

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

Minutes of a meeting of the Council held on  
Thursday, 23 April 2009 at 2.00 p.m.

PRESENT: Councillor JH Stewart – Chairman  
Councillor CR Nightingale – Vice-Chairman

Councillors: Mrs FAR Amrani, Dr DR Bard, RE Barrett, Mrs VM Barrett, JD Batchelor, Mrs PM Bear, AN Berent, NCF Bolitho, FWM Burkitt, BR Burling, TD Bygott, NN Cathcart, JP Chatfield, Mrs PS Corney, NS Davies, Dr DR de Lacey, Miss JA Dipple, Mrs SJO Doggett, SM Edwards, Mrs SM Ellington, Mrs VG Ford, Mrs JM Guest, R Hall, Dr SA Harangozo, Mrs SA Hatton, Mrs EM Heazell, JA Hockney, MP Howell, PT Johnson, SGM Kindersley, Mrs JE Lockwood, MB Loynes, RMA Manning, RB Martlew, MJ Mason, RM Matthews, DC McCraith, DH Morgan, Mrs LA Morgan, Mrs CAED Murfitt, AG Orgee, A Riley, Mrs DP Roberts, NJ Scarr, Mrs BZD Smith, Mrs HM Smith, RT Summerfield, PW Topping, RJ Turner, Dr SEK van de Ven, Mrs BE Waters, JF Williams, TJ Wotherspoon and NIC Wright

Officers:	Catriona Dunnett	Principal Solicitor
	Steve Hampson	Executive Director
	Greg Harlock	Chief Executive
	Richard May	Democratic Services Manager

An apology for absence was received from Councillor D Bird. Apologies for late arrival were submitted on behalf of Councillors Mrs FAR Amrani, Ms JA Dipple and DH Morgan.

### **97. DECLARATIONS OF INTEREST**

Councillors NN Cathcart, Mrs SJO Doggett, Mrs DP Roberts and NJ Scarr declared personal non-prejudicial interests in Agenda items 8-9, relating to the Housing Futures project, as members of the lobby group 'South Cambridgeshire Against Transfer'. Given that the interests were not prejudicial, and in accordance with the Council's Code of Conduct for Councillors, they remained in the meeting and took part in the discussions and voting.

Councillors NCF Bolitho, RE Barrett, Dr SA Harangozo, Mrs EM Heazell and PW Topping declared personal non-prejudicial interests in Agenda items 8-9, relating to the Housing Futures project, as members of the South Cambridgeshire Village Homes Shadow Board. Given that the interests were not prejudicial, and in accordance with the Council's Code of Conduct for Councillors, they remained in the meeting and took part in the discussions and voting.

Councillor RT Summerfield declared a personal non-prejudicial interest in Agenda items 8-9, relating to the Housing Futures project, on the grounds that his mother-in-law was a resident on a sheltered housing scheme. Given that the interest was not prejudicial, and in accordance with the Council's Code of Conduct for Councillors, he remained in the meeting and took part in the discussions and voting.

Councillor RE Barrett declared a personal non-prejudicial interest in Agenda items 8-9, relating to the Housing Futures project, on the grounds that his daughter was a Council tenant. Given that the interest was not prejudicial, and in accordance with the Council's Code of Conduct for Councillors, he remained in the meeting and took part in the discussions and voting.

**98. MINUTES**

Council **RESOLVED** that the Minutes of the meetings held on 26 February and 10 March 2009 be approved as correct records and signed by the Chairman.

**99. ANNOUNCEMENTS**

The Chairman welcomed Alex Colyer, who had recently joined the Council as Interim Executive Director for Corporate Services, on secondment from East Cambridgeshire District Council.

**100. QUESTIONS FROM COUNCILLORS AND THE PUBLIC****100 (a) From Councillor JP Chatfield to the Environmental Services Portfolio Holder**

Councillor JP Chatfield asked the Environmental Services Portfolio Holder the following question:

Please could the Portfolio Holder provide further information on the latest air quality results for the villages of Histon and Impington? With both villages' proximity to the A14, how does the Council propose to take action to mitigate the effects of poor air quality on local residents?

