

**MINUTES OF THE ANNUAL COUNCIL MEETING**19 May 2005  
11.10am – 6.15pm

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

**FOR THE INFORMATION OF THE COUNCIL****05/24 ELECTION OF MAYOR 2005/2006**

Councillor Baker proposed and Councillor R Smith seconded the nomination of Councillor Hipkin as Mayor for the municipal year 2005/2006.

**Resolved** that Councillor Hipkin be elected Mayor for the municipal year 2005/2006 (Councillor Hipkin then made the statutory declaration of acceptance of the office of Mayor).

**05/25 ELECTION OF DEPUTY MAYOR 2005/2006**

Councillor McPherson proposed and Councillor J Smith seconded the nomination of Councillor Dryden as Deputy Mayor for the municipal year 2005/2006.

**Resolved** that Councillor Dryden be elected Deputy Mayor for the municipal year 2005/2006 (Councillor Dryden then made the statutory declaration of acceptance of the office of Deputy Mayor).

**05/26 MINUTES**

The minutes of the meeting of the Council held on 28 April 2005 were confirmed as a correct record and signed by the Mayor.

**05/27 MAYOR'S CHAPLAIN**

The Council noted the appointment of the Reverend Dr John Binns as the Mayor's Chaplain for the municipal year 2005/2006.

**05/28 TO NOTE THE APPOINTMENT OF THE MAYOR'S CADET FOR THE ENSUING YEAR**

The Council noted the appointment of Philip Richards, a member of the Cambridge Woodcraft Folk, as Mayor's Cadet for the ensuing year.

**05/29 TO PASS A RESOLUTION OF THANKS TO THE OUTGOING MAYOR AND MAYORESS**

**Resolved** unanimously, on the proposition of Councillor Hart, seconded by Councillor Joye Rosenstiel, and supported by Cllr Barrett-Payton, that this Council expresses its appreciation of the manner in which the duties of Mayor and Mayoress were discharged by Councillor

Robert Dryden and Mrs. Sandra Dryden during their period of office and that the Common Seal be affixed to a copy of this resolution for presentation to them.

#### 05/30 **MAYOR'S ANNOUNCEMENTS**

##### 1 **Apologies**

Apologies for absence were received from Councillors Armstrong, Bell and Reid.

2 **Visitors** The Mayor welcomed pupils from the Spinney School in Cherry Hinton to the meeting. The Spinney School had recently set up a link of friendship with a school in Heidelberg, and the former Mayor, Councillor Robert Dryden, had been along to the school on a number of occasions this year.

3 **Civic Church Service** - The Civic Church Service to mark the start of a new mayoral year, during which the Mott Sermon would be preached, would take place at Holy Trinity Church on Sunday, 22 May. All councillors had received details of this service, and the Mayor hoped that members will be able to support him on this occasion.

4 **Midsummer Fair** - The Proclamation of Midsummer Fair was to take place on Wednesday, 22 June at 6.30 p.m. Details would shortly be circulated to Members and the Mayor hoped Members would be able to support this event.

5 **Twinning link with Heidelberg** - In July, the City would host the Oberbürgermeisterin and civic guests from Heidelberg. Their visit coincided with the 40th anniversary since Cambridge signed the Friendship Agreement and various events had been planned, including a service of peace and reconciliation at Great St. Mary's Church on 10 July which marked the 60th anniversary of the cessation of the Second World War. Details of the weekend's activities would be circulated, but the Mayor would especially value Members' support at the civic reception on 8 July when the Honorary Freedom of the City will be conferred upon Heidelberg and at the civic service on the 10 July.

6 **Mayor's Charities** – The Mayor said that the Charities for his year of office would be Romsey Mill and Wintercomfort.

#### 05/31 **TO ELECT FROM AMONG THE MEMBERS OF THE COUNCIL FOUR BAILIFFS OF THE CITY FOR THE MUNICIPAL YEAR 2005/2006**

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

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

**Resolved** that Councillors Bailey, James, McPherson and Stebbings be appointed as bailiffs of the city for the municipal year 2005/2006.

