

MINUTES OF THE ANNUAL MEETING OF THE COUNCIL

23 May 2002
(11.00am – 6.10pm)

PRESENT: The Mayor (Councillor Lakin), Deputy Mayor (Councillor Slatter), Councillors Bagnall, Bailey, Baker, Bell, Benstead, Blencowe, Bradnack, Callaghan, Currie, Dixon, Durrant, Ellis-Miller, Gilchrist, Griffiths, Harrison, Hart, Hipkin, Howarth, Howell, James, Johnston, Knowles, Liddle, Nimmo-Smith, Overhill, Pinnington, Reed H, Reid S, Rosenstiel C, Rosenstiel J, Schofield, Smart, Smith, Stebbings, Stuart, Taylor, Todd-Jones, Ward, White

FOR THE INFORMATION OF THE COUNCIL

02/24 APPOINTMENT OF MAYOR 2002/2003

Councillor Currie proposed and Councillor Pinnington seconded the nomination of Councillor Slatter as Mayor for the municipal year 2002/2003.

Resolved that Councillor Slatter be elected Mayor for the municipal year 2002/2003

(Councillor Slatter then made the statutory declaration of acceptance of the office of Mayor.)

02/25 APPOINTMENT OF DEPUTY MAYOR 2002/2003

Councillor Hipkin proposed and Councillor Howarth seconded the nomination of Councillor White as Deputy Mayor for the municipal year 2002/2003.

Councillor Hannah Reed proposed and Councillor Bagnall seconded the nomination of Councillor Callaghan as Deputy Mayor for the municipal year 2002/2003.

A vote was taken with 23 votes in favour of Councillor White and 17 votes in favour of Councillor Callaghan.

Resolved that Councillor White be elected Deputy Mayor for the municipal year 2002/2003.

(Councillor White then made the statutory declaration of acceptance of the office of Deputy Mayor.)

02/24 MINUTES

The minutes of the meeting of the Council held on 25 April 2002 were confirmed as a correct record and signed by the Mayor.

02/25 REPORT OF THE RETURNING OFFICER

The Council noted the Returning Officer's report that the following had been elected to the office of Councillor:

Abbey	Caroline Julie Hart
Arbury	Michael John Todd-Jones
Castle	John David Cyril White
Cherry Hinton	Graham Charles Stuart
Coleridge	Elizabeth Ruth Bagnall
East Chesterton	Jennifer Anne Bailey
King's Hedges	Maria Elizabeth Rose Bell
Market	Joye Elizabeth Rosenstiel
Newnham	Sian Tudor Reid
Petersfield	Kevin Wayne Blencowe
Queen Edith's	Amanda Joan Taylor and Alan Reginald Harold Baker
Romsey	Catherine Helen Lindsay Smart
Trumpington	Judith Elizabeth Pinnington
West Chesterton	Michael Ian Nimmo-Smith

02/23 MAYOR'S CHAPLAIN

The Council noted the appointment of the the Venerable Jeffrey Watson as the Mayor's Chaplain for the municipal year 2002/2003.

02/24 TO NOTE THE APPOINTMENT OF THE MAYOR'S CADET FOR THE ENSUING YEAR

The Council noted that, as part of its aim to promote local democracy and involve young people in the work of the Council, a Mayor's Cadet would be appointed annually. The first person appointed to this role was Alice Kightley, a Leading Cadet with the Cambridge Sea Cadet Unit.

02/25 TO PASS A RESOLUTION OF THANKS TO THE OUTGOING MAYOR AND MAYORESS

Resolved (unanimously) on the proposition of Councillor Schofield, seconded by Councillor Durrant and supported by Councillor Howell that this Council expresses its appreciation of the manner in which the duties of Mayor were discharged by Councillor Chris Lakin during his period of office and that the Common Seal be affixed to a copy of this resolution for presentation to him.

02/26 MAYOR'S ANNOUNCEMENTS

- **Apologies**

Apologies for absence were received from Councillors Cowell and Dryden.

- **Civic Service on Sunday 26 May 2002**

A civic service would take place in Holy Trinity Church on Sunday 26 May at 11 a.m.

