

# Public Document Pack

## NOTICE OF COUNCIL MEETING - 18 APRIL 2013

Dear Councillor,

A meeting of Cambridge City Council will be held in the Council Chamber - Guildhall on Thursday, 18 April 2013 at 6.00 pm and I hereby summon you to attend.

Dated 10 April 2013

Yours faithfully

A handwritten signature in black ink, appearing to read 'AP Jackson', written in a cursive style.

Chief Executive

### **Agenda**

- 1 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 21 FEBRUARY 2013**  
*(Pages 1 - 24)*
- 2 MAYORS ANNOUNCEMENTS**
- 3 PUBLIC QUESTIONS TIME - SEE AT THE FOOT OF THE AGENDA FOR DETAILS OF THE SCHEME**

## **4 TO CONSIDER THE RECOMMENDATIONS OF COMMITTEES FOR ADOPTION**

### **Civic Affairs - 20 March 2013**

#### **4a Constitution Amendment : Review of Homelessness Decisions**

*(Pages 25 - 30)*

#### **4b Amendment to Standing Orders of Joint Development Control Committee (Cambridge Fringe Sites) to increase number of alternate members**

*(Pages 31 - 36)*

## **5 TO DEAL WITH ORAL QUESTIONS**

## **6 TO CONSIDER THE FOLLOWING NOTICES OF MOTION, NOTICE OF WHICH HAS BEEN GIVEN BY:**

### **6a Councillor Price and Birtles**

The City Council condemns the decision by the Coalition government to introduce the 'Bedroom Tax,' also called the Social Sector Size Criteria, this month whereby over 800 households in Council and Housing Association homes in Cambridge will lose around £70 or £120 per month from their housing benefit unless they move from their homes, which most have lived in for many years.

This Council notes that:

- Many of those affected are both low income and vulnerable individuals or families, with up to two thirds of those affected likely to have a disability, and many already suffering multiple benefit cuts this year.

- The impact will be greatest in those wards which already have high numbers of children living in poverty causing significant impacts on families, with some being forced to move requiring children to change schools.
- Some will struggle to pay a higher rent on low incomes and they risk either falling into debt including rent arrears, or have to choose between eating, heating or rent.
- Some may need to move from the social rented to the private rented sector which may mean even higher rents and less security of tenure.
- In spite of additional transitional funding to reduce the impact of the tax, the Discretionary Housing Payment Fund will be unable to meet the needs of all those affected in either the short or long term, causing severe hardship for many.

This Council therefore resolves to:

1. Urge the City's two MP's to oppose the 'Bedroom Tax' and lobby Iain Duncan Smith, Secretary of State for Work and Pensions, to repeal this part of the legislation; and instruct the Chief Executive to also write directly to the Secretary of State calling on him to do the same.
2. Urge the Council's Executive to:
  - a) Follow the example of other councils and social landlords and remove the unnecessary bedroom classification from rooms that are really too small to be bedrooms, and avoid unnecessary financial penalties or evictions.
  - b) Ensure that any decision to evict a tenant solely because of the 'Bedroom Tax' and arrears is the responsibility of the Executive Councillor for Housing; that the Executive Councillor be urged to prevent all such evictions, and that any such proposal shall first be reported to Housing Management Board with their decision then guiding the Executive Councillor; and

c) Take all further appropriate measures necessary to minimise the impact of the 'Bedroom Tax' and protect the most vulnerable in Cambridge affected by it until its repeal.

## **6b Councillor Bick**

Council notes that

(i) After many years of talking about it, the government is set to proceed with improvements to the A14;

(ii) Unprecedentedly for a key element of national infrastructure, the government has invited local councils to contribute to the funding of the scheme;

(iii) Our transport authority, the County Council, has approached councils within Cambridgeshire requesting contributions, based on future payback from the financial gain that will accrue to them from unlocked development.

Council regrets that

(a) The proposed A14 scheme is not based on our own case for faster, targeted safety improvements on the road combined with much more investment in east-west rail;

(b) The funding proposition is not accompanied by any opportunity to influence the design of the scheme and the project does not at this stage comprise any plans to address congestion within the city;

(c) The County Council has tried to impose on all councils a funding proposition that is only relevant to some of them.

Council believes that

1. The A14 upgrade is nevertheless likely now to happen and that it will bring some economic benefits to the city region, which it welcomes;

2. Future funds will however not accrue to the City Council arising from the scheme, invalidating the County Council's payback proposition in our case;

3. In addition to the advantages, the broader impact of the scheme is likely to bring additional pressure on traffic congestion within the city itself.

Council resolves to

A. Abstain from making a funding contribution to the A14 upgrade, based on the failure of the payback mechanism in the case of the City Council;

B. Continue contributing what funds it can make available as a non-transport authority, towards providing for public transport and cycling within the city to help mitigate the impact of significantly easier commuting into the city, in particular by starting a "Keep Cambridge Moving Fund" enabling future partnering with the County Council on agreed measures.

## **7 WRITTEN QUESTIONS**

No discussion will take place on this item. Members will be asked to note the written questions and answers document as circulated around the Chamber.

## 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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Most meetings have an opportunity for members of the public to ask questions or make statements.

To ask a question or make a statement please notify the Committee Manager (details listed on the front of the agenda) prior to the deadline.

- 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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**COUNCIL**

21 February 2013

6.00 - 10.20 pm

**Present:** Councillors Stuart (Mayor), Saunders (Deputy Mayor), Ashton, Benstead, Bick, Bird, Birtles, Blackhurst, Blencowe, Boyce, Brierley, Brown, Cantrill, Dryden, Gawthrope, Herbert, Hipkin, Johnson, Kightley, Marchant-Daisley, McPherson, Meftah, Moghadas, O'Reilly, Owers, Pippas, Pitt, Pogonowski, Price, Reid, Reiner, Rosenstiel, Smart, Smith, Swanson, Todd-Jones, Tucker, Tunnacliffe and Ward

**FOR THE INFORMATION OF THE COUNCIL**

**13/5/CNL To approve as a correct record the minutes of the meetings held on 25 October 2012 and 9 January 2013**

The minutes of the meetings held on 25 October 2012 and 9 January 2013 were confirmed as a correct record and signed by the Mayor.

