

NOTICE IS HEREBY GIVEN that a meeting of **HUNTINGDONSHIRE DISTRICT COUNCIL** will be held in the **GREAT HALL, PRIORY CENTRE, ST NEOTS, PE19 2BH** on **WEDNESDAY, 13 MAY 2009** at **2:30 PM** and you are requested to attend for the transaction of the following business:-

A G E N D A

PRAYER

The Reverend Andrew Milton, Team Rector of Huntingdon will open the meeting with prayer.

APOLOGIES

CHAIRMAN'S ANNOUNCEMENTS

1. ELECTION OF CHAIRMAN

To elect the Chairman of the Council for the ensuing Municipal Year.

2. MINUTES (Pages 1 - 18)

To approve as a correct record the Minutes of the meeting held on 22nd April 2009.

3. MEMBERS' INTERESTS

To receive from Members declarations as to personal and/or prejudicial interests and the nature of those interests in relation to any Agenda Item. Please see Notes 1 and 2 below.

4. APPOINTMENT OF VICE-CHAIRMAN

To appoint the Vice-Chairman of the Council for the ensuing Municipal Year.

5. ELECTION OF LEADER OF THE COUNCIL

To elect the Leader of the Council who shall be Chairman of the Cabinet for the ensuing Municipal Year.

6. APPOINTMENT OF DEPUTY LEADER OF THE COUNCIL

To appoint the Deputy Leader of the Council who shall be Vice-Chairman of the Cabinet for the ensuing Municipal Year.

7. APPOINTMENT OF CABINET

To appoint a maximum of seven Members to the Cabinet in addition to the Chairman and Vice-Chairman dealt with in Agenda Item Nos 5 and 6.

8. REPRESENTATION OF POLITICAL GROUPS ON DISTRICT COUNCIL PANELS, ETC (Pages 19 - 22)

To consider a report by the Head of Democratic and Central Services on the representation of political groups on Panels, etc in accordance with Section 15 of the Local Government and Housing Act 1989 and the District Council's Constitution.

9. OVERVIEW AND SCRUTINY PANELS

- (i) Overview and Scrutiny Panel - 10 Members
(Social Well-Being) *(plus 2 co-optees)*
- (ii) Overview and Scrutiny Panel - 10 Members
(Environmental Well-Being) *(plus 2 co-optees)*
- (iii) Overview and Scrutiny Panel - 10 Members
(Economic Well-Being) *(plus 2 co-optees)*

10. COMMITTEES AND PANELS

To appoint Members to the following Committees and Panels –

- (i) Standards Committee - 7 Members
(plus 4 Independent Members and 3 Parish Council representatives)
- (ii) Employment Panel - 8 Members
(to include 1 Member of the Cabinet in an ex-officio capacity with appropriate executive responsibility)
- (iii) Development Management Panel - 16 “
- (iv) Licensing and Protection Panel - 12 “
- (v) Licensing Committee - 12 “
- (vi) Corporate Governance Panel - 7 Members
(to include the Executive Councillors whose portfolios include finance and corporate governance)

- (vii) Appointments Panel - 5 Members
(to comprise the Chairman and Vice-Chairman of the Employment Panel; Deputy Leader, relevant portfolio holder and Leader of the majority opposition party [or their respective nominees])
- (viii) Elections Panel - 7 Members
- (ix) Appeals Sub-Group - 15 Members
(a pool of Members from which the Director of Central Services is authorised to convene a meeting of the Appeals Sub-Group comprising up to 5 Members [excluding Members of the Employment Panel] to determine appeals under the Council's disciplinary and appeals procedures)

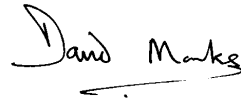
11. LOCAL GOVERNMENT ACT 1972: SECTION 85

The Chief Executive to report on absences of Members from meetings.

FOR INFORMATION (Pages 23 - 30)

Details of allowances paid to Members and Council, Panel and Committee attendance records for 2008/9 are reproduced as Annexes to the Agenda.

Dated this 5th day of May 2009



Chief Executive

Notes

1. *A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District –*
 - (a) *the well-being, financial position, employment or business of the Councillor, their family or any person with whom they had a close association;*
 - (b) *a body employing those persons, any firm in which they are a partner and any company of which they are directors;*
 - (c) *any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or*
 - (d) *the Councillor's registerable financial and other interests.*
2. *A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.*

Please contact Ms C Deller, Democratic Services Manager, Tel No 01480 388007/e-mail: Christine.Deller@huntsdc.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Council.

Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk (under Councils and Democracy).

If you would like a translation of
Agenda/Minutes/Reports or would like a large text
version or an audio version please contact the
Democratic Services Manager
and we will try to accommodate your needs.

Si vous voulez une traduction de ce document, veuillez nous contacter au 01480 388388 et nous ferons de notre mieux pour satisfaire à vos besoins.

Jeigu norite gauti šio dokumento išverstą kopiją arba atspausdintą stambiu šriftu, prašau kreiptis į mus telefonu 01480 388388 ir mes pasistengsime jums padėti.

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Agenda Item 2

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the COUNCIL held in the Burgess Hall, St Ivo Leisure Centre, Westwood Road, St Ives, PE27 6WU on Wednesday, 22 April 2009.

PRESENT: Councillor J W Davies – Chairman.

Councillors J D Ablewhite, K M Baker,
M G Baker, I C Bates, J T Bell,
Mrs B E Boddington, P L E Bucknell,
E R Butler, K J Churchill, W T Clough,
Mrs K E Cooper, S J Criswell, P H Dakers,
P J Downes, J J Dutton, R W J Eaton,
R S Farrer, J E Garner, A N Gilbert,
P M D Godfrey, P Godley, J A Gray,
A Hansard, D Harty, C R Hyams,
Mrs P A Jordan, Ms S Kemp, L W McGuire,
P G Mitchell, M F Newman,
Mrs D C Reynolds, T V Rogers, J M Sadler,
T D Sanderson, M F Shellens,
L M Simpson, C J Stephens, P A Swales,
G S E Thorpe, R G Tuplin, P K Ursell,
P R Ward, J S Watt and R J West.

ALSO IN ATTENDANCE Mr D L Hall

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors Mrs M Banerjee, D B Dew, Mrs J A Dew, A Monk, R Powell, D J Priestman and Ms M J Thomas.