- **Queen's Golden Jubilee, Commemorative Service**

Great St Mary's Church had arranged for a service to take place to mark Her Majesty The Queen's Golden Jubilee. The service would be held on Sunday, 2 June, 2002 at 6.30 p.m.

- **Midsummer Fair**

The Proclamation of Midsummer Fair would take place on Wednesday, 19 June 2002 at 6.30p.m.

- **Code Of Conduct**

A Guide from the Standards Board about the new Code of Conduct had been distributed to members at the meeting .

- **Declarations Of Interest**

Councillor Knowles declared a personal interest as Vice Chair of the Primary Care Trust in the item relating to the extension of the GP referral scheme in the Annual Statement and Adoption of Annual Policies and Priorities.

Councillor Taylor declared a personal interest as a member of the YMCA in the item relating to the modernisation of the YMCA in the Annual Statement and Adoption of Annual Policies and Priorities.

02/27 TO ELECT FROM AMONG THE MEMBERS OF THE COUNCIL FOUR BAILIFFS OF THE CITY FOR THE MUNICIPAL YEAR 2002/2003

Councillor Howarth proposed and Councillor C Rosenstiel seconded that Councillors James and Stebbings be appointed as bailiffs.

Councillor Bagnall proposed and Councillor Bradnack seconded that Councillor Dryden be appointed as a bailiff.

Resolved (with no votes against) that Councillors James, Dryden and Stebbings, and be appointed as bailiffs of the city for the municipal year 2002/2003 and that a further appointment be made at a subsequent meeting of the Council.

02/28 TO CONSIDER THE RECOMMENDATIONS GIVEN IN THE ADOPTION MINUTES OF THE CITY BOARD MEETING OF 7 MAY 2002 – PART 1

02/A/47 Best Value Performance Plan 2002

Councillor Howarth proposed and Councillor Schofield seconded the following amendment within the Priorities for Service Improvements for 2002/03 for Leisure

Services and Community Services:

replace 'Externalise management of all swimming services' with 'integrate management of all swimming services.'

On being put to the vote, the amendment was agreed by 25 votes to 2.

Resolved (by 24 votes to 0) that the Best Value Performance Plan 2002, as amended, and the performance information and targets set out within it be approved.

02/A/48 **City Services – Project Appraisal For The Replacement Of Three Vehicles For The PVCU Window Manufacture Unit**

Resolved that the project appraisal be approved and included within the Capital Plan.

02/29 **TO ADOPT THE COUNCIL'S NEW CONSTITUTION**

Resolved, subject to the amendment of the figure of £500 in 1(a) in paragraph 9.3.1 Financial Matters being amended to £1,000:

- 1 (by 24 votes to 12) to adopt the new Constitution and the executive arrangements it contains, in compliance with the requirements of Part II of the Local Government Act, 2000.
- 2 (by 24 votes to 0) to confirm the delegation of powers to officers set out in the Constitution in respect of all functions which are not the responsibility of the Executive.

02/30 **TO CONSIDER THE RECOMMENDATIONS GIVEN IN THE ADOPTION MINUTES OF THE CITY BOARD MEETING OF 7 MAY 2002 – PART 2**

02/A/49 **Election of Leader and Executive Councillors**

Resolved (by 24 votes to 12) that

- 1 Cllr David Howarth be elected Leader for the municipal year 2002/03 and
- 2 that the Executive for the municipal year 2002/03 be made up of a further five members of the Council as follows:

Deputy Leader: Cllr Colin Rosenstiel

Executive Councillor for Commercial and Human Resources: Cllr Amanda Taylor

Executive Councillor for Community Development and Leisure: Cllr Joye Rosenstiel

Executive Councillor for Environment: Cllr Nichola Harrison

Executive Councillor for Housing and Health: Cllr Ian Nimmo-Smith.

02/A/50 **Appointment of Committees 2002/03**

Councillor Bradnack proposed and Councillor Bagnall seconded the following

amendment:

‘That 6 committees should have 13 members: Strategy, Environment, Housing & Health, Community Development & Leisure, Commercial & Human Resources, Planning (78 places).

That 3 committees should have 9 members: City Centre Development, Civic Affairs, Licensing (27 places).

Total places – 105 = 2.5 places per member of the Council.