**13/6/CNL Mayor's Announcements**

**1. APOLOGIES**

Apologies were received from Councillors Abbott, Hart and Kerr.

**2. AUDIO EQUIPMENT**

The Mayor alerted members to a minor issue that had been identified with the linkages between the microphones in the Council Chamber. Members were asked to be mindful of this when using the microphones.

**3. PRESENTATION OF RESOLUTION OF THANKS TO IAN NIMMO-SMITH**

The Mayor presented former Councillor Ian Nimmo-Smith with a framed copy of the Council's 'Resolution of Thanks' for his year of mayoralty.

#### **4. FUND RAISING**

The Mayor thanked Councillors who supported the fund raising event held on 4<sup>th</sup> December for the Cambridge Women's Resources Centre. A total of £1,500 was raised.

The Mayors second charity – the Cambridge City Foodbank – had held a fund raising event on 6<sup>th</sup> February. Again Councillors were thanked for their support and a total of £4,385.19 was raised.

It was noted that the Mayor had offered one of her free uses of the Halls to Great St. Mary's Church in order that they could hold a concert on Friday, 8<sup>th</sup> February. The City Council had a very long association with Great St. Mary's and many of its civic services were held there. A development programme was being undertaken at Great St. Mary's to enable it to continue its community work in the future and the concert had been held to raise money for its appeal fund.

#### **5. HONORARY FREEDOM TO THE CITY OF SZEGED**

At an Extraordinary Meeting of the City Council held on Thursday, 20<sup>th</sup> October 2011, it was agreed to award the honorary freedom to the City of Szeged.

The Mayor confirmed that the Mayor of Szeged would be visiting Cambridge during the period 22<sup>nd</sup> to 24<sup>th</sup> March and a civic reception would take place on Saturday, 23<sup>rd</sup> March. At this reception the freedom scroll and casket would be presented.

Councillors had received invitations and the Mayor hoped that they would support this occasion.

#### **6. VISIT TO THE CITY BY THE DUKE AND DUCHESS OF CAMBRIDGE**

The Mayor placed on record the enormous pleasure it gave her and the Deputy Mayor to host the Duke and Duchess of Cambridge during their visit to the Guildhall on 28<sup>th</sup> November 2012.

It was the Royal couple's first official visit to the City and huge crowds welcomed them. The Mayor thanked those Councillors that were able to attend.

## 7. DECLARATION OF INTEREST

Councillor	Item	Interest
Rosenstiel	13/9b/CNL	Personal: Tenant of a Council owned garage
Smith	13/10b/CNL	Personal: Trustee of Cambridge Arts Theatre

### 13/7/CNL Petition

A petition had been received containing over 500 valid signatures stating the following:

'We, the undersigned residents of Cambridge support a City Bye-Law that bans the possession, sale and consumption of shark fins within our City.'

Louise Ruddell and Teale Phelps Bondaroff presented and spoke in support of the petition.

The following points were made:

- i. 3595 signatures had been collected in support of the petition.
- ii. Sharks are an essential part of the eco-system and a third of all shark species are under threat of extinction
- iii. The main threat to sharks include commercial fishing, sport fishing but most of all shark finning
- iv. Shark finning is a multi-million pound industry that results in as many as 73 million sharks being killed each year.
- v. The main market for this industry is shark fin soup. Shark fin soup has no nutritional value or significant taste and is purchased and served purely as a 'prestige' dish.
- vi. Shark fin has been proven to be harmful for human consumption.
- vii. Despite being banned by the European Union, the UK ranks 19<sup>th</sup> in the world for the export of shark fin.
- viii. Suggest a slight change to the Motion, making the resolution apply to both shark fins, sharks and other shark products.
- ix. We are proud to have cross-party support of this petition.
- x. If agreed, Cambridge will be the first City in the UK to pass such a Motion concerning shark fin.

- xi. Thanked 'Lush Cambridge' for their support and assistance.

The Executive Councillor for Environmental and Waste Services thanked the petitioners for bringing this issue to the attention of the Council. It was acknowledged that shark finning was a cruel trade and that shark fin was harmful for human consumption.

### **Re-Ordering of the Agenda**

Under paragraph 4.2.1 of the Council Procedure Rules, the Mayor used her discretion to alter the order of the agenda to take item 10a next. However, for ease of the reader, these minutes will follow the order of the published agenda.

### **13/8/CNL Public Questions Time**

None

### **13/9/CNL To consider the recommendations of the Executive for Adoption**

#### **13/9a/CNL Mid-Year Treasury Management Report 2012/13 (The Leader)**

**Resolved** (by 19 votes to 0 to:

Approve the revised Prudential and Treasury Management Indicators as set out in Appendix 4 of the officer's report, incorporating changes as detailed in section 11 of the officer's report.

#### **13/9b/CNL Housing Revenue Account (HRA) Budget Setting Report (BSR) 2013/14 to 2016/17 - Revenue Implications (Executive Councillor for Housing)**

**Resolved** (by 19 votes to 0) to:

Housing Capital

- i. Approve the capital bids, including resource to re-roof HRA commercial property in Campkin Road and funding to meet the relocation costs of existing residents in housing in Water Lane and Aylesborough Close

(subject to approval that the schemes proceed, as shown in Appendix H of the HRA Budget Setting Report.)

- ii. Approve re-phasing of both the expenditure, and external funding, in respect of the new build affordable housing programme, in line with scheme specific approvals and anticipated cash flows.
- iii. Approve the virement of £40,000 of resource from the communal area uplift allocation, where work is still being done to produce full stock condition data, to the budget for work to HRA commercial property, to facilitate the conversion of ECCHO House to a two-bedroom dwelling for social housing purposes at a total cost of £95,000, as detailed in the project appraisal at Appendix P, and the Housing Capital Investment Plan at Appendix N of the HRA Budget Setting Report.
- iv. Approve a reduction of £80,000 in each of the Disabled Facilities Grant and Private Sector Housing Grants and Loans budgets in 2012/13 due to a combination of reduced demand, coupled with a temporary reduction in activity by the new Shared Home Improvement Agency whilst the service was set up. Permission is sought to re-profile this resource to 2017/18, the end of the current funding period, from which point future funding for this area of investment is at risk.
- v. Approve the revised Housing Capital Investment Plan as shown in Appendix N of the HRA Budget Setting Report.
- vi. Approve a provisional addition to the Housing Capital Allowance of £25,358,000 in respect of anticipated qualifying expenditure in 2013/14.

