



## Cambridge City Council Civic Affairs

**Date:** Monday, 18 May 2020

**Time:** 5.30 pm

**Venue:** This is a virtual meeting and therefore there is no physical location for this meeting [To view meeting click here](#)

**Contact:** [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk), tel:01223 457000

### Agenda

- 1 Apologies
- 2 Declarations of Interest
- 3 Minutes (Pages 3 - 6)
- 4 Public Questions
- 5 Virtual Council Meetings-conventions (Pages 7 - 14)
- 6 Nominations for Committees for the Municipal Year 2020/21 (Pages 15 - 20)
- 7 Date of next two meetings  
The Committee is asked to confirm the date of the next meeting as Thursday 4 June at 5.30pm and to agree that the meeting after that takes place on Wednesday 8 July (and not 22 July as previously scheduled).

**Civic Affairs Members:** McPherson (Chair), Sargeant (Vice-Chair), Chadwick, Dalzell, Davey and Thornburrow

**Alternates:** Martinelli and Moore

## **Information for the public**

[To view meeting click here](#)

Members of the public are welcome to view the live stream of this meeting, except during the consideration of exempt or confidential items, by following the link to be published on the Council's website.

Any person who participates in the meeting in accordance with the Council's public speaking time, is deemed to have consented to being recorded and to the use of those images (where participating via video conference) and/or sound recordings for webcast purposes. When speaking, members of the public should not disclose any personal information of any individual as this might infringe the rights of that individual and breach the Data Protection Act.

If members of the public wish to address the committee please contact Democratic Services by 12 noon two working days before the meeting.

For full information about committee meetings, committee reports, councillors and the democratic process:

- Website: <http://democracy.cambridge.gov.uk>
- Email: [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk)
- Phone: 01223 457000

## **CIVIC AFFAIRS**

29 January 2020

5.30 - 6.15 pm

**Present:** Councillors McPherson (Chair), Sargeant (Vice-Chair), Chadwick, Dalzell, Davey and Thornburrow

### **Officers:**

Head of Finance: Caroline Ryba

Head of Human Resources: Deborah Simpson

Democratic Services Manager: Gary Clift

<b>FOR THE INFORMATION OF THE COUNCIL</b>
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### **20/1/Civ Apologies**

Apologies for absence were received from Mr Rob Bennett, the Council's Independent Person.

### **20/2/Civ Declarations of Interest**

There were no interests to declare.

### **20/3/Civ Minutes**

The minutes of the meetings held on 9 October 2019 were approved as a correct record and signed by the Chair.

### **20/4/Civ Public Questions**

There were no public questions.

### **20/5/Civ Statement of Accounts 2018/19**

The Committee received an oral update from the Head of Finance on the delayed external audit by Ernst & Young (EY) of the accounts 2018/19 and the knock-on delay for all the associated reports listed for 29 January committee which had also not been included on the agenda.

In response to the oral update Councillors questions and comments were:  
Ensure that the city council was managing the delay with EY;  
Noted that local authority auditing was variable across the country;  
Was the Council tied-in to a contract with EY;  
What if EY don't make the new date of completion;  
What was the resource impact of the delay on the city council;  
Clarify what the legal deadline is.

The Head of Finance said the following in response to Members' questions:

The issue with auditing of local authority accounts was widespread although EY appeared to be in the most difficult position of the audit companies. The audit industry is making a case to central Government that the deadlines set are no longer achievable. There is a review (the Redmond review) of auditing practice and the Public Sector Auditing Appointments (PSAA) is lobbying to make deadlines more achievable.

The Council is in year 1 of 5 with EY, which is a contract arrangement done through the PSAA. The Council and other affected public bodies who have EY as the external auditor are working with PSAA on service delivery. The Council alone cannot end the contract.

The legal requirement is that the Council publishes its accounts by 31 July. It is not a requirement that they are fully audited. The Council therefore published in July with the qualification that they were unaudited. EY had sought its own legal advice on the requirement, as it impacted on a number of its audits.

EY met with Heads of Finance to discuss the audit of 2019/20 and is proposing that these are reported in autumn 2020 (ie. not July).

EY is meeting Chairs of Audit Committees in February to discuss the issues raised by its delays. As of early January eight audits were still outstanding

The resource impact for the Council has been that officers who would have been working on the budget were working on the audit and this will be the same for 2020 if the audit is reported in the autumn (which is what EY is proposing). The Head of Finance was of the view that this may be a pragmatic approach taking into account a new finance team will be in place.

The Committee agreed to hold a special meeting on Wednesday 11 March to consider the agenda items listed on the Forward Plan for the 29 January which had not been reported.

