



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

AGENDA ITEM NO 4

Minutes of a meeting of East Cambridgeshire
District Council held in the Council Chamber,
The Grange, Nutholt Lane, Ely on Tuesday
14 July 2009 at 6.30pm

PRESENT

Councillor John Abbott	Councillor Jeremy Friend-Smith
Councillor Allen Alderson	Councillor Sheila Friend-Smith
Councillor Michael Allan	Councillor Tony Goodge
Councillor Christine Ambrose Smith	Councillor John Humphreys
Councillor Brian Ashton	Councillor Bill Hunt
Councillor Sue Austen	Councillor Peter Moakes
Councillor Anna Bailey	Councillor Tony Parramint
Councillor Ron Bradney	Councillor Jackie Petts
Councillor Allyson Broadhurst	Councillor Carl Poole
Councillor David Brown	Councillor Philip Read
Councillor Fred Brown	Councillor Mike Rouse
Councillor Christine Bryant	Councillor John Seaman, MBE
Councillor Tony Cornell	Councillor Robert Stevens
Councillor Peter Cresswell (Chairman)	Councillor Derek Wilcox
Councillor Anthea Davidson (Vice Chairman)	Councillor Hazel Williams
Councillor Mark Duckworth	Councillor Gareth Wilson
Councillor Lavinia Edwards	Councillor Pauline Wilson
	Councillor Andy Wright

1 member of the public and 1 member of the press attended the meeting.

ORDER OF AGENDA

The Chairman announced that in accordance with previous practice regarding presentations, the order of the agenda would be amended so that agenda item 13 – Place Survey Presentation, would be received following agenda item 8. Consequently, the agenda was dealt with in the following order (numbers refer to the number on the agenda): 1, 2, 3, 4, 5, 6, 7, 8, 13, 9, 10, 11 and 12.

18. **PUBLIC QUESTION TIME**

One question was received from Mr Christopher Bent, as follows:

‘Will this Full Council support the reasonable proposal to provide Ely residents, without off street parking in the central parking zone, with permits or discs to exempt them from the early morning ninety minute restriction while the Environment and Transport Committee pursue resolution of the overall parking policy.’

Cllr Parramint, Chairman of the Environment and Transport Committee, explained that Members were aware and were sympathetic to the problems experienced by residents. However, the most appropriate solution had to be investigated to solve the issue. Cllr Parramint highlighted that a forthcoming meeting of the County Council Traffic Management Area Joint Committee would be considering, under agenda item 8, Ely On-street Parking Review. Once discussions had taken place and sufficient recommendations to resolve the issue could be made, a written response to Mr Bent's question would be provided.

19. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Ian Allen, Derrick Beckett, Neil Morrison and James Palmer.

20. **DECLARATIONS OF INTEREST**

There were no declarations of Personal or Prejudicial interests from Members on any item on the Agenda.

21. **MINUTES**

Prior to confirmation of the minutes Cllr Ashton explained that for the purposes of clarity and correction, he was proposing an amendment to the minutes, regarding Minute No. 8.a. – Urgent Item of Business – The Standards Board for England – Ref SBE 01143, page 7, third paragraph. The amendment was subsequently seconded, and

It was resolved:

That the Minutes of the meeting held on 19 May 2009 be confirmed as a correct record and signed by the Chairman, subject to the following amendment to Minute No. 8.a. – Urgent Item of Business – The Standards Board for England – Ref SBE 01143 Cllr Brian Ashton – page 7, third paragraph:

*'Cllr Ashton stated that he had not intended to speak regarding the matter. However, he noted that **it was not surprising that the Standards Board Case Summary** ~~the submitted document to supplement the complaint had not contained the entire facts, which was not unsurprising.~~ It was however remarkable that **the Council's Standards Committee had sought to bring the full report into the public domain** ~~when it had become apparent that the full facts were not represented that this had not been rectified.~~ Cllr Ashton explained that he had written to the Standards Committee before its meeting to offer the opportunity to discuss the report and confirming that he was content for the Committee to ~~view~~ **publish** the full Standards Board for England report.'*

22. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

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- The Civic Service would be held in St Mary's Church, Burwell on 25 October 2009 at 3pm. The Chairman had been delighted with the support at the service last year and hoped that Members would again join him at this year's service of thanksgiving.
- The Chairman would be hosting a charity concert on 29 November 2009 at The Maltings in Ely. The concert would be a team effort organised in conjunction with the Chairman, Council officers and ADeC and would be a showcase of local talent to raise money for the charity CLIC Sargent in memory of Liam Fairhurst who had recently passed away.
- It was intended that the Chairman's Reception would be arranged for March 2010 in the Lady Chapel of Ely Cathedral, Ely - date to be confirmed.
- Members were reminded that a training session on the Code of Conduct had been arranged on Thursday 23 July 2009 in the Council Chamber. A buffet would be provided from 5:15pm and the Seminar would begin at 6pm. It was estimated that the Seminar would finish at approximately 8pm. The training session had been organised following the meeting of Council on 24 February 2009 where Members approved a recommendation from the Standards Committee that a District Council Member Seminar be used for Code of Conduct training. Members that had yet to respond regarding their attendance were requested to inform Melanie Stimpson as soon as possible. In accordance with the Council decision, all Members were strongly encouraged to attend this training.
- As a result of the County Council Elections, the Conservative Group needed to amend their representation on the East Cambridgeshire Traffic Management Area Joint Committee as follows:

Councillor Tony Godge to replace Councillor David Brown
 Councillor Tony Parramint to replace Councillor James Palmer
 Councillor John Seaman (unchanged)

Substitutes: Councillor Anthea Davidson and Councillor John Humphreys.

The Principal Democratic Services Officer had advised the County Council of the changes in accordance with the officer delegation to her to make minor in-year changes to Committee memberships within agreed proportionality at the request of Group Leaders.

- A Member Seminar on the Ely Masterplan had been organised on 6 August. A letter of invitation had recently been distributed to all Members.

23. **PETITIONS**

No petitions had been received.

24. **MOTIONS**

No motions were received.

25. **QUESTIONS FROM MEMBERS**

No questions were received from Members.

26. **PLACE SURVEY PRESENTATION**

The Council received a presentation from Simon Fraser, Performance Review Officer on the Place Survey.

In addition to the presentation the Performance Review Officer explained that:

- Government had recently published national data – The Place Survey, which in summary was a satisfaction survey. The statutory survey, conducted every two years, was run in partnership with local government authorities and government prescribed the questions posed in the survey.
- As well as national indicators the Place Survey included consideration of peoples perception of the area where they resided.
- The presentation contained comparison information of other similar authorities.
- The Local Government Association had used the Place Survey to update their 'Reputation' campaign.
- Councils that communicated well also had satisfied customers and therefore scored better for satisfaction. It was important for Councils to continue to monitor and implement examples of good practice of other authorities.
- A summary of the areas where the Council had improved since the 2006 Place Survey was detailed, as too were the areas where the Council had performed below average.
- The responses to the Place Survey indicated that 'priorities for improvement' in East Cambridgeshire should be public transport, shopping, affordable decent housing and level of crime. The following areas were indicated as 'higher need of improvement but of lesser importance'; activities for teenagers, road and pavement repairs and traffic congestion. The responses to the Place Survey stated that the following areas should be 'maintained'; clean streets, health services, education and access to nature. The responses to the Place Survey stated that the following areas should be 'lower priorities'; facilities for young children, wages, job prospects, sport and leisure, cultural; facilities, community activities, pollution, parks and open spaces and race relations.
- A full detailed report of The Place Survey would shortly be available via the a-z on the Council's website. However, Members could currently access the Place Survey on the Intranet via the Corporate Issues, Consultation and Research section.