Councillor Mrs SM Ellington, Environmental Services Portfolio Holder, advised that the Council had in place an Air Quality Management Area covering parts of Histon and Impington. 2008 readings had shown compliance with national objectives for nitrogen dioxide levels at all locations, with the highest reading, recorded at The Gables, remaining below the objective level. The National Daily Mean for PM10 had been exceeded on 43 occasions during the last year, above the objective of 35 days.

Members were advised that the Council had developed an Air Quality Action Plan with Cambridge City and Huntingdonshire District councils, containing five priority actions to alleviate poor air quality through the following initiatives:

- The Guided Busway;
- The A14 widening scheme between Fen Drayton-Histon;
- The realignment of A14 as part of improvement programme;
- The Freight Quality Partnership, working in partnership with freight operators to improve emissions from their vehicles;
- Ensuring that air quality policies set out in the Council's planning policy framework were taken into account when planning new development.

By way of a supplementary question, Councillor Chatfield asked what consideration the Portfolio Holder would give to the wider publication of air quality results and related action plan?

Councillor Mrs. Ellington advised that the draft action plan was currently being consulted upon. Once finalised, detailed consideration would be given to publicity for the document; however, Mrs. Ellington was wary of publicising large amounts of highly technical information, which were unlikely to be understood without detailed accompanying explanations.

**100 (b) From Councillor D de Lacey to the Policy, Improvement and Communications Portfolio Holder**

Councillor D de Lacey asked the Policy, Improvement and Communications Portfolio Holder the following question:

Please could the Portfolio Holder explain why it is still the case, though I informed him of the problems months ago, that security concerns remain in respect of external access to the Council's systems, such that (quite apart from the inherent dangers) Officers and Councillors are obliged to breach the Council's ICT policy every time they send intranet links to Members or links are accessed by Members?

In introducing his question, Councillor de Lacey that he had previously raised these concerns with the Portfolio Holder; however, they did not appear to have been addressed.

Councillor TJ Wotherspoon, Policy, Improvement and Communication Portfolio Holder, responded that he did not agree that security concerns were of significant risk to the Council's systems. He advised that the use of HTTP links (as opposed to securer HTTPS) to access Council 'Back Office' services was mitigated by the use of a 'night watchman' server in the network DMZ – this was a protected area with its own secure arrangements to ensure no unauthorised access. The links presented to Members in emails were not providing direct access to the back office but were in effect acting as a 'proxy' for that service. Access to services beyond the DMZ server required the use of a username and password, whilst the links referred to in the question were circulated by restricted blind copy email.

Councillor Wotherspoon advised that the Council was seeking to maintain a balance between providing a secure service which nevertheless ensured wide public availability of relevant information, and one with security arrangements as stringent as those employed by financial institutions. Councillor Wotherspoon maintained confidence that this balance was maintained, with the security of the Council's systems being tested regularly through the use of 'external penetration testing' using an IT security company (Dionach Ltd); to date, such testing had not indicated any particular issues that would give rise for concern.

By way of a supplementary question, Councillor de Lacey requested, given that the Portfolio Holder had appeared to acknowledge that breaches of the Council's policy were taking place, to know why he was denied access to the wireless network in South Cambridgeshire Hall, and access to the risk assessment on which that denial was based.

The Portfolio Holder responded that he would be happy to hold further discussions with Councillor de Lacey regarding his continuing concerns. He then took the opportunity to brief Council on important forthcoming changes to the Council's ICT service. Members were advised that the Council was currently in the process of revising its external security measures including the issue of Member access to Council systems. Engagement with the nationwide programme Government Connect required all local authorities to change the way they secured and delivered services both internally and externally; the Council would, as part of that process, be replacing its firewalls and access systems and would provide '2-factor token authentication' to replace the current user name / password practices. These revisions would be in place by July 2009 and in use by 31 August 2009.

**100 (c) From Ms Teresa Watson to the Housing Portfolio Holder**

In the absence of the questioner, and in accordance with Council Standing Order 10.7, the Chairman asked the following question which had been submitted by Ms Teresa Watson to the Housing Portfolio Holder:

In the event of housing transfer proceeding, what security will be provided to enable South Cambridgeshire Village Homes to borrow money to purchase the Council Houses?

