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Cambridge City Council

Civic Affairs

Committee Members: Councillors McPherson (Chair), Benstead (Vice-Chair), Cantrill, Gawthrope, Holt and Robertson

Alternates: Councillors Adey and Ratcliffe

Published & Despatched: Friday, 5 May 2017

Date: Monday, 15 May 2017

Time: 6.00 pm

Venue: Committee Room 1 & 2, The Guildhall, Market Square, Cambridge, CB2 3QJ

Contact: Democratic Services

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members are asked to declare at this stage any interests that they may have in any of the following items on the agenda. If any member is unsure whether or not they should declare an interest on a particular matter, they are requested to seek advice from the Monitoring Officer before the meeting.

3 MINUTES OF PREVIOUS MEETING *(Pages 5 - 12)*

To approve the minutes of the meeting held on 15 February 2017

4 PUBLIC QUESTIONS

5 COMMITTEE APPOINTMENTS AND CONSTITUTIONAL CHANGES *(Pages 13 - 20)*

Gary Clift- Democratic Services Manager

Non Key.

Information for the Public

Location The meeting is in the Guildhall on the Market Square (CB2 3QJ).

Between 9 a.m. and 5 p.m. the building is accessible via Peas Hill, Guildhall Street and the Market Square entrances.

After 5 p.m. access is via the Peas Hill entrance.

All the meeting rooms (Committee Room 1, Committee 2 and the Council Chamber) are on the first floor, and are accessible via lifts or stairs.

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- For questions and/or statements regarding items on the published agenda, the deadline is the start of the meeting.
- For questions and/or statements regarding items NOT on the published agenda, the deadline is 10 a.m. the day before the meeting.

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CIVIC AFFAIRS

15 February 2017

6.00 - 7.00 pm

Present: Councillors McPherson (Chair), Benstead (Vice-Chair), Cantrill, Gawthrope, Holt and Robertson

Councillor Herbert attended for 17/12/Civ

Officers:

Chief Executive: Antoinette Jackson

Head of Finance: Caroline Ryba

Head of Legal Practice: Tom Lewis

Head of Human Resources: Deborah Simpson

Head of Internal Audit: Steve Crabtree

Democratic Services Manager: Gary Clift

Electoral Services Manager: Vicky Breeding

Committee Manager: Emily Watts

Others Present:

Ernst & Young External Auditor: Suresh Patel

Deputy Independent Person: Rob Bennett

FOR THE INFORMATION OF THE COUNCIL

17/1/Civ Apologies for Absence

Apologies were received from Sean Brady- Independent Person

17/2/Civ Declarations of Interest

Name	Item	Interest
Councillor Cantrill	17/12/Civ 17/13/Civ	Personal- Standing as a candidate in the Mayoral election.

17/3/Civ Minutes of Previous Meeting

The minutes of the meeting held on 27 September 2016 were approved as a correct record and signed by the Chair.

17/4/Civ Public Questions

There were no public questions.

17/5/Civ External Audit 2015/16 Audit Letter

The Committee received an Annual Audit Letter from Ernst & Young (EY) summarising the key issues arising from their 2015/16 audit.

The Deputy Independent Person commented that the letter reflected very well on the City Council, it gave assurance to the work being carried out and as such collective credit was due.

Resolved (unanimously) to note the contents of the Annual Audit Letter.

17/6/Civ External Audit Certification of Claims and Returns Annual Report 2015/16

The Committee received the Certification of claims and returns annual report produced by Ernst & Young (EY), the Council's external auditor.

Councillor Robertson commented that the report was very positive and credited the work of Officers.

Resolved (unanimously) to note the contents of EY's Annual report.

17/7/Civ External Audit 2016/17 Audit Plan

The Committee received an Audit Plan from Ernst & Young (EY) which summarised their approach to the audit of the financial statements and the value for money (VFM) conclusion for 2016/17. The Plan also highlighted what EY considered to be the most significant audit risks.

Suresh Patel summarised the audit plan and confirmed that they had increased resource and capacity to ensure no repetition of the delay to completion which had occurred in 2016.