**20/6/Civ     Draft Pay Policy Statement 2020/21**

The Committee received a report from the Head of Human Resources.

The report set out a draft pay policy statement as required under the Localism Act. The Localism Act requires the Council to have considered, approved and published a pay policy statement for each financial year. This must be approved by Full Council and be in place by 31 March each year.

The Head of Human Resources reported that there had been delays in the agreement for national pay awards for chief executives, chief officers and the NJC and that there was a national meeting to consider the NJC pay award scheduled on 5 February. It is expected that no pay awards would be in place to implement for 1 April and whatever was agreed would be backdated. The NJC settlement was expected to be for one year only while there is consideration of the implications of the Government's new National Living Wage rate of £10.54 by 2024.

Regarding the amendment circulated on 28 January and tabled, the Head of Human Resources explained that the additional recommendation at 2.6 reflected the position now the Council is about to commence a recruitment process for a new Chief Executive.

The Committee asked what would need to take place for former Cambridge Live staff to be on the same as City Council pay terms and conditions. The Head of Human Resources said the recommendation in the report with regard to pay awards was one action.

**Unanimously resolved** to recommend to Council:

- i. the draft Pay Policy Statement 2020/21 attached as Appendix 1 of the Officer's report.
- ii. to delegate authority to the Head of Human Resources to update the Pay Policy Statement 2020/21 should a chief executive and/or chief officer and/or NJC pay award be agreed.
- iii. that a pay award mechanism is introduced with effect from 1 April 2020 for staff on Cambridge Live terms and conditions of employment, based on comparison to the NJC pay award and authority is delegated to the Head of Human Resources to implement any future pay awards, following consultation with the Chief Executive and Executive Councillor for Finance and Resources.

The Committee also unanimously agreed:

- iv. To note an oral update regarding any progress on national pay awards for chief executives or chief officers or employees covered by the NJC, with effect from 1 April 2020.
- v. To note that a review of senior officer salaries has been undertaken in 2019 and that no change to the current pay levels of the Chief Executive, Strategic Directors and Heads of Service was recommended as a result of that review.
- vi. To ask the Head of Human Resources to undertake a further review of the Chief Executive pay level in 2020 and to include reference to this review in the Draft Pay Policy Statement 2020/21

### **20/7/Civ     Amendment to Council Procedure Rules**

The Committee received a report from the Democratic Services Manager. The report sought approval to change the rules for Council Meetings regarding:

- (i) the duration of the meetings
- (ii) the length of time allocated to Group Leaders for introducing Annual Statements.

The Committee noted that the changes would come into effect for the July 2020 and May 2020 meetings respectively.

**Unanimously resolved** to recommend to Council a change to Council Procedure Rule 10 and the Scheme for Annual Statements as set out in this report.

The meeting ended at 6.15 pm

**CHAIR**



Item

## VIRTUAL COUNCIL MEETINGS-CONVENTIONS

**To:**

Civic Affairs Committee 18/05/2020

**Report by:**

Gary Clift, Democratic Services Manager

Tel: 01223 - 457011 Email: gary.clift@cambridge.gov.uk

**Wards affected:**

All

### 1. Introduction

- 1.1 The report proposes local conventions on how council meetings will operate in a virtual way arising from the provisions in the Coronavirus Act 2020 and associated Regulations.

### 2. Recommendations

- 2.1 To recommend to Council that:

- (i) The conventions for virtual meetings are adopted.
- (ii) The conventions are reviewed after one month of operation and that the Civic Affairs Committee is authorised to make any changes following the review and at any time until 7 May 2021 taking into account any advice from the Council's Monitoring Officer.

### 3. Background

- 3.1 Following on from the Coronavirus Act 2020, the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority

Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on 4 April 2020. These regulations make provision for remote attendance at, and remote access to, council meetings held on or before 7 May 2021. **The Regulations override any existing procedure rules or standing orders or other rules that local authorities have relating to the governance of meetings.** The main effects of the regulations are as follows:

- Regulation 4 (1) empowers local authorities to alter the frequency of meetings, move or cancel meetings without notice. It should be noted however that there is no change to the requirement to publish notice of a meeting 5 working days prior to a meeting.
- Regulation 5 provides that local authority meetings may take place through digital means. A meeting summons does not need to specify a physical location and a meeting may take place entirely online or by conference call, subject to certain conditions set out below.
- Councillors may participate in meetings remotely. There is no requirement for a quorum of councillors to be present in the meeting room because the regulations make it clear that a councillor “attends” the meeting if they are able to participate remotely. The following conditions must be met for a councillor to be defined as participating remotely:
  - o The councillor must be able to hear and, where possible, see other councillors attending the meeting. The councillor must also be heard and, where possible, seen by those other councillors;
  - o The councillor must be able to hear and, where possible, see members of the public who are attending the meeting to exercise their right to speak. The councillor must also be heard and, where possible, seen by those members of the public; and
  - o The councillor must be heard and, where possible, seen by other members of the public who are attending the meeting (remotely).

