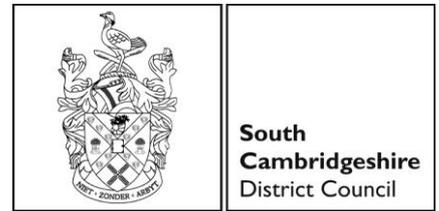


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18 June 2018

To: Chairman – Councillor Dr. Douglas de Lacey
Vice-Chairman – Councillor Dr. Claire Daunton
Members of the Civic Affairs Committee – Councillors Henry Batchelor,
Dr. Martin Cahn, Nigel Cathcart, Mark Howell, Bridget Smith, Peter Topping and
Aidan Van de Weyer

Quorum: 3

Dear Councillor

You are invited to attend the next meeting of **CIVIC AFFAIRS COMMITTEE**, which will be held in **SWANSLEY ROOM A AND B - GROUND FLOOR** at South Cambridgeshire Hall on **TUESDAY, 26 JUNE 2018 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution **in advance of** the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
Beverly Agass
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		PAGES
PROCEDURAL ITEMS		
1.	Apologies for Absence To receive Apologies for Absence from Committee members.	
2.	Declarations of Interest	
3.	Minutes of Previous Meeting To authorise the Chairman to sign the Minutes of the meeting held on 4 January 2018 as a correct record.	1 - 6
RECOMMENDATION TO COUNCIL		
4.	Public Representations at Council Meetings	7 - 12

DECISION ITEMS

- | | | |
|-----------|--|----------------|
| 5. | Review of the Council's Constitution | 13 - 16 |
| 6. | Community Governance Review - Milton Parish Council | 17 - 22 |
| 7. | Community Governance Review - Barrington Parish Council | 23 - 32 |
| 8. | Additional Powers - South Trumpington Parish Meeting | 33 - 40 |

INFORMATION ITEMS

- | | | |
|-----------|---|----------------|
| 9. | Update on Code of Conduct Complaints | 41 - 42 |
|-----------|---|----------------|

STANDING ITEMS

- | | | |
|------------|--|--|
| 10. | Date of Next Meeting
4 September at 10am | |
|------------|--|--|

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:

- Working Together
- Integrity
- Dynamism
- Innovation

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Notes to help those people visiting the South Cambridgeshire District Council offices

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

Security

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic Services on 03450 450 500 or e-mail democratic.services@scambs.gov.uk

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Leave 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 opposite the staff entrance

- **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.

First Aid

If you feel unwell or need first aid, please alert a member of staff.

Access for People with Disabilities

We are committed to improving, for all members of the community, access to our 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 get 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

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.

Banners, Placards and similar items

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

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

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

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Agenda Item 3

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Civic Affairs Committee held on
Thursday, 4 January 2018 at 10.00 a.m.

PRESENT: Councillor David McCraith – Chairman
Councillor Charles Nightingale – Vice-Chairman

Councillors: Brian Burling
Sebastian Kindersley
Ray Manning
Peter Topping
Bunty Waters

Nigel Cathcart
Janet Lockwood
Deborah Roberts
Aidan Van de Weyer

Officers: Patrick Adams
Beverly Agass
Gemma Barron
Kirstin Donaldson
Andrew Francis
Rory McKenna

Senior Democratic Services Officer
Chief Executive
Head of Sustainable Communities and Wellbeing
Development Officer
Electoral Services Manager
Principal Lawyer & Deputy Monitoring Officer

Councillor Pippa Corney was in attendance, by invitation.

Apologies for absence were received from Councillor Jose Hales and Bridget Smith.

1. APOLOGIES FOR ABSENCE

Councillors Jose Hales and Bridget Smith gave their apologies for Absence. Councillors Sebastian Kindersley and Aidan Van de Weyer were acting as substitute. Councillor David Bard had been appointed as substitute for former Councillor Simon Crocker, who was no longer a member of the Committee.

2. DECLARATIONS OF INTEREST

Councillor Brian Burling declared an interest in agenda item 4, Willingham and Over Parish Boundary Review, as a landowner of fields within the proposed extent of the revised boundary. Councillor Burling had received dispensation to participate in the debate, but not vote.

Councillor Ray Manning declared an interest in agenda item 4, Willingham and Over Parish Boundary Review, as a landowner of fields within the proposed extent of the revised boundary. Councillor Manning had received dispensation to participate in the debate, but not vote.

3. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 7 December 2017 were agreed as a correct record, subject to the following amendments:

- The inclusion of the Chief Executive in the list of those present.
- The amendment of the final bullet point in the list of responses from Mr Papworth on page 4 to read: "Mr Papworth indicated that the land he owned in the area in question was more than just the Business Park."

4. **WILLINGHAM AND OVER PARISH BOUNDARY REVIEW**

The Principal Lawyer for Governance reminded the Committee that a valid petition had been received and according to Section 88 of the Local Government and Public Involvement in Health Act 2007 the Community Governance Review must make one of the following recommendations in relation to the existing parishes:

- that the parish should not be abolished and that its area should not be altered;
- that the area of the parish should be altered;
- that the parish should be abolished.

The Principal Lawyer for Governance advised that under the above Act the Council must have regard to the need to secure that community governance in the area under review:

- reflects the identities and interests of the community in that area;
- is effective and convenient.

The Principal Lawyer for Governance explained that the “area under review” was the whole area of Willingham and Over.

The Chairman invited representatives from Over Parish Council and Willingham Parish Council to speak.

Parish Councillor Geoff Twiss, Vice-Chairman of Over Parish Council

Parish Councillor Geoff Twiss made the following points:

- Two meetings had been arranged between Over and Willingham Parish Councils.
- A site visit had also been arranged, but this had focussed on the areas of green space.
- The first meeting heard that Over Parish Council were unanimously opposed to moving the boundary and so the second meeting was not held.
- The boundary had remained unchanged for 400 years and part of the areas heritage.

The Committee asked Parish Councillor Twiss for clarification on a number of points and received the following replies:

- There was primary source evidence, repeated in the History of Over, that the current boundary was agreed in 1602.
- There was no formal resolution at the meeting of Over Parish Council to decide that the boundary should be unchanged, but the feeling was unanimous.

Parish Councillor Dr Ray Croucher, Chairman of Willingham Parish Council

Parish Councillor Dr Ray Croucher made the following points:

- The meeting between representatives of Over and Willingham Parish Councils had not resulted in a compromise solution.
- Over Parish Councillor Graham Fenn had suggested an amendment to the boundary, which had not been sanctioned by Over Parish Council and was not acceptable to Willingham Parish Council.
- The circulated map showed a proposed compromise solution, that had been agreed by Willingham Parish Council Planning Committee.
- This proposal had been made independently of the petitioner Barry Papworth.
- This proposal reduced the amount of land to be transferred by approximately 40%.
- In keeping with the guidance, the proposal kept to natural boundaries and had clear open space between occupied areas.