In response to a question, the Head of Finance explained that the council would not be required to consolidate subsidiaries associated or joint ventures into its 2016/17 Group Accounts where these entities are not material.

Resolved (unanimously) to note the contents of the external audit plan.

17/8/Civ Internal Audit Plan & Strategy 2017 / 2018

The Committee received the draft Internal Audit Annual Plan and Strategy for 2017 / 2018 for consideration. The plan had been subject to consultation with all Directorates, the Chief Executive and a copy shared with the External Auditor, Ernst and Young.

In response to members' questions, the Head of Internal Audit explained that the shared waste service would be undergoing audits in three separate areas lead by South Cambridgeshire District Council during 2017/2018. Trade waste, shared service outcomes and quality assurance. Recognising this as a critical city service it was agreed that Members would be provided with those reports following their conclusion.

The Deputy Independent Person referred to external assessments (pg86). In response the Head of Internal Audit confirmed that the new Head of Service would determine how this would be arranged.

Resolved (unanimously) to

- i. Approve the draft Audit Plan and Strategy for adoption
- ii. Note the internal documents on Internal Audit provision – the Audit Charter and the Code of Ethics – as identified in accordance with the Public Sector Internal Audit Standards.

17/9/Civ Draft Pay Policy Statement 2017/18

The committee received a report from the Head of Human Resources which set out a draft Pay Policy Statement as required under the Localism Act.

Resolved (unanimously) to

- i. Recommend to Council the draft Pay Policy Statement 2017/18.

- ii. Recommend to Council to delegate authority to the Head of Human Resources to implement the change of designation of the grade JNC 2 to Band 11.

17/10/Civ Interim Review of Polling Districts Polling Places and Polling Stations

The Committee received an interim review of the polling district boundaries which considered the effect of any changes to the register of electors arising from changes made to the county council division boundaries. The three elements to this review were: polling districts, polling places and polling stations.

In response to members' questions the Electoral Services Manager said the following:

- i. Plans were in place to publicise the polling place changes to all the affected electors. A letter would be sent to each individual elector explaining why the changes had taken place. A wider campaign involving social media, online and printed publications would also be issued in the run up to the poll. For all those who would be impacted, their previous polling station would still be operational so if they turned up on polling day they could be redirected.
- ii. The Electoral Services Manager undertook to email all members' listing the street information within each new polling district.

The Chief Executive took the opportunity to advise the Committee about the count venue for May. The original intention was to move the election count venue to the University Sports Centre. Although the change in venue is still contemplated for future years, in light of 2017's combined poll it has been decided not to move the venue this year.

Resolved (unanimously) to

- i. Adopt the proposed polling districts from 1 March 2017 and the polling place for each be designated as the boundary for that polling district.
- ii. Keep the polling districts, polling places and polling stations under review.

17/11/Civ City Council Ward Boundaries

The Committee received a report from the Democratic Services Manager which provided an update on the Council's position regarding the electoral boundaries for the City Council.

Resolved (unanimously) to

- i. Note that one city ward (Trumpington) had met one criteria which would instigate a review by the Local Government Boundary Commission and requested that the Chief Executive writes to the Commission to seek clarification of the likely timing of a review
- ii. Receive an update at the September Committee alongside a review of the May 2017 County Council and Mayoral elections.

17/12/Civ Proposed City Council Scrutiny of its Representative on the Cambridgeshire And Peterborough Combined Authority

The Committee received a report from the Chief Executive which explored a workable scheme for politically balanced scrutiny by City Council members of decisions taken by its representative on the Combined Authority might be achieved.

Councillor Cantrill suggested that the authority was in a very different shape compared to the past as in recent years there had been an increase in joint ventures/partnerships. Therefore, the City Council's approach to scrutiny needed to reflect this without the principles changing. He proposed that a review of the scrutiny structure took place.

The Leader agreed in principle with the idea of a review. He accepted the Chief Executive's assertion that this needed to be cost and resource neutral. Councillor Cantrill agreed to a review within existing resources. The Leader also said that opportunities for joint scrutiny with South Cambridgeshire District Council should be explored.

