



# Public Document Pack

## Cambridge City Council

### CIVIC AFFAIRS

**To:** Councillors Boyce (Chair), Rosenstiel (Vice-Chair), Brierley, Marchant-Daisley, Herbert and Stuart  
Alternates: Councillors Benstead and Ward

*Despatched: Thursday 3 May 2012*

**Date:** Monday, 14 May 2012

**Time:** 6.00 pm

**Venue:** Committee Room 1 & 2 - Guildhall

**Contact:** Glenn Burgess

**Direct Dial:** 01223 457169

### AGENDA

#### 1 APOLOGIES FOR ABSENCE

#### 2 MINUTES OF PREVIOUS MEETING *(Pages 1 - 6)*

#### 3 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 Head of Legal Services before the meeting.

#### 4 PUBLIC QUESTIONS

## 5 PROCEDURAL DECISIONS FOR THE ANNUAL MEETING OF THE COUNCIL

A report from the Chief Executive/Head of Legal Services may be required following the City Council elections which are being held on the day of this committee's agenda despatch

## 6 NOMINATIONS FOR LEADER OF THE COUNCIL

The Civic Affairs Committee is asked to consider nominations for the positions of Leader of the Council and Executive Councillors for the consideration and approval of Council on 24 May.

## 7 NOMINATIONS FOR COMMITTEES FOR THE MUNICIPAL YEAR 2012/13

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:

(1) That the controlling group should have a majority of seats on each committee

(2) 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.

(3) 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. (1) takes highest priority, then (2) then (3).

## **8 NOMINATIONS FOR CHAIRS AND VICE CHAIRS OF SCRUTINY AND REGULATORY COMMITTEES**

The Civic Affairs Committee is requested to make nominations for the positions listed below for the consideration of Council on 24 May.

### **Scrutiny Committees**

- Strategy & Resources
- Community Services
- Environment
- Housing Management Board (for either role the holder need not be a Councillor)

### **Regulatory Committees**

- Civic Affairs
- Employment Appeals Sub
- Licensing
- Planning
- Joint Development Control Committee (Spokesperson)

Standards Committee - The Civic Affairs Committee is requested to recommend that Council delegate appointment of Chair and Vice Chair to the Standards Committee

## **9 NOMINATIONS FOR HONORARY COUNCILLORS**

Any former member who had given a long period of service to the City Council should be eligible for appointment as an Honorary Councillor under the following scheme.

1. No person shall be eligible normally for election as an Honorary Councillor unless s/he has served as a Councillor at least 10 years (or a person who has been Mayor, for 8 years) whether continuously or not.

2. Application for election as an Honorary Councillor shall be made either by the applicant him/herself or by some member of the Council on his/her behalf. Such application shall be submitted to the Chief Executive for consideration by the Civic Affairs Committee of the Council. It shall be in the discretion of the Civic Affairs Committee to make or withhold a recommendation to the Council. The names of those applicants who are not recommended by the Civic Affairs Committee shall not be recorded in the report of that Committee to the Council.
3. Election to the position of Honorary Councillor shall be by a resolution of the Council passed on the recommendation of the Civic Affairs Committee by not less than two-thirds of the members present and voting thereon at a meeting of the Council, the summons to which contains special notice that included in the business to be transacted is the election of an Honorary Councillor.
4. An Honorary Councillor shall be entitled to the following rights and privileges –
  - a) In civic processions, Honorary Councillors shall take precedence immediately after serving Councillors and shall have precedence amongst themselves according to the number of years service on the Council.
  - b) On request to receive a copy of the Council summons, together with Council and Committee minutes.
  - c) At each meeting of the Council to have a seat in a block reserved for the use of Honorary Councillors.
  - d) The use, in common with members of the Council, of the Members' Rooms in the Guildhall.
  - e) To be invited, where circumstances permit, to those civic functions to which all members of the Council are invited.
  - f) To receive a copy of the Diary and Year Book issued by the Council.
  - g) On death, to have a flag flown above the Guildhall at half-mast.

## Information for the Public

**QR Codes**  
(for use with Smart  
Phones)

**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.

**Public Participation** Some meetings may have parts, which will be closed to the public, but the reasons for excluding the press and public will be given.

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.

Speaking on Planning Applications or Licensing Hearings are subject to other rules and guidance on speaking on these issues can be obtained from Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

**Fire Alarm** In the event of the fire alarm sounding please follow the instructions of Cambridge City Council staff.

### **Filming, recording and photography**

The Council is committed to being open and transparent in the way that it conducts its decision making. Recording is permitted at council meeting which are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chair of the meeting will facilitate by ensuring that any such request not be recorded is respected by those doing the recording.