### **13/10/CNL To consider budget recommendations of the Executive for adoption**

#### 13/10a/CNL Executive Amendment

The Executive Amendment was circulated around the Chamber.

13/10b/CNL Draft Revenue and Capital budgets 2012/13 (Revised), 2013/14 (Budget) and 2014/15 (Forecast) (The Leader)

The Executive presented its budget recommendations as set out in the Council Agenda and on the amendment sheet circulated around the Chamber.

13/10c/CNL Labour Group Amendment - Draft Revenue and Capital budgets 2012/13 (Revised), 2013/14 (Budget) and 2014/15 (Forecast)

Councillor Herbert presented the Labour Group's alternative budget as set out in the Council Agenda and on the amendment sheet circulated around the Chamber.

Councillor Hipkin Budget Statement

Councillor Hipkin presented a short budget statement.

Labour Group Alternative Budget Amendment

Under the Council's budget procedure, the Labour Group's alternative budget was deemed to have been moved and seconded as an amendment.

On a show of hands the Labour Group's alternative budget amendment was lost by 17 votes to 20.

In accordance with the Council's budget procedure, Councillor Herbert moved separately the following proposals, which formed part of the Labour Group alternative budget::

Reference	Details
LR1	Create new 'Reduce the Strength' Licensing Officer – initial two year trial

On a show of hands the proposal was lost by 17 votes to 20

Reference	Details
LR4	Set up a 'Clean it up' Campaign to cut dog mess incorporating making dog warden full time

On a show of hands the proposal was lost by 17 votes to 20

Reference	Details
LR8	Enforce County Council obligations, plus fund work to fix other priority damaged pavements, paving and cycleway problems reported by public as 'the worst in Cambridge'

On a show of hands the proposal was lost by 17 votes to 20

Reference	Details
LR3	Restore a full time Cycling Officer

On a show of hands the proposal was lost by 18 votes to 20

Reference	Details
LR5	Benefit training for a further 25% of frontline staff and key staff in Cambridge voluntary organisations

On a show of hands the proposal was lost by 16 votes to 20

Reference	Details
LR2	'Collective Power' Energy Purchasing Co-operative – development costs

On a show of hands the proposal was lost by 19 votes to 20

Unless otherwise stated, all references in the recommendations to sections, pages and appendices relate to Version 3 of the Budget Setting Report (BSR).

This can be found via:

<http://democracy.cambridge.gov.uk/ecSDDisplay.aspx?NAME=SD1131&ID=1131&RPID=42092714&sch=doc&cat=13042&path=13020%2c13021%2c13042>

**RESOLVED** (by 20 votes to 0) to agree the Executive's budget proposals:

General Fund Revenue Budgets:

[Section 4, page 45 refers]

Budget 2012/13:

- a) Approved, with any amendments, the revised budget items shown in Appendix D.
- b) Approved, with any amendments, the Non Cash-Limit budget items for 2012/13 as shown in Appendix E.
- c) Approved, with any amendments, the overall revised budget for 2012/13 for the General Fund, as shown in Section 4 [page 45 refers] and Appendix G(a), with net spending at £22,536,390.

**Budget 2013/14:**

- d) Agreed any recommendations for submission to the Executive in respect of:
  - Bids to be funded from External or Earmarked Funds as shown in Appendix H.
  - Non Cash Limit items as shown in Appendix E.
  - Revenue Savings and Bids as shown in Appendix F.
  - Priority Policy Fund (PPF) Bids as shown in Appendix I(b) – based on the position as outlined in Section 4 [page 45 refers].
  - *New: approve the overall base budget for 2013/14, with net spending at £18,498,800, as shown in Appendix G (a) and funding as shown in Appendix G (b).*
- e) Noted the Council Tax taxbase, as set out in Appendix C (a), as calculated and determined by the Director of Resources under delegated authority.



- f) Agreed the level of Council Tax for 2013/14 as set out in Section 3, page 44 refers.

Noted that the table in the Council Tax Setting Appendix C(b) has been updated for the 2013/14 precept notifications which have been received from the precepting bodies (Cambridgeshire County Council, the Cambridgeshire Police and Crime Commissioner and Cambridgeshire & Peterborough Fire Authority).

**Treasury Management:**

- g) Approved:
- i. the Prudential Indicators as set out in Appendix P(a) and to confirm that the Authorised Limit for external borrowing determined for 2013/14 will be the statutory limit determined under section 3 of the Local Government Act 2003,
  - ii. to delegate to the Director of Resources, within the borrowing totals for any financial year within (i) above, to effect movement between the separately agreed figures for 'borrowing' and 'other long term liabilities',
  - iii. the Treasury Management Annual Borrowing and Investment Strategies set out in Appendices P(b) and P(c) , and
  - iv. the Council's Counterparty List shown in Appendix P(c), Annex 3.

**Other Revenue:**

- h) Delegated to the Director of Resources authority to finalise changes relating to any corporate and/or departmental restructuring and any reallocation of support service and central costs, in accordance with the CIPFA Service Reporting Code of Practice for Local Authorities (SeRCOP).

