

MINUTES OF COUNCIL MEETING9 September 2004
6.00pm - 9.40pm

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

FOR THE INFORMATION OF THE COUNCIL**04/50 MINUTES**

The minutes of the Council meeting held on 24 June 2004 were confirmed as a correct record and signed by the Mayor.

04/51 MAYOR'S ANNOUNCEMENTS**a) Appointment of Chaplain for 2004/2005**

Father Peter Edwards will serve as the Mayor's Chaplain during the mayoral year.

b) Presentation of Resolution of Thanks to former Councillor White

Former Councillor David White was presented with a framed copy of the Council's resolution of thanks for his year of Mayoralty.

c) Apologies

Apologies for absence were received from Councillors Armstrong, Bradnack, Callaghan, Downham, Hipkin, Holland and J Smith.

d) Peter Studdert

The Director of Environment and Planning, Peter Studdert, will be leaving the Council after 13 years service to take up a position with the Infrastructure Partnership. The Mayor wished Mr Studdert well in his new role and thanked him for his contribution to the City of Cambridge.

e) Summer in the City

The Mayor thanked Council staff for organising a wide range of public events throughout the summer.

f) Guild of Mace Bearers

In August the City Council hosted, for the first time, members of the Guild of Mace-Bearers.

g) Re-Enactment of Stourbridge Fair

On Saturday, 11 September 2004 the ancient Stourbridge Fair will be re-enacted on the

grounds of Leper Chapel, Newmarket Road. The Mayor advised that the Fair dated back to the sixteenth century and was abolished in 1934.

h) Twinning

An invitation had been sent to Szeged for a delegation to visit from 18-22 November 2004.

Representatives from Heidleberg will visit Cambridge in the near future to discuss a conference on sustainability which will take place in Heidelberg in March 2005.

i) Harvest Festival Civic Service

The annual harvest festival civic service will take place on Sunday, 10 October at 9:30 am.

j) Local Democracy Week

As part of local democracy week a Council Open Day has been arranged for Thursday, 21 October.

k) Remembrance Sunday

The service will be held on 14 November at Great Saint, Mary's Church at 10:45am.

l) Mayor's Charities

The Mayor announced that in addition to the Cambridge Breast Unit at Addenbrooke's he would be supporting the Mid Anglia General Practitioner Accident Service (MAGPAS). He said that the first fund raising event for MAGPAS will be held on Wednesday 27 October.

m) Declarations Of Interest

Item 4 (iii) Stock Options Appraisal

Cllrs C & J Rosenstiel declared a personal interest as they leased a garage from the Council.

Cllr Hymans declared a personal interest as he leased a garage from the Council.

Cllr Stebbings declared a personal interest as a council tenant.

Item 7 c Cam Conservators

Cllr Nimmo-Smith declared a personal interest as a City Council's representative on the Conservators.

Cllr Bailey declared a personal interest as she rowed for a club that used the river.

Cllr J Rosenstiel declared a personal interest as she is in regular contact with a person who owns a house boat on the river.

04/52 PUBLIC QUESTION TIME

No member of the public wished to address the Council.

04/53 TO CONSIDER THE RECOMMENDATIONS OF THE EXECUTIVE FOR ADOPTION**(i) General Fund Revenue and Capital Final Outturn for 2003/04 and Budget Carry Forward requests**

RESOLVED (by 20 votes to 0):

- 1) To approve the changes to carry forward requests, with a corresponding net reduction in use of reserves of £9,040, so that the final carry forward requests as shown in Appendix C are fully funded.
- 2) To fund capital scheme overspends in 2003/04 of £68,000 and to bring forward resources to fund re-phased capital spending of £74,000 from 2004/05 into 2003/04, as detailed in Appendix B.

(ii) Medium Term Strategy 2004/05-2008/09

RESOLVED (by 21 votes to 0):

A - Revenue (General Fund)

1) To agree the budget strategy and process for the 2005/06 budget cycle as outlined in section 13 [paragraphs 13.1 to 13.35 refer] and Appendix O of the MTS document. In particular:-

- a) that the net General Fund budget (after use of reserves) be limited to £15,885,450 at this stage [paragraph 13.19 refers];
- b) that the adjusted gross expenditure, for the purpose of calculating committee cash limits, should exclude in-term contractual / agreement obligations (IT and the Swimming Service contracts); as identified in paragraphs 13.12 to 13.17.

2) To agree the revised General Fund revenue, funding and reserves projections as shown in Appendix G, and the associated decisions in section 8, of the MTS document. Specifically:-

Priority Policy Fund

- a) To agree to funding of £500,000 per annum commencing in 2005/06. [Paragraphs 8.31 to 8.34 refer].