The Committee asked Parish Councillor Croucher for clarification on a number of points

and received the following replies:

- The Planning Committee of Willingham Parish Council had agreed the compromise solution on the distributed map.
- The Planning Committee's proposals had not been mentioned at the joint meeting with Over Parish Council as it had been clear that no compromise was possible.
- The proposed area included an empty field as the boundary was marked with a hedge with mature trees and the guidance recommended the boundary line should be in 'no man's land'.

A lack of consensus locally

Members of the Committee made the following points about the opinions of local representatives:

- It was disappointing that the two parish councils had been unable to reach a compromise solution.
- It was disappointing that Willingham Parish Council's solution was not shared at the joint meeting with Over Parish Council.
- Perhaps an independent Chairman should have presided over the joint meeting involving both parish councils.
- It was disappointing that the local district council members were not in agreement.

Historical boundary

Members of the Committee made the following points about the historic boundary:

- To alter a 400 year old boundary was heritage vandalism.
- Historic boundaries needed to adapt to change.
- Other anomalies existed in the District, but the Committee had to make a recommendation on this one.

The Principal Lawyer for Governance reminded members that the starting point for any decision should be does the current position (what's on the ground) reflect the identities and interests of the community in that area and is it effective and convenient?

The identity and interests of the community in the area

Members of the Committee made the following comments on whether the proposed changes reflected the identities and interests of the community in the area:

- Those living in the disputed area identified with Willingham, not Over.
- Any cross boundary issues required the input from two County Councillors, so moving the boundary made administrative sense for an area that many residents considered to be in Willingham.
- The Green Line was preferable, as this had been supported by those consulted, although Willingham Parish Council's compromise solution was also acceptable.
- Seven out of the nine households affected by the change had spoken to Councillor Burling and five of these had wished to remain in Over.
- The Council's official consultation exercise carried greater weight as it was impartial, received 244 responses and was undertaken by professional officers.

Councillor David Bard formally proposed and Councillor Bunt Waters seconded the boundary as recommended by Willingham Parish Council. Councillor Sebastian Kindersley recommended an amendment to his proposal, to move the boundary north so that the unoccupied square field remained in Over. This proposed amendment was seconded by Councillor Deborah Roberts. The Committee held a brief recess whilst local knowledge on the veracity of the different boundaries was considered.

It was noted that the boundary proposed by Councillor Bard was made up of mature trees and a hawthorn hedge, which could not be removed without planning permission. The

boundary proposed by Councillor Kindersley was made up of bushes and a wire fence.

Councillor Bard stated that he considered that the boundary in his proposal had more permanence and so he did not accept Councillor Kindersley's amendment. Members of the Committee made the following points:

- Nobody was living in the disputed field and so excluding this simply meant less land being transferred from Over to Willingham.
- Transferring as little land as possible was a sensible compromise.
- The proposed boundary in the amendment was clearly defined.
- The amendment should be supported as a compromise.
- The boundary in the amendment was not a clearly defined natural boundary, with a third of it without a hedge and so should be rejected.
- A road or a watercourse made a better boundary than a hedge.
- The hawthorn hedge marking the unamended proposed boundary could not be removed without planning permission.
- The Petitioner, Barry Papworth, had raised no objection to unoccupied farmland remaining in Over.
- There was no reason to include agricultural land in the transfer.

The Principal Lawyer for Governance advised that the Committee needed to decide whether the proposed boundary was easily identifiable.

A vote was taken and with 5 votes in favour of the motion and 5 votes against the Chairman made a casting vote against the motion, which was **DEFEATED**.

The substantive proposal was now discussed by the Committee and the following points were made:

- This proposal was a compromise that had the agreement of Willingham Parish Council.
- No consensus had been reached between the two parish councils and so this proposal should be rejected.
- Regrettably a consensus between the two parish councils was impossible and the Committee needed to make a recommendation.
- This issue had taken up too much of the Council's time and resources and needed to be resolved by recommending this proposal to Council.
- This proposal represented the interests of those living in the area, who identified themselves as Willingham residents.

A query was raised by Cllr Sebastian Kindersley. It was noted that following the resignation of Councillor Simon Crocker there had been a vacancy on this Committee and under the terms of the Constitution Group Leaders could appoint a substitution to fill a vacancy until a replacement has been appointed at a meeting of Council.

The Committee took a vote and with 5 votes in favour of the motion and 5 votes against the Chairman made a casting vote in favour of the motion, which was **AGREED**. It was proposed that the Council make a request to the Local Government Boundary Commission for England (LGBCE) to make the County Council boundary conterminous with the parish boundary. A vote was taken and with 7 votes in favour and 3 against, this proposal was **AGREED**. The Committee

RECOMMENDED THAT COUNCIL

- A) Agree the alternative boundary, as shown on the green line in the attached map,

less the red cross hatched area.

- B) Make a request to the Local Government Boundary Commission for England (LGBCE) to re-align the County Council boundary along the new parish boundary.

Reasons for Recommendation

- a) Provides an easily identifiable boundary that is likely to remain.
- b) Reflects the views of affected persons.
- c) Reflects community identity on the ground.
- d) Only affects land necessary for good governance.

5. DATE OF NEXT MEETING

The next meeting of the Committee was to be confirmed.

The Meeting ended at 11.55 a.m.

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Agenda Item 4



REPORT TO: Civic Affairs Committee
LEAD OFFICER: Monitoring Officer

26 June 2018

Public Representations at Council meetings

1. Purpose

- 1.1 To consider operating a pilot scheme to allow members of the public to make written representations at full Council meetings without giving prior notice.

2. Recommendation(s):

- 2.1. That the Civic Affairs Committee considers whether to recommend the Council to introduce a twelve month pilot scheme to allow the public to make written representations at full Council meetings in accordance with the scheme set out at Appendix A

3. Background

- 3.1 At present, public participation in full Council meetings is limited to either questions on notice (at the discretion of the Chairman) or the presentation of a petition. Members of the public do not have the opportunity to make representations directly relating to items on the agenda.
- 3.2 Council Standing Order Rule 10 (Questions by the Public) in Part 4 of the Constitution sets out the rules governing the operation of public question time. In summary, they require members of the public to give notice of their question no later than midday seven working days before the day of the meeting, although the Chairman may permit a question to be asked if shorter notice is given. This means that questions need to be received before the agenda is published. Questions are dealt with under a separate slot towards the beginning of the agenda and Rule 10.1 (f) provides that a maximum of 10 minutes is allowed for public questions on any specific agenda item. Each questioner can speak for a maximum of three minutes, plus one supplementary question and only one question per person may be asked. One public question was asked at Council during 2017/18.
- 3.3 The rules on petitions are set out at Section N of Part 5 of the Constitution. Petitions normally need to be received 10 working days before the meeting to enable signatures to be checked and work to be undertaken to gather the information and advice needed to consider the petition. Petition organisers can address the meeting for up to three minutes. No petitions were received at Council meetings during the last Municipal Year, although one was submitted to Cabinet in April 2018, having missed the Council deadline.
- 3.4 This report invites the Committee to consider whether to introduce a pilot scheme to allow the public to submit written representations on individual Council agenda items with a view to encouraging greater public engagement.

