

CITY BOARD16 April 2002
(6.00pm – 9.32pm)

PRESENT: Councillors Howarth (Chair), Bagnall, Bradnack, Durrant, Harrison, Knowles, Nimmo-Smith, C. Rosenstiel, Slatter, and Smart.

FOR ADOPTION BY THE COUNCIL**02/A/25 A NEW CONSTITUTION FOR THE CITY COUNCIL**

The Board considered a draft Constitution for the City Council based on the 'leader and cabinet' model of government [*circulated to all Members with the Council agenda except City Board members*]. The Head of Legal and Democratic Services introduced the report and advised members that Council would be requested to agree to the Constitution in principle, to allow for any major points to be raised at this stage rather than when the Constitution is presented for formal adoption on 23 May. The Board noted that this was a major piece of work and that there was still plenty of detail to be completed by 23 May as referred to in the covering report.

The Head of Legal and Democratic Services advised the Board of two issues not covered in his report. Firstly, the Council Procedure Rules included provision for a preview of Annual Statements at the April Council meeting. The Board was advised that Council at its meeting on 21st February 2002 had agreed not to preview Annual Statements only for April 2002. Secondly, there was no current provision in the draft for referral of decisions taken at Regulatory Committees for further consideration by another committee (as with City Board at present) or by Council.

The Head of Legal and Democratic Services advised the Board that provision could be made in the Constitution for referral of regulatory decisions for further consideration and suggested that referrals should, initially, be to the Civic Affairs Committee, with scope for referring decisions from the Civic Affairs Committee to the Full Council. However, he recommended that decisions of Homelessness Appeals, Employment Appeals or Taxi Disciplinary Appeals should not be subject to referral.

After discussion the Board agreed to the Chair's proposal that the Constitution should delete the scheme for Previews of Annual Statements; and that a provision for referring decisions from Regulatory Committees (with the exception of the three sub-committees above) to Civic Affairs Committee and from that Committee to the Full Council be included.

Councillor Bagnall asked how the public could lobby decision makers under the new arrangements, particularly on cross-cutting issues, if the Executive was to meet very rarely. The Chair stated that the public could still lobby or petition on issues coming before executive councillors or on other issues via the scrutiny committees, at which the relevant Executive Councillor would be

present. The Chair also agreed that if there was a matter of serious concern and which was cross-cutting a meeting of the Executive would not be ruled out. Councillor Bagnall requested that this should be made clear in information given to the public.

Councillor Rosenstiel suggested that a 'dry-run' of agenda items from previous cycles should be undertaken to ensure that the draft had not overlooked any significant issue and to highlight any problems. He gave the example of the Deputy Leader's role where an Executive Councillor could not make a decision because of a personal or prejudicial interest. The Head of Legal and Democratic Services stated that it a dry-run was not practical because of lack of resources. He agreed that there was a need to anticipate occasions on which an Executive Councillor was precluded from making a decision because of a prejudicial interest but he did not envisage many problems based on recent experience.

Councillor Smart commended the comments of Joint Staff Employer Forum on the Member/Officer Protocol to the Board. The Head of Legal and Democratic Services stated that points would all be covered under the Constitution in either the Protocol or the Official Code of Conduct for Officers.

Councillor Harrison requested that, if permissible by law, the Planning Committee should be consulted on planning briefs and supplementary planning guidance in addition to the Environment Scrutiny Committee. The Head of Legal & Democratic Services undertook to investigate the inclusion such a provision.

The Board noted that a protocol would be drafted for inclusion in the Constitution to cover the use of the Party Whip in Scrutiny Committees.

In the Overview and Scrutiny Rules, the Board agreed that further clarification was required on the attendance of Executive Councillors at meetings other than the relevant Scrutiny Committee. The Chair's view was that any such rule should be permissive and gave the example of the Leader attending for debates on the budget.

On the minutes of meetings (para 5.1 of the covering report), the Board agreed that the minutes of the bodies mentioned should be signed at the meeting of the Council on 25 April, subject to the City Centre Development Sub-Committee minutes being signed by its successor scrutiny committee.

Council is recommended (by 7 votes to 3) –

- 1) To approve in principle the Constitution as drafted subject to:
 - (i) The inclusion of a procedure for referring decisions from Regulatory Committees to the Civic Affairs Committee and thence to Full Council

(excepting decisions of the Homelessness, Employment Appeals and Taxi Disciplinary Sub-Committees);

(ii) The deletion of the preview of Annual Statements at April Council;

(iii) The incorporation of the comments of Joint Staff Employer Forum into the Member/Officer Protocol or the Code of Conduct for Officers;

(iv) The inclusion of a provision that Executive Councillors should normally only routinely attend the scrutiny committee to which their executive role relates;

(v) The inclusion of a protocol on the use of the Party Whip at scrutiny committees;

(vi) Consideration being given to a procedure for consulting Planning Committee on planning briefs and supplementary planning guidance.

