

**MINUTES OF THE ANNUAL
COUNCIL MEETING**24 June 2004
11.00am- 4.30pm

PRESENT: The Mayor (Councillor White), Deputy Mayor (Councillor Callaghan), Councillors Adey, Adigun-Harris, Armstrong, Bailey, Baker, Barrett-Payton, Benstead, Blencowe, Boyce, Bradnack, Cantrill, Churchill, Coleman, Dixon, Downham, Dryden, Durrant, Ellis-Miller, Hart, Herbert, Hipkin, Holland, Hughes, Hymans, James, Liddle, McPherson, Nimmo-Smith, Phillips, Reid, Rosenstiel C, Rosenstiel J, Smart, Slatter, Smith J, Smith R, Stebbings, Taylor and Ward.

FOR THE INFORMATION OF THE COUNCIL**04/31 APPOINTMENT OF MAYOR 2004/2005**

Councillor McPherson proposed and Councillor Slatter seconded the nomination of Councillor Dryden as Mayor for the municipal year 2004/2005.

Resolved that Councillor Dryden be elected Mayor for the municipal year 2004/2005 (Councillor Dryden then made the statutory declaration of acceptance of the office of Mayor).

04/32 APPOINTMENT OF DEPUTY MAYOR 2004/2005

Councillor J Smith proposed and Councillor J Rosenstiel seconded the nomination of Councillor Hipkin as Deputy Mayor for the municipal year 2004/2005.

Resolved that Councillor Hipkin be elected Deputy Mayor for the municipal year 2004/2005 (Councillor Hipkin then made the statutory declaration of acceptance of the office of Deputy Mayor).

04/33 MINUTES

The minutes of the meeting of the Council held on 20 May 2004 were confirmed as a correct record and signed by the Mayor.

04/34 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	John Ernest Durrant, Caroline Julie Hart, Richard John Smith
Arbury	Rhodri Mark James, Anthony Jack Hymans, Timothy Derek Ward
Castle	Marie-Louise Holland, John Hipkin, Simon Philip Jonathan Kightley
Cherry Hinton	Robert Paul Dryden, Russell Neil McPherson, Eric William Barrett-Payton
Coleridge	Bernaneth Magdaline Callaghan, Jeremy Benstead, Lewis Herbert
East Chesterton	Jennifer Anne Bailey, Jennifer Susan Liddle, Donald Marshall Adey

Kings Hedges	Louise Ann Downham, Primrose Elizabeth Hughes and Maria Elizabeth Bell
Market	Joye Elizabeth Rosenstiel, Michael Shepherd Dixon, Colin Richard Rosenstiel
Newnham Petersfield	Sian Tudor Reid, Julie Elizabeth Smith, Roderick Giles Cantrill Thomas Benjamin Bradnack, Victoria Phillips, Kevin Wayne Blencowe
Queen Edith's	Amanda Joan Taylor, Richard John Stebbings, Alan Reginald Harold Baker
Romsey	Catherine Helen Lindsay Smart, Iain James Coleman, Sarah Freeland Ellis-Miller
Trumpington	Philippa Mary Slatter, Edrich Adigun-Harris, Sheila Barri Churchill
West Chesterton	Michael Ian Nimmo-Smith, Diane Kay Armstrong, Raymond Alan Boyce

04/35 **MAYOR'S CHAPLAIN**

The Council noted that the appointment of Mayor's Chaplain for the municipal year 2004/2005 would be made at a later date.

04/36 **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 third person appointed to this role was Jenny Negus an Adventure Scout.

04/37 **TO PASS A RESOLUTION OF THANKS TO THE OUTGOING MAYOR AND MAYORESS**

Resolved unanimously on the proposition of Councillor Hipkin, seconded by Councillor Durrant, that this Council expresses its appreciation of the manner in which the duties of Mayor and Mayoress were discharged by Councillor David White and Mrs Alena White during their period of office and that the Common Seal be affixed to a copy of this resolution for presentation to them.

04/38 **MAYOR'S ANNOUNCEMENTS**

Apologies

Apologies were received from Councillors Bell and Kightley.

Civic Service – Sunday, 27th June 2004

The Mayor stated that Councillors had received notification of the civic service due to take place in Holy Trinity Church on Sunday, 27th June.

Work Experience Student

The Mayor reported that Camilla Herbold from the Council's twin city of Heidelberg would be coming as a work experience student for three weeks, spending time on the Environment & Planning reception desk, with the Highway Engineers' Team and with Environmental Health & Protection.

No 104 (City of Cambridge) Squadron Air Training Corps

The Mayor said that the City Council had contributed towards the cost of a new banner for No 104 (City of Cambridge) Squadron Air Training Corps. The banner incorporated the City of Cambridge colours and would be paraded at civic activities the Squadron took part in.