4. Considerations

- 4.1. Attached at Appendix A to this report is a draft scheme to enable written public representations to be made on individual agenda items at Full Council meetings.
- 4.2. It will be seen that in order to maximise the potential for public engagement, the scheme provides for representations to be submitted without formal advance notice. However, to facilitate management of the meeting it is proposed that the representation must be made in writing. To ensure efficient running of the meeting, the scheme does provide for members of the public to arrive no later than 15 minutes before the start of the meeting to provide their written representation, together with their name and an indication of the item to which the representation relates. It is proposed that the Chairman should read out each representation at the beginning of the item concerned. The order in which statements are read out should be in the order in which they are received. The draft scheme at Appendix A suggests that no more than 3 written statements per item should be permitted.
- 4.3. Section 3 of Appendix A details the general principles governing operation of the scheme to make it clear, for example, that participation is not allowed on planning or licensing decisions (for which there are separate public participation schemes); on any matter relating to the competence of an officer or Member or on exempt business.
- 4.4. It is proposed that the Chairman be given wide ranging discretion to manage and control operation of the scheme and flexibility to adapt the procedures to circumstances as required, for example if there are a large number of written statements submitted on any one item and the Chairman thinks it is in the best interests of the Council to vary the arrangements to allow wider participation than permitted by the scheme. The scheme provides this flexibility for the Chairman at section 4.
- 4.5. Rather than seeking formal variation of the Constitution at this stage, it is suggested that the scheme be run on a pilot basis for a period of, say, twelve months in order that it can be further refined and adapted in the light of experience. Similarly, it is proposed that the pilot apply just to meetings of full Council, although following the review of the pilot, Members may wish to consider extending the scheme to committee meetings.
- 4.6. A report elsewhere on this agenda invites the Committee to consider establishing a task and finish group to review the Constitution. As part of that review, the current procedures for public participation at Council and Committee meetings could be reviewed. The operation of the pilot scheme for public written representations could likewise be reviewed by the task and finish group as part of its remit.

5. Options

- 5.1. The Committee could decide not to recommend Council to introduce a pilot scheme to permit public representations to be made at Full Council or could vary the scheme at Appendix A.

6. Implications

In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any

other key issues, no significant implications have been identified.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

None

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APPENDIX A

PUBLIC REPRESENTATIONS AT FULL COUNCIL MEETINGS

1. How the Scheme will Operate

- 1.1. Members of the public may submit representations at meetings of the Full Council on any business specified in the agenda for the meeting, subject to the General Principles in paragraph 3 below.
- 1.2. Representations must be in writing and should not exceed one A4 page of legible handwriting or print in font size 12.
- 1.3. Persons wishing to submit written representations must arrive no later than 15 minutes before the start of the meeting and provide their written representations to the Democratic Services Officer indicating their name and the item on the agenda to which their representations refers. The Chairman of the Council will read out each representation received at the beginning of the relevant item on the agenda. Statements will be read out in the order in which they are received.
- 1.4. Normally up to three statements per item will be permitted.

2. General Principles Governing All Public Participation

- 2.1. Representations are not permitted on:-
 - Any matter relating to a planning decision (as representations on planning applications are permitted at Planning Committee under a separate public participation scheme).
 - Any matter relating to an alcohol, gambling or sex establishment licensing decision (as separate procedures apply for representations at public hearings conducted by Licensing Committee or its sub committees).
 - Any matter relating to the competence or performance of a councillor or officer.
 - Any matter relating to an individual or an entity where that individual or entity has a right of recourse or right of appeal conferred by or under any enactment.
 - Complaints about the conduct of a councillor. (A separate procedure applies for dealing with complaints against councillors)
 - Matters which are "confidential" or "exempt" business.

3. Authority of the Chairman

- 3.1. The Chairman will have the right to decline to read out any representations which he/she considers to be defamatory, improper or outside the responsibilities of the Council.
- 3.2. The Chairman may vary or suspend the operation of this procedure in advance of or during the meeting, if he/she considers:-
 - that it is necessary to do so for the purpose of maintaining order at the meeting; or
 - that it is convenient and conducive to the despatch of business to do so.

NOTE

This procedure does not permit questions to be asked as there is a separate scheme in the Constitution for public questions.

Agenda Item 5



REPORT TO: Civic Affairs Committee
LEAD OFFICER: Monitoring Officer

26 June 2018

Review of the Council's Constitution

1. Purpose

- 1.1 To consider appointing a task and finish group to undertake a comprehensive review of the Council's Constitution, to include its codes and protocols.

2. Recommendation(s):

- 2.1. That the Civic Affairs Committee agrees to establish a task and finish group (numbers to be determined by the committee) to undertake a comprehensive review of the Council's Constitution to include its codes and protocols and to submit recommendations thereon to this Committee for onward recommendation to Council.

3. Background

- 3.1 Every local authority is required by Section 37 of the Local Government Act 2000 to prepare and keep up to date a Constitution, including such information as the Secretary of State may direct; the authority's standing orders; code of conduct and such other information that the authority considers appropriate. Following the implementation of the Local Government Act 2000 modular constitutions for English local authorities were published by the former Office of the Deputy Prime Minister.
- 3.2 Local authorities must make copies of their constitutions available to the public.
- 3.3 Under Article 15 of this Council's Constitution, the Chief Executive and Monitoring Officer are required to monitor and review the operation of the Constitution and to ensure that its aims and principles are given full effect.
- 3.4 The Council's Constitution has not been subject to a comprehensive review for some considerable time and this report invites this Committee to consider setting up a task and finish group with a view to carrying out such a review.

