

**MINUTES OF THE MEETING
OF THE COUNCIL**25 July 2002
6.00pm to 10.45pm

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

FOR THE INFORMATION OF THE COUNCIL**02/39 MINUTES**

The minutes of the meeting of the Council held on 23 May 2002 were confirmed as a correct record and signed by the Mayor.

02/40 ELECTION OF A BAILIFF

In relation to minute 02/27 of the 23 May 2002 (The Election of Bailiffs for the Municipal Year 2002/2003) members noted there remained one vacancy for a Bailiff. Councillor Bagnall proposed and Councillor Bradnack seconded that Councillor Callaghan be appointed Bailiff.

Resolved (with no votes against) that Councillor Callaghan be appointed as Bailiff of the city for the municipal year 2002/2003.

02/41 REPORT OF THE MONITORING OFFICER ABOUT THE LOCAL GOVERNMENT OMBUDSMAN'S FINDING OF MALADMINISTRATION WITH INJUSTICE (as required under s.5 of the Local Government and Housing Act 1989)

The Monitoring Officer reported that, following investigation of a complaint made about a planning matter, the Local Government Ombudsman (LGO) had found maladministration by the Council, leading to injustice to the complainants. A copy of the Monitoring Officer's report and the LGO's report was circulated with the agenda.

The Council was required to consider the LGO's report and let the LGO know, within 3 months, the action it proposed to take in response to the findings. The Monitoring Officer was also required, by the Local Government & Housing Act 1989, to make a formal report to the Council when there had been a finding of maladministration against the Council. This report must be sent to every member of the Council and considered at a full Council meeting within 21 days of being issued.

The Planning Committee was to consider the LGO's report at its meeting in August and would decide what action to take in response. If, in the event, the Monitoring Officer did not consider that the Planning Committee has satisfactorily addressed the findings, then

a further formal report to Council would be made.

Resolved that the report of the Monitoring Officer be noted.

02/42 **MAYOR'S ANNOUNCEMENTS**

▪ **Apologies**

Apologies for absence were received from Councillors Cowell, Dixon and Sian Reid.

The Mayor said that Councillor Cowell had recently undergone a hip operation . She wished him, on behalf of all members of the Council, a quick recovery.

▪ **Resolution of thanks**

The Mayor presented Councillor Lakin with a framed copy of the Council's resolution of thanks for his year of Mayoralty, 2001/2002.

▪ **Golden Jubilee**

The Mayor said the celebrations in the City to commemorate the Queen's Golden Jubilee had been a wonderful success. The Council had given funding towards the organisation of around 30 street parties and also, in conjunction with the County Council, assisted with the necessary legislation and costs associated with the closure of streets. She personally attended all but one of the Council-supported events, and, said that, without exception, they were very special occasions, enjoyed by all who attended.

▪ **Mayor's Day In**

The Mayor's Day In, for older members of our community to come into the Guildhall to discuss topical issues, had been an enormous success again this year and very well supported.

▪ **Cambridge/Heidelberg/Montpelier Youth Orchestra**

The Mayor reminded members that 40 years ago, school children from Heidelberg and Cambridge had got together during the summer holidays to form a youth orchestra. This link of friendship had continued every year since, and now young people from Montpelier, France, had joined in. This year it was the turn of Cambridge to host the young musicians, and a public concert would be given on Sunday, 4 August at 5 p.m. at the Guildhall followed by a civic reception to mark this twinning link's 40th anniversary. As the Mayor and the Deputy Mayor would be away on holiday all councillors were invited to attend to make the young people feel welcome.

▪ **Mayor's Day Out**

The Mayor's Day Out was to take place on Tuesday, 3 September and would be

to Felixstowe.

▪ **Heidelberg Civic Visit**

The Mayor was to lead a civic delegation on an official visit to Heidelberg from 27 to 30 September 2002. The Council representatives, in addition to the Mayor and her husband would be Councillor Maria Bell, Councillor Gaynor Griffiths, Mr. Peter Studdert, Mr. Robert Hollingsworth and Mr. George Swindles.

▪ **Harvest Festival Service**

The Harvest Festival civic service will take place on Sunday, 6 October at 9.30 a.m.

02/43 DECLARATIONS OF INTEREST

Councillor C Rosenstiel declared a personal interest as the tenant of a council garage in relation to the Council's Housing Strategy, see minute 02/45a below.

Councillor J Rosenstiel declared a personal interest as the spouse of a tenant of a council garage in relation to the Council's Housing Strategy, see minute 02/45a below.

Councillors Callaghan, Johnston, Pennington and Stebbings declared personal interests as the tenants of council houses in relation to the Council's Housing Strategy, see minute 02/45a below.

