

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

At a meeting of the Cabinet held on  
Thursday, 9 June 2005

PRESENT: Councillor SGM Kindersley (Leader of Council)  
Councillor RT Summerfield (Deputy Leader of Council and Resources & Staffing  
Portfolio Holder)

Councillors:	Dr DR Bard	Planning & Economic Development Portfolio Holder
	JD Batchelor	Information & Customer Services Portfolio Holder
	Mrs JM Healey	Conservation, Sustainability & Community Planning Portfolio Holder
	Mrs EM Heazell	Housing Portfolio Holder
	Mrs DP Roberts	Community Development Portfolio Holder
	Mrs DSK Spink MBE	Environmental Health Portfolio Holder

Councillors RE Barrett, NN Cathcart, SM Edwards, Mrs A Elsby, R Hall, Dr JA Heap, JA Hockney, Mrs CA Hunt, Mrs HF Kember, MJ Mason, Mrs JA Muncey, Mrs CAED Murfitt, CR Nightingale, EJ Pateman, NJ Scarr, J Shepperson, Mrs GJ Smith, Mrs HM Smith, JH Stewart, Dr SEK van de Ven, JF Williams, Dr JR Williamson and NIC Wright were in attendance, by invitation.

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### Procedural Items

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#### 1. MINUTES OF PREVIOUS MEETING

The Leader was authorised to sign the Minutes of the meeting held on 12 May 2005 as a correct record, subject to the following amendments:

**Willingham – Right of Way over Brickhills** (minute 7)

Delete “*with the recommendation of refusal*” from the first sentence.

Add “*With the consent of the Leader, the Housing Portfolio Holder circulated the applicant’s photographs of the access.*”

The Leader was authorised to sign the Minutes of the meeting held on 26 May 2005 as a correct record, subject to the following amendment:

**Appointments to Advisory Groups** (minute 6)

Add *Councillor JH Stewart* to the membership of the Planning Policy Advisory Group.

In relation to minute 4 – Local Government Annual Conference – the Leader announced that neither he nor Councillor Martlew would be attending the Conference, on the grounds of cost. Councillor Mrs Roberts would be attending as it was important for her to do so in view of her membership of the LGA traveller group.

#### 2. DECLARATIONS OF INTEREST

Councillor SGM Kindersley recorded a prejudicial interest in agenda item 13, former St Denis Church, East Hatley.

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## Recommendations to Council

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### 3. HOUSING STOCK OPTIONS APPRAISAL

The Housing Portfolio Holder presented the outcome of the housing options appraisal project and Management Team's conclusions, advising amendments to:

Paragraph 25 – add “*elected*” before “tenant representatives”

Appendix A - add to paragraph 2.2 “*the Housing Portfolio Holder was present in a non-voting capacity*”

Councillor Mrs Hezell referred to the promise made to tenants that their views would be paramount and to the divided views of the Advisory Group, which made it difficult to put forward a definite recommendation. She personally, however, felt that the £750,000 which would have to be spent to reach formal ballot stage could be better spent on repairs and maintenance; and that to recoup that expenditure, tenants would get only 50% of their aspiration list. She would, however, be interested in a new stock condition survey as required by the Government. If the decision was to proceed to transfer she asked that equity share tenants should be balloted informally in order to assess their views.

Councillor Mrs DSK Spink voiced her opinion that transfer would be good for the Council and the tenants, but was concerned about risking £750,000 with the threat of capping hanging over the Council, and proposed, seconded by Councillor Dr DR Bard, that a decision be deferred pending the capping decision and for more work on the reaction of tenants and Members.

The Housing and Environmental Services Director advised Members that the money at risk included the setting up costs for a transfer organisation; the ballot of tenants itself would cost around £15,000. The detailed report made to the Housing Options Working Group gave the break down. He also confirmed that the Government would take 20% of any capital receipt and that consent would be required for the use of the remainder.

Other views and comments put forward by Members included:

- That the Council could achieve the Decent Homes Standards, albeit with a struggle
- That transfer was financially favourable only because of Government rules
- That it was now unsustainable to retain the houses
- That there was no option but to decide on transfer, but that this must be promoted positively
- That it would be better for the Council not to run the housing management service
- That the Housing Revenue Account was ring-fenced so did not affect other parts of the Council
- What was the accountability of Registered Social Landlords to their tenants?
- Were there existing RSLs who could take over the stock?
- Tenants were very satisfied with the Council's service

The Leader asked that the answers to the various detailed questions should be published on the weekly bulletin before the next discussion.