#### 05/32 **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 Ward declared a personal interest as a frequent user of Cambridge Airport.

### **Cambridge East Area Action Plan**

Councillor Nimmo-Smith declared a personal interest as a members of Cambridgeshire Horizons

### **Notice of Motion - Mayor's for Peace**

Councillor Hipkin declared a personal interest as he would be participating in events related to the Mayor's for Peace programme of events

### **05/33 TO CONSIDER THE RECOMMENDATIONS OF CIVIC AFFAIRS COMMITTEE (9 May) WHICH ARE FOR ADOPTION**

#### **05/CIV/14 Amendments to the Constitution**

The Mayor permitted Mr Sweeney, member of the Housing Management Board, to address the Council on the proposed changes to the Housing Management Board.

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

1. That the following provision on co-option to the Community Services Scrutiny Committee is substituted for that set out in paragraph 4 of the officers' report:

**“The Community Services Scrutiny Committee shall co-opt three tenants or leaseholders to contribute to its discussions in respect of the Committee's housing scrutiny responsibilities. The elected representatives of tenants and leaseholders on the Housing Management Board shall be invited to nominate people for co-option under this rule.”**

On a show of hands this was carried by 21 votes to nil.

2. That the following changes are made to the recommended terms of reference for the Housing Management Board, as set out in Appendix A:
  - a) **Under “Who represents the City Council” and also in the first bullet point under paragraph 3.1, delete “who shall also be members of the Community Services Scrutiny Committee”.**

On a show of hands this was carried by 33 votes to nil.

- b) **Under “Appointed by”, delete “Community Services Scrutiny Committee” and substitute “The Council”.**

On a show of hands this was carried by 33 votes to nil.

- c) **Under paragraph 3.1, delete the third bullet point; i.e. “Up to six specialists or experts who shall be co-opted to the Board from time to time as the Board shall decide.”**

On a show of hands this was carried by 23 votes to nil.

- d) **“Delete paragraph 6.3.”**

On a show of hands this was carried by 33 votes to nil.

Councillor Blencowe proposed and Councillor Herbert seconded the following amendments

On page 76 of the Constitution in paragraph 6.4 under Terms of Reference (Community Services Scrutiny Committee: ‘alter wording ‘excluding pre-scrutiny’ to ‘excluding scrutiny’ ‘

On a show of hands this was lost by 10 votes in favour and 22 against.

On page 76 of the Constitution in paragraph 6.8 under Terms of Reference (Housing Management Board: ‘In the first line, after ‘Pre-scrutiny’ add ‘and post-scrutiny’ ‘

On a show of hands this was lost by 10 votes in favour and 22 against.

In Section 8 under paragraph 8.8, “in the first line of paragraph 2.3, after ‘pre-scrutiny add ‘and post-scrutiny’.”

On a show of hands this was lost by 10 votes in favour and 22 against.

Councillor Barrett-Payton moved and Councillor Downham seconded the following amendment::

‘That the Council maintains the present remit and constitutional arrangements for the HMB pending a review and recommendations to Council by Civic Affairs.

That the Community Services Scrutiny Committee discharges the pre-scrutiny function in relation to non-strategic housing functions for the time being.’

On a show of hands this was lost by 10 votes in favour and 18 against.

Councillor Smart moved and Councillor James seconded a proposal that ‘the Vice Chair of Housing Management Board be appointed by and from the tenants and leaseholders of the Housing Management Board.

On a show of hands this was carried by 22 votes to nil.

In view of comments made by the members during discussion the Deputy Leader undertook to review aspects of the Housing Management Board constitution at the next meeting of Civic Affairs Committee.

**Resolved** (by 20 votes to 10)

(i) to approve the changes to the Constitution set out in Appendix A to the officers’ report, subject to the amendments agreed above **in bold text**.