4. Considerations

- 4.1. As indicated in paragraph 3.4 above, the Constitution has not been reviewed for some years and the Committee is therefore invited to consider whether it is timely to undertake a comprehensive review. Given that the Code of Conduct and its associated procedures have been in place for nearly 5 years, they may also merit review.
- 4.2. Additionally, following the elections, a number of proposals which may require revision of the Constitution have been put forward, for example:

- Inclusion of a slot for Portfolio Holder reporting on Council agendas.
 - Clarification of the outcomes following Members' questions at Council meetings.
 - Recording of votes at Planning Committee meetings.
- 4.3. It is also possible that further changes to the political management structures may be sought by the new Council which would require Constitutional amendments.
- 4.4. It is therefore recommended that a comprehensive review should take place during 2018/19 to ensure that the Constitution:
- is accurate and up to date;
 - reflects best practice; and
 - is clear and unambiguous.
- 4.5. The review would also allow detailed review of existing procedures within the Constitution to ensure that they remain fit for purpose.
- 4.6. The Committee is asked to consider establishing a small task and finish group to conduct a comprehensive review of the Constitution and its associated codes and procedures during 2018/19 and to report back to this Committee with recommendations.
- 4.7. It is suggested that the task and finish group should comprise of 3 members however the final number will be for Members to determine. Task and finish groups are not required to be politically balanced.

5. Options

- 5.1. The Committee could decide not to review the Constitution or to do the review itself rather than appointing a task and finish group but the latter may detract from the intention to conduct a detailed review of the Constitution.

6. Implications

- 6.1 In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered:-

6.1.1 Legal Implications

The Council is required to prepare and keep its Constitution up to date and to make it available to the public, in accordance with Section 37 of the Local Government Act 2000. Additionally it is required by Section 38 of the Act to have regard to any guidance issued by the Secretary of State.

6.1.2 Resource Implications

There are no direct financial implications arising from this report although the review will have resource implications for the Deputy Monitoring Officer and Democratic Services Team.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

None

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Agenda Item 6

REPORT TO: Civic Affairs Committee

26 June 2018

LEAD OFFICER: Head of Sustainable Communities and Wellbeing

Community Governance Review – Milton Parish Council

Purpose

1. To consider a request from Milton Parish Council to decrease the number of parish councillors from 15 to 12.

Recommendations

2. It is recommended that the Committee:
 - (a) agrees the request from Milton Parish Council for a Community Governance Review to decrease the number of parish councillors from 15 to 12; and
 - (b) agrees for staff to agree a timetable, to be included within the terms of reference, in consultation with Milton Parish Council.

Reasons for Recommendation

3. Milton Parish Council has requested a Community Governance Review to reduce its numbers from 15 to 12. In line with NALCs recommendations a parish the size of Milton would have between 10 and 11 councillors.
4. Should Civic Affairs Committee agree to commence the Community Governance Review process, draft terms of reference, including a timeline, will be brought to the next meeting. It is suggested that the timetable for a review is agreed in consultation with the Milton Parish Council.

Background

5. A request has been received from Milton Parish Council that the number of councillors on the Parish Council be decreased from 15 to 12 to enable meetings to be quorate with 4 councillors.
6. The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) provides for a Principal Council to conduct a review of the community governance arrangements for the whole or part of its area for the purpose of considering whether or not to make any changes to parish boundaries or size, and/or the creation of new parishes; and the review of the electoral arrangements for new and/or existing parishes. Section 93 of the 2007 Act allows principal councils to decide how to undertake such a review, provided that they comply with the duties in the Act which apply to councils undertaking reviews. If, following a review, the Council decides that changes should be made to the electoral arrangements they may make an Order giving effect to the changes.
7. Section 95 of the 2007 Act provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the authority must have

regard to the number of electors for the parish, and any change in that number likely to occur in the next five years.

8. Civic Affairs Committee has delegated authority to make decisions on parish numbers following a Community Governance Review.
9. The Community Governance Review process, once commenced, should be concluded within 12 months of the publication of the terms of reference.

Considerations

10. The current electorate for Milton is 3,367 (May 2018) and the existing number of parish councillors is 15. The electorate is forecast to increase to 3,518 by 2023/24.
11. The number of parish councillors for each parish council cannot be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. The National Association of Local Councils (NALC) has suggested that the minimum number of councillors for up to 900 electors should be seven and the maximum 25 for electors over 23,000. Within the minimum and maximum limits, the following allocations are recommended by NALC:

Electors	Councillors	Electors	Councillors
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	over 23,000	25
9,000	16		

NALC goes on to say that this table may, however, not be appropriate in rural authorities with sparsity of population¹.

12. In line with NALCs recommendations a parish the size of Milton would have between 10 and 11 councillors.

¹ How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.72.

13. The Council must have regard to the following factors when considering the number of councillors to be elected for a parish:
 - the number of local government electors for the parish;
 - any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

14. In its request to the Council, Milton Parish Council states that
 - (a) At their meeting on 8 May 2018 they agreed to request that the number of councillors be reduced from 15 to 12.

 - (b) The reason for this is they have struggled for the past few years to attract people to join the council, despite regular advertising, and now find that after the election this year that they only have eight councillors and do not believe they can attract seven more.

 - (c) They are concerned of not being quorate for meetings. Related to this, two of their Councillors are District Councillors and one is also a County Councillor, and may on occasion not be able to attend parish meetings or part of the meetings due to commitments elsewhere.

 - (d) If they are successful in the request to reduce numbers they will still need to find more willing volunteers to join the parish council. They are disappointed with the situation but can see no other option if they are to continue to be able to make decisions.

15. Should the Committee agree to commence a Community Governance Review, draft terms of reference for the review, which would include a timetable agreed with the parish council, will be brought to the next Committee meeting for approval.

Options

16. The Committee could agree or disagree to commence a Community Governance Review of the parish of Milton to decrease the number of parish councillors from 15.

17. Should the Committee agree to commence a Community Governance Review of the parish of Milton, they could:
 - (a) agree for staff to agree a timetable in consultation with Milton Parish Council;
or
 - (b) set a timetable for the review.

Implications

18. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Legal

19. The draft terms of reference for a Community Governance Review of the parish of Milton will consider the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in 2010, which reflects Part 4 of the Local Government and Public Involvement in Health Act 2007 and the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of

Communities and Local Government and the Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625). (The 2007 Act transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)

Staffing

20. Staff time will be required to carry out the review, however, this is likely to be minimal given the nature of the review. The time will be spent consulting interested parties, taking account of any representations received and reporting back to the Committee. This can be carried out within existing resources.

Equality and Diversity

21. The Council will work with Milton Parish Council to identify and consult with interested parties.

Effect on Strategic Aims

22. Appropriate community governance arrangements will help the Council to sustain existing successful, vibrant villages; helping to achieve our vision to deliver superb quality of life for our residents, and remain the best place to live, work, and study in the country.

