if he thinks the matter is too important or controversial for him to decide and in any event if it is an assessment whether or not it is expedient to revoke any planning permission or listed building consent or to seek any injunctive remedy; or

if any member (whether or not a member of the Planning Committee) so requires; or

if the determination of the assessment has been specifically reserved to it by the Planning Committee.

2. (2) to delegate to the Planning and New Communities Director to issue, serve, suspend or withdraw such notices, to make, suspend or withdraw such orders and notifications, to grant such permissions or consents, with such conditions or limitations as he may think fit, and to take such proceedings as he shall think fit or as may be required by law consequent upon any of the discretionary assessments referred to above, subject if discretionary to the same qualifications as assessments referred to in 2(1) (a) and (b) above;

2. (3) that before any such legal proceedings are instituted (other than for injunctions, which is specifically reserved to committee) the Legal Office shall be consulted and its recommendation shall be communicated to the Chairman of Planning Committee and the

local member(s) before any discretionary assessment is made or other consequent action is taken;

2. (4) all references in 2(1) and (2) above to the Planning and New Communities Director shall also include the Head of New Communities, Development Control Manager, Team Leaders (as the case may dictate).

2 (5) (a) Town and Country Planning Act 1990 S.72: Whether there should be conditions on planning permission

(b) Ibid S.171C: Whether there appears to have been a breach of planning control – Breach of Condition Notice

(c) Ibid S.172: Whether there appears to have been a breach of planning control and whether it is expedient to issue – Enforcement Notice

(d) Ibid S.183: Whether it is expedient that relevant activity should cease – Stop Notice

(e) Ibid S.198: Whether it is expedient to make provision for the preservation of trees or woodlands – TPO

(f) Ibid S.207: Whether tree replacement or conditions of tree replacement are not complied with – TPO

(g) Ibid S.215: Whether the amenity of area is adversely affected by condition of land – Amenity Notice

(h) Listed Building Act 1990 S.3 (1): Whether a building not listed is of special interest and in danger – Building Preservation Notice

(i) Ibid S.4: Whether so urgent that notice should be fixed to the building – BPN

(j) Ibid S.38: Whether works to listed building involved a contravention of listed building control and whether it is expedient to issue – Listed Building Enforcement Notice

(k) Town and Country Planning (Assessment of Environmental Effects) Regulations: SI 1999 293: Whether it appears that an application for planning permission is a Schedule 1 or Schedule 2 application and to adopt screening and scoping opinions

(l) Town and Country Planning (Control of Advertisements) Regulations 1992 SI 1992 666, regulation 4(3): Whether an advertisement should be limited or restricted in the interests of amenity or public safety

(m) Town and Country Planning (Environmental Assessment and Unauthorised Development) Regulations SI 1995. 2258, regulation 4(1): Whether breach of planning control in an enforcement notice includes 'unauthorised' (Schedule 1, or Schedule 2 with significant effects on the environment) development

(n) Hedgerow Regulations SI 1997. 1160, regulation 8: Whether a hedgerow has been removed in contravention – Replanting Notice

(o) Town and Country Planning (General Development Procedure) Order 1995. SI 1995. 419, regulation 5: Whether a planning application is invalid – notification to applicant

(p) Ibid, regulation 24: Whether application for Certificate of lawful use or development is invalid – notification to applicant

B. The following powers and functions are delegated to the Planning and New Communities Director, Head of New Communities, Development Control Manager, and Team Leaders, and Legal and Democratic Services Manager to be exercised individually:

1. The determination of applications for:

(a) Lawful Development Certificates

(b) The making of Tree Preservation Orders and Building Preservation Notices in cases of emergency subject to notification of any such action to be made as soon as practicable to a meeting of the committee

2. The service of:

(a) Planning Contravention Notices (delegated powers also to the Enforcement Officer)

(b) Breach of Condition Notices

but not the power to prosecute for non-compliance of the above Notices unless authorised by the committee.

Notes

For the purposes of the Delegation Powers specified in Table 3 the following definitions apply:

Major Developments

For dwellings: where 10 or more are to be constructed (or if number not given, area is more than 0.5 hectares).

For all other uses: where the floorspace will be 1000 sq. metres or more (or site is 1 hectare or more).

Minor Developments

is development that does not meet the criteria for Major Development or the definitions of Change of Use, or Householder Development.

Other Developments

Change of Use (*if it does not concern a major development and no building or engineering work is involved*)

Householder development

Other Application Types

Advertisement Consents

Listed Building Consents

Conservation Area Consents

Certificates of Lawfulness

Other decisions including certificates of appropriate alternative development and notifications under Circular 14/90.

Approval of Reserved Matters

Hazardous Substances Consents

Consent to cut down, top, lop, uproot or destroy trees under Section 198 of the Town and Country Planning Act 1990

Consents under Sections 36 and 37 of the Electricity Act 1989 (i.e. generating stations and overhead lines) (Circular 14/90)

Prior notifications of permitted developments

Applications under Article 21 of the General Development Procedure Order

General Development Procedure Order

Town and Country Planning (General Development Procedure) Order 1995