Councillor SM Edwards, Housing Portfolio Holder, advised that Ms Watson had submitted background material with her question raising concerns that, as a tenant, her security of tenure may be at risk as a consequence of the Council's housing stock being put forward as security for the new housing association's borrowing requirement. Councillor Edwards advised that, in the event of housing stock transfer proceeding, the board of the new housing association would take a number of factors into account in determining the best means of raising the funding required to purchase the Council's stock; security would be one of several key issues for it to take into account in reaching this decision. It was likely, however, that repayment would be a long-term matter, and it was common for the loan to be secured against asset value. Councillor Edwards reassured Members and tenants that no tenant had ever lost their home through the use of such security. He advised further that a full written reply would be forwarded to the questioner.

In response to a request, Council was advised that, subject to Ms Watson's permission, full details of her question and background information would be circulated to all Members.

**101. PETITIONS**

No petitions had been submitted since the last meeting.

**102. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:****102 (a) Corporate Plan 2009/10 (Cabinet, 16 April 2009)**

Council considered a recommendation from Cabinet in respect of the draft Corporate Plan for 2009/10. As notified in the Agenda, Council was advised that a revised version of the plan had been published and distributed to all Members, incorporating changes made to the draft plan since the Cabinet meeting by the Chief Executive, in consultation with the Policy, Improvement and Communications Portfolio Holder. The updated version was accompanied with a schedule outlining the specific changes which had been made.

The Chairman adjourned the meeting for ten minutes to allow Members further opportunity to consider the revised plan.

Following this adjournment, Councillor RMA Manning moved, Councillor TJ Wotherspoon seconded and Council **RESOLVED**, with 33 Members voting in favour, four against and 16 abstentions, that the amended Corporate Plan circulated at the meeting be adopted, and that authority be delegated to the Chief Executive to approve further drafting amendments prior to final publication, in consultation with the Policy, Improvement and Communications Portfolio Holder.

**102 (b) Housing Rents Review (Cabinet, 16 April 2009)**

Councillor SM Edwards moved, Councillor RMA Manning seconded and Council **RESOLVED**, with 49 Members voting in favour, one against and two abstentions, that a commitment be made to revise rent levels for 2009-10 in line with the final recommendation from the Department for Communities and Local Government, the final level to be notified to Members via the Weekly Bulletin once agreed.

**102 (c) Proposed changes to the Constitution (Constitution Review Working Party, 7 April 2009)**

Councillor JH Stewart moved, Councillor CR Nightingale seconded and Council **RESOLVED**, with no Members voting against:

- (a) That the following paragraph be added to Council Standing Order 4:

'Members acting as substitutes at meetings of the Planning Committee, and Licensing Committee when determining applications, shall be subject to the same requirement to have undertaken suitable training as ordinary members of those committees.'

- (b) That Article 8.06 be amended as follows (amendments marked in ***bold italics***):

'No member shall be eligible to sit on a regulatory committee unless and until they have undertaken suitable training ***upon appointment to such committee. No member shall be eligible to remain on a regulatory committee unless and until they have undertaken suitable refresher training as and when identified by the relevant Corporate Manager. The Democratic Services Section shall maintain a record of attendance at training events as evidence that each member's training requirement has been met.***

- (c) That the following paragraphs be added to the Constitution as Council Standing Orders 8.3 and 8.4, and the Executive and Scrutiny and Overview Committee Procedure Rules amended to make similar provision:

8.3 The Chief Executive is authorised to cancel a meeting before the agenda has been published, following consultation with the Chairman.

8.4 Where, in exceptional circumstances, it is necessary to cancel a meeting after the agenda has been published, the Chief Executive shall be authorised to do so following consultation with the Chairman of the body concerned. The notice advising of the cancellation shall specify the exceptional circumstances in which the decision was taken. Outstanding business shall be held over to the next scheduled meeting or considered at a reconvened meeting on a date to be arranged which satisfies the notice requirements set out in the Local Government Act 1972 and Access to Information Rule 4.