- 2) To approve the transitional arrangements in section 5 of the covering report, subject to the minutes of the City Centre Development Sub-Committee minutes being signed by its successor scrutiny committee.

02/A/26 **DECENTRALISED DECISION MAKING**

The Board noted a report (*appended to these minutes as Appendix 1*) which proposed the in principle agreement for area based decision making.

The Chair advised the Board that the issues raised by decentralised decision making required detailed consideration and further member decisions would be required to take this forward. The Chair stated that the Liberal Democrat Group were committed to area bodies which had both a decision making and scrutiny brief. The proposal would improve interaction with the public and help people understand why and how decisions were made.

Councillor Bradnack stated that the Labour Group supported area committees to increase public participation, but not to take decentralised decisions. Labour members were particularly concerned that the determination of planning applications would dominate area committees and would lead to a reduced quality of decision 'city-wide'. Councillor Bagnall stated that information would be required at an early stage in the project regarding the overall budget and the areas to be proposed.

The Chair stated that the report had been purposely written to rule nothing out at this stage and referred to the key milestones in the project plan attached to the report. With reference to planning decisions, the Chair advised the Board that any proposal on the determination of planning applications would include a Strategic Planning Committee to determine the

more sensitive or significant planning applications and its terms of reference would be broad to reflect this.

Councillor Slatter through her knowledge as Chair of Planning Sub-Committee, stated that it would be useful if members received training on planning matters even if planning decisions were not devolved. In addition, she suggested that DC Forums at the area level should be considered. Councillor Slatter stated that it would also be very important to get the right venue and time of day to enable the public to attend.

Councillor Bradnack proposed an amendment that the reference to 'decision-making' be removed from recommendation 2.1. The amendment was lost by 3 votes to 7.

Councillor Slatter proposed an amendment to recommendation 2.1 to read "...area based committees with some decision-making powers...."

The amendment was carried by 7 votes to 3.

Council is recommended –

- 1) (by 7 votes to 3) To approve in principle the establishment of area based committees with some decision-making powers in mid-2003.
- 2) (by 7 votes to 0) To agree the key stages of the project plan [shown at Appendix 1 of the committee report].

02/A/27 HOUSING MANAGEMENT BOARD AND ELECTED TENANTS

The Board considered a report which had been debated in detail by Housing and Health Committee at its meeting on 20 March (see minute 02/g/28). The report, which included the amendments made by the Housing and Health Committee, was referred to City Board as there was a requirement to include the Housing Management Board in the Council's Constitution.

Council is recommended -

To approve the setting up of the Housing Management Board on the principles and timetable contained within this report and in accordance with the Constitution and Terms of Reference attached as *Appendix 2*.

02/A/28 REVENUE AND CAPITAL BUDGETS, CARRY FORWARDS AND SIGNIFICANT VARIANCES

The Board considered a report which detailed new or changed circumstances from that agreed at Council on 21 February. The carry forwards requested by committees would not increase the net budget requirement for 2002/03.

At the Environment Committee on 26 March, up to £50,000 was requested to fund Streets and Open Spaces Best Value procurement. The Board agreed that this should be funded from Reserves.

Council is recommended -

To carry forward an estimated total of £675,100 budgets, detailed in *Appendix 3*, from 2001/02 into 2002/03, all subject to the final outturn position.

To use up to £50,000 Reserves to fund Streets and Open Spaces Review Best Value procurement process.

02/A/29 THE COUNCIL'S CODE OF CORPORATE GOVERNANCE

The Board considered the attached Code (appendix 4) which all local authorities are required to adopt by, (or as close to), 31 March 2002. It was noted that the Code will be reviewed annually.

Council is recommended –

To adopt the Code of Corporate Governance detailed in *Appendix 4*.

FOR INFORMATION OF THE COUNCIL**02/a/30 MINUTES**

The minutes of the meeting held on 11 February 2002 were confirmed as a correct record and signed by the Chair.

02/a/31 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Reed and Stuart.

02/a/32 DECLARATIONS OF INTEREST

The following Code of Conduct (non-pecuniary) interest was declared:

Councillor Rosenstiel (02/A/27) – as one of the editors of the current edition of the Electoral Reform Society 'How to Conduct an Election by the Single Transferable Vote' (Para 5.5 of Constitution refers)

02/a/33 PUBLIC QUESTION TIME

There were no questions from the public.