The committee agreed to an additional recommendation to set up a working party.

Resolved (unanimously) to

- i. Recognise that pre-scrutiny of each decision made by the Council's representative to the Combined Authority was unlikely to be achievable.
- ii. Agree that the Council's representative on the Combined Authority should be scrutinised at Strategy and Resources Scrutiny Committee meetings.
- iii. Agree that this should be pre-scrutiny where this can be achieved within planned meetings but may be post-scrutiny where timescales did not align.
- iv. Agree that Group Leaders and members of the Overview and Scrutiny Committee should be provided with copies of the Combined Authority's forward plan and agendas as a matter of course so they have the opportunity to feedback to the Council's representative in between meetings and that briefings to discuss issues of concern could be arranged at their request.
- v. Agree that a procedure reflecting the arrangements is reported to Committee in May 2017 for approval.
- vi. Note the arrangements for scrutiny of the Combined Authority, set out in section 4.
- vii. Agree to a review of the Council's scrutiny structure and function convened by the chair of the Civic Affairs Committee.

17/13/Civ Appointment of Returning Officer for Combined Authority

The Committee received a report regarding the Combined Authority (Mayoral Elections) Order 2017 which required that each constituent council of a combined authority area must appoint an officer of the council to be the Returning Officer for the election of a combined authority mayor.

Resolved (unanimously) to

- i. Appoint the Chief Executive (and Head of Paid Service) as the Returning Officer for Cambridge in respect of mayoral elections to the Cambridgeshire and Peterborough Combined Authority.
- ii. Authorise the Returning Officer to appoint, if required, a Deputy or Deputies to undertake those responsibilities in their absence

The meeting ended at 7.00 pm

CHAIR

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CAMBRIDGE CITY COUNCIL

REPORT OF: Democratic Services Manager

TO: Civic Affairs Committee

15/5/2017

WARDS: All

COMMITTEE APPOINTMENTS AND CONSTITUTIONAL CHANGES FOR ANNUAL COUNCIL

1 INTRODUCTION

1.1 The report details the issues to consider and decide for recommendation to Council on 25 May 2017. An update paper will be published on 15 May when information from the political groups will have been received.

2. RECOMMENDATIONS

To recommend to Council:

- (i) The city council committees and the nominations to the joint and partner bodies (as current) in paragraph 3.2 and updated in a paper to be circulated on 15 May.
- (ii) The nominations for Chairs and Vice Chairs (as current) in paragraph 3.3 and updated in a paper to be circulated on 15 May.
- (iii) To re-appoint the Independent Person and Deputy Independent Person 2017/18 (see paragraph 3.4)

Committee is asked to:

- (iv) Review the changes agreed by Council to its Council Procedure Rules in February 2016 (paragraphs 4.1-4.3) and;
- (v) recommend to Council Constitutional changes proposed in paragraphs 4.4-4.9

3. BACKGROUND

Appointing Committees

- 3.1 The rules on political balance set out in the Local Government and Housing Act 1989 will be applied to both scrutiny and regulatory committee composition so that, once the size of committees has been determined, the division of seats among the political groups on the Council will be automatic and the Council must appoint those members which each political group puts forward for its seats.

In considering the allocation of committee places to political groups, the Council is legally required to take into account the following principles:

- i) That the controlling group should have a majority of seats on each committee.
- ii) That the total number of committee places allocated to each political group must be in proportion to the number of members of that group on the Council.
- iii) That on each committee the number of places allocated to each political group must be in proportion to the number of members of that group on the Council.

The order of precedence of these principles is the order in which they are given - i.e. (i) takes highest priority, then (ii) then (iii).

3.2 The existing city council committees and size are listed below. All Groups can appoint an Alternate for each committee. Unlike a substitute system, the city council's own committees use an Alternate Member where the councillor is a named member from a political group and preferably unchanged for the municipal year who will sit in for any committee member of the same political group who is unable to attend any meeting in the year that they are scheduled to attend.

3.3 The proportionality for both the Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee and Audit and Governance Committee will be advised after election results from 4 May.