Apportioned as follows

6 x large committees – 7 Lib Dem (42), 5 Labour (30), 1 Conservative (6)

3 x small committees – 6 Lib Dem (18), 3 Labour (9)

Except Homelessness Appeals which will draw on 13 members of Housing & Health.’

On being put to the vote, the amendment was lost by 14 votes to 24.

During the discussion Councillor Hipkin moved and Councillor Schofield seconded that the question now be put. The Mayor ruled that in her opinion the matter before the meeting had been insufficiently discussed.

Resolved (by 26 votes to 11) that the size and membership of committees be as indicated in the table below:

Committee	Size	Lib Dem	Lab	Cons
Commercial & Human Resources Scrutiny	10	Ellis-Miller Griffiths Liddle Smart Stebbings White (alt - Ward)	Bagnall Bradnack Dryden Smith	-
Community Development & Leisure Scrutiny	10	Bailey Ellis-Miller James Knowles Reid Slatter (alt- Schofield)	Callaghan Hart Reed	Howell
Environment Scrutiny	10	Bailey Baker Dixon Hipkin Pinnington Ward (alt - Liddle)	Blencowe Bradnack Durrant	Stuart
Housing & Health Scrutiny	10	Currie Griffiths James Liddle	Bagnall Bell Benstead Todd-Jones	-

		Pinnington Stebbings (alt - Smart)		
Strategy Scrutiny	10	Currie Knowles Reid Schofield Smart Ward (alt - Hipkin)	Bagnall Bradnack Durrant	Stuart
City Centre Development Scrutiny	6	Baker Dixon Knowles Schofield (alt - Bailey)	Bradnack Durrant	-
Planning	10	Baker Harrison Hipkin Pinnington Schofield Slatter (alt - Dixon)	Blencowe Cowell Dryden Smith	-
Civic Affairs	8	Liddle Pinnington C. Rosenstiel Taylor Ward (alt - Stebbings)	Bradnack Durrant Smith	-
Licensing	6	Hipkin Liddle Knowles J. Rosenstiel (alt - Dixon)	Cowell Overhill	-
Standards	8	Smart Pinnington Taylor	Dryden Overhill	Stuart
Cambridge Environment & Transport Area Joint	6	Harrison Howarth C. Rosenstiel Smart (alt - Ward)	Blencowe Johnston	
Employment Appeals	6	Knowles Reid Smart White	Bradnack Smith	
Homelessness Appeals		Comprising the members of Housing & Health Scrutiny with three members per Appeals Committee		

* Includes the re-appointment of the External Members, Louise Hobbs, Dr Alan Clark

and Mark Staveley (alternate).

02/A/51 APPOINTMENT OF CHAIRS & VICE CHAIRS OF COMMITTEES

Councillor Bagnall proposed and Councillor Durrant seconded the following nominations for Chairs of Committees:

Commercial & Human Resources Scrutiny	Bradnack
Community Development and Leisure Scrutiny	Reed
Environment Scrutiny	Durrant
Housing and Health Scrutiny	Bagnall
Strategy Scrutiny	Bagnall
City Centre Development Scrutiny	Bradnack
Planning	Blencowe
Civic Affairs	Smith
Licensing	Overhill
Standards	Dryden

On being put to the vote, the proposal was lost by 11 votes to 24.

Resolved (by 24 votes to 11) that the following be appointed Chair and Vice Chair for the Council's Scrutiny and Regulatory Committees:

Committee	Chair	Vice Chair
Commercial and Human Resources Scrutiny	White	Smart
Community Development and Leisure Scrutiny	Knowles	Ellis-Miller
Environment Scrutiny	Dixon	Ward
Housing and Health Scrutiny	Griffiths	Liddle
Strategy Scrutiny	Smart	Knowles
City Centre Development Scrutiny	Dixon	Knowles
Planning	Slatter	Baker
Civic Affairs	C Rosenstiel	Taylor
Licensing	Knowles	J Rosenstiel
Standards	Smart	Louise Hobbs*
Taxi Disciplinary Appeals	Knowles	J Rosenstiel
Employment Appeals	Smart	White
Homelessness Appeals	Griffiths	Liddle

* External Member

02/31 TO ADOPT A NEW SCHEME OF MEMBERS' ALLOWANCES

The Council considered the recommendations and the report of the Independent Remuneration Panel which had been circulated to members.