Hopes were expressed that pressure would be put on the Government again over housing finance, and Councillor Mrs Spink reported that representations were made constantly.

Cabinet **DEFERRED** making a recommendation to Council on its preferred future housing option pending the result of the capping decision and for more work on tenants' and Members' views.

The Housing and Environmental Services Director warned that there was a requirement to submit a decision to Go-East by 31 July 2005 and that, without a clear outcome, the Government Office might want further discussions.

#### **4. WORKFORCE PLAN**

Cabinet **RECOMMEND TO COUNCIL**

That the Workforce Plan (including the Action Plan in Appendix 2) be approved as submitted, with the addition of a reference to a customer satisfaction feedback mechanism if necessary.

#### **5. FOOD SAFETY SERVICE PLAN**

Noting that detailed procedures for food safety were contained elsewhere and that food hygiene courses were income generating, Cabinet

**RECOMMEND TO COUNCIL**

That the Food Safety Service Plan 2005/06 be approved as submitted to Cabinet.

#### **6. HEALTH AND SAFETY SERVICE PLAN**

Cabinet **RECOMMEND TO COUNCIL**

That the Health and Safety Service Plan 2005-2006 be approved as submitted to Cabinet.

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### **Decisions made by Cabinet**

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#### **7. ANTI-SOCIAL BEHAVIOUR ACT - HIGH HEDGES PROVISIONS**

The Planning and Economic Development Portfolio Holder advised that the proposed fees for the Council to deal with complaints about high hedges were pitched with the aim of encouraging negotiations between neighbours. There were provisions for reduction in fees in the case of hardship, but the circumstances of someone who could not afford to have work carried out could not be covered in these procedures.

In view of the current financial circumstances, the Leader requested the deletion of the recommendation to authorise a new part-time high hedges enforcement post should the number of cases exceed the equivalent of 1 day per week; for Cabinet to consider if the circumstances arose. This was accepted by the Portfolio Holder as long as the position was kept under review, and Cabinet

**RESOLVED**

- (a) That the proposed process for the administration of high hedge complaints (Appendix 1 to the report) be adopted;
- (b) That the scheme of delegated powers to officers (Appendix 2 to the report) be approved;
- (c) That the fee charged in respect of complaints under the high hedges provisions of the Anti-Social Behaviour Act 2003 be £450 where there has been no formal mediation;
- (d) That where formal mediation has been undertaken, the fee be reduced, equivalent to the costs of the mediation, up to a maximum reduction of £150, subject to provision of evidence of the attempt and failure of the mediation and its cost.

**8. DISCRETIONARY COMPENSATION FOR REDUNDANCY**

The Resources and Staffing Portfolio Holder advised that the current discretionary compensation scheme had been introduced at the time of local government reorganisation when many authorities were implementing redundancies, but had not subsequently been reviewed. The Head of Legal Services had advised that there were no legal obstacles to the change, but Unison was opposed to the proposal.

In view of the changed employment situation and the Council's current financial position, Cabinet

**RESOLVED** that the Council return to providing compensation for redundancy under the statutory Employment Rights Act 1996 scheme, but by reference to actual remuneration at the date of termination.

**9. PERFORMANCE PLAN**

Cabinet

**APPROVED** the following arrangements for consideration and approval of the Performance Plan 2005:

- (a) Copies of the draft Plan to be distributed to portfolio holders as soon as possible, for them to make comments;
- (b) Council on 23 June 2005 to receive copies of the draft Plan for approval, with approval of the final version being delegated to the Chief Executive and Leader of the Council.

**10. AFFORDABLE HOUSING - COMMUTED SUMS**

Cabinet were presented, as requested, with two examples where commuted sums could be considered as an alternative to the provision of land for affordable housing under Section 106 agreements. Officers confirmed that the sums received would be ring

fenced and that a programme of affordable housing schemes which could be funded would be presented for Members to decide on priorities. Cabinet

**RESOLVED** that the acceptance of commuted sums in lieu of provision of land for affordable housing under Section 106 agreements be adopted as Council practice in appropriate cases.

## 11. IT COMMS ROOM AIR CONDITIONING

Cabinet was advised of recent over-heating in the ICT Comms Room, which resulted in the ICT systems being shut down for approximately four hours. Some concern was expressed by Members that this had led to a security door being left open, but assurances were given that the entrance was monitored by cameras.

Cabinet expressed grave concern at the apparent lack of response from the developers to the situation, the latest incident not being isolated, and urged urgent pressure on them to accept their responsibilities for this and other remedial action needed.