(ii) That the Council authorises the Director of Central Services to make other changes to the

Constitution where, in her view, these directly give effect to the resolution on decision making passed by the Council on 28 April 2005

05/CIV/15 **Election of Leader of the Council and Executive Councillors**

**Resolved** (by 20 votes to 9)

To agree the appointments as follows 2005/06

Leader: Cllr Ian Nimmo-Smith

Deputy Leader: Cllr Colin Rosenstiel

Executive Councillor for Customer Services & Resources: Cllr Jennifer Liddle

Executive Councillor for Community Development & Leisure: Cllr Joye Rosenstiel

Executive Councillor for Environmental Services: Cllr Iain Coleman

Executive Councillor for Housing & Health: Cllr Catherine Smart

Executive Councillor for Planning & Transport: Cllr Jenny Bailey

05/CIV/16 **Appointment of Committees 2005/06**

A revised table containing all nominations had been circulated around the Chamber.

**Resolved** (by 20 votes to nil)

1) To agree the appointments for 2005/06 as follows:

<b>Scrutiny Committee</b>	<b>Size</b>	<b>Liberal Democrats (Alternate)</b>	<b>Labour</b>	<b>Conservative</b>
Strategy	9	Ward, Adigun-Harris, Boyce, Cantrill, Hymans, Phillips (Armstrong)	Bradnack, Durrant	Barrett-Payton
Customer Services & Resources	9	Adigun-Harris, Taylor, Armstrong, Ellis-Miller, Hymans, Reid (Churchill)	Hughes, McPherson	Barrett-Payton
Community Services	9	J Smith, Slatter, Ellis-Miller, Hymans, James, Kightley, (Boyce)	Blencowe, Bradnack, Callaghan	-
Environment	9	Reid, Ward, Adey, Baker, Churchill, Holland (Kightley)	Bradnack, Durrant, Herbert	-
Housing Management Board	9	James, J Smith, Armstrong, Kightley, Slatter, Stebbings (Ward)	Blencowe, Downham, Herbert	-
City Centre Development	6	Dixon, Boyce, Cantrill, Churchill (Holland)	Durrant, Hart	-

<b>Regulatory Committee/Sub Committee</b>	<b>Size</b>	<b>Liberal Democrats (Alternate)</b>	<b>Labour</b>	<b>Conservative</b>
Planning	9	Baker, Slatter, Dixon, Bailey, Hipkin, Reid (Hymans)	Blencowe Dryden R Smith	-
Licensing 2003 Act	15	Liddle, Dixon, Bailey, Boyce, Churchill, Holland, Hymans, Phillips, C. Rosenstiel, Slatter	Benstead, Blencowe, Downham, Dryden, R Smith (McPherson)	-
Licensing Miscellaneous	6	J Rosenstiel, Hymans, Dixon, Liddle (Baker)	Benstead, Blencowe	-
Civic Affairs	6	C Rosenstiel, Boyce, Stebbings, Ward (Taylor)	Hart R Smith	-
Employment Appeals Sub	6	Smart, Boyce, Julie Smith, Stebbings	Hughes R Smith	-
Standards Committee*	8	Taylor, Stebbings, Hymans	R Smith, Dryden	Barrett-Payton
*(This Appointment Includes Two 'External Members' - Ms Hobbs And Dr Clark).				
Cambridge Environment & Transport Area Joint	6	C Rosenstiel, Bailey, Baker, Reid, (Churchill)	Blencowe, Herbert	-

2) That four Area Committees: North (Arbury, Kings Hedges, East Chesterton and West Chesterton) South (Cherry Hinton, Queen Edith's and Trumpington), East (Abbey, Coleridge, Petersfield and Romsey) and West/Central (Castle, Market and Newnham) be appointed with membership comprising those members representing the wards within the relevant Area Committee.

#### 05/CIV/17 **Appointment of Chairs and Vice Chairs 2005/06**

The Council noted the Liberal Democrat nominations. The Labour Group proposed alternative Chairs, which on a vote were lost. The name of the Labour nominee and the vote are included in brackets.

Re. the Vice Chair of the HMB, Councillor Smart proposed (seconded by Councillor James) that the tenants and leaseholders of the HMB appoint the Vice Chair.

