



CAMBRIDGE CITY COUNCIL

INFORMATION PACK

PACK - INFO PACK FOR COUNCIL

Date: Thursday, 18 October 2018

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Key:
Lab - Labour
Lib Dem – Liberal Democrats
I&G – Independent and Green

The Mayor's
Chaplain

The Deputy
Mayor

Gerri Bird

The
Mayor
Nigel
Gawthrope

Democratic
Services
Manager

The Chief
Executive

Russ
McPherson
(Lab)

Jeremy
Benstead
(Lab)

Mike Todd-
Jones
(Lab)

Martin Smart
(Lab)

Mike
Sargeant
(Lab)

Lewis
Herbert
(Lab)

Carina
O'Reilly
(Lab)

Rosy Moore
(Lab)

Baiju
Thittala
(Lab)

Carla
McQueen
(Lab)

Kelley
Green
(Lab)

Kevin
Blencowe
(Lab)

Anna Smith
(Lab)

Richard
Robertson
(Lab)

Patrick Sheil
(Lab)

Mark Ashton
(Lab)

Caroline Hart
(Lab)

Katie
Thornburrow
(Lab)

Dave Baigent
(Lab)

Kevin Price
(Lab)

Sophie
Barnett
(Lab)

Nicky
Massey
(Lab)

Robert
Dryden
(Lab)

Richard
Johnson
(Lab)

Donald Adey

John
Hipkin
(I&G Group)

Oscar
Gillespie
(I&G Group)

Jenifer Page-
Croft
(Lib Dem)

Zoe O-
Connell
(Lib Dem)

Colin
McGerty
(Lib Dem)

Anthony
Martinelli
(Lib Dem)

Lucy
Nethsingha
(Lib Dem)

Damien
Tunnacliffe
(Lib Dem)

Tim
Bick
(Lib Dem)

Jamie
Dalzell
(Lib Dem)

Valerie Holt
(Lib Dem)

Markus
Gehring
(Lib Dem)

George
Pippas
(Lib Dem)

Cheney
Payne
(Lib Dem)

Rod Cantrill
(Lib Dem)

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CIVIC AFFAIRS

10th October 2018

5.30pm - 7.00 pm

Present: Councillors McPherson (Chair), Benstead Dalzell, Gawthrope, O'Connell and Robertson

FOR ADOPTION BY THE COUNCIL

18/57/Civ – Independent Remuneration Panel – Special Responsibility Allowance update

Cllr Robertson proposed an amendment to the Panel's recommendations. The amendment was that the Combined Authority Board Member (1) percentage of basic allowance be 100% (not 50%). This was agreed by 4 votes to 0.

Resolved (by 4 votes to 0):

To recommend the IRPs recommendations (page 2 and 3 of its report) including the amended Combined Authority Board Member SRA as referred above.

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CIVIC AFFAIRS

10th October 2018

5.30pm - 7.00 pm

Present: Councillors McPherson (Chair), Benstead Dalzell, Gawthrope, O'Connell and Robertson

FOR ADOPTION BY THE COUNCIL

18/58/Civ – Process for scrutiny of the Council's budget

Councillor O'Connell proposed an amendment to option A (the officer recommendation to the committee):

- i) That the Strategy and Resources Scrutiny Committee and the Executive meet on 11 February 2019;
- ii) That budget amendments to be considered at S&R Scrutiny Committee are submitted by 1 February
- iii) Budget amendments consequential to Executive amendments made at the Executive meeting are submitted to Council at least 4 days before the meeting

With the permission of the Chair, Councillor Bick spoke to the amendment. Cllr Bick explained that the amendment would afford opposition groups a similar timeframe to produce budget amendments as under the current process.

The Committee was advised by the Chief Executive that the amendment was workable, in terms of timings, from the officer perspective.

Cllr Robertson stated that the proposal looked reasonable and could see why it would be reasonable to give opposition members adequate time to produce budget amendments.

The Committee unanimously supported the amendment to option A and to recommend it, as amended, to Council.

Accordingly Council is recommended:

To change the Council's budget and policy framework procedure (part 4c) and Council Procedure Rules appendix 2 budget recommendations and amendments (part 4a) as attached to this adoption minute.