- (d) That the following additional paragraph be added to Council Standing Order 14:

***Participation by the Chairman of the Standards Committee***

The Chairman of the Standards Committee may present the reports and recommendations of the committee, brought forward under Standing Orders 1(xi) and 2(ix) above, and contribute to the debate of such items; however, he/she

shall not be entitled to propose or second any Motion or amendment, or to vote.'

- (e) That paragraph 22.1 of the Contract Regulations be reworded as follows and paragraph 22.2 be deleted:

'The Chief Finance Officer shall have the power to make amendments from time to time to these Contract Regulations in consultation with the Chairman of the Corporate Governance Committee, Principal Solicitor and relevant officers in the Council's Procurement, Audit and Risk Management services. A schedule of changes made under this delegated power shall be notified to the Corporate Governance Committee on an annual basis.'

- (f) That Article 2.08 (Leader of the Major Opposition Group's report to Council) be revised as follows (amendment marked in ***bold italics***):

'The Leader of the Major Opposition Group ***may*** make a report to the Annual Meeting of Council on his/her group's activities over the year.'

- (g) That paragraph 5(a) of the Budget and Policy Framework Procedure Rules be amended as follows (amendments marked in ***bold italics***):

Rollover of unspent budget provision from the previous financial year to the current year will only be permitted in exceptional cases (excluding salary-related budgets). A list of rollovers will be completed and reported for approval to the Finance Portfolio Holder by 31 July each year. ***Rollovers may then only be used with the approval of the Section 151 Officer, approval being on an individual basis during the year when the corporate/cost centre manager can demonstrate that the current year's budget is fully spent/committed and that there are no other sources of funding, including virement. Rollovers are for specific items and cannot be vired.***

- (h) That the Chief Executive be authorised to re-draft the Budget and Policy Framework Procedure Rules, the updated version to be reported to Council for information.

### 103. HOUSING FUTURES: RESPONSES TO STAGE ONE CONSULTATION ON THE COUNCIL'S HOUSING TRANSFER PROPOSAL

Council considered a report setting out the process which had been undertaken as part of the Stage 1 consultation on the Council's housing transfer proposal and containing recommendations on the next steps, including whether to move forward to a tenant ballot.

Councillor SM Edwards moved and Councillor RMA Manning seconded the recommendations set out in paragraphs 64-66 of the report, subject to the following addition to the suggested points of clarification for inclusion in the Stage 2 Notice to Tenants at Appendix 3, amended in light of representations received by the Homes and Communities Agency since the original publication of the Agenda:

'South Cambridgeshire Village Homes would be registered with a Government-sponsored body called the Tenant Services Authority who would monitor and regulate its overall performance, including checking the business plan and general financial health.'

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

Councillor SGM Kindersley moved an amendment that Council support the holding of a tenant ballot; however, the ballot should be delayed pending the carrying out of a full financial appraisal.

The Chairman rejected the amendment on the grounds that it was in similar terms to an amendment which had been rejected at a meeting of Council within the past six months. In accordance with Council Standing Order 15.2, the signatures of at least twelve members were required to enable such an amendment to be moved.

**Council RESOLVED:**

1. That the responses of tenants and leaseholders, set out in the report and its appendices, be noted.
2. That a formal Stage 2 letter be issued to all secure tenants confirming:
  - a) The terms of the Council's offer as set out in the formal (stage 1) consultation document, subject to clarification of the matters referred to in Appendix 3, amended in light of representations received by the Homes and Communities Agency by the inclusion of the following paragraph:
 

'South Cambridgeshire Village Homes would be registered with a Government-sponsored body called the Tenant Services Authority who would monitor and regulate its overall performance, including checking the business plan and general financial health.'
  - b) Tenants' right to communicate objections to the Council's housing transfer proposal to the Secretary of State within twenty-eight days from receipt of the Stage 2 Letter, and
  - c) The ability of the Secretary of State to withhold consent if a majority of affected tenants do not wish the transfer to proceed.
3. That Electoral Reform Ballot Services Ltd be commissioned to carry out a formal ballot of tenants in respect of the proposed transfer of homes to South Cambridgeshire Village Homes.

