

**MINUTES OF A MEETING
OF THE COUNCIL**20 May 2004
6.17pm – 11.10pm

PRESENT: The Mayor (Councillor White), Deputy Mayor (Councillor Callaghan), Councillors Adigun-Harris, Bailey, Baker, Bell, Benstead, Blencowe, Boyce, Bradnack, Coleman, Dixon, Downham, Dryden, Durrant, Ellis-Miller, Harrison, Hart, Hipkin, Howarth, Howell, Hughes, James, Liddle, Nimmo-Smith, Pinnington, Reid, Rosenstiel C, Rosenstiel J, Schofield, Slatter, Smart, Smith J, Smith R, Stebbings, Stuart, Todd-Jones, Ward and Wright.

FOR THE INFORMATION OF THE COUNCIL**04/19 MINUTES**

The minutes of the meetings of the Council held on 12 and 23 February and 11 March were confirmed as a correct record and signed by the Mayor.

04/20 MAYOR'S ANNOUNCEMENTS**a) Councillor Ruth Bagnall**

The Mayor formally reported the death of Councillor Ruth Bagnall. He commented on her commitment, enthusiasm and sheer hard work during her ten years on the City Council. He said she was passionate and knowledgeable about the broad range of work in which she was involved, and everyone impressed by her skill in debate.

In addition, she gave a great deal of time and commitment to her work as a councillor for Coleridge Ward, as Leader of the Labour Group and as a council representative on many outside organisations. The Council would greatly miss her thoughtful, thoroughly researched contributions and her great sense of humour. Cambridge and this Council in particular would miss her greatly.

He also spoke on her work and influence which spread further afield: the Local Government Association, the East of England Development Agency, the Regional Planning Panel, the East of England Asylum Support and Refugee Integration Panel, the East of England Regional Assembly and the EU Committee of the Regions work.

Members stood in silence in memory of Councillor Bagnall.

b) Apologies

Apologies for absence were received from Councillors Adey and Taylor.

c) Twinning

The Mayor had represented the City by attending a special weekend in the City of Szeged when the 125th anniversary of the Great Flood had been commemorated. This had also enabled him to make contacts with the University of Szeged and local business, as well as having a range of meetings with officers of Szeged City Council in an effort to make our relationship with Szeged more effective and meaningful.

In April he had enjoyed hosting the Cambridge/Heidelberg Easter Festival, which had been a great success. On 21 May, two members of the Cambridge-Szeged Society were to represent Cambridge at Szeged's Bridge Fair. They would be staffing a stand with literature promoting Cambridge as a tourist destination. In June, 24 visitors from Szeged Rotary Club were to spend 3 days in Cambridge, hosted by the Rotary Club of South Cambridge, and the Mayor was to entertain them to a reception on the 4th June.

d) David Poole's Retirement

David Poole was to retire on 28 May after twenty years service with the Council. David joined the Council in 1984 as Housing Manager. He had been appointed to his current role as Director of Community Services in 1991.

David had been unable to attend this meeting, and the Mayor said that he would write on behalf of all members to offer the Council's appreciation for his long and committed service to the Council and the community in Cambridge.

e) 60th Anniversary Of D-Day

The Mayor was to represent the City at the 60th anniversary of D-Day celebrations at Duxford on Sunday, 6 June 2004.

f) Civic Team Of The Year Award

The Mayor reminded members that in 2003 the City Council's civic team had received one of only five Special Merit Awards in a national competition to find the Civic Team of the Year. This year, they had done even better, as they had were joint runners-up to the winner – Blaenau Gwent. He congratulated the team, Sue Edwards, George Swindles, Alexander Finlayson and Jan Davies.

g) University Museums

The Mayor had been visiting the museums of the University of Cambridge in order to promote their use by the people of Cambridge as well as other visitors. The local press had co-operated with this project and had given his visits a high level of publicity.

h) Local Elections

This was the last Full Council Meeting for a number of councillors, all of whom had made outstanding contributions to the work of the Council over the years. The Mayor thanked Councillors Nichola Harrison, David Howarth, Judith Pinnington, Malcolm Schofield and Graham Stuart.

The Mayor said that he had also decided not to seek re-election on 10 June, although would continue his mayoralty until the Annual Meeting on the 24 June.

He wished all those seeking re-election well in their campaigns.

i) Declarations of interest**Motion c) Station at Addenbrooke's Hospital**

Councillor Nimmo-Smith declared a personal and prejudicial interest as an employee of the Medical Research Council which had interests in land to the East of the proposed Railway Station. He confirmed that he would leave the chamber during discussion of the motion.

04/21 PUBLIC QUESTION TIME

No member of the public wished to address the Council.

04/22 TO CONSIDER THE RECOMMENDATIONS OF THE EXECUTIVE FOR ADOPTION:**(i) Best Value Performance Plan**

RESOLVED (by 23 votes to 2) that

- 1 the format for the Best Value Performance Plan set out in the report to the Strategy Scrutiny Committee on 4 May be approved, and
- 2 the Chief Executive be authorised to finalise the content of the Plan.