Further to the presentation, Members asked the following questions:

- Cllr Broadhurst enquired of the age ranges of those surveyed. The Performance Review Officer explained that 3,100 questionnaires had been distributed throughout East Cambridgeshire and 1,100 responses had been received. The questionnaires had been sent out to a random sample of people, although they had been weighted to ensure that all age ranges had been fully represented.
- Cllr Williams noted that 87% of the Place Survey responses had indicated that they were satisfied with the area and 44% of responses had indicated that they were satisfied with the Council. Cllr Williams stated that this would therefore suggest that the Council was not very good at promoting itself to the public so that the public were aware of the services it did provide. Cllr Williams offered an example of Camden Council whereby it provided many public services, for instance, a swimming pool, but did not promote that it was the provider of the facility. It was crucial that the Council monitor and apply examples where other Council's had positively promoted themselves.
- Cllr Ashton suggested that although 44% of responses had indicated that they were satisfied with the Council it did not necessarily equate that 56% were not satisfied with the Council. The Performance Review Officer explained that he would be able to obtain further figures regarding satisfaction with the Council, which the Chairman stated would be included in the minutes.

Note: Further to the meeting the Performance Review Officer provided the following responses relating to Satisfaction with the District Council':

<i>Satisfied</i>	<i>44%</i>
<i>Neither satisfied or dissatisfied</i>	<i>32%</i>
<i>Dissatisfied</i>	<i>24%</i>

The County average for dissatisfaction with the Council was 18%.

27. **SCHEDULE OF ITEMS RECOMMENDED FROM COMMITTEES AND OTHER MEMBER BODIES**

Council considered a report detailing a recommendation from the Strategic Development Committee on 16 June 2009, that the Local Development Framework Annual Monitoring Report 2007/2008 be adopted.

The Executive Director, Development Services, explained that local planning authorities were required to produce an Annual Monitoring Report (AMR) to monitor the effectiveness and relevancy of development plans, and report on and review matters that might affect the planning for their area. The AMR 2007/08 was the seventh Annual Monitoring Report produced by the Council, and the fourth to be produced under the Planning and Compulsory Purchase Act 2004.

Paragraph 4.3 of the report presented to the Strategic Development Committee, attached as Appendix A to the report, detailed the key findings of the AMR. The Executive Director, Development Services, particularly highlighted the key findings in relation to housing. During 2007/2008 the Council had successfully completed 753 dwellings, 152 of which were affordable, and during April 2008 – March 2009 the Council had completed 470 dwellings. Both figures exceeded the forecast figures for the district as well as the Regional Spatial Strategy Annual Target.

It was resolved:

Strategic Development Committee – 16 June 2009

Local Development Framework: Annual Monitoring Report 2007/2008

That the Local Development Framework Annual Monitoring Report 2007/2008 be adopted.

28. **SUBSTITUTION ARRANGEMENTS PLANNING COMMITTEE AND MISCELLANEOUS CHANGES TO THE CONSTITUTION**

The Council received a report, which proposed the following amendments to the constitution, as detailed in appendices 1 – 6 of the officer's report:

- i. to allow substitute Member arrangements for the Planning Committee;
- ii. Terms of Reference for Environment and Transport Committee, to delegate powers to the Head of Environmental Services (under the Pollution, Prevention and Control Act 1999 or The Environmental Permitting (England and Wales) Regulations 2007), as recommended by the Environment and Transport Committee on 11 June 2009;
- iii. Terms of Reference for Policy and Resources Committee to make explicit reference to Internal Audit responsibilities as recommended for approval by the Policy and Resources Committee on 23 June 2009;
- iv. the Anti-Fraud and Corruption Strategy, recommended for approval by the Policy and Resources Committee on 23 June 2009; and
- v. document Deputy arrangements for the Director of Finance/Section 151 Officer.

Further to the recommendations listed in paragraph 2 of the report the Head of Legal Services noted that an additional recommendation, as tabled at the meeting, was proposed for insertion after recommendation 2.1 as follows:

That substitute Members for Planning Committee be appointed on a 2:1:1 basis for 2009/10 Council Year with the names of the substitute Members being notified to the Principal Democratic Services Officer, and subsequently to be confirmed/reviewed at Annual Council each year.

The recommendations, including the additional recommendation, were proposed and seconded.

Cllr G Wilson stated that he did not agree that substitute Members for the Planning Committee should be appointed on a 2:1:1 basis. Substitutes for all other committees were appointed on a 2:2:1 basis. Therefore, to be consistent Cllr G Wilson proposed an amendment that substitute Members for the Planning Committee be appointed on a 2:2:1 basis, which was seconded.