61. PRAYER

The Reverend B Atling, Rural Dean of Huntingdon opened the meeting with prayer.

62. CHAIRMAN'S ANNOUNCEMENTS

(a) Councillor A Monk

The Council expressed its condolences to Councillor A Monks who had been unable to attend his first meeting of the Council due to the recent death of his father.

(b) High Sheriff of Cambridgeshire

The Chairman reported that he had conveyed, on behalf of Members, the Council's congratulations to Lady de Ramsey on her appointment as the new High Sheriff of Cambridgeshire.

(c) Pancake Race

The Chairman thanked all those who had sent him their best wishes after his accident during the Pancake Day race in

Huntingdon and he placed on record his appreciation for the treatment and support he had received at the event from St Johns Ambulance Service.

63. MINUTES

Subject to –

- ◆ the addition of Councillor P M D Godfrey to those Members in attendance at the last meeting; and the deletion of his name from those Members who had apologised for absence; and
- ◆ the deletion of the initials “M G” and their replacement by the initials “K M” in the third question under Item No. 59,

the Minutes of the meeting of the Council held on 18th February 2009 were approved as a correct record and signed by the Chairman.

64. MEMBERS' INTERESTS

Councillors Mrs K E Cooper, R W J Eaton, D Harty, G S E Thorpe and P K Ursell declared a personal interest in Minute No. 68 (a), Item No. 82 by virtue of their membership of St Neots Town Council.

65. BY-ELECTION - 2ND APRIL 2009

Having noted a report by the Returning Officer that Councillor A Monk had been elected to the Office of District Councillor for the Ramsey Ward at the by-election held on 2nd April 2009, the Council

RESOLVED

that Councillor Monk be appointed to the Licensing Committee and Licensing and Protection Panel for the remainder of the Municipal Year.

66. REVIEW OF DEMOCRATIC STRUCTURE

The Council considered a report by the Democratic Structure Review Working Party (a copy of which is appended in the Minute Book) which had been appointed by the Cabinet to review the Council's democratic structure. Members' attention was drawn to the recommendations of the Cabinet contained in the Report of their meeting held on 17th April 2009 (a copy of which also is appended in the Minute Book).

Before proceeding to consider the recommendations, the Chairman reminded Members that they had had the opportunity to discuss the issues emerging from the Working Party's report during specific Member Presentations, and at meetings of the Overview and Scrutiny and Corporate Governance Panels and the Cabinet. To assist in the Council's deliberations, the Head of Democratic and Central Services had collated the responses of each body and presented them in a matrix which also had been circulated with the agenda.

The Chairman of the Working Party, Councillor K J Churchill, addressed the Council. He drew the Council's attention to the

legislative background against which the Working Party had worked, the cross party nature of its deliberations and the Working Party's ultimate objective to recommend a structure which would enhance the democratic process in Huntingdonshire. Having described the Working Party's approach to its task, Councillor Churchill thanked the Head of Democratic and Central Services and Officers in the Democratic Services Team for their support in undertaking the review.

The Leader of the Council, Councillor I C Bates, the Leader of the Opposition, Councillor P J Downes and Councillors S J Criswell and G S E Thorpe also extended their appreciation to the Working Party and Officers for the volume of work which they had undertaken in presenting the conclusions to Council.

The Leader of the Opposition, Councillor P J Downes, tabled a summary of amendments to the Working Party and Cabinet recommendations (a copy of which also is appended in the Minute Book) to offer the Council the opportunity to further debate the detail of several issues. Accordingly, Councillor Downes moved amendments to the following Motions by reference to the numbering in the Working Party's report, each of which was duly seconded –

Recommendation (b)

that the words "in principle" be deleted from the first line; that the words "increased to ten" be deleted from the first line and the words "decreased to 8" inserted in their place; and the words "but deferred for one year and reviewed again at that time" be deleted from the second line and the words "on completion of the review of the democratic structure" inserted in their place.

Upon being put to the vote, the amendment was declared to be LOST.

Recommendation (c)

This was withdrawn by Councillor Downes from the list of amendments tabled.

Recommendation (e)

that the words "6.30 pm" in the first line be deleted and the words "7.00 pm in the interests of consistency with the starting times of the Council and overview and scrutiny and development control panels which the public might be expected to attend" be inserted in their place.

Upon being put to the vote, the amendment was declared to be CARRIED.

Recommendation (h)

that all of the words after the word "Members" in the first line be deleted.

Upon being put to the vote, the amendment was declared to

be LOST.

Recommendation (i)

that all of the words prior to “overview and scrutiny panels” be deleted and the words “that named substitutes be nominated pro rata to the political balance on the“ inserted in their place.

Upon being put to the vote, the amendment was declared to be LOST.

Recommendation (j)

that all of the words between the word “that” in the first line and the word “overview” in the third line be deleted and the words “the chairmanship and vice-chairmanship of the” inserted in their place; and the words “be rotated among the political groups pro rata to their overall size in the Council” be inserted after the word “panels”.

Upon being put to the vote, the amendment was declared to be LOST.

Recommendation (s)

that the words “6.30 pm for a trial period of twelve months” in the first line be deleted and the words “7.00 pm in the interests of consistency with the starting times of the cabinet, overview and scrutiny and development control panels which the public might be expected to attend” inserted in their place.

Upon being put to the vote, the amendment was declared to be CARRIED.

Recommendation (t)

that the word “not” in the first line be deleted; the word “named” be inserted before the word “substitution” in the first line; and the words “pro rata to the membership of the meeting” inserted after the word “Council” in the second line.

Upon being put to the vote, the amendment was declared to be LOST.

Recommendation (dd)

that the words “subject to the inclusion of the parishes of Abbots Ripton and Kings Ripton in the Huntingdon Neighbourhood Forum and the parishes of Winwick, Hamerton and Upton and Coppingford in the North Huntingdonshire Neighbourhood Forum” be inserted after the word “report” in the fifth line.

Upon being put to the vote, the amendment was declared to

be LOST.

Recommendation (ee)

that the words “, the arrangements to be reviewed annually and assessed in relation to efficacy, value for money and extent of public engagement” be inserted after the word “Partnership” in the second line of the final paragraph.

Upon being put to the vote, the amendment was declared to be CARRIED.