(ii) Cambridge Local Strategic Partnership – Publication of Community Strategy

RESOLVED (by 23 votes to 0) that the Community Strategy and the associated actions set out in the appendix to the Strategy Scrutiny Committee on 4 May be approved.

(iii) Corporate Overview – General Fund Revenue and Capital Budgets, Carry Forwards and Significant Variances for 2003/04

RESOLVED (by 23 votes to 0)

- 1 to use £299,520 of reserves required to fully fund the carry forwards, listed in Appendix C of the report to Strategy Scrutiny Committee on 4 May, taking account of the projected net revenue position in 2003/04, as shown in Appendix A.
- 2 to fund capital scheme overspends in this year of £4,000 and to carry forward resources to fund rephased capital spending of £2,325,000 from 2003/04 into 2004/05, as detailed in Appendix C of the report to Strategy Scrutiny Committee on 4 May, subject to the final outturn position.

04/23 RECOMMENDATIONS OF COMMITTEES: CIVIC AFFAIRS COMMITTEE

i) 04/CIV/10 Review of the Code of Corporate Governance

Resolved (by 22 votes to 0) to approve the Code appended to the minutes of the Civic Affairs Committee on 5 May 2004

ii) 04/CIV/11 Sharing the Mayoralty

Resolved (by 23 votes to 0) to approve the Convention on sharing the Mayoralty appended to the minutes of the Civic Affairs Committee on 5 May 2004

iii) 04/CIV/12 Licensing Act 2003 and the Licensing Committee

Resolved (by 23 votes to 0)

1. to appoint a new Licensing Committee at the Annual Meeting on 24 June to carry out the Council's licensing responsibilities under the Licensing Act 2003.
2. To appoint ten members to the new Licensing Committee with immediate effect from the Annual Meeting and to appoint a further five members to join the Committee with effect from the "first appointed day" to be designated under the Licensing Act 2003, all fifteen members to be appointed at the Annual Meeting.
3. To retain the existing Licensing Committee (under a new name) to carry out its present functions.

04/24 ORAL QUESTIONS

	Question	Question by Councillor	Answer by Councillor
1	Which member of his party invented the myth, published in a Lib Dem newsletter, that 'at the Council's budget setting meeting this year Lib Dems defeated a Labour plan to cut (yes cut) the black box doorstep re-cycling scheme' ?	Bradnack	Nimmo-Smith
2	Does the Chair share my delight at the number and range of candidates standing for election to the City Council on June 10th?	Stuart	C Rosenstiel
3	How much money does the Council expect to raise from its new rules for charging voluntary and community organisations for the use of our public open spaces, and how much will it cost to collect this money?	Howell	J Rosenstiel
4	At a recent public meeting the Leader of the Cambridge University Liberal Democrat students urged all students to register for postal votes in Cambridge. Would the Liberal Democrat Leader of this Council now agree to promote all postal	Benstead	C Rosenstiel

ballots for all residents in future elections, as they are more democratic?

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| 5 | Could the Executive Councillor for Environment explain to the Council why there was a £632,000 shortfall in car park revenue in the last financial year, why she ignored warnings from the Conservative group that this was likely to happen and why, until now, she has failed to apologise to the Council for this failure of management? | Stuart | Harrison |
| 6 | What is your response to Housing Associations that have complained to the Council about the detrimental effect its s106 strategy is having on their ability to develop affordable and special needs housing in the City? | Howell | Harrison * |

*Although the question was directed at Cllr Smart, Cllr Harrison responded to the question as the matter lay in her portfolio.

04/25 **MOTION A: Anti Social Behaviour**

Councillor Bradnack proposed and Councillor Downham seconded the following motion:

'This Council regrets that the Liberal Democrat administration of Cambridge City Council has lost the confidence of local people in its capacity to address anti-social behaviour in the city. It calls on the Executive Member for Housing and Health to accept responsibility for the maladministration established by the Local Government Ombudsman in the judgement published on 29 April 2004. In the light of those findings, it asks the Executive Member for Housing and Health to resign her executive position. The Council further resolves that it will urgently:

- a. Facilitate and simplify complainant access to the Council in cases of anti-social behaviour;
- b. Include clear and effective policies and procedures for dealing with tenancy and neighbour disputes in its Anti-social Behaviour Strategy, and in its tenancy agreements;
- c. Ensure that local members and complainants are kept informed, within legal constraints on confidentiality, about cases of anti-social behaviour in which they or their constituents are involved.

Under paragraph 13.7.1 of the Council Procedure Rules it was agreed to deal with the motion at the meeting.

Councillor Smart proposed and Councillor James seconded the following amendment:

'Omit the first sentence after 'this council '

Omit in second sentence 'It' & insert 'formal' between accept and responsibility

Omit the 3rd sentence, so the first paragraph reads:

This Council calls on the Executive Member for Housing and health to accept formal responsibility for the maladministration established by the Local Government Ombudsman in the judgement published 29th April 2004. The Council further resolves that it will urgently:

leave a) & b) as they stand

then amend c) adding 'and operational efficacy' after confidentiality so that it reads:

c) ensure that local members and complainants are kept informed, within legal constraints on confidentiality and operational efficacy, about cases of anti-social behaviour in which they or their constituents are involved

Add at the end:

d) Instructs the Housing and Health Scrutiny committee at its special meeting on the 26th May to consider detailed measures to further these aims.'