Capital: [Section 5, page 53 refers]

*Capital & Revenue Projects Plan: [section 5, page 50]*

- i) Approved project appraisals that have been referred by Executive Councillors and agree inclusion in the Capital & Revenue Projects Plan of any new items and to note any additional funding for revised schemes approved by Executive Councillors (*as amended at the Executive 24 January 2013*): to include the following specific items for approval:
- (i) *Project appraisals that have been referred by Executive Councillors:*
    - i. *Arts Sport & Public Places*
      - 1. *Corn Exchange Improvements – Exterior & Entrance Lobby (as separate agenda item 13)*
      - 2. *Corn Exchange - Improvements to heating management system as separate agenda item 14)*
    - ii. *Environmental & Waste Services*
      - 1. *Bins for New Developments*
      - 2. *In Cab Technology – Full Roll Out*
      - 3. *Vehicle Replacement Programme 2013/14*
  - (ii) *The removal from the Revenue & Projects Capital Plan of the following capital schemes or programmes:*
    - i. *Arts, Sport & Public Places*
      - 1. *SC499 – Outdoor Fitness Equipment*
      - 2. *SC514 – Petersfield Play Area Equipment*
    - ii. *Planning & Climate Change*
      - 1. *PR019 – Car Parks Infrastructure & Equipment Replacement Programme*
  - (iii) *To set up eight new capital programmes and associated remits within the following portfolios:*
    - i. *Arts, Sport & Public Places*
      - 1. *Replacement of Parks & Open Space Litter & Waste Bins*
      - 2. *City-wide Developer Contribution Funds*
      - 3. *Area Committee (East) Developer Contribution Funds*

4. *Area Committee (North) Developer Contribution Funds*
  5. *Area Committee (South) Developer Contribution*
  6. *Area Committee (West/Central) Developer Contribution Funds*
- ii. *Environmental & Waste Services*
    1. *Purchase of Bins for New Developments*
    2. *Litter Bin Replacement Programme*
- (iv) *To delete the following schemes from the Hold List within the Arts Sport & Public Places portfolio, being items that are now subsumed within the new Area Committee Programmes above:*
- i. *Logan's Meadow Local Nature Reserve extension*
  - ii. *Paradise Local Nature Reserve improvements*
- (v) *To amend the budgets in respect of the following projects within the Capital & Revenue Projects Plan:*
- i. *Community Development & Health portfolio*
    1. *Capital bid C3176 - Clay Farm Community Centre - Phase 2 (Construction) from £6,750,000 to £7,711,000 to reflect the full estimated costs, the increase to be funded from external sources*
  - ii. *Planning & Climate Change portfolio*
    1. *existing scheme SC557 – Grand Arcade Annex Car Park – Drainage Gullies from £26,000 to £52,000 to reflect a known increase of costs, the increase to funded from Repairs & Renewals funds*
- j) Agreed any recommendations to the Executive in respect of the bids outlined in Appendix L for approval to include in the Capital Plan, or put on the Hold List, including any additional use of reserves required.
- k) Agreed the revised Capital & Revenue Projects Plan as set out in Appendix J, the Hold list set out in Appendix M, and the Funding as set out in Appendix N for the General Fund.

Note that the Appendices will be updated in subsequent versions to incorporate approved rephrasing, new bids and the above recommendations.

### General Fund Reserves:

- l) Noted the impact of revenue and capital budget approvals and approve the resulting level of reserves to be used to:
- i. **support the 2012/13 budget**
  - ii. **support the 2013/14 and future years budgets.**

**as set out in Appendix G(c).**

Other:

- m) *(as amended at the Executive 24 January 2013 and updated at Council 21 February 2013): to include the final Appendix T – Section 25 Report (2013/14 Budget Process) - Robustness of Estimates and Adequacy of Reserves, within the body of Budget Setting Report February 2013.*
- n) *(as amended at the Executive 24 January 2013): to replace the existing table for Council Tax Earmarked for Growth in Appendix B (page 83) with the following version:*

### Council Tax Earmarked for Growth

Description	2012/13 £000	2013/14 £000	2014/15 £000	2015/16 £000	2016/17 £000
(Surplus) / Deficit Balance b/f	(319.9)	(398.1)	(260.0)	(308.6)	(540.0)
Contributions	(78.2)	(25.9)	(171.5)	(355.1)	(355.1)
Sub-Total	(398.1)	(424.0)	(431.4)	(663.8)	(895.1)
Expenditure Bids	0.0	164.0	122.8	123.8	148.8
(Surplus) / Deficit Balance c/f	(398.1)	(260.0)	(308.6)	(540.0)	(746.3)

- o) Authorised the Director of Resources to make necessary changes to the Budget Setting Report 2013/14 to reflect the Local Government Finance Settlement 2013/14 announcement made on 4 February 2013, additional grant determinations and their impact on the level of the General Fund Reserve.

## **13/11/CNL To consider the recommendations of Committees for Adoption**

### 13/11a/CNL Members Allowances 2013/14

**Resolved** (unanimously) that:

The current Members Allowances Scheme continue for the 2013/14 municipal year.

### 13/11b/CNL Developer contributions, Area Committees and Project Appraisals - Amendment to the Constitution

**Resolved** (by 20 votes to 0) to:

Amend the Constitution as follows:

1. Amend the first paragraph of Section 9.3.1 of Part 3 by the insertion of the words shown in bold italics:

***Subject to Section 9.3.1A***, in the case of new capital schemes, the following approvals (together with approval to the necessary budget provision) must be obtained before any scheme may proceed.

2. Add new section 9.3.1A to Part 3:

In the case of new capital schemes, responsibility for which has been delegated to Area Committees by the Executive, the following approvals (together with approval to the necessary budget provision) must be obtained before any scheme may proceed.

- **For schemes where the estimated cost is £15,000 and below:** once included in the Area Committee's programme, may proceed without further committee consideration, provided that relevant Ward Councillors provided that relevant Ward Councillors are always consulted.
- **For schemes where the estimated total cost is over £15,000 and up to £75,000:** a capital project appraisal and procurement report proforma must be completed and referred to the relevant Area Committee Chair, Vice Chair and Opposition Spokes for approval. The schemes may then proceed without Area Committee

consideration, provided relevant Ward Councillors provided that relevant Ward Councillors are always consulted.

- **For schemes where the estimated total cost is over £75,000:** a capital project appraisal and procurement report pro-forma must be completed for consideration and approval by the relevant Area Committee.

#### 13/11c/CNL Pay Policy Statement 2013/14

**Resolved** (unanimously) to:

- i. Approve the Living Wage proposals as part of the Pay Policy Statement 2013/14.
- ii. Approve the Pay Policy Statement 2013/14, with the inclusion of proposals relating to the Living Wage as recommended by the Civic Affairs Committee.
- iii. Note the request for a briefing note on the options for extending the period between redundancy and re-engagement within the public sector, which would require repayment of redundancy payments.
- iv. Note the request for a report on the scope for further measures to discourage tax avoidance arising from the employment of consultants through companies.