Report Author: Liz Davy – Development Officer
Telephone: (01954) 713111

Jason Clarke – Development Officer / Programme Manager
Telephone: (01954) 713209

Appendix A

From: Clerk Milton Parish Council <clerk@miltonvillage.org.uk>
Sent: 22 May 2018 10:09
To: Davy Elizabeth <Elizabeth.Davy@scambs.gov.uk>
Subject: RE: Reducing Size of Milton Parish Council
Importance: High

Dear Elizabeth Davy,

Milton Parish Council agreed at their meeting on May 8th 2018 to request that the numbers of councillors needed for our council are reduced from 15 to 12.

The reason for this is we have struggled for the past few years to attract people to join the council, despite regular advertising, and now find that after the election this year that we only have 8 councillors and we do not believe we can attract 7 more people to join us.

Currently our quorum is 5 and we are in danger of not being quorate for meetings. Additionally, as two of our Councillors are District Councillors and one of these two is also a County Councillor, they may on occasion not be able to attend our meetings or part of our meetings due to commitments elsewhere.

If we are successful in our request to reduce our numbers to 12 we will still have to find 4 more willing volunteers to join us. We are disappointed with the situation of not been able to attract people to join us as it leaves a lot of work to be done by a few willing volunteers but we can see no other option if we are to continue to be able to make decisions.

Kind regards.

Sarah Corder
Clerk to Milton Parish Council

Parish Council Office
Coles Road
Milton
Cambridge CB24 6BL

<http://www.miltonvillage.org.uk>

Tel: 01223 861447

Mobile: **07476 961189**

Privileged/Confidential information may be contained in this message. If you should not have received it tell me and delete it without forwarding, copying or disclosing it to anyone. Opinions expressed are those of the individual and do not necessarily represent the opinion of the Parish Council.

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Agenda Item 7

REPORT TO: Civic Affairs Committee

26 June 2018

LEAD OFFICER: Head of Sustainable Communities and Wellbeing

Community Governance Review – Barrington Parish Council

Purpose

1. To consider a request from Barrington Parish Council to increase the council size from nine to 13 parish councillors.

Recommendations

2. It is recommended that the Committee:
 - (a) agrees the request from Barrington Parish Council for a Community Governance Review to increase the number of parish councillors from nine to 13; and
 - (b) agrees, with or without amendments, the draft terms of reference (Appendix B); and
 - (c) agrees for staff to agree a timetable in consultation with Barrington Parish Council.

Reasons for Recommendation

3. A request has been received from Barrington Parish Council that the number of councillors on the Parish Council be increased from nine to 13. The request has been made due to the planned growth in the area.

Background

4. A request has been received from Barrington Parish Council that the number of councillors on the Parish Council be increased from nine to 13 (Appendix A).
5. The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) provides for a Principal Council to conduct a review of the community governance arrangements for the whole or part of its area for the purpose of considering whether or not to make any changes to Parish boundaries or size, and/or the creation of new parishes; and the review of the electoral arrangements for new and/or existing parishes. Section 93 of the 2007 Act allows principal councils to decide how to undertake such a review, provided that they comply with the duties in the Act which apply to councils undertaking reviews. If, following a review, the Council decides that changes should be made to the electoral arrangements they may make an Order giving effect to the changes.
6. Section 95 of the 2007 Act provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the authority must have regard to the number of electors for the parish, and any change in that number likely to occur in the next five years.

7. Civic Affairs Committee has delegated authority to make decisions on parish numbers following a Community Governance Review.
8. The Community Governance Review process, once commenced should be concluded within 12 months of the publication of the terms of reference.

Considerations

9. The current electorate for Barrington is 851 (May 2018) and the existing number of parish councillors is 9. The electorate is forecast to increase to 1,240 by 2023/24
10. The number of parish councillors for each parish council cannot be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. The National Association of Local Councils (NALC) has suggested that the minimum number of councillors should be seven and the maximum 25. Within the minimum and maximum limits, the following allocations are recommended by NALC:

Electors	Councillors	Electors	Councillors
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	over 23,000	25
9,000	16		

NALC goes on to say that this table may, however, not be appropriate in rural authorities with sparsity of population¹.

11. The Council must have regard to the following factors when considering the number of councillors to be elected for a parish:
 - the number of local government electors for the parish;

¹ How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.72.

- any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

12. The table below shows the number of parish councillor seats compared to the size of electorate for parishes in the district with councillor numbers equal to or greater than that of Barrington:

Parish	Electorate (Sept 2016)	Council Size
Barrington	851	9
Orwell	886	9
Steeple Morden	919	9
Fowlmere	970	9
Foxton	1025	9
Oakington & Westwick	1194	9
Haslingfield	1236	11
Balsham	1274	9
Caldecote	1295	9
Harston	1367	11
Whittlesford	1452	11
Duxford	1477	11
Meldreth	1505	9
Stapleford	1573	9
Orchard Park	1719	9
Comberton	1872	13
Swavesey	1901	11
Teversham Village + Foxgloves	1991	11
Hardwick	2051	9
Bassingbourn	2272	15
Over	2300	11
Longstanton	2621	11
Papworth Everard	2806	13
Gamlingay	2957	15
Bar Hill	3093	13

13. In its request to the Council, Barrington Parish Council states that
- (a) Barrington currently is a village of 469 households and is due a further 220 houses which will be developed on the site of the former Cemex cement works. With this development and the associated works within the S106 agreement, the volume and workload for Parish Councillors will grow with the new and ongoing development. There are a number of specific projects planned that will require Parish Councillor involvement.
14. Draft terms of reference for a review have been included with this report due to the time between the request being received and it being presented to the Committee. Should the Committee agree to commence a Community Governance Review, a timetable will need to be agreed with the parish council or set by the Committee. The timetable included within the draft terms of reference should be seen as indicative only.
15. There are no scheduled elections until 2022. Should the parish council wish to increase its number before this time and unscheduled election would need to be held.

Options

16. The Committee could agree or disagree to commence a Community Governance Review of the parish of Barrington to increase the number of parish councillors from nine to 13.
17. Should the Committee agree to commence a Community Governance Review of the parish of Barrington, they could:
 - (a) agree, with or without amendments, the draft terms of reference (Appendix B); and
 - (b) agree for staff to agree a timetable in consultation with Barrington Parish Council or set a timetable.

Implications

18. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Legal

19. The draft terms of reference for a Community Governance Review of the parish of Barrington has considered the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in 2010, which reflects Part 4 of the Local Government and Public Involvement in Health Act 2007 and the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625). (The 2007 Act transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)

Staffing

20. Staff time will be required to carry out the review; however, this is likely to be minimal given the nature of the review. The time will be spent consulting interested parties, taking account of any representations received and reporting back to the Committee. This can be carried out within existing resources.