Recommendation (rr)

that all of the words after the word “allowances” in the first line be deleted and the words “arising from any changes in Member involvement should be contained within the Members’ Allowances budget for 2008/9” inserted in their place.

Upon being put to the vote, the amendment was declared to be LOST.

Whereupon, it was

RESOLVED

- (a) that the Council undertakes a public consultation exercise as soon as practicable with the intention of implementing an executive leader form of executive in response to the 2007 Act and following completion of that exercise, the Council be invited to move to the new system with effect from the annual meeting in 2010 or earlier if practicable;
- (b) that an increase in the size of the Cabinet to 10 members, inclusive of the leader, be approved in principle but deferred for one year and reviewed again at that time;
- (c) that the deputy leader be not allocated responsibility for a portfolio of executive functions but be responsible for deputising and supporting the leader and other executive councillors, as necessary, and for a Member training and mentoring programme on cross party basis;
- (d) that the Cabinet should continue to contain members of the majority political party only;
- (e) that meetings of the Cabinet be held in the late afternoon or early evening, starting at 7.00 pm in the interests of consistency with the starting times of the Council and overview and scrutiny and development control panels which the public might be expected to attend;

- (f) that short briefings of Cabinet members only be held prior to Cabinet meetings with a formal briefing by officers some 2/3 days previously with regular member only “blue sky” meetings convened by Cabinet at regular intervals involving, where appropriate, other non-executive members;
- (g) that the present scrutiny arrangements be replaced by three new scrutiny panels with the following titles and terms of reference –

Social Well-Being

- ◆ portfolios for housing and public health, leisure and operational and countryside services;
- ◆ health and well-being and inclusive, safe and cohesive communities thematic groups of the Huntingdonshire Strategic Partnership;
- ◆ safer and stronger communities priority of Cambridgeshire Vision (the local area agreement); and
- ◆ the housing that meets individual needs, safe, vibrant and inclusive communities and healthy living aims of the Council’s corporate plan “Growing Success”.

Environmental Well-Being

- ◆ portfolios for resources and policy and planning strategy and transport;
- ◆ children and young people, environment and growth and infrastructure thematic groups of the Huntingdonshire Strategic Partnership;
- ◆ managing growth and environmental sustainability priorities of Cambridgeshire Vision; and
- ◆ a clean, green and attractive place and developing sustainable communities aims of the Council’s corporate plan “Growing Success”.

Economic Well-Being

- ◆ portfolios for customer services and information technology and finance and environment;
- ◆ economic prosperity and equality and inclusive thematic groups of the Huntingdonshire Strategic Partnership;
- ◆ a strong local economy, improving systems & practices, learning & developing and maintaining sound finances aims of the Council’s corporate plan “Growing Success”.

- (h) that each of the overview and scrutiny panels comprises 10 members plus two co-opted persons without voting rights and a co-optee’s allowance, the inclusion of a co-opted person to be for a trial period of one year;

- (i) that no change be made to the present system of substitution on overview and scrutiny panels;
- (j) that no change be made to the present arrangements in terms of the appointment and length of office of the chairmen and vice-chairmen of the overview and scrutiny panels;
- (k) that no change be made to the frequency and starting time of meetings of the overview and scrutiny panels;
- (l) that every effort be made to highlight the importance of scrutiny and to encourage both members and the wider public to play an active role in the scrutiny process;
- (m) that no change be made to the present arrangements for the call-in of executive decisions contained in the constitution;
- (n) that, in accordance with the Council Procedure Rules, a motion “that major policy decisions be reserved to Council and be the subject of debate at Council meetings before public consultation, that innovative ways be used to brief Members on the subjects to stimulate debate, that arrangements should be made for single issue debates (in addition to normal business), and that the opposition political parties invited to choose the subject for debate at one meeting per annum” stand deferred until the next ordinary meeting of the Council;
- (o) that the refresh of the sustainable community strategy and periodic reports on the performance of the local strategic partnership be submitted to Council for consideration and approval, with any detailed scrutiny referred to the relevant panel for investigation;
- (p) that a proposal for meetings of the Council to be chaired by a speaker elected by the Council itself at its Annual Meeting be refused;
- (q) that a motion “that a public question time be introduced at Council meetings as set out in the procedure attached at annex B to the report now submitted” stand deferred until the next ordinary meeting of the Council;
- (r) that the meetings of the Council be increased from five plus the annual meeting to six plus the annual meeting each year;
- (s) that a proposal that “meetings of the Council should commence at 7.00 pm in the interests of consistency with the starting times of the cabinet, overview and scrutiny and development control panels which the public might be expected to attend” stand deferred until next ordinary meeting of the Council;

- (t) that substitution be not introduced for non-executive meetings of the Council;
- (u) that no change be made to the terms of reference, composition, etc of the Development Control Panel;
- (v) that no change be made to the terms of reference, composition, etc of the Licensing and Protection Panel and Licensing Committee;
- (w) that no change be made to the terms of reference, composition, etc of the Standards Committee;
- (x) that the executive councillors whose portfolios include finance and corporate governance should become ex-officio members of the Corporate Governance Panel in place of the present arrangements for a maximum of three Cabinet members;
- (y) that the following be added to the terms of reference of the Corporate Governance Panel –
 - ◆ comment on the scope and depth of external audit work and ensure that it gives value for money;
 - ◆ liaise with the Audit Commission over the appointment of the Council's external auditor; and
 - ◆ commission work from internal and external audit, monitor the Council's policies on 'Raising Concerns at Work', the Anti-fraud and Corruption Strategy and the Council's complaints process;
- (z) that meetings of the Corporate Governance Panel commence at 6.30 pm;
- (aa) that consideration of the recommendation in relation to the Employment Panel be deferred for further consideration by the working party in terms of membership of the panel and consultation with the Employees' Liaison Advisory Group;
- (bb) that the membership of the Appointment Panel comprises the chairman and vice-chairman of the Employment Panel, deputy leader, relevant portfolio holder and the leader of the majority opposition party (or their respective nominees);
- (cc) that no change be made to the terms of reference, composition, etc of the Elections Panel;
- (dd) that, subject to negotiation with partners, six neighbourhood forums open to the public be established, chaired by district councillors and serviced by the District Council for the areas of Huntingdon, St Neots, St Ives, Ramsey, North Huntingdonshire and West Huntingdonshire with the catchment areas shown

on the plan attached as annex D to the report now submitted with the following terms of reference –