#### **Resolved –**

That the Chairs and Vice Chairs for 2005/06 be as follows:

Committee	Chair	Vice-Chair
Strategy	Cllr Ward by 20 votes to 8 votes for Cllr Bradnack	Cllr Adigun-Harris
Customer Services & Resources	Cllr Adigun-Harris by 20 votes to 9 votes for Cllr McPherson	Cllr Taylor
Community Services	Cllr J Smith by 19 votes to 9 votes for Cllr Bradnack	Cllr Slatter
Environment	Cllr Reid by 20 votes to 9 votes for Cllr Durrant	Cllr Ward
Housing Management Board	Cllr James by 19 votes to 10 votes for Mr Sweeney	A tenant rep.
City Centre Development	Cllr Dixon by 19 votes to 10 votes for Cllr Durrant	Cllr Boyce

	Chair	Vice-Chair
Planning*	Cllr Baker by 19 votes to 10 votes for Cllr R Smith	Cllr Hipkin
* The Deputy Mayor took the Chair for this Appointment		
Licensing 2003 Act	Cllr Liddle by 19 votes to 9 votes for Cllr Downham	Cllr Dixon
Licensing Miscellaneous	Cllr J Rosenstiel by 18 votes to 9 votes for Cllr Blencowe	Cllr Hymans
Taxi Licensing Sub	Cllr J Rosenstiel	Cllr Hymans
Civic Affairs	Cllr C Rosenstiel by 18 votes to 8 votes for Cllr Hart	Cllr Boyce
Employment Appeals Sub	Cllr Smart	Cllr Stebbings
Standards	Cllr Taylor by 19 votes to 9 votes for Cllr Dryden	Louise Hobbs (external member)

Area Committee	Chair	Vice-Chair
North	Ward	James
South	Slatter	Stebbing
East	Durrant	Blencowe
West/Central	Hipkin	Cantrill

#### 05/CIV/18 **Members' Allowances 2005/06**

Councillor C Rosenstiel proposed the amended scheme as included in the table on Page 27 of the Agenda.

The amendment was agreed by 20 votes to 8.

**Resolved** (by 19 votes to 9)

That the Allowances Scheme for 2005/06 be agreed as set out in paragraph 3 of the Independent Remuneration Panel's Report (para 3 page 23 of the Agenda) and as listed in the table on page 27 as 'possible Lib Dem alternative'

**05/34 ANNUAL STATEMENTS**

Councillors Nimmo-Smith and Barrett-Payton produced written statements on their groups' priorities, which were appended to the agenda.

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

**05/35 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 19 votes to 8)

That the Annual Statement of the Liberal Democrat Group, as appended to the agenda, be adopted as Council policy for 2005/2006.

**05/36 PUBLIC QUESTION TIME**

No members of the public wished to address the Council.

**05/37 RECOMMENDATION FROM THE LEADER – BEST VALUE PERFORMANCE PLAN 2005**

Under paragraph 16 of the Council Procedure Rules (page 133) of the Constitution the Leader introduced this item.

**Resolved** (by 14 votes to 0)

- 1) To approved the draft of the Best Value Performance Plan 2005
- 2) To delegate the completion and publication of the document to the Chief Executive

**05/38 RECOMMENDATION FROM THE EXECUTIVE COUNCILLOR FOR PLANNING & TRANSPORT – CAMBRIDGE EAST AREA ACTION PLAN**

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.

Councillor Durrant proposed (seconded by Councillor Blencowe) that recommendation 4) be amended to include spokespersons. The Council agreed to the amendment unanimously.

**Resolved** (by 16 votes to 7)

- 1) Agree the proposed changes highlighted in the draft Area Action Plan as set out in Appendix A circulated separately;
- 2) Note the results of the Sustainability Appraisal
- 3) Authorise the draft AAP attached in Appendix A for the purpose of public participation;
- 4) Delegate to the Executive Councillor for Planning and Transport (in consultation with spokespersons) any material changes resultant from further information and to

the Director of Environment & Planning authority to approve any minor editing changes.

