

MINUTES OF COUNCIL MEETING13 September 2007
6.00pm – 9.55pm

Present: The Mayor (Councillor Bailey), Councillors Baker, Benstead, Blackhurst, Blair, Blencowe, Boyce, Bradnack, Cantrill, Dixon, Downham, Dryden, Durrant, Hart, Herbert, Holland, Holness, James, Levy, McPherson, Newbold, Nimmo-Smith, Pitt, Reid, Rosenstiel C, Rosenstiel J, Sadiq, Sanders, Shah, Slatter, Smart, Smith, Stuart, Walker, Ward and Zmura.

For the Information of the Council**07/48 MINUTES**

The minutes of the Annual meeting held on 24 May 2007 and the Extra-Ordinary Meeting held on 9 July were approved as correct records and signed by the Mayor.

07/49 MAYOR'S ANNOUNCEMENTS**1. APOLOGIES FOR ABSENCE**

Apologies had been received from Councillors Armstrong, Ellis-Miller, Kightley and Taylor.

2. HONORARY COUNCILLOR MRS. DORIS HOWE

It was with great regret that the Mayor reported that Honorary Councillor Mrs Doris Howe passed away on 23rd May, 2007. Mrs. Howe became a City Councillor in 1964 representing Abbey Ward and served as Mayor in 1980/81. She left the Council in 1983. Her particular interest on the Council was her work for the Housing Committee (on which she served for many years) and for Cambridge United Charities. Members stood in silence in memory of Councillor Mrs Doris Howe.

3. HARVEST FESTIVAL CIVIC SERVICE

The annual Harvest Festival Civic Service was due to take place on Sunday, 7TH October at 9.30 a.m.

4. LOCAL DEMOCRACY WEEK

As part of local democracy week, the Council would be repeating its participation in "I'm a Councillor Get Me Out of Here" and also a political speed dating session at Long Road Sixth Form College. Councilors were invited to attend the speed dating session at the College. The week commences on Monday, 15th October.

5. REMEMBRANCE SUNDAY

This year Remembrance Sunday falls on 11th November. Members noted the date and were asked to attend either the civic service to be held at Great St. Mary's Church or the service at the War Memorial at 10.45 a.m.

7 DECLARATIONS OF INTEREST

There were none.

07/50 PUBLIC QUESTION TIME

A member of the public asked what preparations the Council had made regarding a possible General Election in October.

07/51 TO CONSIDER THE RECOMMENDATIONS OF THE EXECUTIVE FOR ADOPTION**A. The Medium Term Strategy (The Leader)**

Members noted the revisions provided to the Director of Finance (circulated at the meeting) to the savings levels required as a result of the recently announced revised Employers Offer of 2.475%.

Resolved (by 22 votes to 0)

Taking into account that recommendations will be amended where necessary to reflect the updated level of savings required:

Revenue – General Fund

- 1) To agree the carry forwards, totalling £557,670 as detailed in Annexe A
- 2) To agree the budget strategy and process for the 2008/09 budget cycle as outlined in section 15 [paragraphs 15.1 to 15.48 refer] and Appendix B of the MTS document.

In particular:-

- a) that the net General Fund budget (after use of reserves) be limited to £22,168,580 at this stage [paragraph 15.24 refers];
 - b) that the adjusted gross expenditure, for the purpose of calculating committee cash limits, should exclude in-term contractual / agreement obligations (Pools Service, Housing Repairs and ICT contracts) and the Economic Development & Tourism service; as identified in paragraphs 15.18 to 15.20.
- 3) To agree the revised General Fund revenue, funding and reserves projections as shown in Appendix N, and the associated decisions in section 8, of the MTS document. Specifically:-
- a) **Priority Policy Fund** - To agree to funding of £500,000 per annum, of which £170,000 is to be earmarked for Climate Change bids, commencing in 2008/09 [paragraphs 8.97 to 8.100 refer].
 - b) **Travel Plan** – To agree to savings of £38,000 per annum being transferred into the Employee Travel Fund [paragraphs 8.22 to 8.24 refer].
- 4) 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 V.