Community Services Scrutiny Committee
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Current Numbers- 8 (5 Labour + 2 Lib Dem+ 1 I/G)

Development Plan Scrutiny Sub Committee
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Current Numbers- 6 (4 Labour + 2 Lib Dem)

Environment Scrutiny Committee

Current Numbers- 7 (5 Labour + 2 Lib Dem)

Housing Scrutiny Committee

Current Numbers- 8 (5 Labour + 2 Lib Dem +1 I/G)

Strategy and Resources Scrutiny Committee

Current Numbers- 6 (4 Labour+ 2 Lib Dem)

Civic Affairs Committee

Current Numbers- 6 (4 Labour +2 Lib Dem)

Employment (Senior Officer) Committee

Current Numbers- 6 (4 Labour +2 Lib Dem)

Employment Appeals Sub-Committee

Current Numbers- 7 (4 Labour +3 Lib Dem)

Licensing Committee

Current Numbers- 12 (8 Labour+ 4 Lib Dem)

Planning Committee (NB Council approves departure from proportionality here)

Current Numbers- 8 (4 Labour+ 3 Lib Dem + 1 I/G)

Cambridge City Joint Area Committee (with County Council)

Current Numbers- 6 (4 Labour +2 Lib Dem)

Cambridgeshire and Peterborough Combined Authority

Current Numbers- 1 (Cllr Herbert, Leader of the Council) + 1 substitute (Cllr Price)

Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee

Current Numbers- 1 Labour + 1 Lib Dem

Cambridgeshire and Peterborough Audit and Governance Committee

New – 1 + one substitute member

Greater Cambridge City Deal Joint Assembly

Current Numbers- 3 (2 Labour + 1 Lib Dem)

Joint Development Control Committee - Cambridge Fringes
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Current Numbers- 6 (4 Labour+ 2 Lib Dem)
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Chairs and Vice Chairs

3.3 The Civic Affairs Committee is requested to make nominations for the Chairs and Vice Chairs for 2017/18. A paper listing the nominations will be circulated at the committee:

Strategy & Resources

Community Services

Environment

Housing (note - Chair is a Councillor, the Vice Chair is a tenant/leaseholder)

Civic Affairs

Employment Appeals Sub

Licensing

Planning

Joint Development Control Committee (spokesperson for the City)

3.4 Committee is also recommended to re-appoint Mr Sean Brady and Mr Rob Bennett as Independent Person and Deputy Independent Person respectively.

4. Constitutional issues

Council Procedure Rules – Review of changes made

4.1 Council agreed on 23 February 2016 to make changes to Council Procedure Rules with regard to debating Motions. These were:

Length of speeches (Rule 21) - 10 minutes for mover and seconder and the same applies to mover and seconder of amendments. All other speakers get 3 minutes.

Debating motions and amendments (Rule 17.2) - these are debated at the same time. Only the Councillor with the right of reply and the mover of the original motion can speak more than once. A vote is taken on any amendment and then if required the Motion, without debate.

4.2 Council agreed on 23 February 2016 that the changes should be reviewed in spring 2017. There have been no procedural issues at Council

meetings since these changes were agreed and appear to have worked well.

4.3 The Mayor (Cllr Benstead) who has chaired Council for the majority of meetings since these changes were brought in and Groups Leaders have been asked for any comments and these will be reported at committee.

Council Procedure Rules – Proposals for changing rules regarding other speeches at Council

4.4 Committee is asked to recommend to Council that the limit on speeches apply to 3 minutes on recommendations of the Executive and Committees, in addition to applying to Motions as there is now inconsistency between the two types of debate. If that is considered too restrictive, the Executive Councillor and spokes (or Chair and spokes) could have 5 minutes with 3 minutes for all other contributors.

4.5 The above proposal is mindful that there are occasions in the year where longer speeches on all sides of the Chamber are permitted either in existing rules (Annual Statement or Budget) or by prior arrangement by the Mayor in consultation with Group Leaders.