On a show of hands the amendment was carried by 23 votes to 14.

Councillor Stuart proposed and Councillor Howell seconded the following amendment:

'Delete the word 'formal' in the first sentence and add the words 'and apologise unreservedly for this failure' at the end of the first sentence.

On a show of hands the amendment was carried unanimously.

Councillor Nimmo-Smith proposed and Councillor Pinnington seconded the following amendment:

'Replace the first paragraph with the following:

This Council notes that the Executive Member for Housing and Health has accepted responsibility and has apologised unreservedly for the maladministration established by the Local Government Ombudsman in the judgement published on 29 April 2004.'

On a show of hands the amendment was carried unanimously.

Resolved (by 34 votes to 0) that

This Council notes that the Executive Member for Housing and Health has accepted responsibility, and has apologised unreservedly, for the maladministration established by the Local Government Ombudsman in the judgement published on 29 April 2004.

The Council further resolves that it will urgently:

- a. Facilitate and simplify complainant access to the Council in cases of anti-social behaviour;

- b. Include clear and effective policies and procedures for dealing with tenancy and neighbour disputes in its Anti-social Behaviour Strategy, and in its tenancy agreements;
- c. Ensure that local members and complainants are kept informed, within legal constraints on confidentiality and operational efficacy, about cases of anti-social behaviour in which they or their constituents are involved.
- d. Instruct the Housing and Health Scrutiny committee at its special meeting on the 26th May to consider detailed measures to further these aims.

04/26 **MOTION B: Homelessness Appeals Committee**

Councillor Todd-Jones moved and Councillor Bradnack seconded the following motion:

'This council regrets the decision by the Council's Executive Member for Housing and Health to delegate appeals by homeless families to an outside agency. This delegation infringes the natural right of appellants to be heard by their elected and accountable representatives and is contrary to procedures for hearing appeals and petitions elsewhere in the council. It therefore calls on the Executive member to rescind her decision, and to take appropriate steps to improve member involvement in the procedures which have existed up till now.'

Under paragraph 13.7.1 of the Council Procedure Rules it was agreed to deal with the motion at the meeting.

Councillor Smart proposed and Councillor Coleman seconded the following amendment:

'Delete all after 'This Council' and replace with:

'acknowledges the importance of making homelessness decisions in a fair, equitable and legal way. It also acknowledges the importance of making those decisions as quickly as possible to reduce the time applicants are in the limbo of temporary accommodation.

This Council regrets that, for several years, decisions going to Appeal have been slow and, in spite of efforts to speed things up over the last eight months, little improvement has been made.

This Council therefore endorses the recommendation of the Executive Councillor for Housing and Health to delegate appeals to an outside agency for three years and having a review after this period, as recommended by the Housing and Health Scrutiny Committee,'

On a show of hands the amendment was carried by 21 votes to 13.

Resolved (by 21 votes to 14) that

This Council acknowledges the importance of making homelessness decisions in a fair, equitable and legal way. It also acknowledges the importance of making those

decisions as quickly as possible to reduce the time applicants are in the limbo of temporary accommodation.

This Council regrets that, for several years, decisions going to Appeal have been slow and, in spite of efforts to speed things up over the last eight months, little improvement has been made.

This Council therefore endorses the recommendation of the Executive Councillor for Housing and Health to delegate appeals to an outside agency for three years and having a review after this period, as recommended by the Housing and Health Scrutiny Committee.

04/27 **DURATION OF MEETING**

Resolved (by 25 votes to 1) at 10.30pm under Council Procedure Rule 10.1 that the meeting not be adjourned

04/28 **MOTION C: Railway Station at Addenbrookes**

Councillor Durrant proposed and Councillor Bradnack seconded the following motion:

'This council regrets the decision by the Council's Executive Member for Environment that no provision will be made in the draft local plan to reserve land for a station at Addenbrookes Hospital, which will jeopardize important public transport options for Cambridge. It calls on the Executive Member to reverse her decision.'

Under paragraph 13.7.1 of the Council Procedure Rules it was agreed to deal with the motion at the meeting.

Resolved (by 13 votes to 17) that no action be taken on the motion.

(Councillor Nimmo-Smith declared a prejudicial interest as an employee of the Medical Research Council which had interests in land to the East of the proposed Railway Station. He left the chamber during discussion of the motion.)

04/29 **RECORDS OF DECISION**

The Council received the records of decisions made by Executive Councillors.

04/30 **TO RECEIVE THE MINUTES OF THE COMMITTEES FOR INFORMATION**

Members noted that it had been the intention to circulate minutes of a number of committees at the meeting of the Council for the information of members. Because of a delay with printing it had not been possible to do so and that the minutes would be circulated as soon as possible after the meeting. Members would be asked to formally receive the minutes at the next meeting of the Council.

The Council concluded its business at 11.10pm.

Mayor

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