Councillors Griffiths, Harrison and Howarth declared personal interests in relation to the motion on skate parks, as family members were likely to make use of these facilities, see minute 02/50 below

02/44 PUBLIC QUESTION TIME

No members of the public wished to address the Council.

02/45 TO CONSIDER THE RECOMMENDATIONS OF THE EXECUTIVE WHICH ARE FOR ADOPTION

a The Housing Strategy

Resolved (with no votes against), on the recommendation of the Executive Councillor for Housing and Health, that

1. The Housing Strategy 2003/2008 and its associated statistical appendix be approved for submission to the Office of the Deputy Prime Minister.
2. The powers to make factual changes to the text prior to its submission to the Deputy Prime Minister be delegated to the Director of Community Services provided that such changes have no policy implications.

b Provisional Revenue Outturn for 2001/02 and Budget carry Forward Requests into 2002/03

Resolved, on the recommendation of the Leader, to agree the carry forwards detailed in Appendix A to the report of the Director of Finance and the virement of £126,000 from Finance General to the Central R & R Fund.

c Medium term Strategy

Resolved (by 21 votes to 14), on the recommendation of the Leader,

- 1) To agree the budget strategy and process for the 2003/04 budget cycle as outlined in section 13 [paragraphs 13.1 to 13.24 refer] and Appendix O of the MTS document.

In particular:

- (i) that the net General Fund budget (after use of Reserves) be limited to £15,800,000 at this stage [paragraph 13.22 refers];
 - (ii) that the adjusted gross expenditure, for the purpose of calculating committee cash limits, should exclude contractual / agreement obligations; as identified in paragraphs 13.14 to 13.21.
- 2) To agree the revised General Fund revenue and reserves projections as shown in Appendix G, and the associated decisions in section 8, of the MTS document. Specifically:-
- 3) To agree a Priority Policy Fund of £100,000 per annum commencing in 2003/04. (Paragraphs 8.41 to 8.43 refer).
- 4) To authorise the Director of Finance to calculate final cash limits for committees based on the decisions taken in this report, based on the method shown in Appendix P.
- 5) To express support for the HRA budget process and strategy as outlined in Section 13 [paragraphs 13.25 to 13.29 refer] and Appendix H.
- 6) To agree the revised Capital Plan as shown in Appendix K [paragraphs 12.9 to 12.11 also refer], and the funding as shown in Appendix J [paragraphs 12.5 to 12.8 also refer] of the MTS document.
- 7) To approve the new bids received in the current scrutiny committee cycle. The Deputy Leader (after Commercial and Human Resources Scrutiny Committee) approved two project appraisals (paragraph 11.3 refers):
 - A new bid for inclusion in the Capital Plan - Upgrading electricity supply in the Guildhall at a cost of £125,000 funded from existing Repair and Renewals Funds

- An amendment to the Capital Plan for renewal of Guildhall lifts where costs have increased from £70,000 to £120,000, the increase of £50,000 being met from existing Repair and Renewals Funds.
- 8) To approve the changes to the Counterparty List [paragraph 6.8 and Appendix C refer].

02/46 QUARTERLY REPORT ON EXECUTIVE DECISIONS TAKEN UNDER SPECIAL URGENCY

In accordance with the Constitution (page 150, paragraph 17.3), the Leader submitted a report to Council on executive decisions taken under the provisions of 'Special Urgency' (page 149, paragraph 16), as set out below.

Since 23 May, under Special Urgency a decision concerning a change in the terms of the Development Agreement between the Council and Turnstone Estates Limited regarding the former Cattle Market site had been made; a Record of Decision had been circulated with the agenda for Council.

02/47 EXECUTIVE DECISIONS TAKEN OUTSIDE THE BUDGET FRAMEWORK

In accordance with the Constitution (page 161, paragraph 6), the Leader submitted a report to the Council of a decision not wholly in accordance with the Council's budget for 2002/03. The Leader had approved an amendment to the Capital Plan in relation to the refurbishment of the Corn Exchange, the details of which were set out in a Record of Decision circulated with the agenda for Council.

02/48 TO CONSIDER THE RECOMMENDATIONS OF COMMITTEES WHICH ARE FOR ADOPTION

Standards Committee: 19 June 2002

02/S/10 Local Protocol Registering Gifts and Hospitality

Subject to the insertion of the words 'and Deputy Mayor' in the penultimate paragraph of the section on The Register, so as to read as follows:

'Gifts and hospitality offered to the Mayor and the Deputy Mayor, in their capacity as Mayor or Deputy Mayor, do not have to be declared in the Hospitality register, although they may still need to be declared as 'Code of Conduct' interests at meetings.'