Revenue - HRA

- 5) To express support for the HRA budget process and strategy as outlined in Section 15 [paragraphs 15.34 and 15.358] and Appendix O.

Capital

6) To agree the revised Capital Plan as shown in Appendix R [paragraphs 14.10 also refers], the revised Hold list as shown in Appendix U [paragraph 14.11 refers] and the funding as shown in Appendix Q [paragraphs 14.5 to 14.9 and 13.27 to 13.30 also refer] of the MTS document.

7) To approve the new capital approvals [paragraph 13.5 to 13.26 refer].

Treasury Management

8) To approve the changes to the Counterparty List being recommended to Council [Appendix J refers].

B. The Statement of Community Involvement (Executive Councillor for Climate Change and Growth)

The Statement of Community Involvement was set out in the Council Agenda (pages 19-87).

Resolved (by 22 votes to 0)

To adopt the Statement of Community Involvement (SCI)

07/52 TO CONSIDER THE RECOMMENDATIONS OF THE STANDARDS COMMITTEE FOR ADOPTION

07/s/16 Adoption of revised Code of Conduct for Members

(Training on the revised Code had been provided by the Head of Legal Services immediately prior to the Council meeting)

Resolved

- 1) To adopt the revised Code of Conduct for Members set out in Appendix A in place of the current Code.
- 2) That the Council retains its local scheme for the declaration of gifts and hospitality (as set out in Appendix B) as a supplement to the revised Code.
- 3) That the Council retains its 'Planning Code of Good Practice' (as set out in Appendix C) as a supplement to the revised Code.
- 4) That the Council make it a 'reasonable requirement' for members to consult the Monitoring Officer or Chief Executive before disclosing confidential information pursuant to the exemption in the Code, other than in circumstances in which such consultation would be against the public interest.
- 5) That training in the provisions of the Code should be regarded as mandatory for all councilors.

07/53 TO CONSIDER THE RECOMMENDATIONS OF THE CIVIC AFFAIRS COMMITTEE FOR ADOPTION

07/civ/30 Review of Contract Regulations

Members noted reference by the Mayor to some typographical corrections which had been circulated.

Resolved (by 22 votes to 0)

- 1) To agree to replace Part 4G of the Constitution with that set out in appendix 1.
- 2) To agree the changes to Section 9.3 of the Constitution (General Delegations) in appendix 2.

07/civ/39 Delegation of Functions under Chapter 1 of Part 1 of The Health Act 2006

(The recommendations of the Committee had been tabled).

Resolved (by 32 votes to 0)

- 1) To amend its scheme of delegation to delegate to the Head of Environmental Services:
 - (i) the power to implement and enforce the provisions of Chapter 1 of Part 1 of the Health Act 2006 and Regulations made under that Act in relation to smoke free premises, places and vehicles.
 - (ii) the power to authorise in writing any person (whether or not an officer of the City Council), either generally or specifically, to act in matters arising under Chapter 1 of Part 1 of the Health Act 2006 and Regulations made under that Act in relation to smoke free premises, places and vehicles.
- 2) To amend the terms of reference of the Licensing Committee to include exercise of the Council's functions under Part 1 of the Health Act 2006.

07/civ/40 Internal Audit report: Compliance with laws and regulations

(The recommendations of the Committee had been tabled).

Resolved -

- 1) That Section 11.3 of Part 2 of the Constitution ('Functions of the Monitoring Officer') is amended by adding the wording shown in bold below.

11.3.8 Providing advice. The monitoring officer shall provide advice on **the interpretation of the constitution**, the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy

framework issues to all councillors **and officers**.

11.3.9 Whistleblowing. The monitoring officer shall receive copies of whistleblowing allegations of misconduct in accordance with the Council's anti-fraud and corruption strategy.

11.3.10 Registers of interests. The monitoring officer shall establish and maintain registers of members' interests and gifts and hospitality.

