

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the COUNCIL held in the Civic Suite, Pathfinder House, St. Mary's Street, Huntingdon PE29 3TN on Wednesday, 13 November 2013.

PRESENT: Councillor Mrs B E Boddington – Chairman.

Councillors J D Ablewhite, M G Baker, K M Baker, Mrs M Banerjee, P L E Bucknell, G J Bull, E R Butler, R C Carter, S Cawley, B S Chapman, K J Churchill, W T Clough, S J Criswell, I J Curtis, J W Davies, D B Dew, Mrs L A Duffy, R Fuller, D A Giles, J A Gray, S Greenall, N J Guyatt, G J Harlock, R Harrison, D Harty, P Kadewere, Ms L Kadic, S M Van De Kerkhove, Mrs P J Longford, A J Mackender-Lawrence, P G Mitchell, J P Morris, M C Oliver, J W G Pethard, P D Reeve, Mrs D C Reynolds, T V Rogers, T D Sanderson, M F Shellens, R G Tuplin, D M Tysoe, P K Ursell, R J West and A H Williams.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors S Akthar, I C Bates, R S Farrer, R B Howe, C R Hyams and Mrs P A Jordan.

### 38. PRAYER

The Venerable H McCurdy, Archdeacon of Huntingdon and Wisbech opened the meeting with prayer.

### 39. CHAIRMAN'S ANNOUNCEMENTS

#### (a) Mrs A Hyams

Having been advised that Ann, wife of Councillor C R Hyams, had recently passed away, the Council wished to place on record their sincere condolences and sympathy to Councillor Hyams for the loss of his wife and, these sentiments having been endorsed by Councillor M G Baker, Leader of the Liberal Democrat Group, the Democratic Services Manager undertook to convey Members' thoughts and best wishes to Councillor Hyams at this sad time.

#### (b) Filming at Meeting

The Chairman announced that she had been advised that a member of the public had indicated an intention to film the meeting. The individual concerned had been made aware of the guidelines with which he had to comply and understood

that no member of the public should be filmed without their consent.

(c) **Chairman's Events**

The Chairman described various events she had attended since her report to the meeting in September and drew particular attention to her charity concert which had raised £1,300 for her Charities, the official re-opening of One Leisure, St. Ives, the launch of the British Legion 2013 Poppy Appeal and her attendance at Remembrance Services.

Other highlights included the Chairman's meeting with Terry Waite at an event at Ely Cathedral and her visit to Hinchingbrooke School where she had addressed 300 pupils on the civic role and that of the District Council.

The Council noted that the Civic Carol Service would be held at All Saints Church, Huntingdon on 3rd December 2013 followed by a reception at Huntingdon Town Hall.

**40. MINUTES**

Subject to amplification of the question to the Executive Leader from Councillor M F Shellens in Minute No. 36 which was designed to seek a response on the information conveyed to the public regarding the extent of savings and budget cuts already made by the District Council, the Minutes of the meeting of the Council held on 25th September 2013 were approved as a correct record and signed by the Chairman.

**41. MEMBERS' INTERESTS**

Councillor R Fuller, N J Guyatt, D Harty and M F Shellens declared a non-pecuniary interest in Minute Nos. 42 and 46 by virtue of their appointment as District Council representatives on Luminus Homes.

Councillor Mrs M Banerjee declared a non-pecuniary interest in Minute Nos. 42 and 46 by virtue of her appointment as a Board Member at Luminus Homes.

**42. PETITION - SHELTERED HOUSING SCHEME AT LANGLEY COURT AND LANGLEY CLOSE, ST IVES**

The Chairman invited Mrs T Johnson to present a petition to the Council on behalf on 52 signatories concerning the potential closure of the sheltered housing scheme at Langley Court and Langley Close, St. Ives.

Mrs Johnson opened her address by asking for the Council's support against the proposals, by Luminus, to demolish the sheltered housing scheme at Langley Court/Close and their intention to replace it with an extra care facility. Whilst acknowledging that such facilities were needed, Mrs Johnson contended that these should be located elsewhere in St. Ives. She added that the current residents did not want to be moved out and around locally like a parcel and doubted

the sincerity of Luminus Homes in trying to re-locate them. Since this proposal was first raised in July, residents had become very distressed which had impacted on their sleeping and eating habits. Although residents had their own privacy, they had access to community activities and the added opportunity for companionship through links with Broadleas and Riola. In concluding, Mrs Johnson was fearful that by relocating residents in alternative accommodation, the sense of community they enjoyed would be destroyed. Lastly, on behalf of residents, she appealed to the District Council to save their homes.