New Revenue Approvals

- a) To agree the inclusion of the unavoidable items identified in the MTS [paragraph 8.75 and Table 12 refers] and new bids [paragraph 8.76 and Table 13 refers]

3) 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.

B - Revenue (HRA)

To express support for the HRA budget process and strategy as outlined in Section 13 and Appendix H.

C - Capital

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.

To approve the inclusion of unavoidable items relating to additional domestic refuse and recycling rounds in 2005/06 [paragraph 11.7 and Table 16 refer].

D - Treasury Management

To approve the changes to the Counterparty List being recommended to Council [paragraph 6.10 and Appendix C refer].

(iii) Stock Option Appraisal

The Executive Councillor for Housing and Health made the following recommendations to Council:

- 1 To concur in the conclusions of the financial report, prepared by Housing Quality Network (HQN), that retention, ALMO and stock transfer are viable and practicable stock options to achieve the minimum landlord standard.
- 2 To agree that, for the reasons set out in paragraph 7.9.1, 8.5.1 and 8.5.2 of the officers' report, PFI (Public Finance Initiative) and Unsupported Borrowing are not options for Cambridge.
- 3 To seek tenants' preferences to the viable and practicable options set out in recommendation 1 above by means of a ballot to be held in October 2004.
- 4 To recognise that while sheltered housing can be repaired to the minimum landlord standard, or better, the longer-term aims to modernise the dwellings cannot be achieved through stock retention or the creation of an ALMO.
- 5 In the event of stock transfer not being chosen as an option, the Officers report to a future meeting of the Housing & Health Scrutiny Committee with a strategy setting out alternative ways of bringing the properties up to modern standards.

Cllr Blencowe proposed and Cllr Herbert seconded the following amendments to the Executive Councillor for Housing and Health's recommendations:

Recommendation 3: delete 'in October 2004' and insert ' which should be held only after a real assessment of the viable options can be shared with tenants in such a way as to enable them to

make an informed choice’.

Recommendation 4: add ‘and that the problems which sheltered housing will face should be addressed as part of a whole package, not shunted into a siding to be dealt with at a later stage’.

Recommendation 6 (addition): That a response of 35% to the tenants’ ballot would be the minimum required for the council to make either an informed judgment about tenants’ preferences or well-founded policy decisions in respect of housing stock options.

Following debate the amendments were lost by 8 votes to 24.

The Council **RESOLVED** (by 24 votes to 2):

- 1 To concur in the conclusions of the financial report, prepared by Housing Quality Network (HQN), that retention, ALMO and stock transfer are viable and practicable stock options to achieve the minimum landlord standard.
- 2 To agree that, for the reasons set out in paragraph 7.9.1, 8.5.1 and 8.5.2 of the officers’ report, PFI (Public Finance Initiative) and Unsupported Borrowing are not options for Cambridge.
- 3 To seek tenants’ preferences to the viable and practicable options set out in recommendation 1 above by means of a ballot to be held in October 2004.
- 4 To recognise that while sheltered housing can be repaired to the minimum landlord standard, or better, the longer-term aims to modernise the dwellings cannot be achieved through stock retention or the creation of an ALMO.
- 5 In the event of stock transfer not being chosen as an option, the Officers report to a future meeting of the Housing & Health Scrutiny Committee with a strategy setting out alternative ways of bringing the properties up to modern standards.

04/54 TO CONSIDER THE RECOMMENDATIONS OF COMMITTEES FOR ADOPTION

(i) 04/CIV/30 Amendment to the Constitution

The Council **RESOLVED** (by 24 votes to 8):

- (a) To delete from the Constitution reference to the Homelessness Appeals Committee: (paragraph 5.7 of Part 3 – Discharge of Council Functions).
- (b) To add text to the table in Part 3, Section 3, para 3.1.2, clarifying that homelessness appeals will cease to be the responsibility of a “Regulatory/Appeals Sub-Committee”.

(ii) 04/CIV/31 Review of Decision Making

Committee made the following recommendations to Council:

- 1) That the principles and criteria listed in paragraph 5.6 of the report are agreed as those that should be used to shape any revised decision making and scrutiny structure for the Council.
- 2) That any revised decision making and scrutiny structure for the Council is designed to address the key issues arising from Member and officer consultation listed in paragraphs 6.2.1 to 6.2.8 of the report.
- 3) That in criteria 3, 'efficient' is defined as "A revised decision making and scrutiny system that will deliver the other 7 criteria and principles using minimum resources" and,
- 4) That in terms of resources, the starting point for a revised decision making and scrutiny structure is that it should cost no more than the existing system.
- 5) That the Member Working Group consider the issues raised in Councillor Bradnack's motion to Council on 24th June 2004, work up options for a revised decision making and scrutiny structure for the Council that complies with 2.1, 2.2 and 2.3 above, and report to Strategy Scrutiny and Civic Affairs Committees in November 2004 and to Council in December 2004 so that a preferred option can be agreed.