- ◆ advising on the setting of local priorities for partner agencies, including safety and policing policies, linked to the Huntingdonshire Sustainable Community Strategy and Local Area Agreement;
- ◆ engaging with the community on local planning issues (where appropriate);
- ◆ seeking the accountability of local service providers;
- ◆ developing and commissioning local community initiatives such as projects to develop local skills, raise aspirations, improve quality of life, etc;
- ◆ helping to enable town and parish plan development and integrate town and parish priorities into area action plans; and
- ◆ expressing views in response to consultation on proposals under the Sustainability Communities Act 2007;

(ee) that, subject to negotiation with partners, a panel be established for each forum chaired by a district councillor and serviced by the District Council, with the composition of each panel being a matter for local determination subject to a ceiling of ten representatives of local authorities and other public sector bodies active in the area of that forum and with the following terms of reference –

- ◆ presenting information at forum meetings;
- ◆ resolving issues raised at forum meetings;
- ◆ moderating any requests for information/action that need to be referred elsewhere;
- ◆ monitoring the performance of forum;
- ◆ progress chasing requests for information/action; and
- ◆ reporting back to ensuing meetings;

The panels and forums to feed into the appropriate thematic groups of the Huntingdonshire Strategic Partnership and the arrangements to be reviewed annually and assessed in relation to efficacy, value for money and extent of public engagement;

(ff) that any proposals under the Sustainable Communities Act be subject to consultation with the neighbourhood forums;

(gg) that no action be taken to implement delegated decision-making, including delegated budgets, to ward councillors under the Local Government and Public Involvement in Health Act 2007;

(hh) that an annual review be undertaken of the organisations to which representatives are appointed

by the Council prior to new or re-appointments being made, subject to the exclusion of significant partnerships where other arrangements apply;

- (ii) that arrangements be made for cross party discussions to take place between a representative of each of the political parties on the Council and the independent councillors before new or re-appointments to external organisations are made annually;
- (jj) that arrangements be made for councillors or members of the public newly appointed to an external organisation to receive a briefing note prepared by the Democratic Services Section before attending their first meeting of that organisation, explaining the implications of representation, the aims of the organisation, etc;
- (kk) that external organisations to which representatives are appointed be requested to provide an induction process for those persons;
- (ll) that an officer be named in respect of each external organisation to which the Council makes an appointment to whom the representative can turn for advice and support about membership of that body;
- (mm) that representatives be encouraged to produce a short report at regular intervals of their membership of external organisations and a page established on the intranet to enable such reports to be posted;
- (nn) that job or role descriptions be introduced for all positions that attract a special responsibility allowance, for an individual member, mentors and political group leaders as set out in annex G to the report now submitted and that these be updated regularly;
- (oo) that arrangements be made for the Council to sign the IDeA Member Development Charter and for its implementation;
- (pp) that the political parties and independent councillors be invited to nominate one or more mentors to assist newly elected councillors to familiarise themselves with their role and to provide support and advice in their first year of office;
- (qq) that the use of the term champion to describe positions filled by councillors be dispensed with and their roles absorbed in the existing responsibilities of executive councillors; chairmen and ward councillors;
- (rr) that special responsibility allowances be approved for the chairman and vice-chairman of the proposed additional overview and scrutiny panel, to be funded from the existing Members' Allowances budget; and

(ss) that the Cabinet be requested to explore the possibility of financial contributions from partners towards the new neighbourhood engagement process.

67. ADJOURNMENT

At 4.30 pm, it was

RESOLVED

that the meeting stand adjourned.

Upon resumption at 4.45 pm.

68. REPORTS OF THE CABINET, PANELS AND COMMITTEES

(a) Cabinet

Councillor I C Bates, Leader and Chairman of the Cabinet presented the Report of the meetings of the Cabinet held on 19th February, 12th March, 2nd and 17th April 2009.

.....

In connection with Item No. 78 and further to Minute No. 66 ante, Councillor Bates drew Members' attention to the democratic services resource which would be released following the discontinuation of the Leisure Centre Management Committees.

.....

In connection with Item No. 83 and in response to a question from Councillor P J Downes, Councillor P L E Bucknell, Executive Councillor for Planning and Transport explained the differences between the development control and development management functions and advised that the transformation had emerged from the new national approach to planning which included the local development framework and core strategy processes. Councillor Bates added that the development management approach would encourage more open and constructive advice to those submitting planning applications.

.....

In connection with Item No. 87, it was noted that the recommendations had been considered previously under Minute No. 66.

.....

Whereupon, it was

RESOLVED

that, subject to the foregoing paragraphs, the Report of the meetings of the Cabinet held on 19th February,

12th March and 2nd and 17th April 2009 be received and adopted.

(b) Standards Committee

Mr D L Hall presented the Report of the meeting of the Standards Committee held on 5th March 2009.

.....
Further to Item No. 17, Mr Hall drew Members' attention to the recent workload of the Referrals (Assessment) Sub-Committee which had dealt with five cases since the previous meeting of the Council.

.....
Whereupon, it was

RESOLVED

that the Report of the meeting of the Standards Committee held on 5th March 2009 be received and adopted.

(c) Overview and Scrutiny Panel (Service Delivery)

Councillor S J Criswell presented the Report of the meetings of the Overview and Scrutiny Panel (Service Delivery) held on 3rd March and 7th April 2009.

.....
In connection with Item No. 47, Councillor Criswell concurred with Councillor M F Shellens in advising Members that they should exercise caution in discussions with the public on the extent of the impact of new legislation in expediting the adoption of roads and sewers.

.....
In connection with Item No. 51, and in response to a question from Councillor P J Downes, Councillor Criswell reported, with the assistance of the Executive Councillor for Operational and Countryside Services, Councillor C R Hyams, that negotiations were continuing to secure a new contract for the processing and onward sale of recyclable materials but that he would anticipate that the materials collected still would be transferred to Milton Keynes for processing. Councillor Hyams undertook to advise Councillor Downes of the current position in writing.

