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## Cambridge City Council

### CIVIC AFFAIRS

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

**Alternates:** Councillors Ashton and Brierley

*Despatched: Thursday, 2 May 2013*

**Date:** Monday, 13 May 2013

**Time:** 6.00 pm

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

**Contact:** Gary Clift

**Direct Dial:** 01223 457011

### AGENDA

**1 APOLOGIES FOR ABSENCE**

**2 MINUTES OF PREVIOUS MEETING** *(Pages 9 - 14)*

**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 EXECUTIVE COUNCILLORS AND ALLOCATION OF PORTFOLIOS**

From May 2011, the Council has operated under the strong leader model. Councillor Bick was therefore appointed in May 2012 for the remainder of his term of office and is responsible for determining the size of the Executive and areas of responsibility, and for allocating decision-making powers.

The Civic Affairs Committee is asked to note the appointments of Executive Councillors and any changes to portfolios.

## **6 NOMINATIONS FOR COMMITTEES FOR THE MUNICIPAL YEAR 2013/14**

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).

## **7 NOMINATIONS FOR CHAIRS AND VICE CHAIRS OF SCRUTINY & REGULATORY COMMITTEES**

The Civic Affairs Committee is requested to make nominations for the positions listed below for the consideration of Council on 23 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)

## **8 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.

**9 APPOINTMENT OF A STANDING EMPLOYMENT (SENIOR OFFICER) COMMITTEE** *(Pages 15 - 18)*

## **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.

**Public Participation** Some meetings may have parts that 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 or Licensing Applications is subject to other rules. Guidance for 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).

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<https://www.cambridge.gov.uk/speaking-at-committee-meetings>

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and  
photography**

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doing the recording.

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<http://democracy.cambridge.gov.uk/ecSDDisplay.aspx?NAME=SD1057&ID=1057&RPID=42096147&sch=doc&cat=13203&path=13020%2c13203>

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

**Facilities for disabled people** Level access to the Guildhall is via Peas Hill.  
A loop system is available in Committee Room 1, Committee Room 2 and the Council Chamber.

Accessible toilets are available on the ground and first floor.

Meeting papers are available in large print and other formats on request prior to the meeting.

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 <http://democracy.cambridge.gov.uk/>.

## **CIVIC AFFAIRS**

20 March 2013

6.00 - 6.50 pm

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

### **Officers Present:**

Chief Executive – Antoinette Jackson  
Head of Corporate Strategy – Andrew Limb  
Head of Internal Auditor – Steve Crabtree  
Support Services Manager – Karl Tattam  
Principal Audit – Bridget Bishop  
Committee Manager – Martin Whelan

### **Also Present:**

Representative of Ernst and Young

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

### **13/8/CIV Apologies for absence**

There were no apologies for absence.

### **13/9/CIV Minutes of previous meeting**

The minutes of the previous were approved as a true and accurate record subject to the following amendments

13/3/ CIV – Insert “no” between “were” and “declarations”

13/7/CIV – Amend the references to “Laughton” to read “Loughton”

The Chair agreed to sign the minutes once the changes had been made.

### **13/10/CIV Declarations of Interest**

There were no apologies for absence.

**13/11/CIV Public Questions**

There were no apologies for absence.

Councillor Rosenstiel expressed concern about the proposed arrangements for the County Council election count. Councillor Rosenstiel suggested that the proposed arrangements were in his view contrary to the law and election good practice.

The Chief Executive responded and explained that the Returning Officer was personally responsible for the organisation of the election, and that the City Council had to administer the count in accordance with their instructions. The committee were advised that due to the practicalities of managing the count, it was intended that the count for the by-election for Abbey Ward would also be on Friday. The Chief Executive also highlighted the increasing complexity of electoral administration.

Councillor Rosenstiel reiterated his concerns about the count arrangements.

**13/12/CIV Internal Audit Plan / Strategy 2013**

The committee received the Internal Audit Plan/Strategy for 2013.

Prior to the debate, the Chair requested that references to consultation with the Chair should be updated to "Chair and Opposition Spokes". The comment was noted.

The committee made the following comments on the plan.

- i. The work undertaken by Internal Audit was welcomed by the committee.
- ii. Clarification was requested on the rationale for removing the proposed number of days allocated to each audit job. The Head of Internal Audit agreed to send the information regarding the number of days allocated to each audit job to members of the committee.
- iii. It was suggested the role of Internal Audit may need to be developed and reinforced depending on the outcome of the Ernst and Young review.



- iv. Future audit activity on the impact of the welfare and business rates was suggested. It was explained that both areas were already in the proposed plan.
- v. Future audit activity was also suggested on capital expenditure associated with car parks, specifically the forward planning of works and whether the authority was getting the best value for money through the current approach to works. It was agreed that there was likely to be a cross-over with Environment Scrutiny. The Head of Internal Audit agreed to develop a proposed audit remit for this suggestion.
- vi. Councillor Pitt welcomed the proposed activity associated with Clay Farm Community Centre, and suggested that the University Joint Venture at North West Cambridge should also be included in the same process. The Head of Internal Audit agreed to revise the proposed activity to include the Joint Venture at North West Cambridge.
- vii. In response to a question, the Head of Internal Audit explained how the list of proposed audit activities had been compiled.
- viii. In light of the budget forecast issues, the Head of Internal Audit was asked whether this would be included in future plans. The committee were advised that it had been intended to undertake this work in the current audit year, but that in light of the Ernst and Young Review it had been deferred to the first quarter of 2013/14.