(These changes reflect option A, as amended by Committee, described in the report)

Appendix A2 - Council Procedure Rules – Budget Recommendations and Amendments

1. These rules supplement the Budget and Policy Framework Procedure Rules contained in Part 4C of this Constitution. They also modify the Council Procedure Rules as follows.
2. ~~Once the Executive has met in accordance with Rule 3.7 of the Budget and Policy Framework Procedure Rules, it shall publish its budget recommendations to the Council.~~
3. ~~Following publication of budget recommendations under Paragraph 2, there will be a period of five full working days during which amendments or alternatives (referred to here collectively as “amendments”) to the budget recommendations may be proposed. Amendments shall be in writing and must be delivered to the Chief Executive within the period mentioned above. Amendments need not be seconded. Subject to the exceptions set out in this Appendix, amendments received outside this period will be invalid.~~
4. ~~Valid amendments submitted under Paragraph 2 shall be considered at a special meeting of the Strategy & Resources Scrutiny Committee. The Strategy & Resources Scrutiny Committee may comment on these amendments and the comments of the Committee will be submitted to the Budget Council Meeting for consideration.~~
5. ~~The Executive may amend its budget recommendations in the light of the Strategy & Resources Scrutiny Committee’s consideration of amendments.~~
6. Subject to the provisions contained in this paragraph, only amendments submitted in accordance with the Budget and Policy Framework Procedure Rules Paragraph 3 shall be considered at the Budget Council Meeting. ~~The exceptions to this rule are as follows:~~
 - 6.1 The Executive may introduce amendments at the Council meeting or give advance notice of revised recommendations. This might be necessary, for instance, in response to changed circumstances, or in the light of scrutiny of amendments or to correct technical errors. The Leader must explain why it has proved necessary to introduce any amendment. This is to be done at the beginning of the budget item.
 - 6.2 The Executive may make changes to the budget recommendations to give effect to decisions by precepting authorities.
 - 6.3 Further amendments may be moved by any member in direct response to amendments made by the Executive at the meeting.

- 6.4 Technical amendments may be made by leaders of minority groups or proposers of amendments to correct arithmetical or factual errors.
 - 6.5 The Mayor shall have discretion to permit amendments from members when satisfied that the need for the amendment could not have been anticipated before the deadline. The Mayor should also be satisfied that advance notice of such amendments was given as soon as reasonably practical, and not left to the day of the meeting unless this was unavoidable.
 - 6.6 Members may submit revised amendments where the Mayor is satisfied that the substantive issues have been considered at the ~~special~~ Scrutiny Committee meeting.
 - 6.7 The Executive may amend its budget recommendations in the light of amendments moved at the Strategy & Resources Scrutiny meeting or at the Council meeting.
 - 6.8 If the Executive fails to secure Council adoption of its budget, further amendments may be moved, and these rules will not apply;
 - 6.9 The Council may, by a simple majority, suspend these rules and permit further amendments.
7. The rules of debate contained in the Council Procedure Rules shall be modified in respect of the Budget Council Meeting as follows:
- 7.1 The Executive shall present its budget recommendations. A period of 45 minutes is allowed for this, extendable at the discretion of the Mayor. The format and mode of the presentation is for the Executive to decide.
 - 7.2 Minority groups may then present alternative budgets, subject to compliance with the provisions of this Appendix. A period of 45 minutes is allowed for each alternative budget, extendable at the discretion of the Mayor. The format and mode of the presentation is for the minority group to decide.
 - 7.3. Alternative budgets will then be moved in turn as amendments to replace the Executive recommendation. They will be debated in the usual way, although replacement budgets will be deemed to have been moved and seconded.
 - 7.4 At the conclusion of each debate, a vote will be taken for and against the alternative budget.

- 7.5 If the alternative budget is voted down, the Leader of the proposing Group may ask for separate votes to be taken on individual proposals within the alternative budget, but there shall be no further debate.
- 7.6 Where individual amendments have been submitted by councillors, these will then be debated in the usual way. However, where they are to the same effect as something in an alternative budget, they shall be considered at the same time as the alternative budget, with the proposer being able to ask for a separate vote in accordance with paragraph 7.5.
- 7.7 After consideration of amendments the Executive's budget proposals will be debated in the usual way but, subject to paragraph 7.8 below, no amendments may be moved.
- 7.8. If the Executive's budget is rejected, amendments and alternative proposals may be made as under the present rules, subject to the dispute resolution provisions set out in the Budget and Policy Framework Procedure Rules contained in Part 4C of this Constitution.