- 5) Note that the Local Development Scheme approved by the Executive Councillor (Planning and Transport) on 22 March will require amendment in light of the changed timetable for Cambridge East AAP referred to above.

## 05/39 ORAL QUESTIONS

### 1 Cllr Herbert to Cllr Smart

When the Liberal Democrats were circulating leaflets in May to Cambridge council tenants stating that 'Tony Blair's Government is refusing to let council tenants have their say on who should own their homes', had the Council (and the Executive Councillor) already received an email the previous month confirming that Go East planned to approve stock retention by the Council, as voted for by tenants and then supported by Labour and Conservative as well as Liberal Democrat Councillors, and that the only reason for the delay in a formal Go East letter was normal protocol that such issues were delayed by a month during General Elections ?

### 2 Cllr Bradnack to Cllr Nimmo-Smith

I asked the Leader the following questions relating to the Council's decision-making processes at Strategy Scrutiny in February:

"Does the Lib Dem leader acknowledge/accept that:

- The current arrangement is based on the assumption that it must enable the ruling group to fill the full range of both scrutiny and executive roles, rather than sharing them?
- Separation of powers between executive and scrutiny is a sound constitutional principle, which the current arrangements do not reflect?
- Corporate Performance Assessment gave Council an excellent rating, but said Council's scrutiny processes need development?
- The Local Government Association has said that replication of previous committee systems is not an adequate response to the needs of scrutiny?
- A 'broad' scrutiny function as proposed will also be a shallow one?
- Service failures have taken place e.g. fencing and gas contract, and internal audit has identified issues, which scrutiny process should have picked up?
- There is no specified officer responsible for scrutiny, except internal audit, which until recently was only achieving 50% of scheduled work, and until this year secured no commitment from departmental heads to implement recommendations?
- Guidance in the legislation, that post-decision scrutiny should be un-whipped, is currently a dead letter in Cambridge?
- There is a strong public perception that the Council does not provide good value for money in its service delivery?

Cllr Nimmo-Smith replied by e-mail on 12 February

' I'll be putting pen to paper on this sometime over the next week and will send you my thoughts on your questionnaire'.

On April 28 I asked why I had not received his response, to which Councillor Nimmo-Smith

replied: 'Because the questions are based on a premise which I do not share'.

Can the Leader clarify

- what premise he believes the questions were based on which he does not share;
- why he thinks this justifies his failure to meet his previous undertaking to respond;
- whether this failure has anything to do with his confession made at the same council meeting that he always seeks to avoid debates about constitutional matters?

#### 05/40 **NOTICE OF MOTION – MAYORS FOR PEACE**

Councillor Nimmo-Smith proposed the following motion (seconded by Councillor Dryden):

The Council recognises the special significance of the forthcoming civic year in which the ending of World War II, the nuclear destruction of the Japanese cities of Hiroshima and Nagasaki, and the signing of the partnership agreement with the City of Heidelberg are being marked.

The Council values the role the mayoralty can play in civic events as part of these commemorations. It welcomes the Mayor's programme of engagements in connection with the end of World War II and the Heidelberg partnership, and formally agrees to join the "Mayors for Peace" organisation for this year to press for governments to reduce and eventually abolish nuclear weapons.

On a show of hands, under paragraph 13.8.1 of the Council Procedure Rules, it was agreed, to deal with the motion at the meeting.

Councillor Bradnack proposed that the word 'Mayoral' replace 'Mayor's' in the second line of the second paragraph. The Council agreed the change.

**Resolved** unanimously

To approve the motion as amended above.

#### 05/41 **TO NOTE THE RECORD OF MEMBERS' ATTENDANCES AT COMMITTEE, SUB-COMMITTEE AND WORKING PARTY MEETINGS DURING 2004/2005**

Councillor Ward and Councillor James advised of changes to the record of attendance.

**Resolved** that the Record of Members' attendances at Committee, Sub-Committee and Working Party Meetings during 2004/2005 as amended be noted.

**Mayor**