In response, Councillor D B Dew was critical of Luminus' approach to the project but suggested that the majority of those who had signed the petition did not actually live in Langley Court. Councillor Mrs M Banerjee reported that several residents had already vacated the Langley Court premises and, as she was aware that others were to move before Christmas, suggested that this indicated support rather than objection to the Luminus proposals. Mrs Johnson reminded the Council that the residents were elderly and as they became increasingly anxious under the influence of Luminus, so many had been persuaded to change their minds about moving. Following further contributions from Councillors P G Mitchell and P D Reeve, the Executive Leader, Councillor J D Ablewhite thanked Mrs Johnson for her presentation and for attending the Council meeting. Accordingly, further discussion of the petition was deferred until Minute No. 46 post.

#### **43. HEADLINE DEBATE**

The Chairman reminded Members of the decision by the Council to suspend Council Procedure Rule 11 (Rules of Debate) to enable the 'headline debate' and "Green Paper" proposals to be discussed by Members in an open manner. The Council, therefore,

#### **RESOLVED**

that Council Procedure Rule 11 (Rules of Debate) be suspended for the duration of the discussion under Minute No. 44 during which time the common law rules of debate be observed by Members and applied by the Chairman.

The Chairman invited Councillor M G Baker, Leader of the Liberal Democrat Group to open the debate. Councillor Baker was assisted by the Head of Customer Services, Mrs J Barber and the Benefits Manager, Ms A Burns. By reference to a powerpoint presentation (a copy of which is appended in the Minute Book) Councillor Baker indicated that it was his intention to raise the awareness of the Council and encourage Members to share their experiences of working with various services in the District. The Council also were reminded that a paper on the impact of welfare reform, authored by the Chief Executive Officer of Rural Cambs CAB had been circulated to Members in advance of the meeting.

Mrs Barber described each of the main areas of welfare reform in turn starting with the "spare room subsidy". Questions from Councillor M F Shellens and B S Chapman reminded the Council that this aspect

of reform did not apply to the retired and was designed to encourage individuals to move to the right sized properties for their needs. Councillor P L E Bucknell urged the Council also to be mindful of the needs of the partially sighted both young and old. Mrs Barber confirmed that this policy had been successful in freeing up properties and that the District Council had been more successful than others in this respect having worked closely with Housing Associations locally to identify suitably sized properties. It was acknowledged, however, that the opportunity to move relied on housing associations having smaller properties available. Mention also was made of the advantage that had been taken of the mutual exchange scheme. In response to questions from Councillors T D Sanderson and M F Shellens, reference was made to the priority accorded to occupiers of Bands A and B properties and the need for one bedroomed properties to be available if the policy was to work effectively. Councillor Mrs M Banerjee commended the service provided by the family shop in Yaxley which appeared to be encouraging mutual exchange of property.

Given the number of cases – 816 affected by the spare room subsidy, Councillor J P Morris asked whether the Council had considered exercising more discretion in awarding increased discretionary housing payments. In reply, Members understood that legislation would allow the extension of the payment scheme but given that any increased budget for payments would require to be met from Council Tax, the decision to do so lay with the District Council.

Following a question from Councillor S M Van De Kerkhove, Members were advised that the Council would continue to assist households wishing to move whilst the budget allowed. Referring to an individual case involving a disabled person in a specially adapted house, the questioner, Councillor D A Giles was informed that whilst discretionary housing payments were not granted indefinitely, a decision to continue or withdraw a payment would be subject to review and depend on an assessment of any change in circumstances.

The Executive Councillor for Customer Services, Councillor B S Chapman explained that the District Council had allocated, as an indication of their desire to care for the most vulnerable, more discretionary housing payments (DHPs) than any other Council in Cambridgeshire.

In terms of Council tax support, the Executive Councillor for Resources, Councillor J A Gray wished to place on record his appreciation for the work of Mrs Barber and her Team. On the same theme, Councillor R J West also applauded the work of the Team and in particular the efforts which had been made in advance to prepare for the introduction of the welfare regime which, in his view, had avoided certain issues and problems.

In response to a question from Councillor Gray, it was explained that the case load had reduced from 4,973 to 4,472 in August because Council Tax support had become less generous at that time. Referring to increases in the level of debt and arrears being experienced by registered social landlords, Councillor M F Shellens

asked whether this could result in additional evictions and use of bed and breakfast accommodation in the District and whilst Mrs Barber admitted that she had no access to this type of information, the Council was working constantly to ensure the availability of alternative accommodation should this be necessary.