#### 13/11d/CNL Review of Licensing charges

**Resolved** (unanimously) to:

- i. Agree the charges for 2013/14 listed in the appendix 1 of the committee report.
- ii. Agree that no charge is levied for caravan site licence and campsites (appendix 2 of the committee report.)

### **13/12/CNL To consider recommendations of the Independent Person Member Appointment Panel**

**Resolved** (unanimously) to:

- i. Appoint Sean Brady as the Council's Independent Person.
- ii. Appoint Robert Bennett as the Council's Deputy Independent Person.

### **13/13/CNL To deal with Oral Questions**

#### **1. Councillor Blackhurst to the Executive Councillor for Community Development and Health**

#### **What has been achieved by the Local Health Partnership for Cambridge since its formation?**

The Executive Councillor for Community Development and Health responded that the new Local Health Partnership covering Cambridge allowed the Council and its partners, including representatives of the two local GP clusters covering Cambridge (CAM Health and CATCH), the voluntary sector, public health and adult social care to have a greater say in how local services would be planned and delivered.

It was important that the voice of Cambridge be heard loud and clear in the new Health and Wellbeing Board (HWB), which would have a pivotal role in underpinning the development of local commissioning plans, particularly around integrated care and influencing the wider determinants of health. The main vehicle for this was the delivery of its Health and Wellbeing Strategy and the preparation of Joint Strategic Needs Assessments. This strategy sets out a number of priority areas for Cambridgeshire and officers were now preparing action plans to deliver better public health and social care outcomes through improved partnership working.

It was confirmed that so far the partnership had met three times. It had agreed terms of reference, setting out a vision for what it wanted to achieve for the citizens of Cambridge and responded to the HWB's consultation about the public health priorities for Cambridgeshire, clearly stating the local priorities for Cambridge, which included addressing the presence of health inequalities in the city, homelessness, alcohol related harm, preventing mental health deterioration, reducing smoking and promoting physical activity.

This response, and those of others, had meant that the strategy had been improved to recognise these needs more clearly.

The Executive Councillor confirmed that the partnership had also been looking at how service users and the public can hold the bodies delivering health and social care services to account and was taking an overview of how the review of local mental health services and their commissioning was progressing. This represents local priorities, rather than County wide ones.

More excitingly the partnership had started to look at how it could work together to improve health outcomes. It had identified issues around housing and health where the City Council and GPs could work better together. The partnership provided GPs with a clear and simple single point of contact to which they can report health issues caused by housing without having to identify the nature of tenure. The Council could then act either in City Homes, or Environmental Health or otherwise. This would make it easier for GPs to deal with issues that can be the cause of multiple health problems, and directly addresses an issue they raised with us at the partnership. Whilst there was still work to be done, the benefits of partnership working were clear.

For a new body that had only recently started the Executive Councillor was pleased that it had managed to achieve something that would have real benefits.

## **2. Councillor Johnson to the Executive Councillor for Arts, Sport, and Public Places**

**The most recent [2009] City Council Review of Allotment Provision detailed that the designation of an allotment site as Statutory or Temporary was very significant as only with a statutory designation must consent be sought from the Secretary of State for the sale of allotment land together with a requirement to show adequate alternative provision. However the review failed to establish the designation of most allotments sites in the City and this could lead to some being at risk of redevelopment.**

**Will the Executive Councillor for Arts, Sport, and Public Places undertake to ensure all allotments in Cambridge are given statutory status where, as suggested by the government and national allotment societies, they have been used as allotment land for over 30 years and are currently well used and not derelict?**



The Executive Councillor for Arts, Sport, and Public Places responded that, especially in a time of increasing food prices, the City Council was committed to the provision of allotments. Last years Capital Bid had resulted in 17 new plots being established at Kendal Way and increased capacity was being investigated at Empty Common.

The Executive Councillor confirmed that he would be happy to investigate with officers the designation of allotments on a statutory basis.

### **3. Councillor Saunders to the Executive Councillor for Arts, Sport and Public Places**

**Following the petition tabled at the Community Services Scrutiny Committee by the Friends of Coldhams Common regarding grazing on the common could the Executive Councillor indicate what action has been taken following the meeting?**

The Executive Councillor for Arts, Sport and Public Places responded that he had met with the Friends of Coldhams Common and officers to explore the issues and, as a result, a section of unsafe fencing had been removed.

It was noted that further proposals were being drawn up and would be consulted on after the Environmental Study in May/June.

### **4. Councillor Owers to the Executive Councillor for Community Development and Health**

**In your view, are community development resources, particularly in terms of Council community centres and the allocation of staff hours, justly distributed around the city in geographical terms?**

The Executive Councillor for Community Development and Health responded that the allocation of community development resources would be brought to the Community Services Scrutiny Committee in March and there would be an opportunity to re-examine the strategy. Whilst it was appropriate to scrutinise how resources were allocated, it was more appropriate to do this via a committee rather than as an oral question slot.

However the Executive Councillor believed that community development officers did a good job of reflecting the strategy that the Council had set, and that the strategy reflected the needs of the city.

The strategy reflected the wider aims of the Council and in brief there were three main priorities: supporting the vulnerable, such as those in danger of economic or other exclusion; building community relationships, often project work with groups to help foster community; and supporting the creation of viable and lasting communities in growth areas.

The Executive Councillor hoped that everyone agreed that these were reasonable aims.

It was noted that the location of existing centres reflected the priorities when they were built.

Currently they were mostly located in the north of the City, or in the case of the Meadows just outside the north of the city. The centres were mostly located in Arbury, King's Hedges and East Chesterton. There was also a pavilion in Trumpington and Ross Street in Romsey. The first three of these wards were three of the top four wards (1, 3 and 4) in the city in terms of the ranking by index of multiple deprivation. Trumpington and Romsey were fifth and sixth. This seemed a reasonable, if not perfect match to one of our aims of helping the vulnerable in terms of deprivation or economic exclusion.