Cllr Benstead proposed and Cllr Herbert seconded the following amendment in regard to recommendation 1:

Section 5.6(viii) of the officer's report be deleted and replaced with:

'The times and dates of meetings should be as predictable as can be compatible with effective executive and scrutiny activities of the council'.

Following debate the amendment was lost by 8 votes to 23.

The Council **RESOLVED** (by 24 votes to 0):

- 1) That the principles and criteria listed in paragraph 5.6 of the report are agreed as those that should be used to shape any revised decision making and scrutiny structure for the Council.
- 2) That any revised decision making and scrutiny structure for the Council is designed to address the key issues arising from Member and officer consultation listed in paragraphs 6.2.1 to 6.2.8 of the report.
- 3) That in criteria 3, 'efficient' is defined as "A revised decision making and scrutiny system that will deliver the other 7 criteria and principles using minimum resources" and,

4) That in terms of resources, the starting point for a revised decision making and scrutiny structure is that it should cost no more than the existing system.

5) That the Member Working Group consider the issues raised in Councillor Bradnack's motion to Council on 24th June 2004, work up options for a revised decision making and scrutiny structure for the Council that complies with 2.1, 2.2 and 2.3 above, and report to Strategy Scrutiny and Civic Affairs Committees in November 2004 and to Council in December 2004 so that a preferred option can be agreed.

(iii) 04/S/10 Planning code of practice

The Council **RESOLVED** (by 24 votes to 0):

To adopt the draft Planning Code of Good Practice which will supplement the Code of Conduct for Members (Councillors).

04/55 ORAL QUESTIONS

	Question	Question by Councillor	Answer by Councillor
1	At which Council meeting, and by what decision process, was the new majority party policy approved formally by the Council, that black bin collection must switch from weekly to fortnightly?	Cllr Herbert*	Cllr Coleman

* The Mayor allowed Councillor Herbert to put the question as Councillor Bradnack was absent.

04/56 MOTION A: RECYCLING

Cllr Herbert proposed and Cllr Durrant seconded the following motion:

'The Council is concerned that diversion by the Council of dry household recyclables (paper, glass etc) fell in the first quarter of 2004/5 compared to both

- the previous quarter, and
- both the first and second quarters of 2003

resulting in a marked fall in efficiency, and suggesting that increased council investment has been both badly promoted and delivered, a pattern that will prevent the Council from reaching its future recycling targets and result in major financial loss from reduced performance rewards and increased financial penalties.

The Council notes the commitment in the Liberal Democrat Annual Statement to: *'Use a special consultation process to find out how residents think we can best achieve even higher rates of recycling, while providing a high quality waste*

service that offers good value for money; and which options for changing the current recycling and refuse collection systems will be most effective in helping us achieve our goals'.

The Council regrets that the citywide questionnaire now proposed by the Liberal Democrat administration

- lacks objectivity, transparency and clarity
- is designed to prevent the public expressing a clear, simple, majority opinion on the issue of weekly or fortnightly black bin collection
- gives respondents inadequate opportunity to identify their own local concerns e.g. their preferences and needs for different containers and/or collection methods appropriate for their type of housing

and in consequence

- does not offer residents either a 'special' or even an adequate consultation.
- will not lead to a publicly endorsed survey and efficient outcomes, such as increased public backing for the preferred option, greater awareness on recycling and composting, and greater recycling scheme productivity

The Council therefore urges the Executive Councillor for Environmental Services

- to add 'continued weekly black bin collection' to the questionnaire, as one of the options on which the public are asked to vote
- to expand questions and comment opportunities to enable residents to express their preferences on different containers and/or collection methods, to maximise the efficiency of future waste and recycling provision
- to ask officers to bring a report to the next scrutiny committee after the survey is completed including specifically
 - the full results of the questionnaire
 - proposals for tackling dry recycling underperformance by increasing both efficiency and effective marketing of the existing recycling and compost collections
 - additional proposals to improve the service including options for service variations to match the needs of different housing types, and
 - expanding waste minimisation by households, colleges and schools.

Under paragraph 13.8.1 of the Council Procedure Rules it was agreed to deal with the motion at the meeting.

Cllr Coleman proposed and Cllr Reid seconded the following amendment.

Delete all after the first 'The Council' and replace with:

"recognises the demand of Cambridge residents for an excellent recycling service and the need to protect the environment by recycling more waste. It

further recognises that, in order to meet the Government's target of 36 % domestic waste recycling in 2005/6, as well as its own higher aspirations for future years, it is necessary to make a fundamental shift in thinking to make recycling the central feature of waste management.