The Council also was advised that rather than complaints about the new reforms, the District Council had experienced an increase in enquiries asking for information and for an explanation as to the reasons why the reforms had impacted on an individual's circumstances. The District Council continued to offer help, including the suggestion of paying by instalments, to make things as easy as possible for individuals and families.

Regarding discretionary housing payments and in response to the assertion from Rural Cambs CAB that their clients did not know about the fund, Mrs Barber informed Members that the Council had written to each individual with advice on the potential for a reduction in their benefit and encouraged each person to ring or visit the Council for further information. Many preferred Rural CAB to make enquiries on their behalf. As Rural Cambs CAB was responsible for a wider area than Huntingdonshire, there was a possibility that the comment made related to clients outside the District area.

Whilst expenditure on applications for DHPs across the County had increased, Mrs Barber was not aware how the Council compared with other Districts but reported that £112,000 had been committed to payments thus far in 2013/2014.

Councillor M G Baker indicated that experience of the food banks in St. Ives and St. Neots had suggested that it was younger people rather than the retired who were making greater use of them and that, in his opinion, the sanctions on benefits had resulted in increased use of this type of service. Councillor Baker also was of the view that debt could lead to mental and other health concerns. Councillor Chapman also confirmed that young rather than elderly people were likely to experience a change in benefits and thus made greater use of food banks. Whilst the District Council was able to advise on the location of food banks, it was not able to offer any assistance for travel to them.

The Deputy Executive Leader, Councillor N J Guyatt acknowledged the need to make provision to care for the poor and vulnerable in society but he wished the Council to recognise that there were others who were not quite as deserving of help. He also drew attention to the tendency for families in rural areas to be more flexible in looking after themselves by moving from four bedroom homes, for instance, to accommodate other family members. Councillor Guyatt was of the view that the Government might have improved the reform legislation by linking it to strategic housing and by encouraging provision of suitably sized accommodation to enable individuals to live in appropriately sized properties. He also pointed out that tenancies should not be for life but for a maximum of five years so that properties could be released for others as family circumstances changed. Councillor Guyatt concluded by drawing attention to the problems experienced by other Authorities which the District Council

had avoided through careful and planned introduction of the welfare changes.

The Executive Leader, Councillor J D Ablewhite admitted that the impact of the reform had not been as severe in the District as elsewhere. However, he pointed out that this was partly due to the careful and sensitive way in which the changes had been delivered and implemented. He added that the level of welfare assistance could not be sustained in the long-term and illustrated this assertion by reference to high profile Councils and examples. In his view, it was essential that funds were available to support the most needy and vulnerable rather than those who were able to work. Councillor Ablewhite considered that the Council had done as much as it could to implement the changes as sensitively as possible within the resources available.

In closing, Councillor J P Morris indicated his support for some aspects of the reforms but deplored the impact that the spare room subsidy had had on the disabled and family households.

#### **44. SCRAP METAL DEALERS ACT 2013**

In the absence of the Executive Councillor, Councillor J W Davies, Chairman of the Licensing Committee presented a report by the Head of Environmental and Community Health Services (a copy of which is appended in the Minute Book) regarding changes to the arrangements for regulating scrap metal dealers following the coming into force of the Scrap Metal Dealers Act 2013.

Members were advised that the Act introduced new provisions which would replace a registration system for scrap metal dealers and motor salvage operators with a licensing scheme to be administered by local authorities. The District Council would be entitled to set a licensing fee which would be expected to reflect the cost involved in administering the process and ensuring compliance. The new legislation was prompted by the growth of metal theft offences, the ineffectiveness of the existing regulatory regime under the Scrap Metal Dealers Act 1964 and the significant cost to the economy of the offences each year – currently estimated at £800million.

As the Council, as a Licensing Authority had a statutory duty to enforce the provisions of the Act and determine licence applications, it was moved, duly seconded and

#### **RESOLVED**

- (a) that the terms of reference of the Licensing Committee be varied to enable the Committee to discharge the functions of the Scrap Metal Dealers Act 2013 and the relevant Sub-Committee be convened when appropriate to deal with contested applications and application hearings;
- (b) that the Head of Environmental and Community Health Services be authorised to appoint suitably qualified and competent persons to act as “authorised persons”

to determine and issue licences and enforce the provisions of the Scrap Metal Dealers Act as appropriate;

- (c) that the Head of Environmental and Community Health Services be authorised to determine the licensing fees and review them annually and as appropriate;
- (d) that the Head of Environmental and Community Health Services be authorised to initiate prosecutions under the legislation after consultation with the Chairman and Vice-Chairman of the Licensing Committee; and
- (e) that the Head of Legal and Democratic Services be authorised to make the necessary amendments to the Scheme of Delegations and Table 2 – Responsibility for Council Functions contained in the Council's Constitution.