**Resolved** (Unanimously) to

- i. Approve the draft audit plan
- ii. Note the impact of the new Public Sector Internal Audit Standards

### **13/13/CIV External Audit Plan and Fees 2012-13**

The committee received a report outlining the proposed external audit plan and fees for 2012/13. The External Auditor addressed the committee and highlighted key elements of the report.

Clarification was requested on whether there was any clarity at this stage on the likely variation on the audit scale fee. The External Auditor advised that at this stage it was not possible to provide further clarity. The Chief Executive agreed to update members once there was more clarity.

**Resolved** (Unanimously) to note the external audit plan and fees 2012-13.

### **13/14/CIV Risk Management Strategy**

The committee received a report on the Risk Management Strategy.

The Support Services Manager and the Chief Executive outlined the processes which had been worked through to update the strategy.

Officers were also asked to comment on whether the issues with the budget forecasting should have been picked up through this strategy. The Chief Executive explained that the Council had enjoyed high levels of external assurance for a significant period of time, so it had not been recognised as a significant risk until the recent issues had emerged.

**Resolved** (Unanimously) to approve the revised Risk Management strategy

### **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

**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

**13/17/CIV The Introduction of Bylaws on Cherry Hinton Chalk Pit Local Nature Reserve**

The committee noted that the proposed decision of the Executive Councillor for Arts, Sport and Public Places had been deferred at Community Services Scrutiny on 14<sup>th</sup> March. It was therefore noted that the item had also been withdrawn from the Civic Affairs agenda as a consequence.

The meeting ended at 6.50 pm

**CHAIR**

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## CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Human Resources  
TO: Civic Affairs Committee 13/5/2013  
WARDS: None directly affected

### **APPOINTMENT OF A STANDING EMPLOYMENT (SENIOR OFFICER) COMMITTEE**

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#### **1 INTRODUCTION**

- 1.1 This report recommends following the practice of other authorities to put arrangements in place, should the need arise to deal with the appointment or dismissal of senior officers or with disciplinary matters affecting them.
- 1.2 The Chief Executive will shortly be consulting on proposed changes to the structure of the Resources Department and it is also good practice to have arrangements in place to avoid delay or the need for a special Council meeting to summon an ad hoc committee.
- 1.3 It recommends the creation of a committee and proposes terms of reference. The report suggests that appointments are made to the committee in accordance with the wishes of group leaders as the need arises, rather than having a standing membership.

#### **2. RECOMMENDATIONS**

- 2.1 To recommend the Council to establish an Employment (Senior Officer) Committee with terms of reference set out in paragraph 4
- 2.2 To amend the Constitution to reflect the proposals in 4.

#### **3. BACKGROUND**

- 3.1 The Council has in recent years set up Appointment Sub-Committees on an ad-hoc basis when Chief Executive and Directors were recruited (2009 and 2010). Having reviewed other local authority

practice it is recommended that rather than continue with the ad-hoc arrangement, the Council should instead establish an Employment Committee which can deal with appointments and other employment matters concerning senior officer posts of the Council. The Council's procedures are set out in the Officer Employment Procedure Rules, which form part of the Constitution.

#### 4. PROPOSED TERMS OF REFERENCE

4.1 The following terms of reference for the committee are proposed:

Appointed by:	From time to time in accordance with the wishes of the political groups.
Membership:	6 members allocated between political groups in accordance with the rules on political balance set out in the Local Government and Housing Act 1989
Chair/Vice Chair:	To be appointed by the members of the Committee.
Decision making:	By the majority of members present and voting. The Chair has a casting vote if required.
Terms of Reference:	<ol style="list-style-type: none"> <li>1. To deal with the recruitment to the post of Chief Executive and to recommend a selected applicant to Council for appointment.</li> <li>2. To recruit, appoint, take disciplinary action against and dismiss Directors</li> <li>3. To suspend and keep under review the Chief Executive, Directors, the Monitoring Officer or section 151 Chief Finance Officer whilst an investigation takes place into alleged misconduct.</li> <li>4. To appoint a designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001</li> <li>5. To take disciplinary action against the Chief Executive, the Monitoring Officer or section 151 Chief Finance Officer in accordance with a recommendation in a report made by a designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001.</li> <li>6. To consider and if necessary recommend to Council to dismiss or terminate the employment of the Chief Executive, the Monitoring Officer or section 151 Chief Finance Officer.</li> </ol>

Note: The committee will be governed by the provisions contained within Part 4I of the Constitution (Officer Employment Procedure Rules)

## 5. **CONSULTATIONS**

The Chief Executive, Directors and the Head of Legal Services have been consulted on the content of this report.

## 6. **OPTIONS**

The Council could continue with the current arrangement of appointing sub-committees on an ad-hoc basis.

## 7. **IMPLICATIONS**

- (a) **Financial Implications** - None
- (b) **Staffing Implications** - This report concerns the appointment, disciplinary action and dismissal procedures for senior officers.
- (c) **Equal Opportunities Implications** - None
- (d) **Environmental Implications** - None
- (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:

The Constitutions of Aylesbury Vale, Cherwell, Ipswich and Oxford District Councils which are all available of each of the Council's websites.

The author and contact officer for queries on the report is Deborah Simpson, Head of Human Resources, on extension 8101.

Report file:

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