Equality and Diversity

21. The Council will work with Barrington Parish Council to identify and consult with interested parties.

Effect on Strategic Aims

22. Appropriate community governance arrangements will help the Council to sustain existing successful, vibrant villages; helping to achieve our vision to deliver superb quality of life for our residents, and remain the best place to live, work, and study in the country.

Report Author: Jay Clarke – Development Officer/Programme Manager
Telephone: (01954) 713209

BARRINGTON PARISH COUNCIL

Gemma Barron
Civic Affairs
South Cambs District Council
Cambourne
Cambridge
CB23 6EA

26th January 2018

Dear Gemma

Barrington currently runs with nine parish councillors. Soon to start is a development of 220 houses on the former cement works site.

Barrington is already a fairly unique rural village of current 460 households. We have nearly 30 acres of village green, an extensive ditch system, two ponds, two play areas, a small woodland plus the usual footpaths, trees, bus shelters etc to maintain.

With the additional homes and much increased population will come:- further footpaths, a public open space with lake and play facilities. Also tennis courts, and additional football pitch. Associated works within a S106 agreement includes major refurbishment of the village hall, and two pavilions as well as extensions to school, and a traffic management scheme. All issues involving Parish Councillors.

At its meeting on January 16th Barrington Parish Council resolved to request South Cambs District Council to undertake a review in order to increase the number of councillors.

The Council is aware that the process probably would not be completed in time for the May elections but would hope that any positive result could enable interim elections rather than await 2022.

I look forward to hearing further from you.

Yours sincerely

Val Tookey

Valerie Tookey

Clerk to Barrington Parish Council

36 The Causeway
Bassingbourn
SG8 5LG

valerie.tookey@sky.com

01763 243153

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COMMUNITY GOVERNANCE REVIEW OF BARRINGTON PARISH

1. INTRODUCTION

- 1.1 South Cambridgeshire District Council has resolved to undertake a Community Governance Review of the parish of Barrington.
- 1.2 This review is to consider the electoral arrangements of Barrington Parish Council to determine if there should be an increase in the number of parish councillors from nine to 13.
- 1.3 In undertaking this review the Council has considered the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in 2010, which reflects Part 4 of the Local Government and Public Involvement in Health Act 2007 and the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625). (The 2007 Act transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)
- 1.4 These Terms of Reference set out clearly the matters on which the Community Governance Review is to focus. We will publish this document on our website and also in hard copy. Hard copies will be made available at South Cambridgeshire Hall, Cambourne, parish noticeboards within Barrington and via Barrington Parish Clerk.
- 1.5 The Council is undertaking a Community Governance Review at this time because the population of Barrington is due to grown significantly with the former cement works development.
- 1.6 Although not at the instigation of a petition, the Council has been approached by Barrington Parish Council who has stated a request for a formal review process to take place and a willingness to work with the Council in taking this forward.
- 1.7 The Council must have regard to the need to secure community governance within the area under review such that it
 - reflects the identities and interests of the community in that area, and
 - is effective and convenient, and
 - takes into account any other arrangements for the purposes of community representation or community engagement in the area.
- 1.8 A Community Governance Review is a review of the whole or part of the district to consider one or more of the following:
 - creating, merging, altering or abolishing parishes;
 - the naming of parishes in the style of new parishes;
 - the electoral arrangements for parishes (the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding), and
 - grouping parishes under a common parish council or de-grouping parishes.

Appendix B

1.9 The Council's constitution states the function of the Civic Affairs Committee with regard to Electoral Arrangements

Determination as follows:

- review district or parish electoral arrangements including boundaries and report recommendations to Council
- give parish meetings powers of parish council
- increase / reduce number of parish councillors
- change parish electoral arrangements where agreed including parish warding
- appoint temporary parish councillors, s. 91 LGA, 1972

They may also recommend to Council:

- district and district ward boundary changes arising from review
- parish warding and boundary changes where not agreed
- Periodic Electoral Review
- new parish establishment

2. CONSULTATION

2.1 The Council has drawn up and now publishes this Terms of Reference document. This document lays out the aims of the review, the legislation that guides it and some of the policies that the Council considers important in the review.

2.2 In coming to its Recommendations in a Review, the Council will take account of the views of local people and stakeholders.

2.3 The Council will:

- publish these Terms of Reference and take submissions via its website;
- promote the process via the website and social media, and within the parish.
- provide key documents on deposit at South Cambridgeshire Hall, Cambourne. There will be provision for collection of paper submissions at these locations, Barrington's Clerk will also be issued with paper submissions for requesters within the parish. Postal submissions will be accepted at the District Council office (South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA).

The timetable for the review

2.4 Publication of the Terms of Reference formally begins the review, and the review should be completed within twelve months. To this end we will adhere to the following timetable for review.

Timetable for Community Governance Review	
Terms of Reference are published	01 August 2018
Submissions invited	01 August 2018
Consultation closes	Midnight on 01 October 2018
Consideration of submissions received and recommendation prepared	From 02 October to 20 November 2018
Recommendations are published,	

Appendix B

concluding the review	February 2019
Council can make a Reorganisation of Community Governance Order	March 2019

3. ELECTORATE FORECASTS

- 3.1 The existing parish electorate is 851 (Register of Electors of May 2018). The electorate is forecast to increase to 1,232 by 2023/24.
- 3.2 The population forecasts have been provided to Barrington Parish Council.

4. ELECTORAL ARRANGEMENTS

- 4.1 The Council voted to move to all out elections and bring all parish council elections in line. The first all out elections took place in May 2018, and will take place every four years thereafter.
- 4.2 The Council notes that the number of parish councillors for each parish council shall not be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. The National Association of Local Councils has suggested that the minimum number of councillors should be seven and the maximum 25.
- 4.3 The Council must have regard to the following factors when considering the number of councillors to be elected for a parish:
- the number of local government electors for the parish;
 - any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

5. REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

- 5.1 The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order and the document(s) which set out the reasons for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at the Council's offices and website
- 5.2 The provisions of the Order will take effect for financial and administrative purposes on 1 April 2019.
- 5.3 The electoral arrangements for a new or existing parish council will come into effect at the next elections to the parish council. Should this not coincide with the next ordinary local elections, the Council might have need to modify or exclude the application of sections 16(3) and 90 of the Local Government Act 1972 to provide for the first election to be held in an earlier year, with councillors serving a shortened first term to allow the parish electoral cycle to return to that of the district.