.....
Further to Item No. 54, Councillor Criswell advised the Council that arrangements had been made for Members to

discuss the NHS Cambridgeshire Strategy Plan 2009 – 14 at a seminar to be held on Tuesday, 5th May 2009 at 7.00 pm at the Buckden Millennium Centre.

.....
Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny Panel (Service Delivery) held on 3rd March and 7th April 2009 be received and adopted.

(d) Overview and Scrutiny Panel (Service Support)

Councillor J A Gray presented the Report of the meetings of the Overview and Scrutiny Panel (Service Support) held on 10th February, 10th March and 14th April 2009.

.....
In connection with Item No. 51 and in response to questions from Councillors P J Downes and T D Sanderson, Councillor Gray indicated that he would welcome an opportunity for a meeting with the Highways Agency and Cambridgeshire County Council to explore the traffic management issues in the Huntingdon West area and that he would encourage Councillors to register their interest in attending such a meeting with the Leader.

.....
In connection with Item No. 54, Councillor P J Downes commended Councillor Gray on the skillful and sensitive manner in which he had chaired meetings of the Panel during the past year.

.....
Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny Panel (Service Support) held on 10th February, 10th March and 14th April 2009 be received and adopted.

(e) Development Control Panel

Councillor P G Mitchell presented the Report of the meetings of the Development Control Panel held on 23rd February and 16th March 2009.

Further to Item No. 25, Councillor Mitchell reported that the Development Control service had already begun to take forward elements of the development management approach to planning which would involve the extension of pre-planning services and advice. Councillor Mitchell also drew the Council's attention to the excellent performance of Development Control service in the quarter 1st October – 31st December 2008 during which the Team had exceeded all Government targets prescribed for the determination of minor, major and other applications.

.....

In connection with Item No. 26 and in response to a question from Councillor P J Downes, Councillor Mitchell reported that an Enforcement Notice had been served to secure the cessation of the unauthorised use of land at Harpers Drive, Ramsey Heights.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Development Control Panel held on 23rd February and 16th March 2009 be received and adopted.

(f) Licensing and Protection Panel

Councillor J D Sadler presented the Report of the meeting of the Licensing and Protection Panel held on 19th March 2009.

.....

Further to Item No. 9, Councillor Sadler highlighted the fact that a saving of £20,000 would be achieved by the Panel's decision to delimit the number of hackney carriage licences issued in the District.

.....

Whereupon, it was

RESOLVED

that the Report of the meeting of the Licensing and Protection Panel held on 19th March 2009 be received and adopted.

(g) Corporate Governance Panel

Councillor C J Stephens presented the Report of the meetings of the Corporate Governance Panel held on 25th March and 16th April 2009.

.....

Upon being moved and seconded, the recommendations contained in Item No. 23 were declared to be CARRIED.

.....

Upon being moved and seconded, the recommendations contained in Item No. 29 stood deferred until the next meeting of the Council.

.....

Whereupon, it was

RESOLVED

that, subject to the foregoing paragraphs, the Report of the meetings of the Corporate Governance Panel held on 25th March and 16th April 2009 be received and adopted.

(h) Elections Panel

Councillor D Harty presented the Report of the meeting of the Elections Panel held on 25th March 2009.

.....

In connection with Item No. 3, Councillor P J Downes moved an amendment to the Motion and it was duly seconded –

“that the words ‘Cabinet and’ in the first line be deleted; and all of the words after the word ‘Council’ in the first line be deleted and the words ‘undertakes the necessary consultation with a view to introducing whole Council elections on the basis of single Member seats from 2011, as costed in the Medium Term Plan’ inserted in their place.”

Upon being put to the vote, the amendment was declared to LOST.

Upon being put to the vote, the recommendation contained in Item No. 3 was declared to be CARRIED.

.....

Whereupon, it was

RESOLVED

that, subject to the foregoing paragraph, the Report of the meeting of the Elections Panel held on 25th March 2009 be received and adopted.

69. ORAL QUESTIONS

In accordance with the Council Procedure Rules (paragraph 8.3 of the

Rules), the Chairman proceeded to conduct a period of oral questions addressed to Executive Councillors and Panel Chairmen as follows:-

Question from Councillor P J Downes to the Leader of the Council, Councillor I C Bates

In response to a question regarding the provision of polling cards for local town and parish council elections, Councillor Bates confirmed that responsibility lay with the town or parish clerk of the authority where a vacancy had arisen to request the District Council to despatch polling cards for the ensuing election.

Question from Councillor T D Sanderson to the Executive Councillor for Operational and Countryside Services, Councillor C R Hyams

In response to a question regarding the progress of works to create an open space and balancing pond on a new Twigden housing estate adjacent to Hinchbrook Country Park, Councillor Hyams replied that he would make enquires on the subject and send a written response to the questioner.

Question from Councillor M F Shellens to the Leader of the Council, Councillor I C Bates

In response to a question regarding the remuneration of Councillors appointed as District Council representatives on Luminus Group, Councillor Bates replied that whilst it was incumbent upon the registered social landlord to manage its own affairs, he suggested that it would be appropriate for the issue raised by the questioner to be investigated by an Overview and Scrutiny Panel.

Question from Councillor G S E Thorpe to the Leader of the Council, Councillor I C Bates

In response to a question regarding the level of provision of youth facilities in St Neots, Councillor Bates replied that he was not aware that there were any less youth facilities in St Neots than elsewhere in the District, that during the past twelve months the District Council had invested in new equipment for Priory Park and Barford Road and in the refurbishment of the swimming pool at the Leisure Centre and that a new pavilion and changing accommodation at Priory Park and a new synthetic football pitch at Loves Farm had been opened and that he would advise the questioner to draw any perceived inadequacies in St Neots to the attention of his County Councillor after the forthcoming County Council elections.

Question from Councillor R W J Eaton to the Executive Councillor for Planning Strategy and Transport, Councillor P L E Bucknell

In response to a question regarding the possibility of free car parking for limited periods in town centres to encourage an increase in visitors and assist small town centre businesses and shops during the current economic difficulties, Councillor Bucknell acknowledged that he also wished to maintain the vibrancy and vitality of town centres and that he would take the suggestion into account when undertaking a review

of car parking later in the year.

70. LOCAL GOVERNMENT ACT 1972: SECTION 85

The Chief Executive reported that there were no absences of Members from meetings for consideration in accordance with Section 85 of the Local Government Act 1972.