Full details of the City Council's protocol on audio/visual recording and photography at meetings can be accessed via:

[www.cambridge.gov.uk/democracy/ecSDDisplay.aspx?NAME=SD1057&ID=1057&RPID=33371389&sch=doc&cat=13203&path=13020%2c13203](http://www.cambridge.gov.uk/democracy/ecSDDisplay.aspx?NAME=SD1057&ID=1057&RPID=33371389&sch=doc&cat=13203&path=13020%2c13203)

**Facilities for disabled people**

Access for people with mobility difficulties is via the Peas Hill entrance.

A loop system is available in Committee Room 1, Committee Room 2 and the Council Chamber.

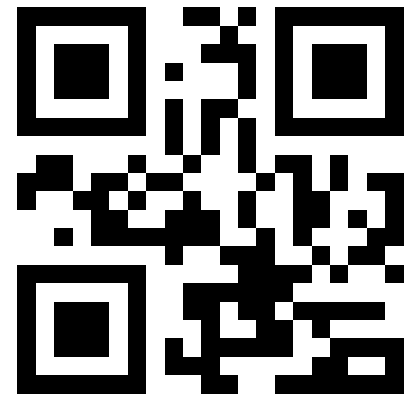
Adapted toilets are available on the ground and first floor.

Meeting papers are available in large print and other formats on request.

For further assistance please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

**Queries on reports**

If you have a question or query regarding a committee report please contact the officer listed at the end of relevant report or Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).



**General Information**

Information regarding committees, councilors and the democratic process is available at [www.cambridge.gov.uk/democracy](http://www.cambridge.gov.uk/democracy).



This page is intentionally left blank



**CIVIC AFFAIRS**

21 March 2012

6.00 - 7.35 pm

**Present:** Councillors Boyce (Chair), Rosenstiel (Vice-Chair), Brierley, Herbert, Stuart and Benstead

**Officers Present:**

Chief Executive – Antoinette Jackson  
Director of Resources – David Horspool  
Head of Corporate Strategy – Andrew Limb  
Head of Internal Audit – Steve Crabtree  
Head of Legal Services – Simon Pugh  
Democratic Services Manager – Gary Clift  
Environmental Health Manager – Yvonne O'Donnell  
Committee Manager – Martin Whelan

<b>FOR THE INFORMATION OF THE COUNCIL</b>
---

**12/13/civ Apologies for absence**

Apologies were received from Councillor Marchant-Daisley, Councillor Benstead attended as the Labour Group alternate.

**12/14/civ Declarations of Interest**

There were no declarations of interest.

**12/15/civ Minutes of previous meeting**

The minutes of the meeting held on 1 February 2012 were approved and signed as a correct record.

**12/16/civ Public Questions**

It was agreed to defer public questions to the start of the relevant business item.

### **12/17/civ Internal Audit Plan / Strategy 2012/13**

The committee received a report from the Head of Internal Audit regarding the draft Internal Audit Plan and Strategy 2012/2013.

Members of the committee made the following comments regarding the report:

- i. Clarification was requested on whether the planned audit activity associated with VAT, would be considering the risk of breaching the terms of the partial exemption. The Director of Resources confirmed that the issue would be considered as part of the audit review, and also assured the committee that the 2012/13 capital plan had been carefully develop to avoid prejudicing the partial exemption.
- ii. With respect to the prevention of fraud, the Director of Resources was asked about whether the audit activity would look at challenging practices which are not necessarily fraud, but aren't as robust as they should be. The Director of Resources confirmed that the audit activity would review the overall prevention of fraud policy.
- iii. The Head of Internal Audit was asked about what activities were planned with regards to the Climate Change Fund. The committee were advised that the audit activity would include a focus on whether individual projects had met their targets.
- iv. Clarification was requested on why a review of business mileage was included in the audit plan. The Head of Internal Audit advised that the review was planned to focus on whether the pre-requisites such as valid tax, MOT and insurance were in place.
- v. Concerns were raised with regards to the difficulty of undertaking audit activities in areas proposed to be devolved to Area Committee, where historic practices were not sufficiently robust. The Head of Internal Audit noted the concerns.
- vi. A request was made for clearer guidance, and focus on officer declaration of interests. The Head of Internal Audit noted the issues

raised, and agreed that it would be included in the planned audit activity associated with gifts and hospitality.

- vii. The number of days associated with the planned audit activity associated with the planned maintenance contract was challenged. The Head of Internal Audit acknowledged the concern, and explained the process used to calculate audit days. The Head of Internal Audit was also asked to consider the information transfer between the council and contractors.
- viii. Clarification was requested on the proposed nature of the audit activity associated with social media. The Head of Internal Audit explained that the activity would be centred on assessing existing good practice against existing organisational practice.