However this did not reflect the location of all community facilities within the city, as the City Council was not the only provider. As an example the County provide the East Barnwell centre in Abbey, which was the missing ward from the top four, and the City Council provided the capital funding to provide community facilities on the Abbey Meadows school site back in the early 1980s.

There was a list of known facilities of varying sizes in Cambridge, and by ward this varied from three in Castle and 5 in Newnham, up to 27 in Petersfield. This information was taken from the 2012 list prepared by the Cambridge Council for Voluntary Service and the Executive Councillor appreciated that things would have changed since it was published.

As the questioner was from Coleridge the Executive Councillor confirmed that he had identified 11 facilities, one below the median of 12. A look at the allocation of community facility developer contributions showed a wider pattern over the city, and Councillor Owers was reminded that Coleridge had received

£355,000 of allocations, committed or spent in the last three years, placing it top of the allocation by ward.

It was noted that this excluded the major growth site facilities. In comparison the Executive Councillors own ward had received, in round terms, nothing. One of five such wards.

It was also noted that, obviously these facilities were not all suitable for all uses, and the list of facilities may not be exhaustive.

#### **5. Councillor Benstead to the Leader of the Council**

**The English Defence League have again chosen Cambridge for a demonstration. What message would the Leader of the Council like to give to them, and to the thousands of Cambridge residents who, like me, will be taking to the streets to oppose them?**

The Leader responded that among the greatest things about Cambridge was its diversity, its pride and respect for that diversity, its liberal and tolerant values and its love of freedom of speech. Long may all of these continue. It was noted that anyone who was out to overturn them should not expect any kind of welcome from the overwhelming majority of the people of the city. The Leader asked that all demonstrations were peaceful.

#### **6. Councillor Pitt to the Executive Councillor for Art, Sport and Public Places**

**What chance is there of a plaque or notice on the Snowy memorial?**

The Executive Councillor responded that officers were currently exploring the location, size and shape of the proposed plaque. It was confirmed that the sign would include braille.

#### **7. Councillor Reiner to the Executive Councillor for Planning and Climate Change**

**Could the Executive Councillor please update us on the progress that has been made on cycle parking in the city?**

The Executive Councillor responded that the project initiation report would be brought to the Environment Scrutiny Committee on 12 March.

There were two parts to the project, installing on-street bike parking spaces, and searching for a location for a third undercover bike park.

Detailed design work and consultation remains to be done but officers had so far found possible locations for 770 new parking spaces for bikes in the city centre. These may not all be deliverable for a variety of reasons, and during the consultation process other possible locations might be suggested.

On 12 March the Environment Scrutiny Committee would have a list of suggestions to be investigated, not yet a definitive list of sites.

It was noted that four possible sites for the third undercover bike park had been identified, and further feasibility work would be carried out before any recommendation is brought to committee.

The Executive Councillor confirmed that a full range of consultation exercises with the various stakeholders would take place. In particular, the project would be taken to the West/Central Area Committee, with the consent of the chair of course, so that local residents and stakeholders could discuss the project and provide input to ensure that the propose cycle racks and cycle park locations are where residents and cyclists would want them to be.

## **8. Councillor Herbert to the Leader of the Council**

**On the £2.3 million budget error, what did he mean when he was reported by the BBC as saying that the blame appeared to lie entirely with the council's own officers?**

The Leader responded that his comments had been made in response to Phase 1 of the audit findings, which had identified data input as the likely cause of the error.

Phase 2 had subsequently confirmed data input as the source of the error and the Leader confirmed that this part of the finance process was undertaken by officers, and not Councillors.

## **9. Councillor Price to the Executive Councillor for Customer Services and Resources**

**As a result of the recent changes to benefits, some London Councils are planning to move as many as 700 families each that are affected by the cuts to areas as far away as 200 miles. What is Cambridge City Council doing to avoid such a process happening here and assist people to remain in their 'Cambridge' homes? And, how will it stop 'London' also using Cambridge as a solution?**

The Executive Councillor for Housing responded that in Cambridge, market rents were far out of line with local housing allowance rates.

The averages across all postcodes analysed were noted as: :

- Shared: Local housing allowance rate short by approx £120.00 per month
- 1-beds: Local housing allowance rate short by approx £250.00 per month
- 2-beds: Local housing allowance rate short by approx £350.00 per month
- 3-beds: Local housing allowance rate short by approx £420.00 per month
- 4-beds: Local housing allowance rate short by approx £600.00-£700.00 per month

It was noted that the figures did, however, suggest that London authorities were unlikely to target Cambridge as an area to resettle those affected by the benefits cap, as it would be an extremely expensive option for them.

The benefits cap was due to be introduced from April 2013, but this had been delayed and was being piloted in four London boroughs, being rolled out to other Local Authorities including Cambridge, by September 2013.

It was noted that there would be a number of ways that claimants affected by the cap may react to having their Housing Benefit reduced by the benefit cap. The government intention is that the majority would move into work and so become exempt from the cap.

The Executive Councillor confirmed that the Council had contacted those affected by the cap to explain the changes and to provide support. As a result the Council had seen at least 3 of the current 24 households either finding work or increasing their hours worked to avoid being affected by the cap.

Additional Discretionary Housing Payment had been made available to Local Authorities and this could be used to cover a variety of shortfalls in rent, including the benefits cap and other changes to benefits. Cambridge's total 2013/14 DHP government contribution was £182,340 (2012/13 contribution was £64,580).

It was confirmed that officers would be carefully monitoring demand and capacity to meet shortfalls in rent as a result of the changes.

**13/14/CNL To consider the following Notices of Motion, notice of which has been given by:**

Motion A

Councillor Gawthrope proposed and Councillor Reiner seconded the following motion:

This Council notes that:

- a) there are allegations that shark fins are served in four restaurants in Cambridge,
- b) many species of shark are already at risk of extinction,
- c) the trade in shark fins is further threatening shark populations,
- d) in October 2009 the UK banned shark finning,
- e) The EU resolved on 23 November 2012 to outlaw shark finning on all EU fishing vessels, and
- f) earlier this year Cambridge MP Julian Huppert tabled an Early Day Motion calling for a ban in the trade of shark fins.