Extraordinary Council Meetings – Proposals for clarification

4.6 There have been a number of extraordinary (single issue) Council meetings to do with the Combined Authority and the Local Plan in the last 18 months. Experience of the Mayor at these meetings has led officers to make the following observations for clarification:

- (i) Public questions should only be on the single item for consideration and must be submitted by 10am the day before the meeting. (Part 4B appendix 2 public speaking rights)
- (ii) The Mayor has discretion to extend the time a Member can speak for over the 5 minutes permitted for a right of reply (the most recent example being in response to the debate on the Combined Authority in November 2016).

County Councillors on Area Committees – Part 4EE (4.1) – Proposals for clarification

4.7 County Councillors representing divisions in the city attend Area Committees which cover their Division. Following the implementation of new County Council Division boundaries the 12 County Councillors will represent parts of the city which cut across Area Committee boundaries. It

is proposed that County Councillors will be members of the Area Committee which contains all or the clear majority of the Division that they represent. County Councillors will be advised that they can attend other Area Committees if they choose and make contributions – but they won't be full members of more than one Area Committee.

4.8 The Constitution should be further clarified so it is clear that County Councillors can vote on all matters at Area Committees except for:

- those that require a decision to allocate city council funds
- the election of the Chair and Vice Chair.

Appointments to Outside Bodies – Proposal

4.9 There have been some rare occasions where a change is required to which member is a Group nominee on an outside body after the annual appointments have been agreed in May. For example two changes in 2016/17 involved the Labour appointment to Cambridge Live and the Liberal Democrat appointment to the Junction. Both these required out of cycle decisions, which could be viewed as over bureaucratic as they were 'like for like'. In future, where the appointment is a straightforward swap (ie. Cllr X taking the place of Cllr Y from the same Group) it is proposed that the appointment is made by the Executive Councillor and the spokes is emailed for information. In circumstances where an Executive Councillor proposed a departure from what was previously agreed at annual appointments then the matter would be for out of cycle decision (or to the Scrutiny Committee if appropriate)

5. IMPLICATIONS

Any financial, staffing, equality and poverty, environmental, procurement, consultation and communication and community safety implications on the proposals included in the report?

None

BACKGROUND PAPERS: No background papers were used in the preparation of this report.

The author and contact officer for queries on the report is Gary Clift 01223 457011 gary.clift@cambridge.gov.uk

Date originated: 04 May 2017

Date of last revision: 04 May 2017

Part 4A-COUNCIL PROCEDURE RULES

21. Length of speeches

Generally

21.1 No speech shall subject to the exceptions provided ~~in 21.2 or~~ elsewhere in Council Procedure Rules exceed 35 minutes length without the consent of the Council given by reason of the exceptional importance of the subject and which consent shall be ascertained by the Mayor either on his/her own initiative or on a motion made which shall be put without amendment or discussion. Provided that it shall be within the discretion of the Mayor to permit up to a further 3five minutes beyond the time so mentioned without the necessity for any such consent.

PART 4B-ACCESS TO INFORMATION RULES-APPENDIX 2 PUBLIC SPEAKING RIGHTS

Is there a requirement for advance notification of a wish to speak or ask a question?

If the question or statement concerns a matter which is on the agenda for the meeting in question, then the speaker or questioner should register their intention to speak with the Committee Manager before the start of the meeting.

If it concerns a matter which is not on the agenda, then notice of the question or of the subject matter must be given to the Committee Manager by 10.00 am on the working day preceding the meeting.

Extraordinary Council Meetings – public questions will only be taken on the single item of business for which the extraordinary meeting has been called and notice of questions must be received by 10am the day before the extraordinary meeting.

Part 4EE-AREA COMMITTEE PROCEDURE RULES

4. Co-opted Members

- 4.1 Each area committee shall invite county councillors where the clear majority of a County Council Division is within for its the area to be ~~non-voting~~ co-opted members. County Councillors may vote on all matters except for any decision relating to city council funding and the election of the Chair and Vice-Chair. Area committees may appoint such other non-voting co-opted members as they choose. Co-opted members may be appointed either in respect of the whole work of the area committee, or in respect of specific aspects of that work.