

MINUTES OF COUNCIL MEETING8 December 2005
6.00pm – 10.05pm

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

For the Information of the Council**05/53 Minutes**

The minutes of the meeting held on 8 September 2005 were confirmed as a correct record and signed by the Mayor.

05/54 Mayor's Announcements**i. Apologies For Absence**

Apologies had been received from Councillors Adey, Bell, Ellis-Miller and Holland.

ii. Charity Events

The Mayor thanked those Councillors who had supported the event held in October for Romsey Mill. Some 250 people took the opportunity to learn about this worthy cause. The next charity event, this time in aid of Wintercomfort for the Homeless, would take place on Friday, 17 February, 2006.

A quiz night had taken place in the Guildhall on Tuesday, 29 November. Over 100 employees took part and £625 had been raised for the two Mayoral charities, Romsey Mill and Wintercomfort for the Homeless. The Mayor asked that his thanks to the organisers and the participants be recorded on such a successful result.

iii. Holocaust Commemoration

The Community Development team were to organise a commemoration evening which would take place on Thursday, 26 January, 2006

iv. Civic Church Service

The preaching of the Chevyn Sermon was to take place at Great St. Mary's Church on Sunday, 29 January. Members were asked to note this date in their diaries; notification would be sent out immediately after the Christmas/New Year break.

v. Council Achievements

The Council's Mature Apprenticeship scheme had won the Regional Workforce Development Award organised by the East of England Regional Council for Local Government Services. This made it "a double" for the Council which already held the

Regional Equalities Award for 2005.

In addition, the Revenue Services team dedicated to investigate benefit fraud had been acknowledged as being one of the best three teams in the country.

vi Declarations Of Interest

Councillors Baker, Bradnack, Dixon, Hipkin, Hughes, Hymans, Smart and R Smith declared personal interests in the following item as they were eligible for bus passes.

Item 8: Notice of Motion D: Free Bus passes

Councillor J Rosenstiel declared a personal and prejudicial interest as having given advice to the Public Questioner under item 4 (see Minute 05/56). She left the Chamber and took no part in the debate.

05/55 Petition - Mill Road DPPO (Designated Public Places Order)

A petition with 847 valid signatures had been received. The text of the petition was as below:

“We, the undersigned Cambridge city residents, wish to support statements reportedly made by the Mayor of Cambridge and Labour councillors that current levels of street drinking and associated anti-social behaviour in parts of Cambridge are unacceptable.

We understand that the power of dispersal currently given to the police by Cambridge City Council under Section 30 of the 2001 Criminal Justice and Police Act is not providing an adequate or sustainable solution to this problem.

We therefore request the City Council to adopt a stronger and more sustainable strategy to address the issue; and to give full consideration to adoption of Designated Public Places Orders for the 24 areas (see below) identified by the police for consideration by the Special Council meeting of 11th March 2004; and for such other areas as the police may recommend for addition to that list.

Sites identified by police March 2004

The immediate area around Brookfields Drug Dependency Unit and Robert Sayles depot
Vinery Rd recreation ground

Junction of Coleridge and Mill Rd Gwydir St Car Park and toilets, Dales Brewery car park and surrounding area

Ditchburn Place

Mill Rd cemetery

Parkside Pool and Donkey's Common

Peters Field

East Rd between Burleigh St and Peters Field

Norfolk/St Matthew's St

Elizabeth Way roundabout underpasses

Midsummer Common

Jesus Green

Mitcham's Corner

Chesterton Rd, from Department of Social Security to Mitcham's Corner

Victoria Rd

Willow Walk
St Andrew St
Market Square
Lion Yard and Park St car parks
Drummer St
Christ's Pieces
Fitzroy/Burleigh St"

On being called by the Mayor, the petitioners addressed the Council as follows:

Mr Roy Stamp referred to the Council's decision to seek approval to a byelaw rather than declare a DPPO (Designated Public Places Order) to counter the drinking and associated anti-social behavioral problems experienced along and in the vicinity of Mill Road.

He said that residents were of the opinion that the byelaw had not been successful and asked that the Council review its position with a view to declaring a DPPO. He said that residents and shopkeepers were attempting to improve the environment in Romsey with the co-operation of groups in the community and the Police.

Mrs Jane Shoesmith addressed the Council on the problems experienced by residents on the side streets off Mill Road who faced the effects from the behavioral problems described by Mr Stamp being decanted from Mill Road. She listed, among others, people camping in the Mill Road cemetery, gatherings held in bus shelters and alcohol and drug abuse related incidents throughout the area. Of particular concern was the use of Ditchburn Place as a focal point for this activity.

She agreed with Mr Stamp, that declaration of a DPPO would enable these problems to be addressed more effectively than the existing process. She pointed out that new people were continually entering the groups living on the streets and the situation was deteriorating. She asked what action Council proposed to take to deal with the situation.