Councillor Howarth proposed and Councillor C Rosenstiel seconded the following amendment:

'Replace Recommendation 2.1 with the following [recommendations 2.2 and 2.3

remain unchanged]:

- (i) That the Panel's recommendations numbered 2, 4 -13 (on pages 3-5 of the Panel's Report) be accepted.
- (ii) That the following changes are made to recommendations 1 (the Basic Allowance) and 3 (the Special Responsibility Allowances):
 - 1) That the proposed increases be phased in over 4 years by applying one quarter of the Panel's proposed budget increase (as amended by (b)-(d) below) in each year.
 - a) That the Special Responsibility Allowances (SRAs) proposed for Scrutiny, Planning, Civic Affairs and Standards Committee Chairs be divided between the Chairs and Vice-Chairs in the ratio of 0.75 to the Chairs and 0.25 to the Vice-Chairs, payments to be made to Councillors only.
 - b) That the Licensing Chair and Vice-Chair also receive SRAs of 1.5 and 0.5 of a Basic Allowance respectively.
 - c) That the minority spokesperson on Civic Affairs receives an SRA of 0.75 of a Basic Allowance.
 - d) That the Cambridge Environment and Transport Area Joint Committee Chair or Vice-Chair (whichever is a City Councillor) receives an SRA of 0.75 or 0.25 of a Basic Allowance as applicable.
 - 2) That the Basic Allowance as a consequence be set at £1,433 for the year 2002/3 and that SRA payments be made as set out **in the table below**.
- (iii) That Council approves the use of reserves of £22,571 to fund these increases in Members' Allowances for 2002/3.

On being put to the vote, the amendment was agreed by 24 votes to 14.

Resolved (by 24 votes to 1)

- 1. That the Council adopts a members' allowances scheme with the following elements:
 - 1.1 A basic allowance of £1,433 per annum
 - 1.2 Special responsibility allowances payable in accordance with the following table:

	Multiplier of Basic Allowance	£ per annum
Leader	2.5	3583
Deputy Leader	2	2866
Executive Councillor	2	2866
Chair of Scrutiny Committee	1.5	2150

Scrutiny Vice-Chair	0.5	717
Chair of Planning Committee	1.5	2150
Chair of Licensing Committee	1.5	3198
Vice-Chair of Planning Committee	0.5	717
Chair of Standards Committee	1	1075
Vice-Chair of Standards Committee ¹	0.25	358
Chair of Civic Affairs Committee	0.75	1075
Vice-Chair of Civic Affairs Committee	0.25	358
E&T Area Joint Chair	0.75	1075
E&T Area Joint Vice-Chair ²	0.25	358
Group Leader (Liberal Democrat) ³	1.43	2042
Group Leader (Labour) ³	1.16	1667
Group Leader (Conservative) ³	0.41	590
Minority Party Spokespersons on all committees apart from Civic Affairs	1.5	2150
Minority Party Spokespersons on Civic Affairs Committee	0.75	1075
Members of Planning Committee	0.5	717

¹ Not payable at present as postholder is an External Member

² No postholder at present

³ Subject to variation in line with the formula at paragraph 6.2.3 in the Independent Panel's report if the number of members of political groups changes or if new political groups are constituted.

- 1.3 A Childcare/Dependent Carer Allowance payable for actual expenditure incurred whilst undertaking approved duties subject to, for childcare, a cap of £5 per hour and for adult care, a cap of £20 per hour.
- 1.4 All members be allowed to continue to claim out of pocket expenses in accordance with existing practice with a list providing information on what can be claimed to be provided to all members.
- 1.5 Payment of travel and subsistence in accordance with the Secretary of State's guidance.
- 1.6 Payment of part-year entitlement where:
- a) the scheme is amended; or
 - b) a Councillor is elected to or leaves the Council; or
 - c) a Councillor takes on, or gives up, a position for which a special responsibility allowance is payable.
- 1.7 Any member of the Council may, by notice in writing given to the Director of Finance, elect to forego any part of his/her entitlement to any Allowance under this scheme.
- 1.8 Non-councillors co-opted onto committees, working parties etc. to receive an allowance at the national minimum wage for the hours served, plus out

of pocket expenses as appropriate.

