

MINUTES OF COUNCIL MEETING28 April 2005
6.00pm – 9.20pm

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

FOR THE INFORMATION OF THE COUNCIL**05/12 MINUTES**

The minutes of the Council meeting held on 24 February 2005 were confirmed as a correct record and signed by the Mayor.

05/13 MAYOR'S ANNOUNCEMENTS**APOLOGIES**

Apologies received from Cllrs Adey, Bell, Holland and Reid

CLEANER CITY AWARDS

The Mayor had visited the National Exhibition Centre in Birmingham on 1st March as a guest of the British Cleaning Council as Cambridge had reached the final ten town and cities in Britain's Cleanest City Competition. Sadly, Cambridge did not win the competition, but had received a Certificate of Merit in recognition of its achievement in reaching the final stage.

The Mayor asked that the Council's appreciation of the hard work undertaken by our City Services employees who, in all weathers, strive to keep our streets clean be placed on record.

VISIT TO SZEGED

The Mayor was due to visit Cambridge's twin City of Szeged during the period 7 to 11 May, 2005. He was to be accompanied by Councillor Ian Nimmo-Smith, the Director of Environment and Planning, the University Registry and David White, who is a member of the Cambridge-Szeged Society.

REACH FAIR

Councillors were reminded that Reach Fair was on Monday 1 May and any who had not yet purchased their pennies for Reach Fair were asked to do so that evening, as they would not be available at the rendezvous point this year.

DECLARATIONS OF INTEREST

There were no declarations by members.

CHANGE OF ORDER OF BUSINESS

The Mayor said that under Paragraph 4.21 of the Constitution he was using his discretion to change the order of business. This was so that item 4, the Business remaining from the Council's meeting on 24 June 2004, could be taken immediately before the related item for adoption from Civic Affairs Committee, the Changes to the Council's Decision Making and Scrutiny Structure.

05/14 PUBLIC QUESTION TIME

No members of the public wished to address the Council.

05/15 TO CONSIDER THE RECOMMENDATIONS OF THE EXECUTIVE FOR ADOPTION

i Community Safety Strategy

Councillor Bradnack was of the view that, whilst the "APEC" model of crime reduction worked particularly well in local communities, it could not be transferred undamaged to larger geographical entities.

He also stated that the strategy referred to "enforcement powers" in relation to problems associated with street life but that it did not specify what enforcement powers would be used. He pointed out that the council has still not agreed to support the use of "designated public places orders" to prohibit the public consumption of alcohol, while it had agreed to the use of dispersal orders, which had created some problems of dispersal

Councillor Bradnack said it was not clear from the Strategy how performance would be measured against the targets of:

- o 'reduction of the fear of crime in the city';
- o 'significant reduction' in incidence of fly-posting; and
- o reduction in anti-social behaviour such as drug and alcohol abuse, vandalism and assaults as a result of investment and innovative partnership working.

He referred to the target which aimed "to reduce the number of people who think that drunk and rowdy behaviour, and people being attacked because of their skin colour ethnic origin or religion is a big/fairly big problem to 15%." Councillor Bradnack was concerned that this should not be seen only as an issue of altering perception and that the strategy should also tackle behaviour which gave rise to such perceptions.

Finally Councillor Bradnack said that there was no commitment in the strategy to further expanding mobile CCTV resources.

RESOLVED (unanimously) to approve the final draft of the Cambridge Community Safety Strategy 2005-2008 set out as appendix 1 to the report.

ii Corporate Overview - General Fund Revenue and Capital Budgets, Carry Forwards and Significant Variances for 2004/05

RESOLVED (by 24 votes to 0)

(i) to use £433,660 of reserves required to fully fund the carry forwards, listed in Appendix A, taking account of the projected net revenue position in 2004/05, as shown in Appendix B.

(ii) to fund capital scheme overspends in this year of £4,000 from general reserves and to carry forward resources to fund rephased capital spending of £4,045,000 from 2004/05 into 2005/06, as detailed in Appendix C, subject to the final outturn position.

(iii) to delegate to the Director of Finance, in consultation with the Leader, Chair and spokes of Strategy Scrutiny Committee, authority to approve variations to the provisional carry forward requests and approve any new carry forwards into 2005/06 which may be raised in the July cycle of Scrutiny meetings; having regard to the final outturn position.

05/16 TO CONSIDER THE RECOMMENDATION OF CIVIC AFFAIRS COMMITTEE ON 13 APRIL 2005 FOR ADOPTION: 05/CIV/01 CODE OF CORPORATE GOVERNANCE

RESOLVED (unanimously) to approve the Code attached as Appendix A to the report.

05/17 BUSINESS REMAINING FROM COUNCIL (24 JUNE 2004) – MOTION ON COUNCIL'S DECISION MAKING AND SCRUTINY STRUCTURE

Under Paragraph 4.21 of the Constitution the Mayor changed the order of business so that item 4 on the agenda, the Business remaining from the Council's meeting on 24 June 2004, could be taken immediately before the related item for adoption from Civic Affairs Committee, the Changes to the Council's Decision Making and Scrutiny Structure.

Councillor Bradnack having proposed the motion at the Council's meeting on 24 June 2004, Councillor Durrant seconded the motion as follows.