Regulation 5 also empowers local authorities to make standing order or rules governing remote attendance, which may include provision for:

- o voting;
- o member and public access to documents; and
- o remote access of public and press to a local authority meeting to enable them to attend or participate in that meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming.

This means that councils can hold meetings regardless of any existing restrictions and to match facilities to suit their circumstances.

- Regulation 6 allows a notice of a meeting to be published on the Council's website as though it were published at the offices. The publication, posting or making available of agendas, reports and supporting information may be via the Council's website instead of at the offices or via post.

#### **4. Proposed conventions**

- 4.1 The Council is to hold virtual meetings using the Microsoft Teams function which is the 3C ICT solution for all three councils in the shared service and the conventions have been drafted taking these technical capabilities into account. They have also been drafted to reflect an expressed preference by Group Leaders for both live video and audio public participation in council meetings.
- 4.2 Virtual meetings are new for all local authorities. Councils are choosing different technical solutions and commencing virtual meetings at different times. The conventions have been based on examples of good practice provided by the Local Government Association, Association of Democratic Services Officers and the Centre for Public Scrutiny. It is sensible to review how these conventions work and where they can be improved after one month and as required.

#### **4. Implications**

##### **(a) Financial Implications**

There may be some small savings on not publishing agenda and not booking external venues for Area Committees depending on the choices that Members make in the longer term.

##### **(b) Staffing Implications**

Running virtual meetings will require more democratic service officers (initially 3 per meeting) as there is more than one role to perform.

##### **(c) Equality and Poverty Implications**

An EQIA has been undertaken.

##### **(d) Environmental Implications**

There will be less travel to the Guildhall or another meeting place. There should be less printed matter in the long term.

**(e) Procurement Implications**

None

**(f) Community Safety Implications**

None

**5. Consultation and communication considerations**

None

**6. Background papers**

Association of Democratic Services Officers/Lawyers in Local Government  
Guidance note on Regulations No.392 April 2020

**7. Appendices**

None

**8. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact Gary Clift, Democratic Services Manager, tel: 01223 - 457011, email: [gary.clift@cambridge.gov.uk](mailto:gary.clift@cambridge.gov.uk).

## **Interim proposals for Cambridge City Council conventions for virtual meetings in accordance with the [Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#)**

### **1.1 Access to documents**

- (i) Democratic Services will publish the agenda and reports for committee meetings on the Council's website and will notify councillors by email. Papers will not be available for inspection at the Council's offices. Printed copies will not normally be circulated to councillors [an exception will be made for Planning Committee councillors (who wish paper copies) and any other councillor with specific requirements].
- (ii) Before the meeting, any document to be referred to during the meeting should be shared with participants and published (where appropriate) in advance on the council's website, and ensure that every page and slide is numbered, wherever possible.

### **1.2 General etiquette about councillors joining and participating in a remote meeting**

- (i) Councillors are encouraged to join the meeting 15 minutes before the scheduled start time in order to avoid disrupting or delaying the official start of the meeting. If a councillor needs to leave the meeting at any point, then they must draw that to the Chair's attention.
- (ii) Apologies for absence should be submitted in advance and the councillor should advise Democratic Services if an Alternate will be attending.
- (ii) Councillors should leave their cameras on (as long as bandwidth for streaming permits)
- (iv) The Chair will introduce the meeting and will check which councillors are present by roll-call. The Chair will remind councillors to mute their microphones when not speaking. This is done in order to reduce feedback and background noise. Democratic Services Officers may use this mute function as well.

### **1.3 Protocol for councillors speaking at meetings**

- (i) The Chair will determine who may speak, as well as the order, frequency and priority of speakers. (Through Teams this may be that councillors may use the 'chat' message function to indicate a wish to speak). The Chair may instruct the Democratic Service Officer to assist them in carrying out any of these functions. The Chair's ruling at any meeting on how this will be managed shall be final.
- (ii) Councillors will speak when invited to do so by the Chair with only one person to speak at a time.
- (ii) When referring to reports or making specific comments, councillors should refer to the report and page number so that all councillors have a clear understanding of what is being discussed at all times.
- (iii) Ward Councillors and Parish Councillors (latter re. JDCC) will be able to speak (e.g. speaking on behalf of constituents) at a virtual meeting with the permission of the Chair which should be gained in advance.
- (iv) Any councillor with a disclosable pecuniary interest or other declarable interest which would usually require them to leave the room, must leave the remote meeting and the officer will confirm they have left and will invite them back to re-join at the appropriate time.