2. That the Council phases increases in members' allowances over four years to meet the higher levels recommended by the Independent Panel.
3. That the Council approves the use of reserves of £22,571 to fund the increases in members' allowances for 2002/3/
4. That the Officers be asked to provide all members, especially those newly elected, with advice on the impact of receiving allowances and expenses on their tax and benefit position.
5. That the Officers be asked to investigate whether there is a benefit in providing an 'Administration Package' for all members, which may cover telephones, computers, stationery etc.
6. That Members be asked to keep a diary of time spent on council business during the coming year in order that the Panel's estimate of time spent on Council business can be assessed and re-evaluated at the next convened Panel.
7. The Council agrees to recall the Panel in good time to report further and for its recommendations to be considered as part of the budget process in January/February 2003.
8. That the Council records its sincere appreciation of the work undertaken by the members of the Council's Independent Remuneration Panel.
9. That the Civic Affairs Committee be requested to determine the Council's approach for an Independent Remuneration Panel in 2002/03.

02/32 ANNUAL STATEMENTS

Councillors Howarth, Bagnall and Stuart spoke on their groups' priorities for the forthcoming municipal year.

02/33 ADOPTION OF ANNUAL STATEMENT

Under the Scheme for Annual Statements, that of Councillor Howarth was deemed to be a motion for adoption by the Council.

Resolved (by 24 votes to 13) that the Annual Statement of the Liberal Democrat Group, as appended to these minutes, be adopted as Council policy for 2001/2002.

02/34 TO MAKE APPOINTMENTS TO WORKING PARTIES AND OUTSIDE BODIES

Resolved that the following appointments be made:

	Lib Dem	Lab	Con
Addenbrookes/City/SCDC	Currie	Dryden	Howell
Cambridgeshire Councils Association	Howarth	Bagnall	Stuart
Chief Officer Appraisal	Howarth (Chair) Schofield (Vice Chair) Knowles Smart [alt – Taylor]	Bagnall	Stuart
City Centre Management	J Rosenstiel	Bradnack	-
City/Anglia Polytechnic University	Dixon Ellis-Miller	Bradnack Smith	-
City/University of Cambridge	Harrison	Smith	-
County Council Environment & Strategic Forum	Dixon Harrison [alt – Currie]	Durrant	Stuart
County Council Health Scrutiny	-	Bagnall	-
Development Plan Steering Group	Harrison (Chair) Dixon (Vice Chair) Currie Howarth Ward [alt – Liddle]	Bradnack Durrant	Stuart
East of England Local Government Conference	Howarth	-	-
E-Government Working Party	Slatter (Chair) Ward (Vice Chair) Bailey Liddle Nimmo-Smith [alt – James]	Bagnall Bell	Howell
Equalities Panel	S Reid	Overhill	Howell
Housing Management Board	Griffiths James Liddle Pinnington [alt – Ward]	*	-
Housing Performance Monitoring Panel	Liddle (Chair) Nimmo-Smith (Vice Chair) Pinnington [alt – Griffiths]	*	Howell
Joint Staff Employer Forum	Smart (Chair) White (Vice Chair) Liddle Stebbins	Dryden Smith	-

	[alt – Knowles]		
Local Strategic Partnership	Howarth	-	-
Office Accommodation	Smart (Chair) White (Vice Chair) C. Rosenstiel Taylor [alt – Schofield]	Bradnack Durrant	-
Sustainable City Executive	Harrison [alt – Knowles]	Bradnack	-

* To be notified at a later date

02/35 PUBLIC QUESTION TIME

Dr Richard Higginson addressed the Council under the Public Speaking Rights procedure in support of a petition being raised, urging the Council to provide skating facilities in the city.