Part 4C-Budget and Policy Framework Procedure Rules

Budget Setting – Scrutiny of Budget Proposals, amendments and Executive Recommendation

- 3.3 ~~During the Committee cycle leading up to budget setting, each Scrutiny Committee will receive a short report focused on the revenue and capital budget proposals (bids and savings) relating to relevant Portfolios with Strategy & Resources Scrutiny Committee meeting to take an overview, as well as considering budget proposals within its remit. The Executive will publish the Budget Setting Report, which will be followed as soon as practicable by a Member Briefing to which all members of the Council will be invited to attend. Amendments from Opposition Groups or any Member, to the Budget Setting Report will be published no later than three working days prior to the Strategy and Resources Scrutiny Committee. The Scrutiny Committee may comment on these amendments (but may not amend them) and the comments from the Scrutiny Committee will be submitted to Council for its consideration.~~
- 3.4 The Executive shall meet collectively to recommend budget proposals for submission to the Council. The Executive may amend its budget recommendations in the light of the Strategy & Resources Scrutiny Committee's consideration of amendments.
- 3.5 Once the Executive has met in accordance with Paragraph 3.4, it shall publish its budget recommendations to the Council.

Amendments following the Executive's recommendation to Council

- 3.6 ~~Following publication of the Executive's recommendation to Council, further amendments may be submitted by Opposition Groups or any Member. These must be amendments which satisfy the following:~~
- ~~(i) amendment(s) could not have been presented to the Strategy and Resources Scrutiny because information was not available at the time~~
 - ~~(ii) amendment(s) are received by the Council's s151 Officer within 4 days advance notice of the Council meeting (eg the Friday before a Thursday Council) and will be published as soon as practicable along with the s151 Officer opinion.~~

Submission of Budget Amendments

- 3.6 ~~Following publication of budget recommendations under Paragraph 3.5, there will be a period of five full working days during which amendments or alternatives (referred to here collectively as "amendments") to the budget recommendations may be proposed. Amendments shall be in writing and must be delivered to the Chief Executive within the period mentioned above. Amendments need not be seconded. Subject to the exceptions set out in this s, amendments received outside this period will be invalid.~~

- ~~3.7 Valid amendments submitted under Paragraph 3.6 shall be considered at a special meeting of the Strategy & Resources Scrutiny Committee. The Strategy & Resources Scrutiny Committee may comment on these amendments and the comments of the Committee will be submitted to the Budget Council Meeting for consideration.~~
- ~~3.8 The Executive may amend its budget recommendations in the light of the Strategy & Resources Scrutiny Committee's consideration of amendments.~~

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BSR scrutiny process

As-is	2018	Option A (as amended at committee)	2019
Process	Date	Process	Date
BSR published	04/01	BSR published All-member briefing with Head of Finance & Exec Cllr Finance & Resources	07/01 09/01
BSR portfolio elements scrutinised by thematic committee		<i>[Committees other than Housing, which will continue to scrutinise HRA BSR, but not GF Housing elements, do not scrutinise portfolio budgets. Policy decisions with budgetary implications are "subject to" approval of the BSR.]</i>	
BSR in totality scrutinised at S&R1	22/01	<i>[S&R1 cancelled]</i>	
Executive recommends BSR to Council	25/01	Opposition amendments submitted	01/02
Opposition Amendments published	05/02	Opposition Amendments published, with s.25 amendments	04/02
S&R2 scrutinises opposition & Exec amends	12/02	S&R2 scrutinises totality of BSR <u>and</u> opposition and Executive amendments.	11/02
		Executive meets and recommends BSR to Council	11/02
Council papers published	14/02	Council papers published	13/02
		Opportunity for further opposition amendments to be submitted (if Executive Budget different from budget as originally scrutinised) by:	15/02
Council agrees BSR & CT precept	22/02	Council agrees BSR & CT precept	21/02

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Council Meeting: Oral Questions in Order for Council

18 October 2018

Primary Questions

1) Councillor McGerty to the Executive Councillor for Streets and Open Spaces

Is the Executive Councillor for Streets and Open Spaces satisfied with the level of street cleaning provided by the council?

2) Councillor Massey to the Executive Councillor for Housing

What is the Executive Councillor for Housing's opinion on the recent announcement by the Prime Minister to scrap the borrowing cap that local authorities can borrow against their housing stock?

3) Councillor Thittala to the Executive Councillor for Communities

Can the Executive Councillor provide an update on the free holiday lunch scheme?

4) Councillor Cantrill to the Executive Councillor for Housing

Last week marked the world homeless day. At the same time research was published that showed at least 449 homeless people died in the UK in the last 12 months.

As we come into the winter months, does the Exec Cllr believe that the council is doing everything possible to address the homeless crisis we see on the streets of Cambridge?

5) Councillor Barnett to the Executive Councillor for Communities

Can the Executive Councillor provide an update on the work of the Activate project and the impact it is having?