#### **1.4 Voting**

- (i) Where a vote is required, the Chair will ask each councillor to vote in turn. Councillors should express their vote verbally, either for, against or abstain.
- (ii) The Democratic Services Officer will announce the outcome of the vote to the meeting. Names will not be recorded in the Minutes, unless requested under Council Procedure Rules (32 and 46)

#### **1.5 Public participation at virtual committee meetings**

The following conventions will supplement public speaking rights in Part 4b of Council Procedure Rules in the context of a virtual council or committee meeting of Cambridge City Council

- (i) The public who wish to observe/hear the proceedings of a committee are able to do so by a live stream. The public who wish to speak will contact democratic services by noon two working days before the meeting and will be provided with a link to participate in the meeting.
- (ii) The public participating will be able to be heard (and ideally be seen) by other participants and will be able to hear (and ideally see) other participants.

- (iii) Representations should be submitted in writing as well. This is as a back-up in case of a technical failure preventing the video or audio representation at the meeting being made. If a public speaker loses connection, the officer will attempt to bring the speaker back into the meeting, they will try to: a) invite the speaker back to the Teams platform; b) if unsuccessful then telephone the speaker (if provided with a number); c) or read out any written submission (sent in advance) on the speaker's behalf. If a speaker is unable to either join, or re-join a meeting, the Chair may still permit the meeting to determine the business to be transacted.
- (iv) Once the public contribution has ended, they will be muted by the officer/Chair.
- (v) The Chair's decision on how this process operates will be final.

## **1.6 Disruption**

While the Council welcomes input from the public, it is important for the integrity and orderly management of the meeting that the public who join the meeting follow the direction of the Chair.

The Chair will warn a member of the public if they are disrupting proceedings. If the member of the public ignores the Chair's warning then they will be muted and/or removed from the (virtual) meeting. The Chair's action taken in relation to disruption is final.

## **1.7 Dealing with exempt items of business**

- (i) There are times when council meetings are not open to the public, when confidential, or "exempt" information – as defined in Schedule 12A of the Local Government Act 1972 – is under consideration. The Chair and Democratic Services Officer must ensure that there are no members of the public at remote locations able to hear or see the proceedings during such meetings or parts of meetings.
- (ii) Any councillor in remote attendance who fails to disclose that there are other persons present, such as those who may be able to see and/or hear the meeting, who are not so entitled will be in breach of the Council's Code of Conduct.

## **1.8 Dealing with technical difficulties**

- (i) In the event that the Chair or Democratic Services Officer identifies a technical failure of the virtual meeting, the Chair may need to declare an adjournment while the fault is addressed.

- (ii) If it is not possible to address the fault and the meeting is inquorate, the meeting will be abandoned until such time as it can be reconvened. If the meeting is quorate, the meeting will continue. Those Councillors affected and attending remotely would be aware and have to accept that the meeting would continue and a vote would be taken without their attendance.
- (iii) If it is not possible for general public access to the virtual meeting because of a technical failure by the Council, the meeting cannot proceed.
- (iv) If the meeting was due to determine an urgent matter or one which is time-limited and it has not been possible to continue because of technical difficulties, the Chief Executive, in consultation with the relevant Executive Councillor/Chair and spokes shall explore such other means of taking the decision as may be permitted by the Council's constitution.

## **1.9 Interpretation of Conventions and Council Procedure Rules**

Where the Chair is required to interpret the Council's existing practices in light of the requirements of remote participation which are provided for under the Regulations, they shall take advice from a senior legal officer or senior democratic officer prior to making a ruling. The Chair's decision in all cases shall be final.

## **2.0 Review**

These conventions will be reviewed as soon as practicable by the Civic Affairs Committee after one month from the first virtual meeting as agreed by Full Council on 28 May 2020.



Item

## **COMMITTEE APPOINTMENTS AND CONSTITUTIONAL CHANGES FOR ANNUAL COUNCIL**

**To:**

Civic Affairs Committee 18/05/2020

**Report by:**

Gary Clift, Democratic Services Manager

Tel: 01223 - 457011 Email: gary.clift@cambridge.gov.uk

**Wards affected:**

All

### **1. Introduction**

- 1.1 The report details the issues to consider and decide for recommendation to Council on 28 May 2020. An update paper will be published on 18 May when additional information from the political groups will have been received.