The meeting concluded at 5.30 pm.

Chairman

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Representation of Political Groups on District Council Panels, etc

Report by the Head of Democratic and Central Services

1. INTRODUCTION

- 1.1 The Local Government and Housing Act 1989 and associated Regulations describe arrangements for achieving a balance on Panels etc, to reflect the representation of political groups and independent Members on the District Council. The Act requires the District Council to review the representation of different political groups at the time when the Authority holds its Annual Meeting.

2. PRINCIPLES OF PROPORTIONALITY

- 2.1 In performing the duty to review representation, the Council must, so far as reasonably practicable, only determine the allocation of seats having regard to the following principles -

- ◆ that not all the seats are allocated to the same political group;
- ◆ that the majority of seats are allocated to the political group which forms a majority of the Council's membership; and
- ◆ that the number of seats allocated is in the same proportion as is borne by the number of Members of a political group to the membership of the Council.

- 2.2 Currently it is open to the Council to approve alternative arrangements otherwise than in accordance with the principles of proportionality providing that the alternative arrangements are approved without any Member voting against them.

3. CONSTITUTION OF POLITICAL GROUPS

- 3.1 Following the by-election in the Ramsey Ward on 2nd April 2009 and in the absence of District Council elections this May, the constitution of political groups remains unchanged as follows:-

Name of Group	No. of Members
Conservative	38
Liberal Democrat	12

There are two Members of the Council who are not aligned to a political group.

3.2 The membership of groups in proportion to the total membership of the Council is therefore as follows:-

	%
Conservative	73.08
Liberal Democrat	23.08

Independent Members represent 3.85% of the membership of the Council.

4. LOCAL GOVERNMENT ACT 2000

4.1 Members are reminded that under the Local Government Act 2000, the proportionality requirements do not apply to the Cabinet and the Standards Committee nor to any Sub-Groups or Sub-Committees, etc which either of them may appoint. It is therefore open to the Council to determine the membership of those bodies, irrespective of the composition of political groups and their membership. However, the Standards Board for England believes that Standards Committees should include appropriate political representation which has the support of all political parties.

4.2 The following requirements of the Act also need to be adhered to by the Council in determining the membership of Panels, etc -

- ◆ the Cabinet may not include either the Chairman or Vice-Chairman of the Council;
- ◆ Overview and Scrutiny Panels may not comprise any Member of the Cabinet;
- ◆ the Standards Committee may not include the Leader, although it must include one Cabinet Member within its membership but that person may not Chair the Committee; and
- ◆ the Leader, Deputy Leader and any Member of the Cabinet shall not be elected as Chairman of any Committee or Panel other than any that may be appointed by the Cabinet.

4.3 The Constitution also provides for the Development Management Panel, Licensing and Protection Panel, the Employment Panel and the Licensing Committee to include the relevant Executive Councillor within their respective membership. Following the recent review of the democratic structure, the membership of the Corporate Governance Panel shall include the Executive Councillors whose portfolios include finance and corporate governance in an ex-officio capacity. Every Member of the Council shall be appointed to serve on a minimum of one Overview and Scrutiny Panel, Committee or Panel of the Council or the Cabinet.

5. PROPORTIONALITY

5.1 Excluding the Cabinet and Standards Committee, the aggregate number of seats on Panels remains at 80, notwithstanding the change in the number of Overview and Scrutiny Panels. Using the

proportionality percentage referred to in paragraph 3.2 and rounding up or down as appropriate, produces the following entitlement -

Seats	
Conservative Group	58.46
Liberal Democrat Group	18.46
Independent Members	3.07

5.2 Applying the principles of the Act and, similarly, rounding the figures as necessary, gives the following distribution:-

	No. of Seats*	No. of Ex-officio	Title of Ex-officio	Cons	Lib Dem	Indep	Cons	Lib Dem	Indep
Corporate Governance Panel	7	2 max	Executive Cllrs for finance and governance	5.12	1.62	0.27	5	2	0
Development Management Panel	16	1	Not defined	11.69	3.69	0.62	11 or 12	4 or 3	1
Elections Panel	7	0		5.12	1.62	0.27	5	2	0
Employment Panel	8**	1	Not defined	5.85	1.85	0.31	6	2	0
Licensing & Protection Panel/Committee	12	1	Not defined	8.77	2.77	0.46	8 or 9	3 or 2	1
Overview & Scrutiny Panel (Economic Well-Being)	10	0		7.31	2.31	0.38	7 or 8	3 or 2	0 or 1
Overview & Scrutiny Panel (Environmental Well-Being)	10	0		7.31	2.31	0.38	7 or 8	3 or 2	0 or 1
Overview & Scrutiny Panel (Social Well-Being)	10	0		7.31	2.31	0.38	7 or 8	3 or 2	0 or 1
Total	80			58.48	18.48	3.07	58 or 59	19 or 18	3
Standards	7	0		5.11	1.62	0.27	5	2	0

* *the allocation of these seats must be balanced so that the total entitlement to seats on each group is not exceeded.*

** *pending further review*

5.3 The principles of proportionality apply similarly to advisory/sub-groups appointed or nominated by panels and regard must be given to the following examples of entitlements to seats:-

No. of Members on Sub-Group, etc	Proportion of Members from Political Groups		
	Cons	Lib Dem	Indep
3	2	1	0
4	3	1	0
5	4	1	0
6	4	2	0
7	5	2	0
8	6	2	0
9	7	2	0
10	7	3	0

- 5.4 However, the Cabinet may not delegate any of its functions to non-Cabinet Members. Therefore any Sub-Group of the Cabinet that is exercising any decision-making powers delegated to it by the Cabinet must include only Cabinet Members. This does not prevent any Advisory Group appointed by the Cabinet that has no decision-making powers and whose terms of reference are merely advisory from including non-Cabinet Members. However, if a Member of an Overview and Scrutiny Panel is appointed to an Advisory Group by the Cabinet, that person will have a prejudicial interest and will be required to leave the room in the event of the Scrutiny Panel of which he or she is a member scrutinising any decisions or recommendations of that Advisory Group.
- 5.5 It should be noted that the 2000 Act requires the appointment of a minimum of one Cabinet Member to a Joint Committee exercising executive functions. Other Members may be appointed to a Joint Committee and the political balance requirements do not apply although circumstances will vary as to whether those Members can vote on executive decisions.