The voting was recorded as follows:

**FOR: (31)**

Dr DR Bard	RE Barrett	Mrs VM Barrett
NCF Bolitho	FWM Burkitt	BR Burling
TD Bygott	Mrs PS Corney	NS Davies
Ms JA Dipple	SM Edwards	Mrs SM Ellington
VG Ford	Mrs JM Guest	R Hall
JA Hockney	MP Howell	PT Johnson
MB Loynes	RMA Manning	RM Matthews
DC McCraith	DH Morgan	Mrs LA Morgan
CR Nightingale	AG Orgee	PW Topping
RJ Turner	Mrs BE Waters	TJ Wotherspoon

NIC Wright

**AGAINST:** (15)

AN Berent	NN Cathcart	JP Chatfield
Dr D de Lacey	SJO Doggett	Mrs SA Hatton
SGM Kindersley	RB Martlew	MJ Mason
Mrs DP Roberts	NJ Scarr	Mrs HM Smith
RT Summerfield	Dr SEK van de Ven	JF Williams

**ABSTAINED:** (7)

JD Batchelor	Mrs PM Bear	Dr SA Harangozo
Mrs EM Heazell	Dr JE Lockwood	Mrs CAED Murfitt
JH Stewart		

**DID NOT VOTE:** (1)

Mrs BZD Smith

**104. HOUSING FUTURES – POST BALLOT/PRE-TRANSFER ORGANISATIONAL ARRANGEMENTS**

Councillor SM Edwards moved, Councillor RMA Manning seconded and Council **RESOLVED** to note the arrangements necessary in the event of a positive tenant ballot, and to:

- a. Instruct the Chief Executive to prepare the necessary officer secondment arrangements to South Cambridgeshire Village Homes (SCVH) and the Council's post ballot transfer team along with appropriate backfilling measures, in order that these can be approved by Council at a post ballot meeting.
- b. Postpone the deletion of the Head of Housing Strategic Services post from 30 June 2009 to 31 October 2009.
- c. Note the arrangements for the appointment of post ballot advisors to the Council
- d. Note the arrangements that would be necessary to fund SCVH in the post ballot, pre transfer period, and that more details would be presented to a post ballot Council meeting.

**105. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES**

Councillor VG Ford drew Council's attention to an initiative being led by the East of England Regional Assembly to enable rail freight to be transported between Felixstowe and Nuneaton, thus removing large amounts of freight from the A14. She had attended a recent meeting with representatives from the Department for Transport and Network Rail, advising that a bid would be submitted for European Union funding towards the costs of the project. Councillor Ford hoped that the Council would continue to be proactive in pushing for this scheme to come to fruition, before announcing her resignation from the Council due to her candidacy in the forthcoming elections to the European Parliament.



Councillor MJ Mason provided an update on legal issues relating to noise barriers raised at the last meeting of the Guided Busway Liaison Forum.

Councillor DH Morgan advised that the National Air Traffic Service had recommenced its review of holding areas around airports and requested that Members notify him of issues of concern relating to aircraft noise in their Wards.

## **106. NOTICE OF MOTION**

### **106 (a) Standing in the name of Councillor R Hall**

Councillor R Hall moved, Councillor NCF Bolitho seconded and Council **RESOLVED** that a Motion in the following terms be agreed:

The Local Government Association has recently identified over 100 words and phrases that councillors and officers should resist using and replace them with plain English. At a time when the chasm between local government and those electing it is widening, such a step should be welcomed. The use of jargon and council-speak serves only to alienate taxpayers and members of the public. This Council urges councillors and officers to take note of this report and strike out jargon and council-speak before documents are released for public view.

## **107. CHAIRMAN'S ENGAGEMENTS**

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

## **108. COUNCILLOR VG FORD**

Following Councillor Ford's announcement of her resignation (see Minute 105 above), the Leader of the Council paid tribute to Councillor Ford's work as a Local Ward Councillor and Cabinet Member over the past three years.

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**The Meeting ended at 5.04 p.m.**

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