11.3.9 (**Renumber as 11.3.11.**) Restrictions on posts. The monitoring officer cannot be the chief finance officer or the head of paid service.

- 2) That the following be added to the responsibilities of the Civic Affairs Committee as set out in Section 5.2 of Part 3 of the Constitution:

'Overall responsibility for the Council's compliance with laws and regulations.'

07/54 LOCAL GOVERNMENT OMBUDSMAN FINDING OF MALADMINISTRATION

Resolved –

That compensation recommended by the Local Government Ombudsman (LGO) be paid to the complainant and that procedures for dealing with planning applications at all committees be reviewed to address the issues raised by the LGO.

07/55 ORAL QUESTIONS

1. From Cllr Hart to Cllr Smith

I note in the record of decisions; Propagation Centre: Closure and future procurement of plants and associated services (page 244 of the Agenda). As part of the arrangements for procuring external suppliers for plants, will the location of the suppliers be taken into account in order to keep the 'bedding plant miles' to a minimum?

2. From Cllr Dryden to Cllr Stuart

What progress has been made on the Snowy Farr memorial project?

3. From Cllr Shah to Cllr Nimmo-Smith

Cambridgeshire Primary Care Trust (PCT) is proposing to end in-patient care provision of rehabilitation and continuing care services at Brookfields Hospital. The PCT is trying to move to a community based model of care provision. Does he think that the PCTs plan meet all the needs of local people or does he share the concerns that have been voiced by professionals and members of the public? If he shares these concerns can he say what steps the City Council will be taking to influence outcome of the current consultation?

4. From Cllr Bradnack to Cllr Nimmo Smith

In a letter printed 14th August in the Cambridge Evening News, you said

'In fact last year 43% of all new homes built in Cambridge were affordable'.

If this 'fact' turns out to be significantly inaccurate, will you apologise for the inaccuracy to readers of the Cambridge Evening News for misleading them, and ensure that the correct facts and figures are published in the Cambridge Evening News and in information published by the City Council.

5. From Cllr Walker to Cllr Smart

What % of this year's Home Aid budget has been spent in the first 5 months, and what % of that has been for carbon cutting insulation and improvements; and similarly for 2006/7?

07/56 MOTION: Traffic Congestion in Cambridge

Councillor Herbert proposed and Councillor Durrant seconded the following motion:

The City Council recognises the need for

- traffic congestion in Cambridge to be addressed
- a majority of local journeys in the future to be by bus, cycling or walking
- early investment in public transport and essential infrastructure improvements
- carbon emissions and pollution in the city from vehicles to be significantly reduced.

The Council welcomes

- the research funding made available by Government to the County Council to investigate options for achieving these objectives
- County Council assurances that no congestion charging scheme will be introduced without the support of Cambridge City and other councils.

However, the Council cannot endorse the current County Council proposals as

- no effective analysis has yet been published to justify or cost the proposed scheme
- the scheme unfairly penalises Cambridge residents
- the proposals fail to deal with some of the worst congestion peaks on major city roads
- the County plan to submit a detailed scheme to Government without consulting people beforehand is not acceptable.

The Council asks the County Council

- to alter both its proposals and process, including by learning from schemes like the Manchester proposals, that followed detailed consultation and scrutiny
- establish a joint scrutiny and inquiry process with the city and district councils, including public input and consultation, before decisions are made.

and requests the Leader and Executive Councillor for Climate Change and Growth to argue for the position above, and stand up for the best interests of Cambridge, its residents and others affected and not allow the County Council to impose a predetermined plan on Cambridge.

Under paragraph 13.8 of the Council Procedure Rules it was agreed to deal with the motion at the meeting.