02/a/34 PHONE MASTS IN CAMBRIDGE – DRAFT PLAN OF ACTION**Resolved -**

- 1) To re-affirm the adoption of panel recommendations 10 and 11.
- 2) To endorse the draft Action Plan, subject to funding for the Liaison Officer post being identified.
- 3) That officers be instructed to report to the Strategy Scrutiny Committee on Monday 15th July 2002 on whether the County Council and South Cambridgeshire District Council are willing to contribute towards the cost of the Liaison Officer post.

02/a/35 CAMBRIDGE COMMUNITY SAFETY STRATEGY 2002/5

Councillor Knowles suggested that the role of Licensing Committee within some of the areas mentioned in the Strategy could be developed if provided with information (and training if necessary) on the Partnership's views on, for example, training door staff, Barlink and closing times. She also requested that Connexions and other youth agencies should be properly represented on the Partnership to ensure a high profile commitment to, and involvement of, young people .

Members agreed that the Ranger Services would greatly assist in achieving certain targets within the Strategy.

The Board placed on record its appreciation of the work Deborah Agnes had done on producing the Strategy and of the leading work which Alastair Roberts was undertaking on Anti-Social Behaviour.

Resolved -

To adopt the Community Safety Strategy 2002-05.

02/a/36 BEST VALUE REVIEW OF COMMUNITY SAFETY – FINAL REPORT

During discussion on the report, The Head of Strategy & Partnerships advised members that a summary document of the Community Safety Strategy would be sent to residents which would highlight key facts and

issues to both inform and assist. In addition the Community Safety Partnership would hold more public meetings city-wide to inform public debate and hear concerns.

The Chair suggested that the Board accept option b in 2.2, 2.4 and 2.5 but option a in 2.3.

Resolved –

- 1) To agree the action plan and endorse the approach to community safety issues contained within it.
- 2) That a three year Safer City Capital Grants Programme from 2003/04 be adopted
- 3) That the future funding of Safer City Revenue Grants continues as at present.
- 4) That the Council's representation on the Community Safety Partnership continue to be the Head of Strategy and Partnerships.
- 5) That the Partnership be requested to arrange regular briefing and consultation meetings twice a year for all members
- 6) That the Director of Central Services be requested to make recommendations on the criteria for assessing any future expansion of CCTV for consideration by the Strategy Scrutiny Committee in July 2002.
- 7) That the Director of Environment and Planning be requested to make recommendations on the future use of the Environmental Safety Fund, following evaluation of the Mill Road scheme, to the Environment Scrutiny Committee in July 2002.

02/a/37 RACE RELATIONS (AMENDMENT) ACT 2000: RACE EQUALITY SCHEME

The Board noted that the Council still awaited the Code of Practice which would explain how the Council should implement the specific duties. The action plan had been developed to meet the May 2002 deadline for the Race Equality Scheme but might need revisiting in light of the Code.

Resolved -

- 1) To restate the continuing commitment to equality and formally adopt the Equality Standard for Local Government (see para 5.1 and Appendix B of the report).

- 2) To approve and adopt the Race Equality Scheme as set out in Appendix A.
- 3) To agree to the formation of an Equalities Panel to monitor the implementation of the Race Equality Scheme and nominate Members for participation in the panel (*at the Annual Meeting on 23 May*). (See para 5.6).
- 4) **To approve and adopt the Comprehensive Equality Policy (incorporating the Race Equality and Disability Equality policies) set out in Appendix C.**
- 5) To approve the proposal for "Engaging with Black and Minority Ethnic Communities" . (Appendix D.)

02/a/38 **A LOCAL STRATEGIC PARTNERSHIP FOR CAMBRIDGE**

Resolved -

That the Leader of the Council be confirmed as the Council's Councillor representative on the Cambridge Local Strategic Partnership

02/a/39 **CITY CENTRE MANAGEMENT CAPITAL GRANT –
IMPROVEMENTS TO DRUMMER STREET BUS STATION**

The Board agreed to Councillor Slatter's request that if the Access Officer had not already been consulted, the grant is subject to him being satisfied with the proposed improvements for disabled access.

Resolved -

Subject to the Council's Access Officer having been consulted and in support, that a grant of £15,000 be paid to the County Council from the City Centre Management Capital fund as a contribution towards the County Council's proposed improvements to Drummer Street Bus Station.

02/a/40 **SAFER CITY GRANT**

The Head of Strategy & Partnerships undertook to investigate whether some analysis could be undertaken of the fear of crime before and after the lighting installation.

Members agreed that the proposed number of four lighting posts should ideally be reduced by either two or one (taken from L1-3 as on the plan).

Councillor Harrison requested that the environmental implications along with community safety implications were taken into equal account when considering lighting on open spaces. The Director of Environment & Planning

undertook to liaise with the Head of Parks and Recreation as it was understood lighting on open spaces formed part of the Best Value Action Plan for Parks and Open Spaces during the coming year.