**Resolved** (4 votes 0) to:

- i. Approve the Internal Audit Plan and Strategy 2012/2013

### **12/18/civ Prayers at Council Meetings**

The committee received an update on the legal position with regards to prayers at Council meetings from the Head of Legal Services.

Councillor Herbert introduced the item on behalf of Councillor Marchant-Daisley, who had requested its inclusion on the agenda. The committee were advised that it was not the expectation that a formal decision would be made at Civic Affairs, and that it would be more appropriate for a wider discussion opportunity to be organised.

The Chair invited Councillors Nimmo-Smith and Reiner to join the discussion.

Members made the following comments

- The inclusion of prayers should be left to the discretion of the Mayor. Moving the prayers to the Mayors Parlour, or a “pre-meeting” would confuse the start of the meeting. The current arrangement was a representation of the respect for the Mayor.
- Any practice should not be exclusionary.

- It was acknowledged that a full spectrum of opinions existed.
- Clarification was requested on whether any Mayors had previously not appointed a Chaplain. Following discussion it was suggested that at least one previous Mayor had chosen to not appoint a Mayor but also on occasions the Mayors Chaplain may be unavailable for meetings.
- Use of the term “prayer” was unhelpful in defining the current arrangements.
- It was noted that there were not significant numbers of Councillors choosing to remain outside of the chamber whilst the Mayors Chaplain spoke, but it was acknowledged that consideration should be given to allow any Councillor choosing to do so to easily access the meeting, when the Mayor’s Chaplain finished. It was also noted that some members might also arrive late or remain outside of the chamber for other reasons.

The Chair suggested and supported by the Mayor and the Committee agreed that the Mayor Chair a meeting to which all Councillors are invited.

**Resolved** (6 votes 0) to:

- i. Invite the Mayor to arrange further discussion regarding the issue.

### **12/19/civ    Review of the Council's Audio and Visual Recording Protocol**

The committee received a report from the Democratic Services Manager regarding the review of the Council Audio and Visual Recording Protocol.

Members of the committee made the following comments regarding the report:

- i. The positive benefits of selective professional recording and streaming of Council meetings was highlighted. Reference was made to the recent budget council at Brighton and Hove Council. It was however noted that in the absence of a budget for these types of activities, the protocol should enable third parties to record more freely.
- ii. Differentiation was suggested between rights for the press and public with regards to filming. It was suggested that the press were subject to professional restrictions, which the general public were not. It was also emphasised that due to the nature of some of the business of the

council, members of the public may not wish to be identified and that as a rule the press respected these requests.

- iii. Further information was requested on the complaint. The Chief Executive agreed to send details to members of the committee outside of the meeting regarding the complaint. In light of the response it was asked whether it would be possible to create a zone in meeting rooms, which could not be filmed. The Democratic Services Manager acknowledged the suggestion, however explained that this might be difficult to achieve in some venues.

Following debate it was suggested that the existing protocol should be deleted and that subject to safeguards for members of the public, recording should be permitted. It was also agreed that filming should be overt. Councillors also welcomed the tone of the County Council policy.

It was agreed to delegate the wording of the guidance to Chair, Spokes and other members of the committee to finalise.

**Resolved** (6 votes to 0) to recommend to Council:

That the revised Audio and Visual Recording Protocol be approved.

### **12/20/civ Area Committees - amendment to the Constitution to reflect functions delegated by the Executive**

The committee received a report from the Head of Legal Services regarding amendments to the Constitution to reflect functions delegated by the Executive to Area Committees.

Councillor Herbert expressed concerns about the transparency of decisions associated with the S106 process. The Chair advised that the purpose of the report was to consider the soundness of the changes prior to consideration by Council, rather than to consider the policy implications.

In light of the response, Councillor Herbert indicated that the Labour Group would consider proposing an amendment at Council due to the complexity of the proposed amendments. The Head of Legal indicated that an amendment of this nature, would be most appropriately dealt with by a notice of motion.

**Resolved** (4 votes to 0) to recommend to Council that:

- i. The terms of reference of area committees, as contained in Section 12 of Part 3 of the Constitution, are amended in accordance with the Appendix to the officer's report.

**12/21/civ Consolidation Byelaw for acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis**

The committee received a report from the Environmental Health Manager regarding the making of Consolidation Byelaw for acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.

Members of the committee expressed reservation about the role of the Civic Affairs Committee in the process, and suggested it would be more appropriate for the Licensing Committee to have the power to recommend by-laws. The Head of Legal Services agreed to review this in the forthcoming governance review.

**Resolved** (6 votes to 0) to:

- i. Authorise the affixing of the Council's common seal to the model byelaws (Appendix C of the officer's report) that will repeal the existing byelaws
- ii. Authorise the Head of Legal Services to carry out the necessary procedure and apply to the Secretary of State for confirmation.

The meeting ended at 7.35 pm

**CHAIR**