DATE OF PUBLICATIONS OF THESE TERMS OF REFERENCE
Date of publication of these terms of reference DAY MONTH 2018

Appendix B

How to contact us

Enquiries regarding the review process should be directed in the first instance to:

Jason Clarke, Programme Manager
jason.clarke@scams.gov.uk or 01954 713209

Officers charged with conducting the review are as follows:

Gemma Barron, Head of Sustainable Communities and Wellbeing
gemma.barron@scams.gov.uk or 01954 713340

Jason Clarke, Development Officer/Programme Manager
jason.clarke@scams.gov.uk or 01954 713209

Cecilia Murphy-Roads, Development Officer
cecilia.murphy-roads@scams.gov.uk or 01954 713344

DRAFT

Agenda Item 8

REPORT TO: Civic Affairs Committee

26 June 2018

LEAD OFFICER: Head of Sustainable Communities and Wellbeing

Additional powers - South Trumpington Parish Meeting

Purpose

1. To consider a request from South Trumpington Parish Meeting to grant additional powers to the Parish Meeting.

Recommendations

2. It is recommended that the Committee:
 - (a) agrees the request from South Trumpington Parish Meeting to grant all, or a selection of, the requested powers.

Reasons for Recommendation

3. The Parish of South Trumpington was established on 1 April 2017 following a Community Governance Review. Council decided not to establish a parish council at the time.
4. The parish is growing, however, they do not feel that they are currently of a size to warrant a further Community Governance Review at this time. They feel that the additional powers will enable effective governance without the need for a review at this time.

Background

5. A request has been received from South Trumpington Parish Meeting to grant additional powers which it feels it requires to effectively function as a Parish Meeting.
6. South Trumpington Parish was created as a result of a Community Governance Review two years ago, to allow the growing community at Trumpington Meadows their own governance rather than falling under the governance of Haslingfield Parish Council. South Trumpington Parish on the southern fringe of Cambridge City, and Haslingfield, a rural village, have different needs and priorities and it was felt creating a new Parish of South Trumpington would allow more effective governance.

Considerations

7. Parish Councils and Parish Meetings undertake similar roles, however, Parish Meetings upon creation, have reduced powers to those of a Parish Council, with the option to request further powers from its principal authority when and if required.
8. Civic Affairs Committee has delegated authority to make decisions granting additional powers to Parish Meetings.
9. The current electorate of South Trumpington is 166.

10. A Community Governance Review would be required to convert the South Trumpington Parish Meeting into South Trumpington Parish Council. Local Government Boundary Commission guidance recommends either a Parish Meeting or Parish Council for electorates between 151 and 999, and recommends a Parish Council for an electorate greater than 1000 (S94(2) LGPHA 2007). At this time, South Trumpington Parish Meeting have given the following reasons (Appendix B) to remain a Parish Meeting at this time:
- (a) The number of electors is still under 200.
 - (b) Due to the expanding nature of the development if there was a parish council, it might not be fair to have the majority/all the seats taken by early residents.
 - (c) There is not sufficient business due to the lack of land, buildings and assets at this point and becoming a parish council at this time would increase the administrative burden for little extra gain.
11. In its request to the Council (Appendix A), South Trumpington Parish Meeting request powers that allow them to
- (a) Create/fund a local newsletter (LGA Act 1972 s.142).
 - (b) Provide and maintain bus shelters (LGA (Miscellaneous Provision) Act 1953,s.4 and Parish Councils Act 1957, s.1.
 - (c) Spend money on crime detection and prevention measures (Local Government and Rating Act 1997, s.31).
 - (d) Provide, acquire and equip buildings for social, educational objectives and public meetings (Local Government (Miscellaneous Provisions) Act 1976 s.19 and Local Government Act 1972, s.133).
 - (e) Contribute financially to traffic calming schemes (Local Government (Miscellaneous Provision) Act 1976 s.19 and Local Government Act 1972, s.133).
 - (f) Provide certain traffic signs and other notices (Road Traffic Regulation Act 1984, s.72).
 - (g) Provide Bins (Litter Act 1983, s.5,6).
 - (h) Provide recreational facilities (Local Government (Miscellaneous Provisions) Act 1976, s.19).
 - (i) Provide entertainment and support of the arts (Local Government Act 1972, s.145).
 - (j) Right to be notified of planning applications and make recommendation in the same way a Parish Council can (Town and Country Planning Act 1990, Sched.1, para.8).
 - (k) Acquire and accept gifts of land (Local Government Act 1972, s.124, 126, 127, 139 and Public Health Act 1875, s.164 and Open Spaces Act 1906, s.9 and 10).
 - (l) Spend money on community transport schemes (Local Government and Rating Act 1997, s.26-29).
 - (m) Spend for purposes which no other power exists (Section 137). (Local Government Act 1972 s.137).

Options

12. The Committee could agree, to
- (a) grant South Trumpington Parish Meeting the requested extra powers as per their request (Appendix A); or
 - (b) grant selected extra powers as per their request (Appendix A); or
 - (c) refuse to grant additional powers; or

- (d) a further Community Governance Review to consider creating a parish council.

Implications

- 13. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Legal

- 14. **109.— Conferring functions of parish council on parish meeting.**

(1) On the application of the parish meeting of a parish not having a separate parish council, the district council may, subject to the provisions of the grouping order if the parish is grouped with any other parish, by order confer on the parish meeting any functions of a parish council.

(2) Two copies of every order made under this section shall be sent by the district council to the Secretary of State.

Effect on Strategic Aims

- 15. Appropriate community governance arrangements will help the Council to sustain existing successful, vibrant villages; helping to achieve our vision to deliver superb quality of life for our residents, and remain the best place to live, work, and study in the country.

Report Author: Jason Clarke – Programme Manager/Development Officer
Telephone: (01954) 713209

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South Trumpington Parish Meeting

Chairman: Mr Philip Allen

Clerk: Mr Ben Stoehr
30 West Drive
Highfields Caldecote
Cambridge
CB23 7NY

Tel: 01954 210241

E-mail: clerk@southtrumpington.co.uk
www.southtrumpington.co.uk

Mr Jason Clarke
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
CB23 6EA

30 May 2018

Dear Mr Clarke

At its recent meeting South Trumpington Parish Meeting carried out a review of its powers as a parish meeting without a separate parish council.

Section 109 of the Local Government Act 1972 allows the District Council to confer on the Parish Meeting any functions of a parish council. The Parish Meeting identified the following powers that it believes will enable it to function effectively as a parish meeting.