Cllr F Brown explained that the substitute Members for the Planning Committee would be confirmed/reviewed at Annual Council each year. The appointment of substitute Members to the Planning Committee on a 2:1:1 basis would enable those Members that had not been re-appointed to the Planning Committee due to its reduction in numbers following the decision at Annual Council, to still have the opportunity to serve on the Committee. With the proposed substitute arrangements, the Conservative Group and Liberal Democrat Group would in effect have the same membership as prior to Annual Council, therefore Cllr F Brown did not agree to the proposed amendment.

Cllr G Wilson explained that at the forthcoming Planning Committee meeting two of the Liberal Democrat Planning Committee Members would be absent, there were also two additional Liberal Democrats that had relevant planning training. It was therefore logical to continue with the substitution arrangements as per all other committees - on a 2:2:1 basis.

On being put to the vote, the amendment was lost.

It was therefore resolved:

- i. That relevant amendments to the Constitution be approved (as per the appended pages attached to the officers report).
- ii. That substitute Members for Planning Committee be appointed on a 2:1:1 basis for 2009/10 Council Year with the names of the substitute Members being notified to the Principal Democratic Services Officer, and subsequently to be confirmed/reviewed at Annual Council each year.

The Leader of the Liberal Democrats notified that the Liberal Democrat Substitute would be Cllr Sue Austen for 2009/10 Council Year.

- iii. That Council renews the delegated authority to the Head of Legal Services to make appropriate amendments to the Constitution, in respect of the recent/ongoing management restructuring.

28.a. **URGENT REPORT – RECOMMENDATION FROM THE STANDARDS COMMITTEE**

In accordance with paragraph 100B 4(b) of the Local Government Act 1972, the Chairman agreed to allow the following urgent item of business - Recommendation from the Standards Committee - in conjunction with the preceding report on Miscellaneous Changes to the Constitution, to ensure that effective arrangements were in place to deal with any request for dispensations received under the new regulations.

The Council received an urgent report containing a recommendation from the Standards Committee meeting of 8 July 2008, that Council approve the delegation of powers to the Head of Legal Services to make appropriate amendments to the Standards Committee Terms of reference (to allow dispensations applications/decisions to be dealt with by Sub-Committee).

Cllr Wright queried the reasons that the report needed to be considered as an urgent item of business. The Head of Legal Services explained that new Standards Committee (Further Provisions) (England) Regulations 2009 came into force from 15 June 2009, revoking 2002 Regulations on dispensations. The new regulations therefore required amendments to the Constitution, so that Sub-Committees could consider the applications. Had Council not received the urgent report, this would have resulted in the new regulations not being implemented effectively until the October meeting of Council.

Cllr Wright enquired whether the Council was expecting a sudden increase in requests for dispensations. The Head of Legal Services explained that this was not the only reasoning for Council to be considering the urgent report. The full Standards Committee only had five meetings scheduled per year, but monthly Sub-Committee meetings had been timetabled to deal with the local filter of complaints, to be used as required. When dispensation applications had been made in the past it had not always been feasible to convene a full Standards Committee meeting at short notice. Delegating the function to a Sub-Committee could potentially allow an application to be determined in time.

It was resolved:

That Council delegates authority to the Head of Legal Services to make appropriate amendments to the Constitution, in respect of the Standards Committee Terms of reference (to allow dispensations applications/decisions to be dealt with by Sub-Committee).

29. **INTERNAL OVERVIEW AND SCRUTINY COMMITTEE REPORT**

The Council received a summary of the items considered by the Internal Overview and Scrutiny Committee at its meetings on 11 May 2009, 8 June 2009 and 22 June 2009.

It was resolved:

That the report be noted.

30. **EXTERNAL PARTNERSHIPS REVIEW COMMITTEE**

The Council received a summary of the items considered by the External Partnerships Review Committee at its meeting on 23 April 2009.

It was resolved:

That the report be noted.

The meeting concluded at 7.12pm.