In response to questions from members the speakers said that:

The current system resulted only in the problem moving around from one locality to another. The provision of a wet centre would enable other issues to be resolved, such as better control over alcohol consumption.

The current process had to be renewed regularly whereas the DPPO would continue over a longer period.

If the Council took no further effective action the residents would continue to bring the issue back to the Council meetings until it was resolved.

Although there was a possibility that declaration of a DPPO might result in it not being possible to hold events such as Strawberry Fair in its current form, it was not the intention of the speakers to do so.

The Leader said that the Council had been trying to find an effective solution to the problems for a number of years and he believed that the current solution was more effective than declaration of a DPPO.

However, he was sympathetic to the problems being experienced by residents and would continue to keep the situation under review and consider other options.

The matter was referred for further consideration by the Leader of the Council.

05/56 Public Question Time

Mr P Sanderson addressed the Council in relation to the compulsory purchase of his property. He had commissioned a report by a Chartered Surveyor which had shown that the property was inhabitable, contrary to the Council's view. He felt that he had been pursued unfairly on this account and would lose his family home as a result. He asked for a review of the decision by the Executive Councillor for Housing and Health.

The Executive Councillor for Housing and Health responded that the Council's action had been supported at a Public Inquiry and she had followed professional advice throughout.

05/57 Change of Order of Business

The Mayor said that under 4.2.1 of the Council Procedure Rules he would use his discretion to alter the order of business to take Motion E The Cambridge Tartan at this point of the meeting.

05/58 Motion E: The Cambridge Tartan

Councillor McPherson proposed the following motion, seconded by Councillor Bradnack:

The City Council notes that Paul Taylor, owner of 'Stuarts', the Cambridge based Highland Dress hire outfitters, has designed a unique tartan and wishes it to be known as "The Cambridge Tartan."

The tartan is registered and recognised by the Scottish Tartan Authority as unique and un-copied. It will register the tartan as "The Cambridge Tartan" if it is endorsed by the City Council.

The City Council therefore resolves to endorse the design and to support its registration as "The Cambridge Tartan".

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.

Resolved (by 23 votes to 7) that

the City Council notes that Paul Taylor, owner of 'Stuarts', the Cambridge based Highland Dress hire outfitters, has designed a unique tartan and wishes it to be known as "The Cambridge Tartan."

The tartan is registered and recognised by the Scottish Tartan Authority as unique and un-copied. It will register the tartan as "The Cambridge Tartan" if it is endorsed by the City Council.

The City Council therefore resolves to endorse the design and to support its registration as "The Cambridge Tartan".

05/59 To Consider The Recommendations of The Executive For Adoption

(i) Revised Revenue and Capital Budgets 2005/06 - Overview

Resolved (by 24 votes to 9) to

- 1) Approve, the current year funding requests of £1,234,620 and savings of £792,950, (shown in Appendix B) and the revised revenue budgets for 2005/06 (shown in Appendix A) for submission to Council, which requires a net additional use of General Fund reserves of £441,670.
- 2) Approve the following virements:
 - Virement of £30,000 within the Waste Strategy budget.

The budget identified for the PFI process for additional legal advice is no longer required. Due to the changes in refuse collection arrangements there has been increased pressure on the temporary staff budgets. Thus, it is asked that £30,000 earmarked for the PFI process be vired to the temporary staffing budget within the Waste Strategy cost centre.

- Virement to reflect Bus Shelter cleaning and maintenance arrangement:

The Bus Shelter revenue budget is predominantly used for cleaning and maintenance, a function exercised and managed by City Services. It is therefore requested that the budget is transferred to reflect this arrangement

(ii) Cambridge East Area Action Plan (AAP) - Approval Of Draft Documents For Publication For Submission To The Secretary Of State

Resolved (by 23 votes to 10) to

- 1) Agree the proposed changes highlighted in the draft AAP as set out in Appendix A;
- 2) Authorise the draft AAP attached in Appendix A for submission to the Secretary of State and for the purpose of public participation;
- 3) Delegate to the Executive Councillor for Planning & Transport (with the spokespersons being also advised) any material changes resultant from further information and to the Director of Environment and Planning authority to approve any minor editing changes.

05/60 To Consider The Recommendations Of Civic Affairs Committee On 23 November 2005 For Adoption:**i) 05/CIV/23 Code of Conduct and Declaration Of Hospitality**

The following amendment proposed by Councillor C Rosenstiel and seconded by Councillor Ward was carried by 24 votes to 0:

"Delete all after "To keep the local scheme in an amended form" and insert

'with the exclusion of gifts or hospitality of little value, e.g. light refreshments such as a drink and a snack, and the declaration of declined offers of hospitality or gifts becoming optional.'