Mayor's charities

The Mayor announced that he had chosen one of the charities to support during his mayoral year - the Cambridge Breast Unit. He would announce the other at a later date.

04/39 TO ELECT FROM AMONG THE MEMBERS OF THE COUNCIL FOUR BAILIFFS OF THE CITY FOR THE MUNICIPAL YEAR 2004/2005

Councillor Nimmo-Smith proposed and Councillor C Rosenstiel seconded that Councillors Adey, James and Stebbings be appointed as bailiffs.

Councillor Bradnack proposed and Councillor Durrant seconded that Councillor McPherson be appointed as a bailiff.

Resolved that Councillors Adey, James, McPherson and Stebbings be appointed as bailiffs of the city for the municipal year 2004/2005.

04/40 DECLARATIONS OF INTEREST

Agenda Item 14: Recommendation from the Executive Councillor for Planning & Transport – Local Plan: Redeposit Draft

Councillor Durrant declared a personal interest as Co-Chair of Cambridge Futures.
Councillor Nimmo-Smith declared a personal interest in relation to the Addenbrookes site designations.

Councillor J Rosenstiel declared a personal interest as a Trustee of Cambridge United Charities.

Councillor J Smith declared a personal interest as an employee of Cambridge University in relation to the Cambridge University Press site.

Councillor Taylor declared a personal interest as an employee of Cambridge University Press.

04/41 **TO CONSIDER THE RECOMMENDATIONS OF CIVIC AFFAIRS COMMITTEE (14 June) WHICH ARE FOR ADOPTION**

04/civ/24 **Review of Decision Making and Scrutiny**

1(i) Composition of Working Party

Councillor C Rosenstiel proposed the following amendment:

Delete 'comprising of 4 Lib Dems and 2 Labour (membership being Cllrs C Rosenstiel, Boyce, James, J Smith plus 2 Labour) and **insert:**

'comprising 10 members, 6 Lib Dems (Cllrs C Rosenstiel, Boyce, Adigun-Harris, Bailey, James and J Smith), 3 Labour (Cllrs Bradnack, Durrant, Herbert) plus Cllr Barrett-Payton.

The amendment was agreed without a vote.

Resolved that the composition of the Working Party be as set out above.

1(ii) Election of Chair and Vice Chair

Resolved -

That Councillor C Rosenstiel be elected Chair and Councillor Boyce (27 votes, Councillor Bradnack 11 votes) be elected Vice Chair.

2 Terms of Reference of the Working Party

Resolved, without a vote, that the Terms of Reference of the Working Party be agreed as set out below:

'To make recommendations to the Strategy Scrutiny Committee and Civic Affairs Committee on changes to the decision making and scrutiny functions of the Council and associated changes to the Council's Constitution.'

04/CIV/25 **Changes to the Constitution: Executive Councillor for Environment**

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

Delete 'appended extract of the Constitution' and **insert** 'amended extract of the Constitution circulated at the meeting'.

Resolved

1) (by 27 votes to 11) that the Environment portfolio be divided between two Executive Councillors as set out in the extract of the Constitution circulated at the

meeting and

- 2) to retain the present responsibilities of scrutiny committees.

04/CIV/26 **Amendments to Members' Allowances Scheme**

Councillor C Rosenstiel's proposal, seconded by Cllr Boyce, that a further recommendation be added, as set out below, was approved by 27 votes to 0:

'That for the purposes set out in the sheet, the Conservative member be accorded the status of a group and awarded a spokesperson allowance for two committees.'

Resolved (by 27 votes to 0) that

- 1) the SRAs for Licensing Committee are split 50:50 between the two Chairs, Vice Chairs and spokespersons of the two Licensing Committees.
- 2) an additional Executive Councillor SRA is established.
- 3) for the purposes set out in the sheet, the Conservative member be accorded the status of a group and awarded a spokesperson allowance for two committees.

04/CIV/27 **Election of Leader and Executive Councillors**

Resolved (by 27 votes to 1)

That Councillor Ian Nimmo-Smith be elected Leader for the municipal year 2004/05 and that the Executive be made up of a further six members of the Council as follows:

Deputy Leader (also with responsibility for City Centre Development and Strategic IT) – Councillor Colin Rosenstiel

Executive Councillor for Commercial & Human Resources – Councillor Jennifer Liddle
Executive Councillor for Community Development & Leisure – Councillor Joye Rosenstiel

Executive Councillor for Environmental Services– Councillor Iain Coleman

Executive Councillor for Housing & Health – Councillor Catherine Smart

Executive Councillor for Planning & Transport – Councillor Jenny Bailey

03/CIV/28 **Appointment of Committees 2004/05**

The Mayor drew the Council's attention to amendments to recommendation 1 –size and membership of committees - which had been circulated around the Chamber.

