

## COUNTY COUNCIL: MINUTES

**Date:** Tuesday, 24th March 2015

**Time:** 10.30 a.m. – 1.10 p.m.

**Place:** Shire Hall, Cambridge

**Present:** Councillor K Reynolds (Chairman)  
Councillors P Ashcroft, B Ashwood, A Bailey, I Bates, K Bourke, D Brown, P Brown, P Bullen, R Butcher, S Bywater, E Cearn, B Chapman, P Clapp, J Clark, D Connor, S Count, S Criswell, A Dent, D Divine, P Downes, S Frost, D Giles, G Gillick, L Harford, D Harty, R Henson, R Hickford, J Hipkin, P Hudson, B Hunt, D Jenkins, N Kavanagh, G Kenney, S Kindersley, A Lay, M Leeke, M Loynes, I Manning, M Mason, M McGuire, L Nethsingha, F Onasanya, T Orgee, J Palmer, M Rouse, S Rylance, J Schumann, J Scutt, M Shellens, M Shuter, M Smith, A Taylor, M Tew, S Van de Kerkhove, S van de Ven, A Walsh, J Whitehead, J Williams, G Wilson, J Wisson and F Yeulett

Apologies: Councillors S Crawford, M Curtis, P Lagoda, P Read, P Reeve, P Sales and P Topping

### 124. MINUTES – 17TH FEBRUARY 2015

The minutes of the Council meeting held on 17th February 2015 were approved as a correct record and signed by the Chairman.

### 125. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made a number of announcements as set out in **Appendix A**.

### 126. DECLARATIONS OF INTEREST

There were no declarations of interest under the Code of Conduct.

### 127. PUBLIC QUESTION TIME

No questions were received from members of the public.

### 128. PETITIONS

No petitions were received.

### 129. APPOINTMENT OF COUNTY RETURNING OFFICER

It was moved by the Chairman of Council, Councillor Reynolds, seconded by the Vice-Chairman of Council, Councillor Kindersley, and resolved unanimously:

- (i) to appoint Sue Grace as the County Returning Officer with immediate effect for the duration of her appointment as Corporate Director: Customer Services and Transformation; and
- (ii) that the Council shall indemnify Sue Grace against costs arising from any subsequent legal challenge to a County election process subject to the

**130. CONSTITUTION AND ETHICS COMMITTEE RECOMMENDATIONS TO FULL COUNCIL**

a) Review of Cambridgeshire County Council's Committee System

The Chairman of the Constitution and Ethics Committee, Councillor Kindersley, introduced the report from the Constitution and Ethics Committee, drawing attention to a number of changes to the report and recommendations [additions in bold and deletions shown in strikethrough]. These were:

- a) that the word 'not' be deleted from the first sentence of report paragraph 2.2, so that it would read: 'Following discussion and in the light of the results of the survey, Members came to the conclusion that the following should ~~not~~ be progressed.'
- b) that the word 'normally' be inserted in the first line of recommendation (i) so that it would read 'information reports to not **normally** be included on committee agendas'
- c) that the words 'which will remain at seventeen' be added to the bracketed words in recommendation (v) so that it would read 'to reduce the number of Member seats on each service committee (excluding General Purposes Committee **which will remain at seventeen**) to thirteen'.

Councillor Kindersley proposed the recommendations set out in the report subject to the alterations above; the Vice-Chairman of the Committee, Councillor McGuire, seconded the recommendations as altered.

Council proceeded to consider each of the ten recommendations individually.

Recommendations (i) to (iv) were agreed unanimously.

In relation to recommendation (v), it was proposed by Councillor Whitehead and seconded by Councillor Walsh that recommendation (v) be amended [additions in bold and deletions shown in strikethrough] as follows:

- (v) to reduce the number of Member seats on each service committee (excluding General Purposes Committee **which will remain at 17**) to **fifteen**.

Following discussion, the amendment on being put to the vote was lost.

[Voting pattern: some Liberal Democrats, some UKIP and all Labour in favour; most Conservatives, most Liberal Democrats and all Independents against; 1 Conservative abstained; 1 Liberal Democrat did not vote]

The substantive recommendation (v) on being put to the vote was carried by a majority.

[Voting pattern: most Conservatives, most Liberal Democrats, most UKIP and all Labour in favour; one Conservative, one Liberal Democrat and some UKIP against; 1 Conservative abstained]

The remaining recommendations (vi) to (x) were then considered and voted on individually, and agreed unanimously. In relation to recommendation (vii) it was noted that 'individually' referred to individual committees, not to individual Councillors.