It was **resolved** (with no votes against) to agree the registration of gifts and hospitality below a value of £25 as a local protocol.

Civic Affairs Committee: 16 July 2002

02/CIV/1 Amendments to the Council's Constitution

Resolved (by 22 votes to 0) to approve the alterations to responsibilities of executive councillors and corrections of minor drafting errors in the Constitution set out in the appendix to these minutes

Planning Committee: 24 July 2002

Site Visits by Planning Committee Members – Travel Expenses

On 24 July the Planning Committee had been asked to take a view on an issue which was subject to decision by the Council, on whether attendance at site meetings should be an approved duty. The background legislation and powers of local authorities in this respect were set out in the agenda for the Committee and this meeting of the Council. If it were to be agreed, the officers would need to monitor the effect on the relevant budget and take appropriate action if it appeared that additional resources would be needed. The probable financial implications were felt to be insignificant.

The Planning Committee was minded to agree, subject to the amendment of the phrase 'site meetings' to 'site visits'.

Councillor Durrant proposed and Councillor Bradnack seconded the following amendment that, as there were implications for members of other committees carrying out site visits, the matter be referred to the appropriate committee for wider consideration. On a show of hands the amendment was carried unanimously.

Resolved (unanimously)

1. to agree in principle that attendance by members of Planning Committee as site visits should be an approved duty
2. to refer the issue to Civic Affairs Committee for consideration of the implications of other members carrying out site visits.

02/49 ORAL QUESTIONS

Question	Question by	Answer by
Does the Chair (of Planning Committee) continue to hold the view that members should join the Planning Committee by choice and not by compulsion?	Councillor Bradnack	Councillor Slatter
It is clear that Buchan Street Community Centre is a priority, but will there be funding in next year's budget allocated to the Centre so that it remains open beyond 2002/03?	Councillor Bell	Councillor Joye Rosenstiel

Bearing in mind the Stephen Lawrence Inquiry and the Race Relations (Amendment) Act, is the Leader of the Council aware of the insensitivity of placing a statement about engaging the city's black and ethnic minority communities in the context of a long list of actions to address street sweeping, building cleaning, abandoned cars, graffiti and fly-posting, public toilets and bins, in the Annual Statement of the Council for 2002-03?

Councillor Callaghan

Councillor Howarth

02/50 NOTICE OF MOTION: SKATEPARKS PROPOSAL

Councillor Blencowe proposed and Councillor Hannah Reed seconded the following motion:

'This Council regrets the long delay in the former Community Development and Leisure Committee's proposal for two skate parks – one on Jesus Green, the other on Donkeys Common coming to the Council's Planning Committee for decision. It further regrets that the previous planning applications for these proposals were withdrawn after the May elections and not allowed to come to Planning Committee for resolution as was expected, even allowing for an extended month of public consultation which may have been necessary.'

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

Councillor J Rosenstiel proposed and Councillor Knowles seconded the following amendment:

'Delete all after 'Planning Committee for decision' and insert:

'The Council confirms its intention, following further consultation, for two Planning applications to be made in respect of the facilities. Lastly, the Council endorses the decision to provide a temporary facility on Donkey's Common for twenty seven days in August 2002 and thanks the officers involved in bringing this project to fruition.'

On a show of hands the amendment was carried by 26 votes to 0.

Resolved (by 25 votes to 0) that this Council regrets the long delay in the former Community Development and Leisure Committee's proposal for two skate parks – one on Jesus Green, the other on Donkeys Common coming to the Council's Planning Committee for decision. The Council confirms its intention, following further consultation, for two Planning applications to be made in respect of the facilities. Lastly, the Council endorses the decision to provide a temporary facility on Donkey's Common for twenty

seven days in August 2002 and thanks the officers involved in bringing this project to fruition.

02/51 NOTICE OF MOTION: ACCESS TO COUNCIL'S RESOURCES

Councillor Bagnall proposed and Councillor Bradnack seconded the following motion:

'This Council is committed to the principle that its resources should be accessible to individuals and organisations willing and able to support and further its corporate aims and objectives. It will therefore encourage external organisations alone, or in partnership with others and/or City Council departments, to bid for resources to enable the Council's aims and objectives to be pursued by means of (a) grants budgets, (b) Priority Policy Fund and (c) Committee budgets.'

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

Councillor Howarth proposed and Councillor Rosenstiel seconded the following motion:

'Delete all after 'aims and objectives' and insert:

It will therefore consider bids for funding from external organisations which support and further its aims as part of the process for making grants, with the possibility of executive councillors making bids for extra funding either within existing cash limits or to the PPF if existing grants budgets are insufficient. The Council also notes paragraph 2.37 of the Medium Term Strategy, which requires those making all new bids to consider a partnership approach to delivering any new or enhanced service.'