Councillor Nimmo-Smith, seconded by Councillor Ward proposed the following amendment:

REPLACE ALL WITH:

Cambridge City Council urges Cambridgeshire County Council, in planning transport for the growth of the Cambridge sub region, to:

- set targets, in line with national targets, for reductions in carbon emissions generated by vehicle trips within, around and to Cambridge;
- draw up and consult upon a costed public transport plan which will deliver reliable, effective and affordable public transport to those living or working in Cambridge or visiting;
- model differing road pricing options which serve to achieve the targeted carbon emission reductions and investment in public transport and cycle routes, as well as enhance the social and economic viability of Cambridge;
- ensure that full public consultation takes place before a detailed scheme is submitted to the Government.

The City Council believes that on any road pricing scheme at least two discounts should apply:

- low emission vehicles should be charged less, funded by an extra charge on gas guzzlers;
- all city residents should have a substantial discount.

The City Council believes that the hours during which a good public transport system exists should be extended, and that those whose travel within the city is at times when no public transport is available should also have a discount.

In pursuing these key objectives the City Council recognises the need for

- traffic congestion in Cambridge to be reduced;
- a majority of local journeys in the future to be by bus, cycling or walking;
- early investment in public transport and essential infrastructure improvements.

The Council welcomes the funding made available by Government to the County Council to investigate options for achieving these objectives, and County Council assurances that no congestion charging scheme will be introduced without the support of Cambridge City and other local Councils.

The City Council further asks the County Council to respond to its invitation of 24 May 2007 to establish a joint forum with South Cambridgeshire District Council in order to review transport planning and funding and to explore whether the creation of a joint Passenger Transport Authority for the sub region would provide the necessary mechanisms to ensure high quality public transport.

The Council cannot endorse the County Council's current proposals as no effective analysis has yet been published to justify or cost the proposed scheme, the scheme would unfairly penalise Cambridge residents, and the proposals would fail to deal with some of the worst congestion peaks on major city roads.

The Council asks the County Council to alter both its proposals and process, including by learning from schemes like those in Manchester and Stockholm that followed detailed consultation, scrutiny and piloting, and to establish a joint scrutiny and inquiry process with the city and district councils, including public input and consultation, before decisions are made.

The Council requests the Leader and Executive Councillor for Climate Change and Growth to argue for the position above, and stand up for the best interests of Cambridge, its residents and others affected and not allow the County Council to impose a predetermined plan on Cambridge.

The amendment was passed by 21 votes to 0.

Councillor Bradnack proposed, seconded by Councillor Blencowe the following amendment:

Delete all after Cambridge City Council

'.....does not accept that the County Council's current congestion charge proposals for Cambridge would achieve the best possible outcomes for the city and the wider sub-region, because they would FAIL effectively to:

- cut congestion, carbon emissions and pollution,
- switch behaviour away from local journeys made mainly by car,
- avoid unfair penalties on city residents and others affected,
- address wider future growth impacts.

Nor does the process being used by the county offer effective scrutiny and consultation or a city voice in decisions with far reaching and fundamental consequences for Cambridge.

The Council therefore

- refers this issue via the special meeting of the Environment Scrutiny Committee on 25 September, to finalise a detailed response including inputs from the Executive Councillor and Labour Spokes, to then be sent to the county council

- calls for a public inquiry, convened by the county council, tabling all relevant evidence and consulting affected organisations and the public, to recommend the best possible proposal and solutions.'

The amendment was lost by 13 votes to 14.

[Nb. The Mayor proposed, and Council agreed, to adjourn the debate and move on to Motion 8b so that Councillor Nimmo-Smith could draft a further amendment]

Councillor Nimmo-Smith, seconded by Councillor Shah, proposed the following amendment:

AMEND FIRST TWO PARAGRAPHS TO READ

Cambridge City Council urges Cambridgeshire County Council, in planning transport for the growth of the Cambridge sub region, to:

- set targets, in line with national targets, for reductions in carbon emissions generated by vehicle trips within, around and to Cambridge;
- draw up and consult upon a costed public transport plan which will deliver reliable, effective and affordable public transport to those living or working in Cambridge or visiting;
- model **a range of** options which serve to achieve the targeted carbon emission reductions and **finance** investment in public transport and cycle routes, as well as enhance the social and economic viability of Cambridge;
- ensure that full public consultation takes place before a detailed scheme is submitted to the Government.