02/36 ORAL QUESTIONS

Question	Question by	Answer by
Is the Executive Councillor aware of the existence of an organisation called SCAM and the attitudes it seeks to promote?	Councillor Bagnall	Councillor Harrison
In February 2001 the Council was notified of the danger that had been introduced to cyclists and bus passengers by the installation of a bus shelter on a shared use path outside Cherry Hinton Hall grounds. Can the Executive Councillor explain why it is that more than 12 months later, the proposed course of action to make vital safety improvements to this situation still has not been completed?	Councillor Howell	Councillor Harrison
Could the Executive Councillor clarify the financial commitment to Buchan Street Community Centre?	Councillor Bell	Councillor J Rosenstiel
Can the Executive Councillor please explain how much money and officer time was spent on the recent review of pedestrian and vehicle Access Licences, and how much extra revenue will be generated as a result of this exercise?	Councillor Howell	Councillor Nimmo-Smith

02/36 NOTICE OF MOTION: ALL POSTAL BALLOT

Councillor Bagnall proposed and Councillor Durrant seconded the following notice of motion:

‘In light of consistent evidence that all-postal ballots bring about significantly increased electoral turnout, this Council requests officers to bring a report to the next meeting of the Civic Affairs Committee on the possibility of holding an all-postal ballot for Cambridge in the City Council elections in May 2003.’

Under Paragraph 13.7.1 of the Council Procedure Rules it was agreed to deal with the motion at the meeting.

Resolved (by 25 votes to 6) that the motion was defeated.

02/37 NOTICE OF MOTION: MODEL CODE OF CONDUCT

Councillor Currie proposed and Councillor Schofield seconded the following notice of motion:

This Council endorses the importance of the highest probity for all councillors. However, it is concerned that the Model Code of Conduct, which councils are required to adopt, is deficient in several ways, combining over-prescription with vagueness and uncertainty.

The Council is, firstly, concerned at the wide-ranging requirement to declare interests of relatives and friends. The definition of a “relative” is extensive and the status of a “friend” uncertain. It is unlikely that councillors will have sufficient knowledge of the interests of relatives and friends to comply fully with the requirement. This is likely to lead to complaints about inadvertent breaches of the Code, and an innocent lack of knowledge could well be construed as concealment.

Secondly, the Code requires registration of membership of a long and ill-defined list of bodies, including all charitable bodies and bodies whose “principal purposes include the influence of public opinion”. This requirement is unduly onerous and would be better addressed by way of oral disclosure at meetings when interests arise. Again, inadvertent and innocent breaches of the Code are likely.

Thirdly, the obligation to report all breaches of the Code to the Standards Board is too prescriptive, precluding local or informal resolution of innocent or minor breaches of the Code.

This Council is concerned that these defects in the Code provide much scope for trivial, malicious and vexatious complaints to the Standards Board. Complaints about even innocent breaches of the Code could cause considerable worry to councillors and damage to their reputations. Responding to complaints could also oblige councillors to incur legal and other expenses in defending themselves against allegations.

The Council therefore:

1. Urges the Department of Transport, Local Government and The Regions, and the Standards Board to take account of these concerns in any revision of the Model Code;
2. Urges the Standards Board to deal promptly with allegations of breach of the Code, informing those accused without delay and making maximum use of discretion to refer complaints to Standards Committees for local resolution; and
3. Asks the Local Government Association to explore ways, and issue advice on, how best individual councillors can be protected from incurring a financial burden in defending themselves against allegations which may well turn out to be ill-founded.

Under Paragraph 13.7.1 of the Council Procedure Rules it was agreed to deal with the motion at the meeting.

Resolved (with no votes against) that the Council endorses the importance of the highest probity for all councillors. However, it is concerned that the Model Code of Conduct, which councils are required to adopt, is deficient in several ways, combining over-prescription with vagueness and uncertainty.

The Council is, firstly, concerned at the wide-ranging requirement to declare interests of relatives and friends. The definition of a “relative” is extensive and the status of a “friend” uncertain. It is unlikely that councillors will have sufficient knowledge of the interests of relatives and friends to comply fully with the requirement. This is likely to lead to complaints about inadvertent breaches of the Code, and an innocent lack of knowledge could well be construed as concealment.

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3. Ask the Local Government Association to explore ways, and issue advice on, how best individual councillors can be protected from incurring a financial burden in defending themselves against allegations which may well turn out to be ill-founded.

02/38 TO NOTE THE RECORD OF MEMBERS' ATTENDANCES AT COMMITTEE, SUB-COMMITTEE AND WORKING PARTY MEETINGS DURING 2001/2002

The Council noted the record of members' attendances at committee, sub-committee and working party meetings during 2001/2002.

The Council concluded its business at 6.10pm.

MAYOR