The Finance and Resources Director confirmed that the disaster plan allowed for mobile servers to be brought in if the systems were down for over four hours, and that they had been on stand-by. The Information and Customer Services Portfolio Holder gave an assurance that no information had been or would be lost in any similar incident.

The Head of Legal Services had advised that if retention monies were used to fund a further air conditioning unit, there might be legal processes to be pursued eventually.

Cabinet **RESOLVED**

- (a) That a second air conditioning unit be obtained for the ICT Comms Room and installed at the earliest opportunity; the costs of this and the ongoing costs of the hire of mobile air conditioning units to be funded from the retention monies held back subject to successful completion of building snagging issues;
- (b) That the use of capital reserves for funding this expenditure be authorised in case this should prove necessary;
- (c) That strenuous efforts be made to ensure the developers accept responsibility for the faults.

## 12. HISTON AND IMPINGTON SPORTS FACILITY GRANT

Cabinet was asked to increase the grant to the Histon and Impington recreation ground project to help cover additional costs identified by the received tenders. The local Members supported the application, but Councillor MJ Mason recorded a personal interest as a member of the management committee. Cabinet

**APPROVED** an increase of £10,000 in the grant to Histon and Impington Recreation Ground Management Committee towards the new pavilion, games area and improvements to the car park, making a total grant award of £100,000

### 13. EAST HATLEY, ST DENIS CHURCH

(Taken at item 4 in the absence of Councillor SGM Kindersley)

The Conservation, Sustainability and Community Planning Portfolio Holder reported on the tenders received for re-roofing and general repair works to arrest the deterioration of former St Denis Church, owned by the Council. The tenders were higher than hoped, but Councillor Mrs Healey felt that, as demolition was not an option in view of the listing at Grade II\*, it was necessary to proceed in order to take advantage of the English Heritage grant offer of £61,000. In addition, Hatley Parish Council had offered £2,000 towards a clay tile roof. The Council had a fund established for this purpose but there should be the clear understanding that the Council would not spend any more money on the building.

Some Members favoured allowing the building to fall down, or even demolishing it as it was of no practical use, and were concerned at how the expenditure would look at this time to applicants for small grants. However, the Council's responsibility for the safety of people visiting the graveyard around the building was considered paramount, and other applicants would not be affected as the expenditure would be met from the historic buildings preservation fund. Indeed, if the Council did not repair this historic building, in the highest category of the Council's own buildings at risk register, it would be difficult to put pressure on other owners to restore their property. In addition, it was thought that once the building was safe it might be possible to transfer ownership to another body.

The Conservation Manager reported that the lowest tenderer would need to be interviewed, but that the architect was satisfied that the specification had been followed. He agreed to ask the architect to remove the day-works figure and have any extra items priced.

Councillor Mrs DP Roberts proposed, seconded by Councillor Dr DR Bard, that a decision be deferred for enquiries of the commercial sector on the prospects for the building's use and for an application to English Heritage to demolish. The Conservation Manager advised that that, although no formal application to demolish had been made, discussions had indicated that consent would be unlikely in the building's present condition.

The proposal to defer was **LOST**. Cabinet then

#### **RESOLVED**

- (a) To authorise officers to let a contract to implement first phase repair works at former St Denis Church, East Hatley including replacement clay tiles, at a works cost of £129,662; funded by grant support from English Heritage, Hatley Parish Council and the Historic Buildings Preservation Fund;
- (b) That no further expenditure be incurred by the Council on former St Denis Church.

### 14. BROADBAND PROJECT CLOSURE

Cabinet **NOTED** the success of the Broadband deployment across the District and

**SUPPORTED** the formal closure of the Broadband Project and the proposed arrangements for the continuing management of the East of England Development Agency (EEDA) funding.

## 15. **ADVISORY GROUPS FOR COMMUNITY DEVELOPMENT AND SPORTS DEVELOPMENT**

Cabinet

**APPROVED** the establishment of two time limited advisory groups, one for Community Development and one for Sports Development, each to review the relevant previous strategies and develop new strategies and action plans; and

that each advisory group comprise six nominated members plus the Community Development Portfolio Holder.

## 16. **APPOINTMENTS TO ADVISORY GROUPS AND OUTSIDE BODEIS**

A plea was made for Members appointed to advisory groups to attend the meetings.