The City Council believes that **if** any road pricing scheme **is introduced** at least two discounts should apply:

- low emission vehicles should be charged less, funded by an extra charge on gas guzzlers;
- all city residents should have a substantial discount.

ADD AT END

The Council refers these issues together with the development of proposals for future public process to the special meeting of the Environment Scrutiny Committee on 25 September, to

finalise a detailed response including inputs from the Executive Councillor and Labour Spokes which will then be sent to the County Council.

The amendment was carried by 20 votes to 0.

Resolved (by 20 votes to 0)

Cambridge City Council urges Cambridgeshire County Council, in planning transport for the growth of the Cambridge sub region, to:

- set targets, in line with national targets, for reductions in carbon emissions generated by vehicle trips within, around and to Cambridge;
- draw up and consult upon a costed public transport plan which will deliver reliable, effective and affordable public transport to those living or working in Cambridge or visiting;
- model a range of options which serve to achieve the targeted carbon emission reductions and finance investment in public transport and cycle routes, as well as enhance the social and economic viability of Cambridge;
- ensure that full public consultation takes place before a detailed scheme is submitted to the Government.

The City Council believes that if any road pricing scheme is introduced at least two discounts should apply:

- low emission vehicles should be charged less, funded by an extra charge on gas guzzlers;
- all city residents should have a substantial discount.

The City Council believes that the hours during which a good public transport system exists should be extended, and that those whose travel within the city is at times when no public transport is available should also have a discount.

In pursuing these key objectives the City Council recognises the need for

- traffic congestion in Cambridge to be reduced;
- a majority of local journeys in the future to be by bus, cycling or walking;
- early investment in public transport and essential infrastructure improvements.

The Council welcomes the funding made available by Government to the County Council to investigate options for achieving these objectives, and County Council assurances that no congestion charging scheme will be introduced without the support of Cambridge City and other local Councils.

The City Council further asks the County Council to respond to its invitation of 24 May 2007 to establish a joint forum with South Cambridgeshire District Council in order to review transport planning and funding and to explore whether the creation of a joint Passenger Transport Authority for the sub region would provide the necessary mechanisms to ensure high quality public transport.

The Council cannot endorse the County Council's current proposals as no effective analysis has yet been published to justify or cost the proposed scheme, the scheme would unfairly penalise Cambridge residents, and the proposals would fail to deal with some of the worst congestion peaks on major city roads.

The Council asks the County Council to alter both its proposals and process, including by learning from schemes like those in Manchester and Stockholm that followed detailed consultation, scrutiny and piloting, and to establish a joint scrutiny and inquiry process with the city and district councils, including public input and consultation, before decisions are made.

The Council requests the Leader and Executive Councillor for Climate Change and Growth to argue for the position above, and stand up for the best interests of Cambridge, its residents and others affected and not allow the County Council to impose a predetermined plan on Cambridge.

The Council refers these issues together with the development of proposals for future public process to the special meeting of the Environment Scrutiny Committee on 25 September, to finalise a detailed response including inputs from the Executive Councillor and Labour Spokes which will then be sent to the County Council.

07/56 MOTION: Thermal Inefficiency In Houses In Cambridge

Councillor Walker proposed and Councillor Sadiq seconded the following motion:

This council recognises

- that carbon generated by Cambridge households is probably the largest local source of city emissions, and that major reduction is feasible, making it a priority for action
- that the thermal efficiency of the existing private sector and rented housing stock is of very varied quality, losing up to 45% of heat being produced through windows, walls, roofs and doors
- that older and vulnerable people live in some of the least thermally efficient and often oldest private sector housing, and that many also suffer from fuel poverty and/or inadequate insulation.

The council applauds the work done by the Cambridge Home Aid and Home Energy teams, and the partnerships with others such as the Energy Saving Trust. However, it notes that while there are several practical schemes and grants available, public awareness and take up is often poor, and the Cambridge Home Aid budget, for people with low incomes and savings, is consistently underspent.