6. CONCLUSION

- 6.1 The Council is invited to determine the allocation of seats on District Council Panels to political groups and to the non-aligned Members in accordance with the distribution in paragraph 5.2 above and to note the requirements for appointments to advisory/sub groups etc, in paragraph 5.3. As the proportionality requirements do not apply to the Cabinet and Standards Committee it is for the Council to determine their membership.
- 6.2 The opportunity otherwise is available currently to allocate seats in accordance with an alternative arrangement, provided this arrangement is approved by the Council with no Member voting against.

BACKGROUND PAPERS

Local Government and Housing Act 1989

Local Government Act 2000

District Council Constitution

Contact Officer: Christine Deller, Democratic Services Manager
☎ (01480) 388007

Agenda Annex A

Councillors' Current Expenditure Report 2008-09

Councillor	Basic Allowance	Special Responsibility Allowance	Arrears	Care & Other Allowances	Travel Expenses	Subsistence	Grand Total
ABLEWHITE, JASON	4,219.07	617.67			160.63		4,997.37
BAKER, KEITH	4,212.54		6.53		603.80	23.50	4,846.37
BAKER, MICHAEL	4,212.54	769.63	133.89				5,116.06
BANERJEE, MADHABI	4,212.54	3,159.73	290.73		2,439.90		10,102.90
BATES, IAN	4,219.07	13,957.02			525.60		18,701.69
BELL, TERRY	4,212.54	2,593.03	239.76		297.74		7,343.07
BODDINGTON, BARBARA	4,212.54	2,957.25	223.32		553.60		7,946.71
BUCKNELL, PETER	4,212.54	7,672.17	696.66	167.04	1,470.07	1.60	14,220.08
BUTLER, ERIC	4,212.54	566.70	57.50		535.90		5,372.64
CHURCHILL, KENNETH	4,219.07	7,475.43			490.20		12,184.70
CLOUGH, WILLIAM	3,734.12	546.70	40.89	151.36	170.24		4,643.31
COOPER, KENDAL	4,212.54		6.53				4,219.07
CRISWELL, STEPHEN	4,219.07	6,287.14			730.17		11,236.38
DAKERS, PAUL	4,212.54		6.53		22.80		4,241.87
DAVIES, JOHN	4,219.07	7,620.83			1,853.00		13,692.90
DEW, DOUGLAS	4,212.54	7,672.17	696.66		539.40		13,120.77
DEW, JULIE	3,734.12				191.60		3,925.72
DOWNES, PETER	4,219.07	8,000.84	334.99		210.10		12,765.00
DUTTON, JEFFERY	4,219.07	2,533.80			1,205.61	12.45	7,970.93
EATON, ROBERT	4,212.54		6.53	120.00	147.23		4,486.30
FARRER, RODNEY	4,219.07						4,219.07
FELL, JAMES (Retired May 08)	385.76	56.45			8.54		450.75
GARNER, JOHN	4,212.54		6.53				4,219.07
GILBERT, ANDREW	4,212.54	211.17	25.54		196.94		4,646.19

Councillor	Basic Allowance	Special Responsibility Allowance	Arrears	Care & Other Allowances	Travel Expenses	Substance	Grand Total
GILES, DEREK (Not re-elected May 08)	385.76			11.29	9.60		406.65
GODFREY, PHILIP	4,212.54	2,364.20	143.80		122.68		6,843.22
GODLEY, PETER	3,734.12		48.83	151.36			3,934.31
GRAY, JONATHAN	4,212.54	5,768.28	525.39		184.60		10,690.81
HANSARD, ANDREW	4,219.07	8,362.30			1,238.79		13,820.16
HARTY, DAVID	4,212.54	528.37	91.28	151.36			4,983.55
HYAMS, COLIN	4,212.54	7,672.17	696.66		396.20	156.83	13,134.40
JORDAN, PATRICIA	4,212.54		6.53		54.54		4,273.61
KEMP, SAMANTHA	4,212.54		6.53				4,219.07
MCGUIRE, LAWRENCE	4,212.54		6.53				4,219.07
MITCHELL, PETER	4,212.54	5,768.28	525.39	120.00	944.72		11,570.93
MUIR, ROSS (Deceased 9 Dec 08)	2,903.32		6.53		95.42		3,005.27
NEWMAN, MICHAEL	4,212.54		6.53		541.53		4,760.60
POWELL, RAYMOND	4,212.54	50.00	27.50		98.40		4,388.44
PRIESTMAN, DAVID	4,212.54		6.53		11.60		4,230.67
REYNOLDS, DEBORAH	4,212.54	7,672.17	696.66	50.00	5.58		12,636.95
REYNOLDS, KEVIN (retired May 08)	385.76	254.05			5.87		645.68
ROGERS, TERENCE	4,212.54	7,672.17	696.66	107.04	797.15	144.66	13,630.22
SADLER, JOHN	4,212.54	5,768.28	525.39	120.00	19.72		10,645.93
SANDERSON, THOMAS	4,212.54	770.00	104.83		6.57		5,093.94
SHELLENS, MICHAEL	3,734.12		25.16	80.00	11.15		3,850.43
SIMPSON, LAWRENCE	4,212.54	9,630.80	872.83	120.00	180.71		15,016.88
STEPHENS, CHRISTOPHER	4,212.54	2,365.45	219.30		196.01		6,993.30
SWALES, PHILLIP	4,219.07	1,865.91		120.00	998.87		7,203.85
THOMAS, MANDY	3,734.12		48.21	151.36	118.58		4,052.27

Councillor	Basic Allowance	Special Responsibility Allowance	Arrears	Care & Other Allowances	Travel Expenses	Subsistence	Grand Total
THORPE, GORDON	4,212.54	3,159.73	290.73		326.50		7,989.50
TUPLIN, RICHARD	4,219.07	617.67			563.42		5,400.16
URSELL, PAUL	4,212.54	2,593.03	239.76	109.68			7,155.01
WARD, PETER	4,219.07	617.67		227.04	24.00		5,087.78
WATT, JOHN	4,219.07			107.04	313.47		4,639.58
WEST, RICHARD	4,212.54	566.70	57.50		164.80		5,001.54