On a show of hands the amendment was carried by 23 votes to 0.

Resolved (by 25 votes to 0) that this Council is committed to the principle that its resources should be accessible to individuals and organisations willing and able to support and further its corporate aims and objectives. It will therefore consider bids for funding from external organisations which support and further its aims as part of the process for making grants, with the possibility of executive councillors making bids for extra funding either within existing cash limits or to the PPF, if existing grants budgets are insufficient. The Council also notes paragraph 2.37 of the Medium Term Strategy, which requires those making all new bids to consider a partnership approach to delivering any new or enhanced service.

02/52 TO RECEIVE RECORDS OF DECISIONS MADE BY MEMBERS OF THE EXECUTIVE

The Council received the records of decisions made by Executive Councillors.

02/53 TO RECEIVE THE MINUTES OF THE FOLLOWING COMMITTEES WHICH ARE FOR INFORMATION

The Council received the minutes of Committees presented for information.
The Council concluded its business at 10.45pm.

MAYOR

Minute 02/45c**Appendix****CIVIC AFFAIRS COMMITTEE
16 July 2002****Amendments to the Council's Constitution**

Page References are to the Council's Constitution

1. Page 38

Transfer sixth bullet point in para 2.3.4.1 on page 38 to para 2.5.1 on page 40 (Responsibilities of the Executive Councillor for Commercial and Human Resources).

This would transfer responsibility for Council Tax, National Non-Domestic Rates and Housing Benefit from the Leader to the Executive Councillor for Commercial and Human Resources.

2. Page 39

(1) In para 2.4.3.2 on page 39, for "Supervision of the borrowing and lending of money and management of the Council's debt" substitute "Supervision of the borrowing of money and management of the Council's cash flow". (2) In the same paragraph, for "Other detailed financial management matters, including the writing off of debts" substitute "Other detailed financial management matters, except for the writing off of debts". (3) Add "the writing off of debts except where the responsibility of the Executive Councillor for Housing and Health" to para 2.5.1 on page 40 (Responsibilities of the Executive Councillor for Commercial and Human Resources).

This would move responsibility for writing off debts from the Leader to the Executive Councillor for Commercial and Human Resources, apart from rent debts, which are the responsibility of the Executive Councillor for Commercial and Human Resources.

3. Page 40

Delete the indented text following the final bullet point in para 2.4.2.

This removes a duplication of text.

4. Pages 43 and 44

Amend the responsibilities of Executive Councillors in accordance with the following table:

Topic	Under New Constitution	Reassign to
Monitoring and control of air pollution	Environment portfolio (page 43 of the Constitution) and Housing & Health portfolio (page 44)	Environment Portfolio
Monitoring and control of noise pollution	Environment portfolio (page 43) and Housing & Health portfolio (page 44)	Environment
Water pollution	Housing & Health (page 44)	Environment
Control of dogs and other animals and all matters concerned with animal welfare and control.	Housing & Health (page 44)	Environment
Control of pests and nuisances	Housing & Health (page 44)	Environment
Drainage & sewerage	Housing & Health (page 44)	Environment

This removes a duplication in respect of air and water pollution and implements the changes approved by Environment and Housing and Health Committees in November 2001.

5. Page 45

In Para 2.7.1.2 Add “by tenants and former tenants” to follow: “The management of the Housing Revenue Account including debts owed to it”

This brings the description of the responsibilities of the Executive Councillor for Housing and Health into line with the provisions for writing off debts at page 77 of the Constitution.

6. Page 73

In para 9.3.1.(a), delete from “the appropriate” in line 1 to “£500 and” in line 4.

This removes the requirement for officers to consult members before approving grants to outside bodies which do not exceed £1,000. There would still be a need to report grant approvals to the next Scrutiny meeting.

7. Page 75

In paragraph 7, delete “Chair of City Board” and substitute “the Leader”.

8. Page 77

Substitute “Commercial and Human Resources” for references to “Administration, Staffing and Assets”.

9. Page 98

In the first box on that page, substitute reference to “Executive Councillor for Strategy/Leader” by reference to “Executive Councillor for Commercial and Human Resources”.

This brings the provisions for delegation to officers into line with the change of responsibility for the collection of tax and rates and administration of Council Tax and Housing Benefit recommended above.

10. **Page 98**

Delete the reference in the second box to a power delegated by the Executive Councillor for Strategy/Leader and Executive Councillor for Housing and Health to “authorise the giving of consent by the Council as mortgagee in respect of minor routine matters not affecting the Council’s security under the mortgage”.

This is a duplication of a delegation from the Executive Councillor for Commercial and Human Resources, within whose remit this falls (see page 86).