**45. REPORTS OF THE CABINET, PANELS AND COMMITTEE**

**(a) Cabinet**

Councillor J D Ablewhite, Executive Leader of the Council and Chairman of the Cabinet presented the Report of the meeting of the Cabinet held on 17th October 2013.

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Whereupon, it was

RESOLVED

that the Report of the meeting of the Cabinet held on 17th October 2013 be received and adopted.

**(b) Overview & Scrutiny Panel (Economic Well-Being)**

Councillor T V Rogers presented the Report of the meeting of the Overview and Scrutiny Panel (Economic Well-Being) held on 3rd October 2013.

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Whereupon, it was

RESOLVED

that the Report of the meeting of the Overview and Scrutiny Panel (Economic Well-Being) held on 3rd October 2013 be received and adopted.

**(c) Overview & Scrutiny Panel (Environmental Well-Being)**

Councillor G J Bull presented the Report of the meeting of the Overview and Scrutiny Panel (Environmental Well-Being)

held on 8th October 2013.

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Whereupon, it was

RESOLVED

that the Report of the meeting of the Overview and Scrutiny Panel (Environmental Well-Being) held on 8th October 2013 be received and adopted.

**(d) Overview & Scrutiny Panel (Social Well-Being)**

Councillor S J Criswell presented the Report of the meetings of the Overview and Scrutiny Panel (Social Well-Being) held on 1st October and 5th November 2013.

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Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny Panel (Social Well-Being) held on 1st October and 5th November 2013 be received and adopted.

**(e) Development Management Panel**

Councillor D B Dew presented the Report of the meeting of the Development Management Panel held on 21st October 2013.

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The Executive Councillor for Planning and Housing Strategy, Councillor N J Guyatt announced that provisional arrangements had been made for meetings of the Section 106 Agreement Advisory Group, Development Management Panel and Council to be held on 9th December 2013 to consider the outline application for development at Alconbury Airfield. He explained that in accordance with the Council's Scheme of Delegation the application would require to be referred by the Council to the Secretary of State for Communities and Local Government.

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Whereupon, it was

RESOLVED

that the Report of the meeting of the Development Management Panel held on 21st October 2013 be



received and adopted.

**(f) Licensing & Protection Panel**

Councillor J W Davies presented the Report of the meeting of the Licensing and Protection Panel held on 29th October 2013.

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Whereupon, it was

RESOLVED

that the Report of the meeting of the Licensing and Protection Panel held on 29th October 2013 be received and adopted.

**(g) Licensing Committee**

Councillor J W Davies presented the Report of the meeting of the Licensing Committee held on 29th October 2013.

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In connection with Item No. 1 and in response to questions from Councillor S M Van De Kerkhove and P G Mitchell, Councillor Davies confirmed that the effectiveness of the new regulatory regime to control scrap metal dealing would be reviewed after a period of operation and that enforcement action would be undertaken by Cambridgeshire Police.

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Whereupon, it was

RESOLVED

that the Report of the meeting of the Licensing Committee held on 29th October 2013 be received and adopted.

**(h) Corporate Governance Panel**

Councillor E R Butler presented the Report of the meeting of the Corporate Governance Panel held on 26th September 2013.

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Having drawn the Council's attention to his Annual Report (a copy of which is appended in the Minute Book) Councillor Butler thanked Members for their contribution to the work of the Panel over the past year and expressed his appreciation to the Officers who had assisted the Panel during this time. Councillor Butler also commended to the Council the Annual

Governance Statement which had been circulated separately with the Agenda.

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Upon being put to the vote, the recommendations contained in Item No. 14 were declared to be CARRIED.

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In connection with Item No. 15 and in response to a question from Councillor P D Reeve regarding the Code of Procurement and protection for local businesses when supplying the District Council, Councillor Butler undertook to respond to the questioner, in writing, after the meeting.

Accordingly and having been put to the vote, the recommendations contained in Item No. 15 were declared to be CARRIED.

[In accordance with Council Procedure Rule 14.5, Councillors K J Churchill, I J Curtis and P D Reeve requested that their decision not to support the Motion be recorded in the Minutes.]

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Whereupon, it was

RESOLVED

that, subject to the foregoing paragraphs, the Report of the meeting of the Corporate Governance Panel held on 26th September 2013 be received and adopted.