Resolved (by 24 votes to 0)

To keep the local scheme in an amended form with the exclusion of gifts or hospitality of little value, e.g. light refreshments such as a drink and a snack, and the declaration of declined offers of hospitality or gifts becoming optional.

ii) **05/Civ/24 Constitution Rewording to Implement the Decision Made By Council to Change The Budget Making Procedure.**

Resolved (by 26 votes to 9) to amend the Constitution in accordance with the Appendix of the report:

05/61 ORAL QUESTIONS

1 Councillor Stafford to the Executive Councillor for Housing & Health (Councillor Smart)

What percentage of the homes built in private sector housing developments approved in the last three years were affordable housing?

2 Councillor Stebbings to the Executive Councillor for Environmental Services (Councillor Coleman)

Can the Executive Councillor for Environmental Services advise what procedures are in place to cover the Christmas and New Year festivities for refuse collections.

3 Councillor Phillips to the Executive Councillor for Housing & Health (Councillor Smart)

Can the Executive Councillor for Housing and Health clarify what the next steps are in terms of the consultation on the future of the St Matthews Street garages? Can she offer assurance that the option to retain some or all of the garages will be included in the consultation, and that the views of ward Councillors, local residents and the tenants of the garages will be taken into account?

4 Councillor Herbert to the Executive Councillor for Community Development & Leisure (Councillor J Rosenstiel)

On how many recent days have SLM closed Parkside pool or allowed its water temperature of Parkside pool to fall near to that in the Cam at Grantchester Meadows, why has public information been so poor, and will she ensure that SLM reimburses one-off customers who were recently charged for using a near freezing pool while SLM claimed for days that they could get the boiler fixed?

5 Councillor Herbert to the Executive Councillor for Housing & Health (Councillor Smart)

On what criteria has Tiverton House been identified as any more suitable for closure than other sheltered housing schemes, and can she instead give Tiverton House a four year lease

of life so that its future can be decided after other sheltered housing improvements, as most Tiverton residents wish?

6 Councillor Stafford to the Executive Councillor for Planning & Transport (Councillor Bailey)

To ask the Executive Councillor for Planning and Transport what action she has taken, in the several months since this issue was first raised, to ensure that disabled drivers are able to park free of charge in front of the Junction at Cambridge Leisure.

05/62 MOTION A: Sheltered Housing Strategy

Councillor Blencowe proposed and Councillor Bradnack seconded the following motion:

In light of the strong desire expressed at both Housing Management Board and Community Services Scrutiny Committee to fully investigate alternative options for delivering the Council's sheltered housing modernisation strategy other than the option recommended, options that respect the wishes of council tenants to remain with the council as reflected in the stock options ballot result, this council agrees to establish a working group of councillors, tenant representatives and appropriate council officers to carry out this process on a thorough, informed and inclusive basis and to report back to the next meeting of Housing Management Board and Community Services Scrutiny Committee in the new year.

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 Smart proposed and Councillor James seconded the following amendment:

Insert at beginning:

"The Council regrets the introduction of the system of negative subsidies by which the Government takes large sums from the rent account of Cambridge tenants to give to other areas. This now amounts to nearly £1 in 3 that the tenants pay in rent (2003/4 net payment £9,354,572: 2004/5 payment £8,831,949: 2005/6 estimated to be £7,922,000: 2006/7 estimated it will be £8,820,150) This squeezes the finances of the Housing Revenue Account preventing us from doing everything we would like to do in repairs to the houses, improvements to the estates and refurbishment of the sheltered schemes.

The Council further notes that Government cuts to the Supporting People budget mean that the City will have to lose at least 50 places in sheltered schemes over the next few years. This will be necessary because there will not be funds for more than the number of places indicated by a strict demographic formula.

The Council further notes that an Association of Retained Council Housing ('ARCH') has been formed to lobby the Government for fairer treatment for those tenants who vote to retain their Council as their landlord and resolves that the Council considers joining the Association."

Then as the first part of present motion but delete all after "option recommended"

Add at end:

“the Council welcomes the decision of the Executive Councillor for Housing and Health to hold a series of inclusive briefings for members and tenant representatives on the ongoing work of officers into the funding of the Council’s sheltered housing modernisation strategy and for a paper to be brought to the March meetings of the Housing Management Board and the Community Services Scrutiny Committee.”

On a show of hands the amendment was carried by 24 votes to 4

Councillor Bradnack proposed and Councillor Durrant seconded the following amendment

Delete the first three paragraphs of the motion as amended.