6) Councillor Pippas to the Executive Councillor for Housing

Can the Executive Councillor provide the council with an update on the program of smoke detection safety checks in Council owned properties?

7) Councillor Bird to the Leader

Can the Leader write to the Post Office and the Government stating his opposition on behalf of Council to the loss of our separate main street central and accessible Cambridge Crown Post Office, now proposed to be taken over by WH Smith's and located somewhere inside their city store?

8) Councillor O'Connell to the Executive Councillor for Environmental Services and City Centre

What steps were taken to publicise and consult on alternatives to the sudden removal of mixed recycling bins at Newmarket Road and Hauxton Road recycling points.

9) Councillor O'Reilly to the Executive Councillor for Communities

Can the Executive Councillor provide us an update on the work ChYpPS have done to engage young people with local democracy?

10) Councillor Todd-Jones to the Executive Councillor for Environmental Services and City Centre

There has been a lot of media interest this week in what has been described as over-tourism in Cambridge. Can the Executive Councillor tell me what sparked the furore and what we are doing about it?

11) Councillor McQueen to the Executive Councillor for Housing

What has the Council been doing to promote national Empty Homes Week, which started this Monday?

12) Councillor Smart to the Executive Councillor for Communities

Can the Executive Councillor update us on Volunteer Cambridge, which is taking place on Saturday 20th October.

13) Councillor Page-Croft to the Executive Councillor for Planning and Transport

Is the Executive Councillor satisfied with the service from Stagecoach?

14) Councillor Sargeant to the Executive Councillor for Communities

What will be the benefit to Cambridge of the new City Fibre broadband network?

15) Councillor Holt to the Executive Councillor for Planning Policy and Transport

Would the Executive Councillor like to join with me in congratulating MUMA LLP, the architect of the Community Centre, Eddington - for being shortlisted for the Stirling Prize for Architecture and for being awarded East Building of the Year and East Sustainability Building of the year by RIBA for 2018. www.architecture.com/about/press-office

16) Councillor Payne to the Leader

Will the Leader make a public statement of support for transgender people?

17) Councillor Baigent to the Executive Councillor for Housing

What is the aim of the Council's revised policy for storage for communal areas?

18) Councillor Gehring to the Executive Councillor for Streets and Open Spaces

Given that the proposed toilet strategy remains elusive after being promised for over two years, how will the Council improve the

cleanliness of basic facilities at a time when our parks and open spaces are in use all year around?

19) Councillor Martinelli Executive Councillor for Environmental Services and City Centre

The Executive Councillor has recently approved changes to waste collection including reducing the frequency of green bin collection, in the context of having already increased the price residents pay for a second green bin. What would the Executive Councillor recommend that people do with their food waste during the four week periods without a collection, especially over Christmas and New Year?

20) Councillor Gillespie to the Executive Councillor for Communities

Is the Executive Councillor aware of the extent of open drug dealing in the city centre, and can she tell us how it will be brought under control?

21) Councillor Dalzell to the Executive Councillor for Finance and Resources

Does the Executive Councillor agree that the local introduction of the chronically underfunded Universal Credit system is likely to have a negative impact on the vulnerable claimants in our city?

Secondary Questions

1) Councillor Bird to the Executive Councillor for Housing

Can the Executive Councillor for Housing provide a brief update on progress in delivering new council homes for rent under the Devolution Agreement?

Full Council – Item 7a – s21 Notices

The Council has noticed an increase in s21 notices leading to homelessness presentations. This is a concern but must also be taken in context with the Council's new and expanded duties under the Homelessness Reduction Act which came into force on 3rd April 2018. The Council has been proactive on this topic and the Housing Advice Service has designated a senior housing advisor who is doing some focused homelessness prevention work in this area.

Here are some key points to note:

- City Homes tenants have secure tenancies which, following a short introductory tenancy, can only be ended in limited circumstances. Section 21 of the Housing Act 1988 does not apply to them.
- An Assured Shorthold tenancy is a default tenancy for nearly all housing association tenancies until they become assured tenancies. They are more commonly known as a starter tenancy. A housing association can serve a s21 notice to evict a tenant. Section 21 is effectively the default in the private rented sector.
- Private renting is now the second largest form of tenure in England. The Ministry of Housing, Communities and Local Government (MHCLG) publishes quarterly statistics on the number of applications for assistance received by local authorities in England from homeless households. In 2010/11 the ending of an assured shorthold tenancy (AST) was given as a reason in 6,630 homeless applications (15% of the total), rising to 18,270 cases (31% of the total) in 2016/17. The figures for 2017/2018 have not been published but are likely to be higher again.
- Although commonly described as a 'no fault eviction' there are, in fact, defences to the procedural process to an eviction. As of 1st October 2018, there can be a defence under s32/ s33/ s36/ s37 /s38 / s39 Deregulation Act 2015, Equality Act 2010 ss.6,15 and 35. If some parts of the procedure have not been completed, a tenant can be awarded up to 3x the amount of their deposit. This money can be used to assist with new accommodation, particularly for those with no 'priority need' under s189 Housing Act 1996 part VII.
- In 2016/17, Cambridge City Council had 382 homeless applications and 29 were due to a s21 notice. From the 3rd April 2018 until the 30th September 2018 (Q1&Q2) there have been 711 approaches of which 61 have been due to a s21 notice being served by the landlord. If patterns continue (e.g. 61 also received

in Q3 & Q4) then there will be an over 400% increase in s21 notices presented to the Housing Advice department. This is higher increase than nationally, but is reflecting the nationwide increase in s21 notices. It is important to note that figures do not directly reflect the number of homeless applications because an invalid s21 notice would not lead to a homeless application being taken. Of the 711 approaches, many could also be due to a s21 notice but not be recorded as such because a case does not need to be taken. 61 is likely to be a small representation of the number of notices served, but many people are unlikely to approach the council or just leave when the s21 notice expires.

- Of the 61 received between only 3 have been valid at first presentation (just under 5%). This means without the assistance of the housing advice service, 58 families would have left their home despite having no legal obligation to leave their home. It is important to note that many people will leave their home without advice of the housing advice department. It is also important to note that legal procedures are not always being followed by landlords or agents.
- We have had 4 cases struck out by Cambridge County Court due to invalid notices. Another 2 are due in court this month; the majority avoid court because of negotiation or a settlement between parties via the housing advice service.
- The housing advice service is assisting applicants to exercise their right to counterclaim against the landlord, which can result in compensation used to relieve their homelessness. The highest amount awarded was £3800 against a well-known agency in Cambridge due to failure to comply with s30 Deregulation Act 2015/ Prescribed Information Order 2007.
- 20 of the 61 have been assisted with finding new accommodation because of negotiation with the landlord to avoid court because the notice was invalid. This typically was found using a loan from the rent deposit scheme or by the tenant finding accommodation themselves. A handful found accommodation via Home-link.
- The remaining have either remained in the accommodation on a periodic assured shorthold tenancy or been issued a new 6 month assured shorthold tenancy by the same landlord.

In summary, s20 notices do generate a lot of homelessness pressure on the Housing Advice Service and, in response, this service works proactively to mitigate this impact and prevent homelessness.

Labour amendment to the People's vote motion proposed by Councillor Smith and seconded by Councillor Baigent (additional text underlined and deleted text ~~struck through~~)

~~In the 2016 Referendum on the European Union Cambridge voted over 73% in favour of remaining in the European Union.~~

~~The negotiations on withdrawal that have followed the national decision to leave the EU have progressed at a slow rate and the precise nature of any final deal is still uncertain with clear divisions among those who voted to leave and a lack of support among the Government's members of parliament for the adopted 'Chequers proposals'. It is therefore clear that there is uncertainty whether any final deal will have wholehearted support and can be carried through Parliament.~~

~~In recent months a campaign has developed which proposes a People's Vote on any final deal (or no deal), with the alternative to remain in the EU, to ensure that the path taken has majority support among the electorate.~~

~~A number of letters/emails have been received by members asking the Council to support this initiative.~~

The Council notes that:

- (i) The Governor of the Bank of England has stated that the average household income in Britain is now £900 lower than that anticipated if the decision to leave the EU had not been taken.
- (ii) There are a large number of non-UK EU nationals resident in Cambridge whose life, and that of their UK-national families, has been destabilised by uncertainty. Apart from the social impacts, this has resulted in the loss of staff by local businesses and the NHS.
- (iii) Due to uncertainty about whether the deal that will be agreed with the EU will achieve a Parliamentary majority, 'no deal' appears a very credible outcome. This has been described by Chancellor Hammond as having "large fiscal consequences" and by independent observers as "overwhelmingly negative".
- (iv) All avenues currently being considered by the Government impose increasing delays for goods at our international frontiers

and no facilitation would be provided for trade in services which form a major element in the local economy.