- 1) **Newsletters: Power to provide information relating to matters affecting local government.** *Local Government Act 1972 s.142*
To allow the Parish Meeting to run a newsletter and other information to the parish or to contribute to another group providing this service.
- 2) **Bus Shelters: Powers to provide and maintain Bus shelters. And Power to provide roadside seats and shelters.** *Local Government (Miscellaneous Provision) Act 1953, s.4 and Parish Councils Act 1957, s.1*
The Parish Meeting may wish to install bus shelters or roadside benches.
- 3) **Crime prevention: Powers to spend money on crime detection and prevention measures.** *Local Government and Rating Act 1997, s.31*
Crime and anti social behaviour are regular topics at the parish meetings. The Parish Meeting would like to have powers to assist the police and other authorities in tackling it, for example with CCTV or neighbourhood watch schemes.
- 4) **Community Centres & Village Halls–Power to provide (and acquire) and equip buildings for social, educational objectives and public meetings.** *Local Government (Miscellaneous Provisions) Act 1976 s.19 and Local Government Act 1972, s.133*
The Parish Meeting may wish to acquire and provide buildings for use as community space, which is lacking in the parish.
- 5) **Traffic calming: Power to contribute financially to traffic calming schemes.** *Local Government and Rating Act 1997, s.30*
When the spine road into the parish is opened the Parish Meeting has concerns about speeding vehicles and ‘rat running’ in the parish. This power would allow the Parish Meeting to work with other authorities and the police to tackle the issues, with schemes such as community speedwatch.

6) Highways: Power to provide certain traffic signs and other notices. *Road Traffic Regulation Act 1984, s.72*

In conjunction to the powers in item 5. we would like to have the ability to erect signs in the village if these were agreed and deemed appropriate by the relevant authority.

7) Litter: Provision of Bins. *Litter Act 1983, s.5,6*

The parish meeting would like the ability to place litter bins in appropriate locations where there is a lack of litter bins.

8) Recreation: Power to provide a wide range of recreational facilities. *Local Government (Miscellaneous Provisions) Act 1976, s.19*

The Parish Meeting wants to encourage people to be outside and stay active. There are sport and recreation facilities in the parish and the Parish Meeting would like to have the powers to improve the existing facilities (including adding seating and lighting) and to provide additional facilities in the future.

9) Entertainment: Provision of entertainment and support of the arts. *Local Government Act 1972, s.145*

The Parish Meeting wishes to provide a youth group in the parish for young people to attend. As there is currently no other provider for this in the parish and to help with its issues of anti social behaviour (as in item 3) the Parish meeting requests this power.

10) Town and country planning: Right to be notified of planning applications if right has been requested. *Town and Country Planning Act 1990, Sched.1, para.8*

We believe that we have the right to be notified of any planning applications that apply to the Parish so that we are able to make a recommendation in the same way a Parish Council can.

11) Land: Powers to acquire, and accept gifts of, land. *Local Government Act 1972, s.124, 126, 127, 139 and Public Health Act 1875, s.164 and Open Spaces Act 1906, s.9 and 10*

The Parish Meeting currently has no land. It may wish to acquire land in to allow it to provide recreation facilities (item 8) or it may be given some as part of a S106 agreement.

12) Transport: Powers to spend money on community transport schemes. *Local Government and Rating Act 1997, s.26-29*

The Parish Meeting may wish to contribute towards a scheme that is set up. The public transport provision seems to be changing constantly and local services (including to local health centres) may not be sufficient.

13) Power to spend for purposes which no other power exists (Section 137). *Local Government Act 1972 s.137*

The Parish Meeting, due to its limited power requests use of S137 to allow it to spend a limited amount for purposes which there is no specific power. Examples could include a Remembrance Day wreath or to make grants to charitable organisations which provide a direct parish benefit. The Parish Meeting is aware of the limitations of this power.

If you require any additional information please do not hesitate to contact me.

Yours sincerely



Mr Ben Stoehr
Clerk

From: South Trumpington Parish Meeting <clerk@southtrumpington.co.uk>
Sent: 30 May 2018 16:05
To: Clarke Jason <Jason.Clarke@scams.gov.uk>
Subject: RE: South Trumpington Parish Meeting - Request for additional powers

Hi Jay

1. The number of electors is still under 200.
2. Due to the expanding nature of the development if there was a parish council it might not be fair to have the majority/all the seats taken by a small % of residents that moved in first.
3. There isn't much regular business due to the lack of land, buildings and assets, becoming a parish council would increase the admin burden for little extra gain at this point.

A combination of the above points should be ok.

Kind Regards
Ben

Ben Stoehr
South Trumpington Parish Meeting
30 West Drive
Highfields Caldecote
Cambs.
CB23 7NY

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From: Clarke Jason [<mailto:Jason.Clarke@scams.gov.uk>]
Sent: 30 May 2018 13:18
To: South Trumpington Parish Meeting
Subject: RE: South Trumpington Parish Meeting - Request for additional powers

Thanks Ben. Looks fine. The only thing I will get asked, is why not convert to a Parish Council now rather than add all the relevant powers?

Thanks

Jay

From: South Trumpington Parish Meeting <clerk@southtrumpington.co.uk>
Sent: 30 May 2018 12:33
To: Clarke Jason <Jason.Clarke@scams.gov.uk>
Subject: South Trumpington Parish Meeting - Request for additional powers

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Hi Jay

Please find attached. If there is anything obvious that I have missed please let me know.

Kind Regards
Ben

Ben Stoehr
South Trumpington Parish Meeting
30 West Drive
Highfields Caldecote
Cams.
CB23 7NY

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Agenda Item 9



South
Cambridgeshire
District Council

Report To: Civic Affairs Committee
Lead Officer: Monitoring Officer

26th June 2018

Update on Code of Conduct complaints

Purpose

1. To update the Civic Affairs Committee on complaints cases regarding alleged breaches of the Code of Conduct.

Recommendations

2. That the Civic Affairs Committee **note** the progress of any outstanding complaints and the conclusion of cases resolved since the last meeting.

Considerations

3. Progress since the last meeting in relation to Code of Conduct complaints is set out in the below table:

Matter Number	District/Parish Council	Allegation/complaint	outcome
014318	Great Shelford Parish Council	Allegations that a Cllr breached the following parts of the code of conduct; You must – 3.5 use your position as a Member in the public interest and not for personal advantage & 3.7.3 exercise your own independent judgement, taking decisions for good and substantial reasons by – stating the reasons for your decisions where those reasons are not otherwise apparent It is alleged that the Cllr	Matter ongoing

		failed to declare a “nondisclosable pecuniary interest or non-pecuniary interest” in the item	
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Implications

4. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, there are no significant implications.

Background Papers

CONSTITUTION – CODE OF CONDUCT/Code of Conduct Complaints Procedure

Report Author: Rory McKenna – Deputy Monitoring Officer
Telephone: (01223) 457194