On a show of hands the amendment was lost by 12 votes to 24

Resolved (by 23 votes to 8)

The Council regrets the introduction of the system of negative subsidies by which the Government takes large sums from the rent account of Cambridge tenants to give to other areas. This now amounts to nearly £1 in 3 that the tenants pay in rent (2003/4 net payment £9,354,572: 2004/5 payments £8,831,949: 2005/6 estimated to be £7,922,000: 2006/7 estimated it will be £8,820,150). This squeezes the finances of the Housing Revenue Account preventing us from doing everything we would like to do in repairs to the houses, improvements to the estates and refurbishment of the sheltered schemes.

The Council further notes that Government cuts to the Supporting People budget mean that the City will have to lose at least 50 places in sheltered schemes over the next few years. This will be necessary because there will not be funds for more than the number of places indicated by a strict demographic formula.

The Council further notes that an Association of Retained Council Housing ('ARCH') has been formed to lobby the Government for fairer treatment for those tenants who vote to retain their Council as their landlord and resolves that the Council considers joining the Association.

In light of the strong desire expressed at both Housing Management Board and Community Services Scrutiny Committee to fully investigate alternative options for delivering the Council’s sheltered housing modernisation strategy other than the option recommended, the Council welcomes the decision of the Executive Councillor for Housing and Health to hold a series of inclusive briefings for members and tenant representatives on the ongoing work of officers into the funding of the Council’s sheltered housing modernisation strategy and for a paper to be brought to the March meetings of the Housing Management Board and the Community Services Scrutiny Committee.

05/63 Motion B: Area Committees

Councillor Bradnack proposed and Councillor Durrant seconded the following motion:

This council:

- (a) accepts the findings of the Member Survey on area consideration of planning applications which the Leader of the Council had asked to be undertaken;

- (b) understands that the conclusion the Council Leader drew from these findings attached over-riding importance to the view (supported by 18 against 11 members) that the current arrangements make it easier for the public to give their views;
- (c) acknowledges that the same conclusion might have arisen from a proposal which was not offered to change the timing of planning committee meetings;
- (d) agrees that for many people access is easier to the Guildhall than to some venues currently being used for area committee meetings
- (e) regrets that:
- the cost to the council of the current arrangements has been approximately £225,000 to pay for 1380 attendances at area committees held between Sept 2003 and July 2005, or approximately £163 per attendance;
 - public attendance at Area Committees in the current budget year continues to average just 26 individuals;
 - there is a lack of evidence that area committees have been able to improve the quality of decisions made on planning applications;
 - responsibility for promoting and administering area committees has been shared among a number of officers, which has contributed to a lack of focus in the way area committees have functioned;
 - Area Committees have given local people no direct influence on budget expenditure.

It therefore:

- (f) concludes that the decision of the Council Leader to allow planning applications to continue to be determined by Area Committees, which he made at the Strategy Scrutiny Committee on 21st November 2005, placed undue emphasis on a single consideration, and offers the council poor value for money; and
- (g) resolves not to endorse this decision of the Leader until all members of the council have had an opportunity to give equal weight to the full range of considerations raised in the consultation with members.

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.

On a further show of hands, the motion fell by 12 votes to 24.

05/64 Motion C: Fortnightly Waste Collection

Councillor Herbert proposed and Councillor Bradnack seconded the following motion:

This Council requests the Executive Councillor for Environmental Services to take urgent remedial action (in consultation with residents involved and to include different container/collection options), to eliminate two problems caused by the switch to fortnightly waste collection:

- (A) the rapid removal of piles of black bags left on inner city pavements, paths and adjacent land, currently causing health risks, obstructions to

pedestrians and spillage on to the highway

(B) to assist homes on narrow streets or with narrow pavement frontages to end waste and recycling containers being left on pavements, so all pavements are passable for wheelchairs, pushchairs and other users

and to bring forward a report on this, before the next Environment Scrutiny Committee, including proposals to extend full recycling rights to people living in flats and other areas currently getting a second class recycling service; and thus to help to make Christmas and New Year a season of good cheer rather than a festival of debris

On a show of hands, under paragraph 13.8.1 of the Council Procedure Rules, it was agreed by 24 votes to 10 not to deal with the motion at this meeting.

The motion was therefore referred to the Environment Scrutiny Committee for consideration and recommendation and the Executive Councillor for Environmental Services for decision.

05/65 Motion D: Free Bus Passes

Councillor Durrant proposed and Councillor Hart seconded the following motion:

This council welcomes the government's proposal to make free bus passes available to all pensioners, and urges the Executive Councillor to respond by introducing a 'revenue foregone' scheme by April 2007.

On a show of hands, under paragraph 13.8.1 of the Council Procedure Rules, it was agreed by 24 votes to 11 not to deal with the motion at this meeting.

The motion was therefore referred to the Environment Scrutiny Committee for consideration and recommendation and the Executive Councillor Planning for and Transport for decision.

05/66 Records Of Decision

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

05/67 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 10.05pm

MAYOR