- (v) Recent opinion poll evidence has suggested an overall trend in public opinion away from support for leaving the EU and in favour of a vote on the conditions of any departure. A vote on the terms of withdrawal with the option to remain would ensure that we leave, should we do so, with wholehearted support for the actual conditions of withdrawal.
- (vi) The anticipated rapidly deteriorating economic situation if Brexit proceeds is likely to accelerate austerity, which has already caused acute problems in providing local authority services and has severely affected local residents, in particular those in social housing or in receipt of benefits.
- (vii) Evidence of illegal overspending has been presented (and accepted by the Electoral Commission) and court challenges on the constitutional position are still continuing. A vote on the withdrawal terms would ensure that any decision is accepted as sound by both sides of the argument rather than being fought out in the courts.

~~The Council believes that the interests of its residents would be best protected by a People's Vote on the terms of leaving the European Union with the possibility of rescinding Article 50 and remaining in the EU.~~

~~The Council calls on the Government to abandon plans for a hard Brexit and to give Cambridge residents the opportunity to assess the original promises of a seamless Brexit with minimal impact made by the Leave campaign by giving the electorate (including resident European citizens) a vote on whether to accept the proposed withdrawal arrangements or to retain the many benefits local residents currently enjoy by staying in the European Union.~~

~~The Council should write to our two local MPs calling on them to clearly support a People's Vote.~~

- (viii) Cambridge voted overwhelmingly to remain in the European Union, but this was not reflected across the whole of the UK.

- (ix) No-one was voting for fewer rights, economic chaos, or risks to jobs, and the Brexit deal being pursued by Theresa May is a threat to jobs, freedom of movement, peace in Northern Ireland, and the NHS. It is also a threat to Cambridge and our residents, the city's Universities, health and social care locally, and our jobs and community.
- (x) Non-UK EU citizens who moved to the UK and are long settled in Cambridge have not yet received the full assurances they need. Similarly, the rights of Cambridge residents now living and working elsewhere in the EU need the same protections they have now.
- (xi) A "no deal Brexit" should be rejected as a viable option by Parliament.

This council supports the actions of the Leader of the Opposition Jeremy Corbyn MP, and will continue to campaign, that:

- Should Parliament vote down a Tory Brexit or the talks end in no-deal, this would constitute a loss of confidence in the government, and that an immediate General Election should follow.
- If a general election does not follow, all options remain on the table, including the option of a public vote. If the government is confident in negotiating a deal that working people, our economy and communities will benefit from, they should not be afraid to put that deal to the public, so that all options are on the table including the option to remain in the European Union."

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Labour amendment to the motion Ask for Angela proposed by Councillor Massey (additional text underlined and deleted text ~~struck through~~)

Council welcomes the “Ask for Angela” campaign, launched in Cambridgeshire last year by the Domestic Abuse and Sexual Violence Partnership and the Police Constabulary as a strategy to aid both women and men in pubs and bars whose date goes seriously wrong. In particular it recognises with thanks the work done in Cambridge by Cambridge Business Against Crime and Pubwatch to engage and train staff of venues in the city, and the work of council officers in promoting and encouraging the campaign in partnership with CAMBAC and the Community Safety Partnership.

Council notes that for the campaign to be successful there needs to be clear awareness of it amongst its target audience. It further notes that this target audience includes sixth form, college and university students, as well as other local residents and workers. Council notes that officers are already in talks with partners to explore means of promoting this campaign in ways which do not undermine the need for discretion which is fundamental to the campaign, and gives its full support to this approach. It also calls upon local bars and clubs not already signed up to this excellent initiative to give serious consideration to doing so.

~~Noting that that incidence of sexual crime is no different in this area from the country as a whole, yet the campaign has yet to be called on, Council calls on officers to explore means of further boosting targeted public awareness of the campaign, calling on support as appropriate from the Cambridge Community Safety Partnership, the city’s sixth forms, its two universities and Cambridge Regional College; in addition to offer support to the provision of a web-based listing of venues signed up to the scheme to provide assurance to people deciding where to meet.~~

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Labour amendment to the motion on Councillors who break their connection with their council area proposed by Councillor Herbert (additional text underlined)

Noting the current experience of an elected member continuing in office despite neither living nor working in the city, Council calls for a change in national legislation so that any councillor who during his or her term of office ceases to meet the minimum qualifying conditions required for initially standing for election, excluding continued service as a councillor, but then moving to live more than a normal maximum commuting distance of 50 miles from the boundary of their council area would after 6 months be considered to have vacated their seat, allowing a by-election to be called. Council requests the Leader to write to the Secretary of State and Local Government Association seeking their support for this change.