### **2. Recommendations**

- 2.1 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 18 May.
- (ii) The nominations for Chairs and Vice Chairs (as current) in paragraph 3.3 and updated in a paper to be circulated on 13 May.
- (iii) Constitutional updates required as part of the Annual Meeting process.

### **3. Background**

#### **Appointing Committees**

- 3.1 City Council all-out elections scheduled for 7 May were cancelled under the Coronavirus Act 2020. Following on, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 which came into force on 4 April, permit local authorities to carry over appointments made at Annual Meetings in 2019. Therefore, Civic Affairs Committee is to consider any departure from the current committees (ie. status quo) and make recommendations to the Annual Meeting of the Council accordingly.
- 3.2 The rules on political balance set out in the Local Government and Housing Act 1989 still apply 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). If you choose to depart from proportionality, Full Council must not only agree, but no single Member must dissent.

- 3.2 The existing city council committees and size are listed below. The

Council (or committees in respect of sub-committees) will appoint one alternate member in respect of each political group represented on that committee or sub-committee and two in the case of the major Scrutiny Committees for groups with more than one committee member. 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 should not change but we will be notified if so.

<b>Environment and Community Scrutiny Committee</b>
Current Numbers- 8 ( 5 Labour + 3 Lib Dem)

<b>Planning and Transport Scrutiny Committee</b>
Current Numbers- 9 (5 Labour + 3 Lib Dem+1 Ind)

<b>Housing Scrutiny Committee</b>
Current Numbers- 8 ( 5 Labour + 3 Lib Dem)

<b>Strategy and Resources Scrutiny Committee</b>
Current Numbers- 5 (3 Labour+ 2 Lib Dem)

<b>Civic Affairs Committee</b>
Current Numbers- 6 (4 Labour +2 Lib Dem)

<b>Licensing Committee</b>
Current Numbers- 11 (8 Labour+ 4 Lib Dem)

<b>Planning Committee</b>
Current Numbers- 8 (5 Labour+ 3 Lib Dem)

<b>Employment (Senior Officer) Committee</b>
Current Numbers- 6 (4 Labour +2 Lib Dem)

<b>Employment Appeals Sub-Committee</b>
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Current Numbers- 6 (4 Labour +2 Lib Dem)
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<b>Cambridge City Joint Area Committee (with County Council)*</b>
Current Numbers- 6 ( 4 Labour +2 Lib Dem )

<b>Cambridgeshire and Peterborough Combined Authority</b>
Current Numbers- 1 (Leader of the Council) + 1 substitute (Deputy Leader)

<b>Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee</b>
Current Numbers- 1 Labour + 1 Lib Dem

<b>Cambridgeshire and Peterborough Audit and Governance Committee</b>
Current Numbers 1Labour + 1 alternate member

<b>Greater Cambridge City Deal Joint Assembly</b>
Current Numbers- 3 (2 Labour + 1 Lib Dem)

<b>Joint Development Control Committee - Cambridge Fringes*</b>
Current Numbers- 6 (4 Labour+ 2 Lib Dem)

\*Nb - Cambridgeshire County is to consider at its Full Council on 19 May 2020 disbanding the Cambridge Joint Area Committee and also withdrawing from the Joint Development Control Committee with effect from July 2020.

## **Chairs and Vice Chairs**

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

- Strategy and Resources
- Environment and Community Services
- Planning and Transport
- Housing (note - Chair is a Councillor, the Vice Chair is a tenant/leaseholder)

- Civic Affairs
- Licensing

### **Committee working parties and appointments to outside bodies**

- 3.4 Procedural meetings of the relevant scrutiny and regulatory committees are usually held at an adjourned point during the Annual Meeting of the Council to confirm working parties and to note the membership of them. Executive Councillors also agree appointments to outside bodies. Officers will table proposals on 18 May on how this could work in a virtual meeting.

### **Constitutional Changes**

- 3.4 The Committee will receive an update at its meeting of any constitutional matters requiring consideration. Although none are anticipated at the time of publication, this exists to afford the committee the opportunity to consider any.

## **4. Implications**

### **(a) Financial Implications**

None.

### **(b) Staffing Implications**

None

### **(c) Equality and Poverty Implications**

None

### **(d) Environmental Implications**

None

### **(e) Procurement Implications**

None

### **(f) Community Safety Implications**

None

## **5. Consultation and communication considerations**

None

## **6. Background papers**

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

## **7. Appendices**

None

## **8. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact Gary Clift, Democratic Services Manager, tel: 01223 - 457011, email: [gary.clift@cambridge.gov.uk](mailto:gary.clift@cambridge.gov.uk).