'This Council accepts the finding in the Comprehensive Performance Assessment Inspectors' report that the way it makes and scrutinises 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. '

RESOLVED (by 22 votes to 12) that no further action be taken on this motion.

05/18 TO CONSIDER THE RECOMMENDATION OF CIVIC AFFAIRS COMMITTEE ON 13 APRIL 2005 FOR ADOPTION: 05/CIV/02 DETAILS OF PROPOSED CHANGES TO THE COUNCIL'S DECISION MAKING AND SCRUTINY STRUCTURE

RESOLVED (by 22 votes to 12)

- (i) To approve the proposed changes to the Council's decision making and scrutiny structure as set out in the report.
- (ii) That, subject to (i) above, the Head of Legal Services be instructed to draft amendments the Council's Constitution, as necessary, in order to support the proposed changes to the Council's decision making and scrutiny structure. The amended Constitution to be reported to Civic Affairs Committee on 9 May 2005 and Council on 19 May for final approval.

05/19 ORAL QUESTIONS

1 Cllr Bradnack to Exec Cllr for Community Development and Leisure (Cllr J Rosenstiel)

Does the Executive Councillor accept that the standards of cleansing of the changing rooms at Parkside Pools give grounds for serious concern and remedial action?

2 Cllr Downham to the Executive Councillor for Planning & Transport (Cllr Bailey)

On the 8th February 2005 Councillors received an update on verge parking and it states, suggestions for a pilot scheme will be considered at Environment Scrutiny Committee in March when the Executive Councillor will choose ONE pilot scheme. North Area Committee minutes 10th February 2005 states, Cllr Bailey advised that a pilot scheme for each ward had been devised and would be presented to the Environment Scrutiny Committee for consideration.

No bye-law grass verge pilot schemes were submitted for consideration in March to the Environment Scrutiny committee, can Cllr Bailey please explain why no pilot schemes were presented in March to the above Committee to consider?

3 From Cllr Herbert to the Executive Councillor for Planning & Transport (Cllr Bailey)

For how long has the Executive Councillor known of the need to reinstate the damaged paving and landscaping in front of Queen Anne Terrace carpark and Parkside Pool, that has been left in an awful state for months despite being raised several times with officers, when will this mess be sorted out, and who will pay for the reinstatement ?

4 From Cllr Herbert to the Executive Councillor for Environmental Services (Cllr Coleman)

When did the Executive Councillor become aware that the Liberal Democrat Spring 2005 newsletter, sent to most Cambridge households, makes untrue and damaging claims that all types of plastic trays and wrapping marked with an identifying number will be collected

and recycled by the City Council later this year, and what has he done to date to correct this falsehood ?

05/20 MOTION A: CITY COUNCIL EMERGENCY TRAVELLER SITE

Under paragraph 26 of the Council Procedure Rules, the Council consented to Cllr Downham's request to amend her motion as published in the agenda.

Cllr Downham proposed and Cllr Blencowe seconded the following motion as amended:

This council acknowledges that there have been seven unauthorized encampments in 2004 and two already in 2005, and that the council should respond to government initiatives to secure adequate provision for traveller encampment. It therefore asks the Executive to identify a site or sites on which emergency encampment facilities can be provided and managed within the city, on land at the rear of the park and ride site at Cowley Rd or elsewhere, which could enable an effective relationship to be formed between the council and the travelling community, and which would reduce both the harmful local impact, and the costs incurred by cleansing and enforcement services, from recent and threatened practices of unauthorised camping.

It asks the City Council to ensure that all recognised groups who will be affected by this decision are now asked for their views and should it prove that there is support for the cycling restriction to be retained, that the Area Joint Committee be asked to reconsider its decision.

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

Cllr Nimmo-Smith proposed and Cllr Smart seconded the following amendment:

'This council acknowledges that there have been seven unauthorized encampments in 2004 and two already in 2005, and that the council should respond to government initiatives to secure adequate provision for traveller encampment. It therefore endorses action already taken to ask officers to report to the appropriate Executive Councillor and Scrutiny Committee as to how emergency encampment facilities could be provided and managed, and identifying a site or sites which would be suitable. This could enable an effective relationship to be formed between the council and the travelling community, and which would reduce both the harmful local impact, and the costs incurred by cleansing and enforcement services, from recent and threatened practices of unauthorised camping. '

On the show of hands the amendment was carried by 19 votes to 10.

RESOLVED (by 20 votes to 4) that:

This council acknowledges that there have been seven unauthorized encampments in 2004 and two already in 2005, and that the council should respond to government initiatives to secure adequate provision for traveller encampment. It therefore endorses action already taken to ask officers to report to the appropriate Executive Councillor and Scrutiny Committee as to how emergency encampment facilities could be provided and managed, and identifying a site or sites which would be suitable. This could enable an effective relationship to be formed between the council and the travelling community, and which would reduce both the harmful local impact, and the costs incurred by cleansing and enforcement services, from

recent and threatened practices of unauthorised camping.

05/21 RECORDS OF DECISION

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

05/22 TO RECEIVE THE MINUTES OF COMMITTEE FOR INFORMATION

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

The Council concluded business at 9.20pm

MAYOR