This Council:

- is opposed to the practice of shark 'finning', which leads to thousands of sharks being killed or left to die in pain, solely for their fins; and
- notes that it has no realistic prospect of establishing a local by-law to bring full force to its opposition to the trade of shark fins.

To those ends, this Council resolves:

- a) to write to the MPs who represent Cambridge in Westminster, and the Eastern Region's MEP's to call on them to strengthen the ban on the practice of shark finning, and to work towards a ban on trade in shark fins; and
- b) to urge businesses and individuals in Cambridge to end the sale of shark fins and shark fin products and confirms that it will not knowingly purchase shark fin products for Council-provided catering.

**Resolved** (by 38 votes to 0) that the motion be agreed as set out above.

### **13/15/CNL Written Questions**

Members noted the written questions and answers circulated around the Chamber.

The meeting ended at 10.20 pm

**CHAIR**

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## **CIVIC AFFAIRS**

20 March 2013

6.00 - 6.50 pm

**Present:** Councillors Boyce (Chair), Rosenstiel (Vice-Chair), Marchant-Daisley, Herbert, Benstead and Pitt

### **FOR THE INFORMATION OF THE COUNCIL**

#### **13/15/CIV Constitution Amendment : Review of Homelessness Decisions**

The committee received a report from the Head of Legal Services to amend the constitution regarding responsibility for homelessness decisions.

**Resolved** (Unanimously) To recommend:

- i. That the Council treats its functions relating to the review of homelessness applications under the Housing Act 1996 as executive functions.
- ii. That the Head of Legal Services is authorised to amend the Constitution to reflect this

The meeting ended at 6.50 pm

**CHAIR**

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## CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Legal Services  
TO: Civic Affairs Committee 20/3/2013  
WARDS: None directly affected

### **CONSTITUTION AMENDMENT: REVIEW OF HOMELESSNESS DECISIONS**

#### **1 INTRODUCTION**

- 1.1 The Council's arrangements for conducting reviews of decisions relating to homelessness applications have been challenged. This report proposes a change to the Constitution to avoid scope for doubt.

#### **2. RECOMMENDATIONS**

- 2.1 That the Council treats its functions relating to the review of homelessness applications under the Housing Act 1996 as executive functions.
- 2.2 That the Head of Legal Services is authorised to amend the Constitution to reflect this.

#### **3. THE ISSUE**

- 3.1 The Local Government Act 2000 radically changed the structure of decision-making in local government. Amongst other things, it introduced the "leader and cabinet" model of governance.
- 3.2 Regulations under the Act divided Council functions between those that were to be the responsibility of the Executive, those that remained with the Council, those that had an element of joint responsibility and those for which the Council could choose whether they should be the responsibility of the Council or of the Executive.
- 3.3 The Council has responsibility for making decisions about its obligations when people apply for help because they are homeless. The primary legislation is the Housing Act 1996. The Council also

has a duty to provide a review of a decision, if requested by an applicant. Prior to the Local Government Act 2000 and, for a period afterwards, reviews were carried out at member level by a Homelessness Appeals Sub-Committee.

- 3.4 One of the areas of choice for the Council when implementing the “leader and executive” model of governance was whether “homelessness appeals” should be the responsibility of the Council or whether it should be an Executive function. The Council wished, at the time, to retain the member level review and so it decided not to pass responsibility for this function to the Executive.
- 3.5 In 2004, a report by the Head of Housing Services, to the Housing and Health and Scrutiny Committee and the Executive Councillor for Housing and Health recommended that homeless reviews be outsourced, on a three year contract. The Executive Councillor’s decision was:

“Subject to consideration by the Civic Affairs Committee in view of the amendment required to the Constitution, to recommend Council to out source the homelessness decision review/appeals procedure to an external agency, on a three-year contract.”

As the review was treated as a Council function, the decision on its outsourcing needed to be made by the Council.

- 3.6 The Civic Affairs Committee met on August 31, 2004. The meeting recommended an amendment to the constitution to remove reference to the Homelessness Appeals Sub-Committee, in line with the proposal from the Executive Councillor.
- 3.7 Unfortunately, whilst the Civic Affairs recommendation regarding the Constitution was considered and approved by Council, the Executive Councillor’s recommendation to outsource the function was not. Doubt has been cast on whether the decision to outsource was made properly and it would be prudent now to put the matter beyond doubt.
- 3.8 The contract for outsourcing reviews of homelessness decisions is about to expire. The Director of Customer and Community Services is submitting a report to the Executive Councillor for Housing Community Services Scrutiny Committee recommending that a further contract should be let.

3.9 The original point of designating the homeless review function as the responsibility of the Council, rather than that of the Executive, was to preserve the member review by the Homelessness Appeals Sub-Committee. As the Sub-Committee was dissolved in 2004, there is little reason for this to remain a Council function. Other responsibilities for homelessness rest with the Executive, and it would be sensible, and avoid unnecessary bureaucracy, to treat the review element similarly. This would allow the Executive Councillor to make decisions without the need for consideration by full Council.

#### 4.0 **CONSULTATIONS**

The decision and views of the Executive Councillor for Housing and the Community Services Scrutiny Committee on 14 March will be reported to this meeting.

#### 5.0 **OPTIONS**

If the Council decides not to treat its functions relating to the review of homelessness applications under the Housing Act 1996 as executive functions, the Council itself will need to decide whether or not the homelessness review/appeals process should be outsourced. It should also delegate responsibility for the management of this function to a regulatory committee.