**46. MOTION ON NOTICE**

Councillor K J Churchill moved and it was duly seconded by Councillor P D Reeve –

‘(a) that the Council notes:

- that residents of the Sheltered Housing Scheme at Langley Court and Langley Close, St Ives, Cambridgeshire may be faced with possession proceedings to be issued by their landlord, Luminus;
- that the nature of the said redevelopment of the site would be the provision of extra-care type housing designed for elderly people with a range of dependencies (for which substantial Government support is available) but for which only a small number of the current residents may qualify when the new facility is completed. The remainder would be rehoused at various locations

through the District;

- that the current dwellings are structurally sound and some of the residents have expended substantial amounts of their own monies in improving their homes over time. Many have been resident there for a number of years and there is a strong community among them;
- that Huntingdonshire District Council has already given its support to develop extra-care housing in St Ives.

(b) the Council considers:

- that it is not in the best interests of the residents, both individually and collectively, for them to be subjected to the trauma of being uprooted and settled at varying locations throughout Cambridgeshire; and

(c) that this Council calls upon the Cabinet to:

- withdraw any support, financial or otherwise, from Luminus that would in any way cause or contribute to the breakup of this sustainable retirement community; and
- explore every possible alternative to provide the extra-care facility that will be required in the future.'

Given the interest in this item to the public attending the meeting, the Chairman exercised her discretion and allowed contributions from Members before the Motion, having been moved and seconded, was referred to the Cabinet in accordance with Council Procedure Rule 9.5.

## **47. ORAL QUESTIONS**

### **Question from Councillor D A Giles to the Executive Leader, Councillor J D Ablewhite**

Regarding the decision by Councillors K J Churchill and R S Farrer to join the UKIP Group on the Council, the Executive Leader congratulated both Councillors on their decision and wished the Group well for the future.

### **Question from Councillor B S Chapman to the Executive Leader, Councillor J D Ablewhite**

Having had his attention drawn to a campaign to improve the A428 between Caxton Gibbet and the A1 at St. Neots and the availability of an on-line petition to register support for the improvements, Councillor Ablewhite indicated his willingness to encourage support for the petition from all levels of local government and particularly the County Council.

**Question from Councillor P L E Bucknell to the Executive Councillor for Planning and Housing Strategy, Councillor N J Guyatt**

In connection with proposed development at Alconbury Airfield and concern expressed regarding traffic congestion north of the A141 junction with the proposed scheme at Alconbury Weald, Councillor Guyatt assured the questioner that whilst he would raise this point with the County Transport Officers, it was in the interests of both Authorities to make sure that access and egress arrangements to and from Alconbury Weald could be overcome, such that the new development was a success. Councillor Guyatt indicated that a copy of the technical traffic report would be made available to local Members.

**Question from Councillor M F Shellens to the Executive Councillor for Planning and Housing Strategy, Councillor N J Guyatt**

As the meeting had been filmed by Luminus, Councillor Guyatt undertook to establish what the organisation intended to do with the footage and to advise the questioner accordingly after the meeting.

**Question from Councillor D B Dew to the Executive Leader, Councillor J D Ablewhite**

In response to a question regarding the campaign for support of a plea for clemency from Marine A, the Executive Leader acknowledged that this was a difficult situation given its proximity to Remembrance Sunday but that he would encourage Members to consider, in their individual capacity, whether they wished to support the associated petition.

**48. REPRESENTATION OF POLITICAL GROUPS ON DISTRICT COUNCIL PANELS, ETC**

Following the decision by Councillors K J Churchill and R S Farrer to join the UKIP Group, the Council received a report submitted by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) reviewing the allocation of seats to political groups in accordance with the principles of proportionality applied to the appointment of Panels in accordance with Section 15 of the Local Government and Housing Act 1989 and Part II of the Local Government Act 2000. Whereupon, it was

RESOLVED

that the allocation of seats on Panels to political groups and non-aligned Members be determined as set out in the report now submitted.

**49. VARIATION TO THE MEMBERSHIP OF COMMITTEES AND PANELS, ETC**

Further to Minute No. 48 ante and given a vacancy in the membership of the Overview and Scrutiny Panel (Social Well-Being), the Council

RESOLVED

- (a) that Councillor D B Dew be appointed to the membership of the Overview and Scrutiny Panel (Social Well-Being);
- (b) that Councillor K J Churchill be appointed to the membership of the Overview and Scrutiny Panel (Economic Well-Being) in place of Councillor P D Reeve; and
- (c) that Councillor R S Farrer be appointed to the membership of the Overview and Scrutiny Panel (Environmental Well-Being) in place of Councillor K J Churchill.

The meeting ended at 9.29pm.

Chairman