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Full Council (18 October) Fur Free Market motion briefing note

“5. Gillespie - Fur Free Market motion

This Council notes that:

- ***The United Kingdom has outlawed the farming of animals for their fur on ethical grounds since 2000 and that the use of one of the most common traps used to catch animals for their fur has been illegal for many years.***
- ***Nonetheless fur products are imported from overseas nations, particularly China, where such bans do not operate and where there is virtually no animal welfare legislation in force.***
- ***Real fur comes from animals raised in deplorable conditions or trapped in the wild and killed inhumanely.***
- ***Regrettably these products are often found for sale on public markets in the UK and customers can inadvertently buy them thinking them to be made of imitation fur.***

Accordingly Council resolves to:

- ***Prohibit the sale of any product wholly or partially made with real animal fur on Council owned land and at Council run or Council leased markets. This ban to cover such items as fur coats, vintage fur, fur shawls, garments with fur trim, fur pompom hats, and fur accessories and trinkets.***
- ***Support the Fur Free Markets campaign of the animal welfare charity, Respect for Animals, the UK’s leading anti-fur organisation, by:***
 - ***Becoming a signatory to the initiative.***
 - ***Seeking the advice and assistance of the charity in the enforcement of this ban.”***

Officer response

Legal position

1. We believe that, on Council owned land, a ban, as outlined by the above proposal, could be introduced. However, any Council decision to ban would need to be subject to the outcome of consultation, ie. if there was genuine public support. The consultation process would need to consider the views of the public and other stakeholders (such as market traders, who are entitled to notice and consultation of changes to their terms of

licence under the Cambridge City Council Charter Market Regulations (CMR)). We would therefore be concerned that any decision to ban is made before that consultation has been carried out. We also believe that any decision to ban would need to be based on a report to committee to consider the outcome of the consultation and any resulting recommendation to introduce a ban.

2. Currently there is no national ban on fur trading. To simply impose one without doing so in response to consultation, would not, in our view, be lawful. Subject to the results of the consultation process, it may be possible to run legal argument to proceed with a ban on moral grounds. We see no harm in consulting to see if there is genuine public support for the proposed motion. If there was no genuine support for a ban, then it would not be possible for the Council to proceed. Even if there was genuine support for a ban, there has been case law (relating to a rugby tour of South Africa during the 1980s) in which Leicester City Council was successfully challenged for its decision to ban Leicester Rugby for Welford Road for 12 months:

- *Wheeler v Leicester City Council* [1985] AC 1054 in which the council suspended the right of Leicester Rugby Club to use Welford Road for 12 months because 3 of their players joined an England rugby tour to apartheid South Africa: "*My Lords, the laws of this country are not like the laws of Nazi Germany. A private individual or a private organisation cannot be obliged to display zeal in the pursuit of an object sought by a public authority and cannot be obliged to publish views dictated by a public authority. The club having committed no wrong, the council could not use their statutory powers in the management of their property or any other statutory powers in order to punish the club.*"

3. The circumstances here have some overlap but it is certainly the case that the rights of market stall holders (would have to be balanced carefully with opinion /consultation response before any decision were made.
4. A petition promoting a ban was considered by the Council's Strategy and Resources Committee in 2011. Here is a link to the report that was supplied to the Committee in response to the petition:

<https://democracy.cambridge.gov.uk/documents/s5150/Fur - S R>

Cttee report final.pdf. The petition was not supported by the Committee.

5. Since the 2011 report, there has been a change to the legal position, through the Localism Act 2011 and General Power of Competence, which gives the Council much greater freedom of action, but does not permit the Council to do something, which a "pre-commencement limitation", enacted in a statute, would prevent it from doing: ref. s.2 Localism Act 2011.
6. For a ban outside the Council's land, including on any Council run/ licensed markets on non-Council land, such as All Saints Market, our understanding is that, from a legislative point of view, this is not yet possible – though there is a great deal of discussion/ debate at parliamentary level on the matter.

Events on Council open spaces

7. We already have a standard term within our hire agreement for events on our parks and open spaces, which states that: *"The Council does not permit the sale of animal fur products as part of any event hosted from Council Land. The Hirer must ensure that traders or contractors at their event abide to this for the duration of the event."*

City Council markets

8. We currently have no provision in Cambridge City Council CMR, which prevents the sale of animal fur on the General and Sunday Market. However, we do have the ability to introduce such a change in accordance with the following clause from the CMR: *"Cambridge City Council may change these regulations at any time in the future upon giving 4 weeks written notice to traders. Prior to changing these Regulations the Council will consult with traders and consider any representations made."* However, as stated in 1., above, any decision to introduce such a change would need to be subject to the outcome of public and market trader consultation and a report and recommendation to committee.