Cabinet made the following appointments for 2005/06 (plus the relevant portfolio holder for each advisory group):

### **Arts Development Advisory Group**

SA Harangozo	JA Hockney	Mrs JA Muncey
JA Quinlan	Mrs GJ Smith	Mrs DSK Spink

(Existing members as the task is nearly complete)

### **Housing for Older People Steering Group**

RE Barrett	RF Bryant	NN Cathcart
Mrs A Elsby	Mrs SA Hatton	Mrs HF Kember
Mrs JA Muncey	J Shepperson	Dr JR Williamson

(Existing members to maintain continuity on time limited group)

### **Information and Communications Technology (ICT) Advisory Group**

SM Edwards	Mrs HF Kember	MJ Mason
Dr JPR Orme	A Riley	Mrs HM Smith
JH Stewart		

### **Land Drainage Advisory Group**

EW Bullman	BR Burling	Mrs J Dixon
SM Edwards	RMA Manning	MJ Mason
J Shepperson	Mrs HM Smith	NIC Wright

(First and second choices)

### **Member Training Advisory Group**

SJ Agnew	Mrs SA Hatton	Mrs DSK Spink
Dr SEK van de Ven	DALG Wherrell	JF Williams

### **Milton Country Park Advisory Group**

R Hall	Mrs SA Hatton	Mrs HF Kember
Mrs JA Muncey	Mrs HM Smith	RT Summerfield
RJ Turner		

**Waste Management Advisory Group**

RE Barrett	RF Bryant	EW Bullman
JP Chatfield	Mrs SJO Doggett	SA Harangozo
Mrs CAED Murfitt	NJ Scarr	J Shepperson
Mrs HM Smith	Mrs VM Trueman	Mrs BE Waters
DALG Wherrell	Dr JR Williamson	

**Northstowe Member Steering Group**

All Cabinet Members, Development and Conservation Control Committee Chairman and all local Members:

Dr DR Bard	JD Batchelor	EW Bullman
BR Burling	JP Chatfield	Mrs PS Corney
Mrs J Dixon	SM Edwards	R Hall
Mrs JM Healey	Mrs EM Heazell	MP Howell
SGM Kindersley	RMA Manning	MJ Mason
Mrs JA Muncey	Dr JPR Orme	A Riley
Mrs DP Roberts	J Shepperson	Mrs DSK Spink
RT Summerfield	Mrs BE Waters	TJ Wotherspoon
NIC Wright		

Local County Councillor

1 Cambridge City Councillor

Vice-Chairman of Development and Conservation Control Committee as substitute for any SCDC Member (if not already a member)

**South Cambridgeshire Environment and Transport Area Joint Committee**

SGM Kindersley	Leader
RT Summerfield	Deputy Leader
Mrs DSK Spink	Environmental Health PFH
JD Batchelor	Information & Customer Services PFH
Dr DR Bard	Planning and Economic Development PFH
Mrs DP Roberts (substitute)	Community Development PFH

**County Council/City Council/South Cambridgeshire Environment and Transport Joint Strategic Forum**

SGM Kindersley	Leader
JD Batchelor	Information & Customer Services PFH
Dr DR Bard	Planning and Economic Development PFH
Dr JPR Orme or NIC Wright	Chairman or Vice-Chairman of Development and Conservation Control Committee
RT Summerfield (substitute)	Deputy Leader

**Cambridgeshire Councils' Association**

SGM Kindersley	Leader
RT Summerfield	Deputy Leader
Mrs DP Roberts	Community Development PFH
Mrs EM Heazell (substitute)	Housing PFH

**South Cambridgeshire Local Strategic Partnership Board**

SGM Kindersley	Leader
Mrs JM Healey	Conservation Sustainability & Community Planning PFH

**CambSport**

Mrs DP Roberts	Community Development PFH
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**Cambridge Airport Relocation Study Member Reference Group**

Dr DR Bard	Planning & Economic Development PFH
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**Cambridge City Centre Consultative Forum**

Dr DR Bard	Planning & Economic Development PFH
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**Cambridgeshire Council's Association Waste Forum**

Mrs DSK Spink	Environmental Health PFH
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**Cambridgeshire Horizons**

SGM Kindersley	Leader
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**Cambridgeshire Transport Forum Reference Group**

Dr DR Bard	Planning & Economic Development PFH
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**East Anglia Tourist Board**

Mrs JM Healey	Conservation Sustainability & Community Planning PFH
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**East of England Regional Assembly**

SGM Kindersley	Leader
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**Home Improvement Agency**

Mrs DSK Spink	Environmental Health PFH
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**Northstowe Trust Development Group**