#### 6. **IMPLICATIONS**

- (a) **Financial Implications** - None
- (b) **Staffing Implications** - None
- (c) **Equal Opportunities Implications** – None. No equality impact assessment has been carried out in connection with this report as it relates to a procedural constitutional issue, rather than a substantive policy in delivering a service.
- (d) **Environmental Implications** – Nil
- (e) **Procurement** - None
- (f) **Consultation and communication** - None
- (g) **Community Safety** - None

**BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report: None

The author and contact officer for queries on the report is Simon Pugh, Head of Legal Services, tel (01223) 457401, email [simon.pugh@cambridge.gov.uk](mailto:simon.pugh@cambridge.gov.uk)

Report file:

Date originated: 09 April 2013

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## CIVIC AFFAIRS

20 March 2013

6.00 - 6.50 pm

**Present:** Councillors Boyce (Chair), Rosenstiel (Vice-Chair), Marchant-Daisley, Herbert, Benstead and Pitt

### FOR THE INFORMATION OF THE COUNCIL

#### **13/16/CIV Amendment to Standing Orders of Joint Development Control Committee (Cambridge Fringe Sites) to increase number of alternate members**

The committee received a report from the Head of Planning Services regarding the terms of reference for the Joint Development Control Committee (Cambridge Fringes Site) to increase the number of alternate members for each political group (per Council) represented on the committee. The committee noted that request had come from South Cambridgeshire District Council.

The Head of Legal Services was asked to clarify whether there was any opportunity for political groups to nominate alternates from other groups. The committee were advised that as the City Council appoints more than 3 members, it was subject to the rules on political proportionality.

#### **Resolved** (Unanimously)

- i. To recommend that Council agrees that Section 5.1 of the Standing Orders of the Joint Development Control Committee (Cambridge Fringe Sites) be amended to allow two alternate members to be appointed in respect of each political group which represents each of the three councils on the Committee

The meeting ended at 6.50 pm

**CHAIR**

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## CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Planning Services

TO: Civic Affairs Committee

20/03/2013

WARDS:All

### **AMENDMENT TO STANDING ORDERS OF JOINT DEVELOPMENT CONTROL COMMITTEE (CAMBRIDGE FRINGE SITES) TO INCREASE NUMBER OF ALTERNATE MEMBERS**

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#### **1 INTRODUCTION**

- 1.1 The Terms of Reference for the Joint Development Control Committee (Cambridge Fringe Sites) and associated documentation, including Standing Orders were last updated in 2010.
- 1.2 Section 5.1 of the Standing Orders, as set out in Appendix 2 to the Terms of Reference currently allows for one alternate member to be appointed in respect of each political group which represents their council on the Committee.
- 1.3 South Cambridgeshire District Council has requested that the number of alternate members that can be appointed be increased to two, in respect of each political group which represents their council on the Committee.
- 1.4 As this is a modification to the Terms of Reference and the membership of the Committee, it requires all three authorities to approve the change through their full Councils.

#### **2. RECOMMENDATIONS**

- 2.1. To note the proposed changes to the Standing Orders and;
- 2.2 That Council on 18 April 2013 be recommended to agree that Section 5.1 of the Standing Orders of the Joint Development Control Committee (Cambridge Fringe Sites) be amended to allow two

alternate members to be appointed in respect of each political group which represents each of the three councils on the Committee.

### **3. BACKGROUND**

3.1. Section 5.1 of the Standing Orders (see Appendix 1 of this report for relevant extract) that form part of the Terms of Reference for the Joint Development Control Committee (Cambridge Fringe Sites) (JDCC) states as follows:

“Each council will, by resolution, appoint one alternate member in respect of each political group which represents their council on the Committee, but shall not appoint an alternate member for a political group which declines to nominate an alternate member. Each council will notify the Administrator of alternate members appointed.”

3.2. South Cambridgeshire District Council (SCDC) has requested that the number of alternate members that can be appointed be increased to two, in respect of each political group which represents their council on the Committee. This is to provide a greater degree of flexibility and to reduce the possibility of the Committee not being quorate.

3.3. Because the Standing Orders form part of the Terms of Reference for the Committee and it involves a modification to the membership of the Committee, this change needs to be agreed by all three of the local authorities that constitute the Committee, through their respective full Councils. The change cannot be implemented until all three local authorities have approved it.

3.4. SCDC has already approved the change through their Council meeting on 28 February 2013 at the same time as it approved the same change to the Standing Orders of the Northstowe Joint Committee. It is understood that the County’s full Council is due to consider the proposals on 26 March 2013.

### **4. CONSULTATIONS**

4.1. Informal consultation has been carried out with the City Council’s Head of Legal Services who has no objections to the proposal.

4.2. The City Council Members on the JDCC have been notified of these proposals.

### **5. CONCLUSIONS**

- 5.1. City Council officers have no objections to the proposals and it is therefore considered that Council on 18 April 2013 be recommended to approve the change to the Standing Orders of the JDCC as set out in Section 2.2 of this report.

## 6. **IMPLICATIONS**

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

There are no financial implications arising from the proposal.

### (b) **Staffing Implications** (if not covered in Consultations Section)

There are no staffing implications arising from the proposal.

### (c) **Equal Opportunities Implications**

No Equality Impact Assessment has been carried out as there are no equalities implications arising from the proposal.

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

There are no environmental implications arising from the proposal so this has a NIL impact.

### (e) **Procurement**

There are no procurement implications arising from the proposal.

### (f) **Consultation and communication**

### (g) **Community Safety**

There are no community safety implications arising from the proposal.

**BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

Terms of Reference and associated documentation for the Joint Development Control Committee (Cambridge Fringe Sites) July 2010

South Cambridgeshire District Council meeting minutes dated 28 February 2013

To inspect these documents contact Sharon Brown on extension 7294.

The author and contact officer for queries on the report is Sharon Brown on extension 7294.

Report file:

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Date of last revision: 09 April 2013

### **Appendix 1 –Extract from Standing Orders of Joint Development Control Committee (Cambridge Fringe Sites).**

The proposed amendment to Section 5.1 is shown as a tracked change below.

#### **Alternate Members**

5.1 Each council will, by resolution, appoint two alternate members in respect of each political group which represents their council on the committee, but shall not appoint an alternate member for a political group which declines to nominate an alternate member. Each council will notify the Administrator] of alternate members appointed.

5.2 Alternate members will have all the powers and duties of any ordinary member of the committee. For the purposes of briefing meetings and circulation of papers, alternate members shall be treated in the same manner as ordinary members.

5.3 Alternate members may attend meetings in that capacity only to take the place of a member of the same political group who is an ordinary member of the relevant committee or sub-committee. The alternate member should withdraw from participation as a member of that committee or sub-committee in the business at that meeting during any period during which the principal member is in fact in attendance.