9. Currently, there are three traders who the proposed motion might effect: two who sell vintage clothing, which include fur & faux fur items, but only occasionally; and a third, who sells English sheepskin rugs, cowhides, reindeer skins on a weekly basis.

Cambridge Live

10. A ban would primarily affect Cambridge Live's ability to hold events and let the premises they lease from the Council under contract for activities such as markets and vintage clothes events, which can sell these goods. The areas affected could include The Guildhall halls, the Corn Exchange, Cambridge Folk Festival, Midsummer Fair and possibly the Big Weekend. A ban could only be enforced through a variation to the Council's contract, which, if agreed, would require recompense for any loss of business already booked and future business potentially lost.

Other councils

11. On the 12th September, 2018, Oldham Council voted in favour of a motion banning the sale of any product wholly or partially made with real animal fur on Council owned land and at Council run or Council leased markets. This ban will cover such items as fur coats, vintage fur, fur shawls, garments with fur trim, fur pompom hats, and fur accessories and trinkets. The minutes of the Council meeting are currently unavailable and initial contact with Council officers has not provided additional background information as yet.

Joel Carré, Head of Environmental Services
15 October, 2018

Labour amendment to the Fur Free Market motion proposed by Councillor Moore (additional text underlined and deleted text ~~struck through~~)

This Council notes that:

- The United Kingdom has outlawed the farming of animals for their fur on ethical grounds since 2000 and that the use of one of the most common traps used to catch animals for their fur has been illegal for many years.
- Nonetheless fur products are imported from overseas nations, ~~particularly China,~~ where such bans do not operate and where there is virtually no animal welfare legislation in force.
- Real fur comes from animals raised in deplorable conditions or trapped in the wild and killed inhumanely.
- Regrettably these products are often found for sale on public markets in the UK and customers can inadvertently buy them thinking them to be made of imitation fur.

Accordingly Council resolves to ask the executive councillor to investigate the legalities of:

- Prohibiting the sale of any product wholly or partially made with real animal fur on Council owned land and at Council run or Council leased markets. This ban to cover such items as fur coats, vintage fur, fur shawls, garments with fur trim, fur pompom hats, and fur accessories and trinkets.

And to look into

- Supporting the Fur Free Markets campaign of the animal welfare charity, Respect for Animals, the UK's leading anti-fur organisation, by and
 - Becoming a signatory to the initiative.
 - ~~Seeking the advice and assistance of the charity in the enforcement of this ban.~~

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Council 18 October 2018 Written Questions

1. Councillor Cantrill

To Councillor Johnson the Executive Councillor for Housing

Analysis released indicates that there have been at least 449 deaths on homeless people across the country over the last 12 months. Can officers provide any analysis they have indicating the number of homeless people who died in Cambridge over the last 12 months ?

In the past 12 months there have been five deaths of individuals known to homelessness services and recorded by CGL (the street outreach team). The full facts concerning their deaths are not known with accuracy. Of the five, it appears as if four had a history of rough sleeping but only two were doing so at the point they died. The extent to which their homelessness caused or contributed to their death is not clear. Two of the five took their own lives (one in Fulbourn hospital) each having had a long struggle with mental ill health. A further two had long-standing substance misuse problems.

The two individuals cited by the database are not among the five recorded by CGL. It is not clear why this is but both appear to have been in accommodation at the point they died and may not have been recorded for this reason. Of these, one died following an attack by another person staying in the accommodation. The other died in a fall from a high rise but the circumstances are unclear.

2. Councillor Cantrill

To Councillor Johnson the Executive Councillor for Housing

The number of occasions over the last 12 months when the council has triggered the severe weather emergency protocol and the number of homeless that were assisted on each occasion ?

The Council's severe weather emergency protocol (SWEP) comes into play between November and March (inclusive) each year. Last season 48 emergency beds were provided, but only 33 were directly

commissioned by the Council. The other 15 were provided by the Cambridge Churches Homelessness Project (CCHC).

Of the 33 commissioned beds:

- SWEP was called on 55 nights over the season.
- Cumulatively, 848 bed-nights of accommodation was provided.
- Nightly occupancy varied from a low of 8 individuals to a full-capacity 33 – an average occupancy rate of 15.
- The longest continuous provision was 10 nights.
- Almost 70 individuals were assisted, some attending each night, others staying just one night before moving on.