SGM Kindersley	Leader
Dr DR Bard	Planning & Economic Development PFH
Mrs DP Roberts	Community Development PFH

**17. ADDITIONAL REFUSE AND RECYCLING COLLECTION ROUND - LATE ITEM**

This additional item was accepted by the Leader as urgent as the point had been reached where it would be unwise not to proceed with the permanent solution for additional refuse collection provision. Cabinet

**RESOLVED** that

- (a) The £130,000 included in the 2005/06 original budget estimates for an additional integrated refuse and recycling collection round be released;
- (b) Approval be given for the procurement of an additional refuse collection vehicle;
- (c) Approval be given to increase the establishment by 1 HGV driver, scale 13-20 and 2 refuse operative loaders, scale 6-13.

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**Information Items**

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**18. TRAVELLERS UPDATE**

Members were given an update on actions taken in advance of the deadline for unauthorised travellers at Pine View, Smithy Fen to leave. The Leader welcomed local

media interest, which he felt led to free and frank debate, despite corrections which had had to be made, and hoped for a good relationship in the future.

Councillor SM Edwards queried the use of the word “reaffirmed” in paragraph 4 and it was agreed that “stated” would be more accurate.

Councillor Edwards also urged that a report on the concept of land swaps should be considered as soon as possible, and the Leader gave an assurance that land swap and other options would be considered as soon as resources permitted and details could be confirmed, including awaited Government regulations. He confirmed that the travellers at Smithy Fen would not be staying but that the Council would do everything possible to help.

It was noted that this report related to Cottenham, but that meetings with the Commission for Racial Equality could be arranged for other areas.

The Leader also recorded Cabinet’s apologies to the local Members that they were not advised in advance of the recent visits made by Cabinet to traveller sites.

The Deputy Development Services Director outlined the processes involved in serving injunctions on unknown persons.

The report was **NOTED** and it was suggested that cultural awareness training would be useful for all Members.

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### Standing Items

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**19. MATTERS REFERRED BY SCRUTINY AND OVERVIEW COMMITTEE**

None

**20. UPDATES FROM CABINET MEMBERS APPOINTED TO OUTSIDE BODIES**

None received.

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### Further decisions made by Cabinet

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**21. COTTENHAM - THREE HORSESHOES, 135 HIGH STREET**

The progress report on outstanding grant aided works at this property was taken in open session.

The Environmental Health Portfolio Holder read additional information from the applicant on the latest position on the works, from which it appeared that steady, if slow, progress was being made. She believed that continued monitoring as recommended was the only way to ensure completion of the works. Cabinet, bar one who felt that completion should be required by the end of the year,

**AGREED**

- (a) To seek written confirmation from the applicant that, if he is allowed to follow his own logical programme of works, the property will be brought up to the fitness standard by March 2007, irrespective of any other desirable works still outstanding at that time. He must also confirm that he has the resources to do this.
- (b) To allow the applicant to complete works according to his own logical programme of works on the understanding that failure to achieve the fitness standard by the due date will result in immediate action to reclaim grant funding
- (c) To seek provision of a new programme of works, showing only works essential to achieve the fitness standard under the Housing Act 1985, with achievable dates, which will be closely monitored by Environmental Health
- (d) To serve a deferred action statutory notice under section 189 of the Housing Act 1985 (as amended) to empower the Council to carry out work in default in the event of non-compliance. The cost of works would then become a charge on the property and would accrue interest until settled. Where significant sums were involved, there would also be power to enforce sale of the property afterwards.

## **22. CAMBRIDGE OFFICE**

This report on the operation of the Cambridge Office was taken in open session.

The Resources and Staffing Portfolio Holder reported that the staff were fully occupied with workloads related to their previous service areas in addition to their customer services duties, but that the cost of maintaining the office was unacceptable given the number of visitors. Options for the future were set out in the report: to enhance the service, to close the office, or to arrange for Cambridge City Council to operate the service.

Views varied from the need to publicise the office more, to support for closure, but it was ultimately

### **RESOLVED**

- (a) To ask Cambridge City Council to provide the Cambridge based customer service facility, transferring the Cambridge Office staff back to appropriate departments at the Cambourne HQ;
- (b) To give delegated authority to the Leader and Resources and Staffing Portfolio Holder to deal with any associated staffing matters, including redundancies and the transfer/establishment of posts as necessary;
- (c) That investigations be carried out into the possibility of applying for the removal of the planning condition requiring provision of the Cambridge facility.

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**The Meeting ended at 3.00  
p.m.**

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