The Council reaffirms its commitment to achieve this higher recycling rate while providing a high quality waste service that provides good value for money, and to designing the new service in the light of public feedback through a City-wide public consultation exercise. This consultation will provide the people of Cambridge with an unprecedented opportunity to give the Council detailed information about their current recycling practices, the types and quantity of waste their household produces, and any barriers which prevent them from recycling more of their waste. It will also put before the people of Cambridge a range of realistic options which can meet the 36% recycling target, including all options which were proposed by members of the working group which considered details of the consultation.

The Council resolves that officers will provide a preliminary report on the results of the questionnaire to the Environment Scrutiny Committee in November, and will provide a comprehensive report to that committee in time for the next budget round. They will also report on proposals for improving publicity concerning recycling, for service variations to deal with differing household needs as expressed through the questionnaire, and for promoting waste minimisation, in time to be considered in the next budget round. The Council intends that the new recycling scheme will not be bound by a 'one size fits all' approach, and may be built up from a combination of the options put before residents in response to the different needs and desires of households."

On a show of hands the amendment was carried 22 votes to 9.

It was **RESOLVED** (by 23 votes to 9) that:

The Council recognises the demand of Cambridge residents for an excellent recycling service and the need to protect the environment by recycling more waste. It further recognises that, in order to meet the Government's target of 36 % domestic waste recycling in 2005/6, as well as its own higher aspirations for future years, it is necessary to make a fundamental shift in thinking to make recycling the central feature of waste management.

The Council reaffirms its commitment to achieve this higher recycling rate while providing a high quality waste service that provides good value for money, and to designing the new service in the light of public feedback through a City-wide public consultation exercise. This consultation will provide the people of Cambridge with an unprecedented opportunity to give the Council detailed information about their current recycling practices, the types and quantity of waste their household produces, and any barriers which prevent them from recycling more of their waste. It will also put before the people of Cambridge a range of realistic options which can meet the 36% recycling target, including all

options which were proposed by members of the working group which considered details of the consultation.

The Council resolves that officers will provide a preliminary report on the results of the questionnaire to the Environment Scrutiny Committee in November, and will provide a comprehensive report to that committee in time for the next budget round. They will also report on proposals for improving publicity concerning recycling, for service variations to deal with differing household needs as expressed through the questionnaire, and for promoting waste minimisation, in time to be considered in the next budget round. The Council intends that the new recycling scheme will not be bound by a 'one size fits all' approach, and may be built up from a combination of the options put before residents in response to the different needs and desires of households.

04/57 MOTION B: TRAVELLERS

Cllr Benstead proposed and Cllr Blencowe seconded the following motion:

'In the light of recent guidance from central government in PPG3 and elsewhere, and experience in the city and surrounding districts, and the costs associated with recent occupation of unauthorised sites in the city by travellers, this council recognises that it lacks a single point of contact for consulting with other local authorities on travellers and addressing issues relating to their needs, and commits itself to the principle that it should designate a single officer with responsibility for issues relating to travellers'.

Under paragraph 13.8.1 of the Council Procedure Rules it was agreed to deal with the motion at the meeting.

It was **RESOLVED** unanimously that:

In the light of recent guidance from central government in PPG3 and elsewhere, and experience in the city and surrounding districts, and the costs associated with recent occupation of unauthorised sites in the city by travellers, this council recognises that it lacks a single point of contact for consulting with other local authorities on travellers and addressing issues relating to their needs, and commits itself to the principle that it should designate a single officer with responsibility for issues relating to travellers.

04/58 MOTION C: CONSERVATORS

Cllr J Rosenstiel proposed and Cllr Nimmo-Smith seconded the following motion:

'The City Council deeply regrets the decision of the Cam Conservators to unilaterally ban moorings on Midsummer Common and calls upon the Conservators to reverse this decision at their meeting on 23rd September, pending the outcome of the City Council consultation on the future of moorings

along the banks of the River Cam. The Council urges the Conservators to work with the university and college boat clubs to explore ways of reducing congestion on the river by means of a scheme of traffic management'.

Under paragraph 13.8.1 of the Council Procedure Rules it was agreed to deal with the motion at the meeting.

It was **RESOLVED** unanimously that:

The City Council deeply regrets the decision of the Cam Conservators to unilaterally ban moorings on Midsummer Common and calls upon the Conservators to reverse this decision at their meeting on 23rd September, pending the outcome of the City Council consultation on the future of moorings along the banks of the River Cam. The Council urges the Conservators to work with the university and college boat clubs to explore ways of reducing congestion on the river by means of a scheme of traffic management.

04/59 RECORDS OF DECISION

The Council received the records of decisions made by Executive Councillors as set out in the agenda.

04/60 TO RECEIVE THE MINUTES OF COMMITTEES FOR INFORMATION

Members noted the minutes from the committees as set out in the agenda.

The Council concluded business at 9:40pm.

MAYOR