Councillor C Rosenstiel proposed that the Labour Group only be allocated 2 places on each of the Strategy and Commercial & Human Resources Scrutiny Committees so as not to exceed their entitlement of 24 committee places and that Councillor Barrett-Payton therefore be allocated the spare place on each of those committees.

Resolved (by 27 votes to 10)

That the size of committees and membership be as indicated in the table below.

SCRUTINY COMMITTEE	SIZE	LIBERAL DEMOCRATS (ALTERNATE)	LABOUR	CONS
STRATEGY	9	Ward, Adigun-Harris, Boyce, Cantrill, James, Phillips (Taylor)	Bradnack Durrant	Barrett-Payton
COMMERCIAL & HUMAN RESOURCES	9	Adigun-Harris, Taylor, Armstrong, Ellis-Miller, Hymans, Reid (Boyce)	Hughes, Bradnack	Barrett-Payton
COMMUNITY DEVELOPMENT & LEISURE	9	J Smith, Slatter, Boyce, Ellis-Miller, Kightley, Stebbings (Hymans)	Bradnack, Callaghan Hughes	-
ENVIRONMENT	9	Reid, Ward, Adey, Baker, Churchill, Holland (Kightley)	Durrant, Bradnack, Herbert	-
HOUSING & HEALTH	9	James, J Smith, Adey, Armstrong, Kightley, Stebbings (Churchill)	Blencowe, Herbert, Downham	-
CITY CENTRE DEVELOPMENT	6	Dixon, Boyce, Cantrill, Churchill (Holland)	Durrant Hart	-
STRATEGIC IT	6	Reid, Ward, James, Churchill (Slatter)	Downham McPherson	-

REGULATORY COMMITTEES	SIZE	LIBERAL DEMOCRATS (ALTERNATE)	LABOUR	CONS
PLANNING	9	Baker, Slatter, Dixon, Bailey, Hipkin, Reid (Hymans)	Blencowe, R Smith, Dryden	-
LICENSING (This committee will deal with applications under the 2003 Act)	15 ~	Liddle, Dixon, Bailey, Phillips, C Rosenstiel, Slatter Churchill	Benstead, Blencowe, R Smith	-
	~ 10 now 5 to follow of which J Rosenstiel, Kightley and Boyce are 3			
LICENSING 'old regime'	6	J Rosenstiel, J Smith, Dixon, Liddle (Baker)	Benstead, Downham	-
CIVIC AFFAIRS	6	C Rosenstiel, Boyce, Stebbings, Ward (Taylor)	R Smith, Hart	-
EMPLOYMENT APPEALS SUB	6	Smart, Boyce, J Smith, Stebbings	Hughes, R Smith	-
HOMELESSNESS APPEALS COMMITTEE		Any three members comprising the Housing & Health Scrutiny Committee	Downham	
STANDARDS COMMITTEE	8*	Stebbing, Boyce, Hymans	R Smith, McPherson	Barrett-Payton
	* including 2 external members who wish to continue Ms Hobbs and Dr Clark			
CAMBRIDGE ENVIRONMENT & TRANSPORT AREA JOINT	6	C Rosenstiel, Baker, Holland, Reid, (Bailey)	Blencowe, Hughes	-

03/CIV/28 Appointment of Chairs and Vice Chairs 2004/05**Resolved** (by 27 votes to 11)

That the Chairs and Vice Chairs of Committees for 2004/05 are as follows:

Scrutiny Committees	Chair	Vice-Chair
Strategy	Ward	Adigun-Harris
Commercial & Human Resources	Adigun-Harris	Taylor
Community Development & Leisure	J Smith	Slatter
Environment	Reid	Ward
Housing & Health	James	J Smith
City Centre Development	Dixon	Boyce
Strategic IT	Reid	Ward
Regulatory/Sub Committee	Chair	Vice-Chair
Planning	Baker	Hipkin
Licensing	Liddle	Dixon
Licensing ('old regime')	J Rosenstiel	J Smith
Taxi Licensing Sub	J Rosenstiel	J Smith
Civic Affairs	C Rosenstiel	Boyce
Employment Appeals Sub	Smart	Stebbings
Homelessness Appeals	James	J Smith
Standards	Stebbings	Louise Hobbs (external member)
Area Committees	Chair	Vice-Chair
North	Ward	James
South	Slatter	Stebbings
West/Central	Hipkin	J Smith
East	Durrant	Blencowe

04/42 ANNUAL STATEMENTS

Councillors Nimmo-Smith and Bradnack spoke on their groups' priorities for the forthcoming municipal year.