The council therefore asks the Executive Councillors for Climate Change and Growth and Housing to prioritise this matter, and research and implement jointly a strategy to raise public awareness and encourage take-up of insulation schemes to reduce energy consumption in Cambridge private and rented housing, including

1. Setting insulation targets that all homeowners and landlords are asked to consider adopting
2. Effectively promoting Home Aid grants, and other schemes such as the government's Warm Front grant
3. Extra promotion and incentives to increase take-up of insulation funding
4. Investigating other mechanisms and funding that can combine increased insulation with the reduction of fuel poverty and other strategies to reduce household energy consumption
5. Exploring specifically how to better meet the needs of older and vulnerable residents for better insulation and lower fuel bills
6. Actively working with social and private landlords, including through the accreditation scheme, with the aim that they each achieve minimum standards,

and develop proposals by the first Committee round of 2008 proposing an action plan for both 2008/2009 and longer term.

Under paragraph 13.8 of the Council Procedure Rules it was agreed to deal with the motion at the meeting.

Councillor Smart, seconded by Councillor Slatter proposed the following amendment:

"In para 3 ("The council therefore asks "

after 'Housing to' insert - "continue to"
after 'research and implement jointly' insert - "in accordance with the Home Energy strategy adopted in 2006"

So the paragraph reads

The council therefore asks the Exec Cllrs for C C & G and H to continue to prioritise this matter, and research and implement jointly in accordance with the Home Energy strategy adopted in 2006, a strategy to raise public awarenessetc."

The amendment was carried nem com.

Resolved (by 33 votes to 0)

This council recognises

- that carbon generated by Cambridge households is probably the largest local source of city emissions, and that major reduction is feasible, making it a priority for action
- that the thermal efficiency of the existing private sector and rented housing stock is of very varied quality, losing up to 45% of heat being produced through windows, walls, roofs and doors
- that older and vulnerable people live in some of the least thermally efficient and often oldest private sector housing, and that many also suffer from fuel poverty and/or inadequate insulation.

The council applauds the work done by the Cambridge Home Aid and Home Energy teams, and the partnerships with others such as the Energy Saving Trust. However, it notes that while there are several practical schemes and grants available, public awareness and take up is often poor, and the Cambridge Home Aid budget, for people with low incomes and savings, is consistently underspent.

The council therefore asks the Exec Cllrs for C C & G and H to continue to prioritise this matter, and research and implement jointly in accordance with the Home Energy strategy adopted in 2006, a strategy to raise public awareness and encourage take-up of insulation schemes to reduce energy consumption in Cambridge private and rented housing, including

1. Setting insulation targets that all homeowners and landlords are asked to consider adopting
2. Effectively promoting Home Aid grants, and other schemes such as the government's Warm Front grant
3. Extra promotion and incentives to increase take-up of insulation funding
4. Investigating other mechanisms and funding that can combine increased insulation with the reduction of fuel poverty and other strategies to reduce household energy consumption
5. Exploring specifically how to better meet the needs of older and vulnerable residents for better insulation and lower fuel bills
6. Actively working with social and private landlords, including through the accreditation scheme, with the aim that they each achieve minimum standards,

and develop proposals by the first Committee round of 2008 proposing an action plan for both 2008/2009 and longer term.

07/57 MOTION: COUNTY COUNCIL PLANS FOR TRANSPORT IN CAMBRIDGE

This had been withdrawn under Council Procedure Rule 27 by Councillor Reid and with the Council's consent as the matter was dealt with under 07/55.

07/58 RECORDS OF DECISIONS MADE BY MEMBERS OF THE EXECUTIVE

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

07/59 TO RECEIVE THE WRITTEN QUESTIONS/ THE MINUTES OF COMMITTEES FOR INFORMATION

Members noted the written questions and answers circulated around the Chamber and received the minutes from committees as laid around the Chamber.

The Council concluded its business at 9.55pm

MAYOR