

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Civic Affairs Committee held on
Tuesday, 3 December 2019 at 10.00 a.m.

PRESENT: Councillor Dr. Douglas de Lacey – Chairman
Councillor Dr. Claire Daunton – Vice-Chairman

Councillors: Henry Batchelor
Bridget Smith
Eileen Wilson

Mark Howell
Dr. Aidan Van de Weyer

Officers: Patrick Adams
Gemma Barron

Senior Democratic Services Officer
Head of Sustainable Communities and Wellbeing

Kathrin John
Louise Lord
Rory McKenna

Democratic Services Team Leader
Development Officer
Deputy Head of Legal Practice

Councillor Heather Williams was in attendance, by invitation.

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Dr. Martin Cahn, Nigel Cathcart and Peter Topping. Councillor Eileen Wilson acted as substitute for Councillor Martin Cahn.

2. DECLARATIONS OF INTEREST

Councillor Henry Batchelor stated that the Constitution Review Task and Finish Group had consulted him on amendments to parts of the Constitution, due to his role as Chairman of the Employment and Staffing Committee.

3. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 29 October 2019, were agreed as a correct record subject to:

- The removal of a comma after the words “The Council used caravans”, from the paragraph headed “Alternative venues” in minute 4.
- The amendment of the words “parish councils” to “parish councillors” in the first paragraph of minute 6.

Matter arising: Community Governance Review of the Parishes of Longstanton and Oakington & Westwick

The Head of Sustainable Communities and Wellbeing explained that the Council were holding a total of nine community events regarding this Review. The Council were countering a rumour that the plan was to amalgamate Longstanton and Oakington into a single parish of Northstowe, which was clearly untrue. Officers were liaising with local members on this issue.

4. COMMUNITY GOVERNANCE REVIEW THRILOW PARISH COUNCIL

The Development Officer presented this report, which recommended the inclusion of a request from Thriplow Parish Council to amend their name to the Parish of Thriplow and Heathfield in the terms of reference of the current Community Governance Review. It was noted that this would not delay this review.

The Committee unanimously

AGREED

- A)** To amend the previously agreed Community Governance Review terms of reference to include consideration of a name change, as detailed in Appendix A of the report.
- B)** For officers to agree a timetable in consultation with Thriplow Parish Council.

5. REPORT FROM THE CONSTITUTION TASK AND FINISH GROUP

The Chairman of the Constitution Task and Finish Group, Councillor Claire Daunton, presented this report, which provided the Committee with the amendments to the Constitution proposed by the Group.

The Committee expressed its thanks to both the three councillors on the Constitution Task and Finish Group and the officers who had supported the Group. The Group had met 12 times and would be required to meet again to review certain outstanding issues referred to in the report.

Councillor Daunton explained that the amended Constitution was a great improvement on the existing version, as it had removed repetitions, introduced a clear numbering system and had created an Ethical Handbook, which included all relevant codes and protocols in one place.

The Democratic Services Team Leader explained that the following areas still needed to be considered by the Constitution Task and Finish Group:

- The results of the Senior Management Review, when known, would need to be reflected in the Constitution.
- The proposal that consideration should be given to the Audit and Corporate Governance Review becoming responsible for monitoring the Budget.
- Minor grammatical amendments.

Part 4, Section G Contract Regulations: Procurement

The Committee agreed that the Constitution Task and Finish Group should consider whether the Contract Regulations should provide for the Council to only enter into contracts with organisations that shared the authority's environmental aspirations. It was suggested that the Climate and Environment Advisory Committee should also be consulted on this issue. It was agreed that the Group would need to take advice from the Council's Procurement Officer.

Council Standing Orders, Paragraph 10.1: Public speaking

It was noted that the new Constitution proposed restricting public speaking to those who lived, worked, studied, owned or occupied property in the District. However, the Committee agreed that the Constitution Task and Finish Group should consider whether other people or partners with a connection to the Council (e.g. in relation to the Greater Cambridge area, Combined Authority, Cambridgeshire or the Oxford-Cambridge arc) should be allowed to ask public questions at the Chairman's discretion.

Council Standing Orders, Paragraph 11: Petitions

The Committee understood that the Constitution Task and Finish Group had looked at the procedures of other Councils when deciding the number of signatures required for a petition to be accepted. In response to the concern that small villages might be unable to meet the threshold for a local issues, it was explained that 50% of the electorate for the affected parish would also meet the threshold. Nonetheless, the Committee agreed that the Task and Finish Group should be asked to revisit the threshold for the number of signatures required with a view to reducing it and making it easier for residents to present petitions.

Council Standing Orders, Paragraph 13.7: Notice of Motions

It was agreed that paragraph 13.7 of the new Constitution needed to be amended to clarify who had right of reply when a Motion had been amended.

The Committee supported the recommendation of the Constitution Task and Finish Group to limit the number of Motions to Council to five. This issue would be kept under review.

Council Standing Orders, Paragraph 17.5: Recorded votes

The Committee supported the proposed change to allow a recorded vote at any Committee meeting if one councillor requested it.

Protocol on Member/Officer Relations, Paragraph 7.3: Response to queries from councillors

Councillor Bridget Smith suggested that paragraph 7.3 in Part 5 of the Constitution should be amended, as queries from councillors should be answered more promptly than queries from residents, because councillors were often responding on behalf of a resident, whose query had not been addressed. The Committee agreed that the Constitution Task and Finish Group should re-examine this issue.

Protocol on Member/Officer Relations, Paragraph 11.3: Types of correspondence

After a brief discussion the Committee agreed that "other electronic means" should be added to the list of what qualifies as correspondence.

Correspondence from Fews Lane Consortium

The Deputy Monitoring Officer addressed the following points raised in a letter from Fews Lane Consortium Ltd:

- The Committee had asked the Task and Finish Group to look at the Planning Delegation rules.

- The Council had consulted the public on major changes to the decision making process, but it would be unusual to consult on a general review of the Constitution.
- It was usual for a Council's Head of Legal Practice to also be the Council's Monitoring Officer.
- To streamline the Constitution, the Anti-Fraud and Corruption Policy had been separated from the Constitution.
- It was appropriate to empower the Chief Executive to make additional recommendations to Council regarding amendments to the Constitution. Council remained the decision making body.
- Councillors were responsible for the suggested amendments to the Constitution, not officers.

Councillor Mark Howell proposed and Councillor Bridget Smith seconded that the Constitution Task and Finish Group review the amendments suggested at this meeting and bring the entire Constitution back to the Committee. A vote was taken, and by five votes to two the Committee

AGREED that the Constitution Task and Finish Group meet to consider the issues raised by the Committee and then bring the proposed amendments to the Constitution back to a subsequent meeting of the Committee.

Timetable

The Democratic Services Team Leader explained that the aim was to take the amended Constitution to Council in April, to ensure that it was in place for the new municipal year. It was noted an additional meeting of the Committee may have to be scheduled to meet this schedule.

6. UPDATE ON CODE OF CONDUCT COMPLAINTS

The Deputy Monitoring Officer updated the Committee on two alleged breaches of the Code of Conduct relating to members of Thriplow Parish Council. The complaints were unrelated to the Community Governance Review.

7. DATE OF NEXT MEETING

It was noted that the next meeting would be held on Tuesday 3 March 2020 at 10am.

The Meeting ended at 11.15 a.m.