04/43 ADOPTION OF ANNUAL STATEMENT

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

Resolved (by 27 votes to 10)

That the Annual Statement of the Liberal Democrat Group, as appended to the agenda, be adopted as Council policy for 2004/2005.

04/44 PUBLIC QUESTION TIME

No members of the public wished to address the Council.

04/45 RECOMMENDATION FROM THE EXECUTIVE COUNCILLOR FOR PLANNING & TRANSPORT - LOCAL PLAN REDEPOSIT DRAFT

Under paragraph 16 of the Council Procedure Rules (page 133) of the Constitution the Executive Councillor for Planning and Transport, Councillor Bailey, introduced this item.

All members had been circulated a copy of the Local Plan Redeposit draft.

The Mayor drew members' attention to an addition to Appendix 1 circulated prior to the meeting.

Councillor Bradnack's proposal that: "Council is recommended to ask the Executive Councillor for Planning & Transport to undertake a full transport assessment subject to the consideration of budgetary implications." was lost by 10 votes to 26.

Resolved (by 24 votes to 8)

- 1) that the further changes set out in Appendix 1 to the agenda be approved.
- 2) the Redeposit Draft Local Plan be adopted, as amended in 1) above, for public consultation from 13 September 2004.

04/46 REPORT OF THE MONITORING OFFICER ABOUT OMBUDSMAN FINDING OF MALADMINISTRATION WITH INJUSTICE

The Council's Monitoring Officer reported on a finding by the Local Government Ombudsman (LGO) of Maladministration with Injustice by the Council. The report of the LGO had been circulated to members, in accordance with the Local Government & Housing Act 1989. Members were required to consider and advise the LGO, within 3 months of its receipt, of the action it proposed to take in response to the findings.

The Housing and Health Scrutiny Committee and Executive Councillor for Housing and Health had considered the report at a special meeting on 26 May. The decisions of the Executive Councillor for Housing and Health were set out in a record of decision circulated to members with the report of the LGO. The Housing and Health Scrutiny Committee had recommended that the Council make a formal apology to the complainants who had suffered as a result of the Maladministration.

Resolved that

- 1) the Council make a formal apology to the complainants.
- 2) the decisions of the Executive Councillor for Housing and Health be noted and the Local Government Ombudsman be advised of the actions taken.

04/47 ORAL QUESTIONS**Question**

1. What does she think that Cambridge residents make of the claim in her party's recent election manifesto that 'the council has been particularly successful in terms of managing traffic congestion' across the city in light of the informed assessment of experienced Stagecoach bus drivers that Cambridge has the worst traffic congestion of any English city or town they visited? (Cambridge Evening News 12/6/04).

Question by

Councillor
Herbert

Answer by

Councillor
Bailey

2 Does she accept responsibility for schools using Kings Hedges Learner Pool for swimming being told by the City Council at one day's notice that SLM will no longer provide swimming coaching to schools using the pool?

Councillor
Bradnack

Councillor J
Rosenstiel

3 Does he know what the boundaries of the Petersfield ward are?

Councillor
Bradnack

Councillor C
Rosenstiel

04/48 NOTICE OF MOTION – SCRUTINY AND DECISION MAKING

Councillor Bradnack proposed and Councillor Durrant seconded the following motion:

'This Council accepts the finding in the Comprehensive Performance Assessment Inspectors' report that the way it makes and scrutinizes its decisions is too complicated, does not deliver effective scrutiny, and leave members uncertain of their roles.

In the light of the research subsequently carried out by BMG for the Council, the Council agrees that the processes would be improved by adding the following to the 7 principles which it has sought to fulfill in making and scrutinizing decisions.

1. There should be a more robust separation of powers of Executive and Scrutiny functions within the Council
2. Executive members should be more directly and publicly accountable, both collectively and individually, for delivery of Council policies
3. The committee system which existed before the Local government Act, which survives in Cambridge's Scrutiny committees almost alone amongst local authorities, which replicates service functions, should be replaced by cross-cutting Executive and Scrutiny functions which specifically reflect the Council's corporate objectives which are supposed to express policies of the Council approved by the electorate.
4. Local communities should have opportunities to meet those exercising Executive and Scrutiny functions across the Council at least once a year, in their own localities. '

On a show of hands, under paragraph 13.7.2 of the Council Procedure Rules, it was

agreed, by 22 votes to 8, not to deal with the motion at this meeting. The motion stood referred to the next meeting of the Civic Affairs Committee.

04/49 TO NOTE THE RECORD OF MEMBERS' ATTENDANCES AT COMMITTEE, SUB-COMMITTEE AND WORKING PARTY MEETINGS DURING 2003/2004

Resolved that the Record of Members' attendances at Committee, Sub-Committee and Working Party Meetings during 2003/2004 be noted.

The Council concluded its business at 4.30pm

Mayor