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Agenda Annex B

MEMBERS' ATTENDANCES AT MEETINGS OF THE COUNCIL, CABINET, COMMITTEES AND PANELS

MUNICIPAL YEAR 2008/09

COUNCIL <i>(met on 6 occasions)</i>			
Ablewhite, J D	6	Harty, D	5
Baker, K M	5	Hyams, C R	5
Baker, M G	5	Jordan, Mrs P A	4
Banerjee, Mrs M	4	Kemp, Miss S L	5
Bates, I C	5	McGuire, L W	6
Bell, J T	6	Mitchell, P G	5
Boddington, Mrs B E	6	Monk, A (elected 02 04 09)	0
Bucknell, P L E	6	Muir, I R (deceased 09.12.08)	1
Butler, E R	5	Newman, M F	4
Churchill, K J	6	Powell, R	3
Clough, W T	5	Priestman, D J	5
Cooper, Mrs K E	5	Reynolds, Mrs D C	3
Criswell, S J	6	Rogers, T V	6
Dakers, P H	4	Sadler, J M	4
Davies, J W	6	Sanderson, T D	6
Dew, D B	5	Shellens, M F	6
Dew, Mrs J A	5	Simpson, L M	6
Downes, P J, OBE	6	Stephens, C J	4
Dutton, J J	5	Swales, P A	4
Eaton, R W J	4	Thomas, M J	3
Farrer, R S	5	Thorpe, G S E	6
Garner, J E	6	Tuplin, R G	6
Gilbert, A N	4	Ursell, P K	5
Godfrey, P M D	6	Ward, P R	4
Godley, P	6	Watt, J S	5
Gray, J A	5	West, R J	5
Hansard, A	6		

CABINET <i>(met on 19 occasions)</i>			
Bates, I C	14	Hyams, C R	16
Bucknell, P L E	17	Reynolds, Mrs D C	15
Churchill, K	17	Rogers, T V	17
Dew, D B	15	Simpson, L M	16
Hansard, A	18		

OVERVIEW AND SCRUTINY PANEL (CORPORATE AND STRATEGIC FRAMEWORK) <i>(met on 4 occasions)</i>			
Baker, M G	4	Harty, D	3
Banerjee, Mrs M	4	McGuire, M	2
Butler, E R	2	Mitchell, P G	3
Criswell, S J	4	Newman, M F	4
Downes, P J, OBE	4	Shellens, M F	3
Garner, J E	3	Ursell, P K	0
Godfrey, P M D	2	West, R J	4
Gray, J A	3		

OVERVIEW AND SCRUTINY PANEL (SERVICE DELIVERY) <i>(met on 11 occasions)</i>			
Ablewhite, J D	11	Jordan, Mrs P A	9
Banerjee, Mrs M	9	Mitchell, P G	10
Butler, E R	4	Sadler, J M	6
Cooper, Mrs K E	11	Shellens, M	10
Criswell, S J	11	Thomas, Ms M J	3
Dew. Mrs J A	8	Ursell, P K	5
Garner, J E	11	Watt, J S	10
Godley, P	11		

OVERVIEW AND SCRUTINY PANEL (SERVICE SUPPORT) <i>(met on 11 occasions)</i>			
Baker, K M	7	Gray, J A	10
Baker, M G	10	Harty, D	10
Bell, J T	8	Kemp, Miss S	10
Dakers, P H	6	McGuire, L W	9
Davies, J W	11	Newman, M F	11
Downes, P J, OBE	11	Tuplin, R G	11
Gilbert, A N	8	West, R J	11
Godfrey, P M	11		

STANDARDS COMMITTEE <i>(met on 6 occasions)</i>			
Ablewhite, J D	5	Muir, I R (deceased 09.12.08)	3
Boddington, Mrs B E	4	Sanderson, T D	3
Downes, P J	3	Thorpe, G S E	6
Hansard, A	5		

DEVELOPMENT CONTROL PANEL <i>(met on 13 occasions)</i>			
Ablewhite, J D	13	Stephens, C J	11
Banerjee, Mrs M	9	Swales, P A	8
Boddington, Mrs B E	12	Thomas Ms M	7
Bucknell, P L E	9	Thorpe, G S E	10
Butler, E R	12	Tuplin, R G	13
Clough, W T	11	Ursell, P K	11
Dutton, J J	11	Ward, P R	11
Mitchell, P G	12	West, R J	13

LICENSING AND PROTECTION PANEL <i>(met on 4 occasions)</i>			
Baker, K M	3	Muir, I R (deceased 09.12.08)	
Bell, J T	4	Powell, R	4
Dutton, J J	4	Sadler, J M	4
Eaton, R W J	2	Sanderson, T D	3
Farrer, R S	3	Thorpe, G S E	1
Hansard, A	4	Watt, J S	3

LICENSING COMMITTEE <i>(met on 3 occasions)</i>			
Baker, K M	2	Muir, I R (deceased 09.12.08)	
Bell, J T	3	Powell, R	3
Dutton, J J	3	Sadler, J M	3
Eaton, R W J	2	Sanderson, T D	3
Farrer, R S	2	Thorpe, G S E	0
Hansard, A	3	Watt, J S	3

EMPLOYMENT PANEL <i>(met on 5 occasions)</i>			
Bates, I C	4	Muir, I R (deceased 09.12.08)	0
Boddington, Mrs B E	5	Priestman, D	3
Dutton, J J	4	Swales, P A	4
Jordan, Mrs P A	5	Sanderson, T D	4

ELECTIONS PANEL <i>(met on 3 occasions)</i>			
Downes, P J, OBE	2	Newman, M F	3
Garner, J E	3	Sanderson, T D	2
Gilbert, A N	3	Thorpe, G S E	3
Harty, D	3		

CORPORATE GOVERNANCE PANEL <i>(met on 6 occasions)</i>			
Baker, M G	4	Rogers, T V	6
Downes, P J, OBE	6	Simpson, L M	6
Godfrey, P M D	6	Stephens, C J	5
Gray, J A	6		

NB: This schedule represents the attendance record of Members at District Council meetings. Members' responsibilities in terms of external organisations to which they are appointed by the District Council and duties within respective wards is not recorded. The Report of the Independent Panel (November 2002) estimated that, on average, non-executive Members spent 8.5 hours per week on Council duties.

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