Resolved –

Subject to the further consideration by officers of reducing the number of lighting columns by either two or one (from L1, L2 or L3 as indicated on the plan);
to approve the allocation of capital grant in the sum of £2,406.67 to supplement a previous grant of £4,500 so that the lighting on the footpath between Parsonage Street and the footbridge across to Cutter Ferry Lane can be improved.

02/a/41 **THE HELPDESK PROJECT**

Resolved -

- 1) To approve the project definition report and project plan.
- 2) To approve a bid of £33,000 from the Technology Investment Fund (TIF) to retain ITNet to undertake an initial feasibility study and workflow analysis and to undertake other preparatory work.
- 3) To require a detailed project appraisal identifying funding and sources of funding for consideration in the Medium Term Forecast in July 2002.

02/a/42 **REVENUE AND CAPITAL BUDGETS, CARRY FORWARDS
AND SIGNIFICANT VARIANCES**

Councillor Bradnack proposed that the £40,000 underspend for CCTV be carried forward for CCTV projects in 2002/03 and fund the urgent electrical works from reserves. Councillor Rosenstiel suggested that any demands for additional CCTV cameras should be the subject of a bid as part of the Medium Term Forecast or 2003/04 budget round.

The amendment was lost by 3 votes to 7.

Resolved -

(by 9 votes to 0)

- 1) To transfer of the £23k 2001/02 budget for On-Line Knowledge Directory into Technology Investment Fund (TIF).

(by 7 votes to 2)

- 2) To vire of £40k budget in 2001/02, requested by Property & Administration Sub-Committee on 19 March 2002, from CCTV to Admin Buildings as a contribution towards urgent electrical works at the Guildhall.
- 3) To use of £5,500 reserves to fund the projected net overspend in 2001/02.

02/a/43 **CITY SERVICES FINANCIAL REPORTING AND BUDGETING**

The Board agreed to change the financial reporting and budgeting for City Services, particularly in light of adopting a new Constitution in May.

RESOLVED -

- 1) Separate figures be shown for General Fund, HRA and external trading work, where material levels of work are undertaken for more than one of these categories by a service.
- 2) That a new budget heading for external trading of services is established, and included within the Commercial and Human Resources portfolio.
- 3) Cost Centre information be included within the Funds (General Fund and HRA), and divisions of service, relevant to the work being undertaken.
- 4) In future, medium-term projections are drawn up for all cost centres to give a clear picture of the underlying prospects. These will assist in identifying strategic issues for each service, and will feed into the medium-term financial planning approach operated by the Council as a whole.
- 5) Management and financial reporting information for trading units be maintained, to reflect overall performance in areas where services are provided to more than one client group e.g. PVCu Factory. This will also provide the basis for the overall City Services Business Plan.
- 6) The table below illustrates the categories for which turnover and resultant surplus / deficit will effectively be analysed.

Cost Centre	General Fund		Housing Revenue Account
	Internal Trading	External Trading	
Building Maintenance			
Building Projects			
PVCu Factory			

Rangers		(*) (~)
Building Cleaning		
Waste Management		
Street Scene		
Design & Print		
TOTALS		

Note : (*) Already identified through a separate Commercial Waste heading.

(~) Already effected for Grounds Maintenance through a separate calculation of relative charges to GF and HRA.

- 1) This approach to be used as the basis for analysing the 2001/02 final trading position, and the 2002/03 budgets.

02/a/44 **THE IMPLICATIONS OF THE WHITE PAPER 'STRONG LOCAL LEADERSHIP – QUALITY PUBLIC SERVICES' PART II FOR THE LOCAL GOVERNMENT FINANCE SYSTEM**

The Director of Finance tabled the Government's High Level Implementation Plan (which detailed when the various sections of the White Paper would be implemented) for the information of members. He advised the Board that the real implications could not be properly assessed until the Government provided further Guidance or Regulations.

On a related matter, the Chair advised members that discussions with Lord Sainsbury had taken place concerning the proposals for pooling housing capital receipts and the potential negative impact for the Council going debt-free.

Resolved –

That the Director of Finance be requested to develop appropriate changes to the Council's medium term financial planning framework and financial systems to reflect the content of Part 2 of the White Paper, and subsequent detailed guidance.

02/a/45 **MANAGING THE COUNCIL'S RISK EXPOSURE**

Resolved –

To affirm support for the Council's Risk Management Policy and the Terms of Reference for the Council's Risk Management Group.

02/a/46 **PERIODIC ELECTORAL REVIEW SUB-COMMITTEE – ALTERATION OF TERMS OF REFERENCE**

Resolved –

To extend the terms of reference of the sub-committee by including the following:

“To oversee initial consideration of the Polling District review process on behalf of the Council.”

The meeting ended at 9.32pm

Chair