In summary, Council agreed the following revisions to the Constitution as set out in Appendix 1 of the report before Council as amended above and detailed below:

- (i) information reports to not normally be included on committee agendas unless they are updating, at the specific request of the Committee, progress of decisions previously agreed by a committee.
- (ii) each service committee to consider and approve its own training plan at every meeting. The plan to include figures for attendance for each training session.
- (iii) full Council to receive a short (two sides of A4) report on each policy and service committee at its annual meeting in May. The report to be prepared by the relevant Service and not open for discussion at the meeting.
- (iv) to amend the budget setting process to remove the requirement to request the Leader to re-consider.
- (v) to reduce the number of Member seats on each service committee (excluding General Purposes Committee which will remain at seventeen) to thirteen.
- (vi) to rename service committees to Policy and Service Committees to better reflect their role.
- (vii) to hold an annual training day for Chairs, Vice-Chairs and Spokes with a focus on their roles and remits individually and collectively.

Council further agreed:

- (viii) to hold training at a future Members' Seminar covering the current role of General Purposes Committee and how it relates to service committees.
- (ix) to ask the Constitution and Ethics Committee to conduct a mini review in a year's time in order to consider whether to recommend any changes to the detailed governance procedures to Council.
- (x) to authorise the Monitoring Officer, in consultation with the Chairman of the Constitution and Ethics Committee, to make any other minor or consequential amendments to the Constitution necessary for, or incidental to, the implementation of these proposals.

b) Role of Chairman/woman of Cambridgeshire County Council

It was moved by the Chairman of the Constitution and Ethics Committee, Councillor Kindersley, and seconded by the Vice-Chairman of the Constitution and Ethics Committee, Councillor McGuire, and resolved unanimously to:

- (i) approve the revisions in bold to Part 2 – Articles, Article 5 – Chairing the Council (see Appendix 1 of the report before Council) to reflect the types of civic and ceremonial functions the Chairman/woman of the Council should attend and the process for dealing with areas where the type of function is not clear;
  - (ii) agree the establishment of a webpage devoted to the role of the Chairman/woman of the Council; and
  - (iii) authorise the Monitoring Officer, in consultation with the Chairman of the Constitution and Ethics Committee, to make any other minor or consequential amendments to the Constitution necessary for, or incidental to, the implementation of these proposals.
- c) Local Government Pension Scheme (Amendment) (Governance) Regulations 2014 – Establishment of Pension Board

The Chairman of the Constitution and Ethics Committee, Councillor Kindersley, introduced the report from the Constitution and Ethics Committee, drawing attention to the alteration of recommendation (d) as follows [additions in bold and deletions shown in strikethrough]:

- (d) appoint **at least** ~~the~~ two County Councillors to the Local Pension Board as employer representatives.

Councillor Kindersley proposed the recommendations set out in the report subject to the alteration above; the Vice-Chairman of the Committee, Councillor McGuire, seconded the recommendations as altered.

Following discussion, the recommendations were put to the vote. The Chairman requested that a briefing note on employee representation be prepared and distributed to all members.

It was resolved unanimously to:

- (i) agree the establishment of a Local Pension Board for Cambridgeshire County Council (the Administering Authority);
- (ii) agree the changes to Part 3 of the Council's Constitution (Responsibility for Functions, Part 3B: Committees of Council; Paragraph 9: Pension Fund Board) as set out in Appendix A;
- (iii) agree the changes to Part 4 of the Council's Constitution (Rules of Procedure, Part 4.4: Procedure Rules for Committee and Sub-Committee Meetings) as set out in Appendix B;
- (iv) appoint at least two County Councillors to the Local Pension Board as employer representatives;
- (v) delegate authority to the Monitoring Officer, in consultation with Group Leaders, to appoint the one employer and three member representatives to the remaining positions on the board, following the process set out in section 3; and

- (vi) authorise the Monitoring Officer, in consultation with the Chairman of the Constitution and Ethics Committee, to make any other minor or consequential amendments to the Constitution necessary for, or incidental to, the implementation of these proposals.

d) LGSS Law – Delegation and Exercise of Shareholder Rights

It was moved by the Chairman of the Constitution and Ethics Committee, Councillor Kindersley, and seconded by the Vice-Chairman of the Constitution and Ethics Committee, Councillor McGuire, and resolved unanimously to:

- (i) nominate as its shareholder representative the Council's Monitoring Officer, who shall exercise the delegated authority in consultation with the elected member for the time being holding the post of Chairman/woman or Vice-Chairman/woman of the Local Government Shared Services Joint Committee
- (ii) delegate to that Officer all and any rights associated with the ownership of the shares and authorise that Officer to exercise those rights subject to the following conditions and reservations:
  - 1. The Monitoring Officer shall at all times exercise the delegated rights in accordance with the ten Solicitors Regulation Authority (SRA) Principles and Code of Conduct. If in doubt as to the requirements of the SRA Principles and Code of Conduct, the Officer shall take appropriate independent legal advice before exercising the delegated authority.
  - 2. The Monitoring Officer shall exercise the delegated authority under this provision in accordance with the Code of Conduct for Officers and elected members of NCC/CCC and with all other relevant policies to the extent that those do not conflict with the Solicitors' Regulation Authority (SRA) Code of Conduct and in circumstances where a conflict between the SRA Code of Conduct and any other Code shall arise, the SRA Code of Conduct shall take precedence.
- (iii) in the event that the Chairman/woman or Vice-Chairman/woman of the LGSS Joint Committee is unable for any reason to take up the role of Consultee Member for their council, authorise the Joint Committee to nominate another elected member of the same council to undertake that role.
- (iv) agree the addition to Part 3 of the Council's Constitution (Responsibility for Functions) of a section Part 3E, Delegation and Exercise of Shareholder Rights in LGSS Law Ltd, as set out in Appendix A
- (v) authorise the Monitoring Officer, in consultation with the Chairman of the Constitution and Ethics Committee, to make any other minor or consequential amendments to the Constitution necessary for, or incidental to, the implementation of these proposals.

e) Delegation of Determination of Traffic Regulation Orders

The recommendations set out in the report were proposed by the Chairman of the Constitution and Ethics Committee, and seconded by the Vice-Chairman of the Committee, Councillor McGuire.

The following amendment was proposed by Councillor Hickford and seconded by Councillor McGuire:

That the proposal set out in report paragraph 2.5 be amended to read [additions in bold and deletions shown in strikethrough]:

The Head of LISM **or the Chairman/woman of Highways and Community Infrastructure Committee** has the option of referring the matter to the Committee, in consultation with the local member.

Following discussion, the amendment on being put to the vote was carried by a majority.

[Voting pattern: all Conservatives, most Liberal Democrats, all Labour, most UKIP and most Independents in favour; some Liberal Democrats, some UKIP and one Independent against; 1 UKIP abstained; 1 Liberal Democrat and 1 UKIP did not vote]

The following amendment was proposed by Councillor Cearns and seconded by Councillor Nethsingha:

That the proposal set out in report paragraph 2.5 as amended be amended to read [additions in bold and deletions shown in strikethrough]:

The Head of LISM or the Chairman/woman **or the Vice-Chairman/woman** of Highways and Community Infrastructure Committee has the option of referring the matter to the Committee, in consultation with the local member.

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

[Voting pattern: one Conservative and most Liberal Democrats in favour; most Conservatives, one Liberal Democrat, most UKIP and all Labour against; 7 abstained]

It was proposed by Councillor Orgee that the wording in Appendix 1, column 'Delegation/Condition', be modified to take account of dual-member divisions by changing 'in consultation with the Local Member' to 'in consultation with the Local Members'. This proposal met with general support.

It was resolved by a majority to:

- (i) agree that the Constitution be revised (see Appendix 1 of the report before Council) to reflect the process outlined in Section 2 of the report before Council as amended; and
- (ii) authorise the Monitoring Officer, in consultation with the Chairman of the Constitution and Ethics Committee, to make any other minor or consequential amendments to the Constitution necessary for, or incidental to, the implementation of these proposals.

[Voting pattern: all Conservatives, some Liberal Democrats, most UKIP, all Labour and all Independents in favour; some Liberal Democrats and one UKIP against; 5 abstained]

### 131. MOTIONS SUBMITTED UNDER COUNCIL PROCEDURE RULE 10

Three motions had been submitted under Council Procedure Rule 10.

#### a) Motion from Councillor Fiona Onasanya

The following motion was proposed by Councillor Onasanya and seconded by Councillor Scutt:

Council notes:

- There have been a number of significant changes to the educational system in recent years, changes which have resulted in an increasingly diverse and autonomous school system.
- To maintain and develop the standards of early education, the Council's Early Years Service provides support and challenge across the sector. This includes working with providers in the Private, Voluntary and Independent (PVI) sector, Children's Centres and also the maintained sector including nursery and primary schools up to KS1.
- The PVI sector, including childminders, accommodates approximately 80% of funded education places for three or four year olds. They are also the largest provider of free early education for the most vulnerable two year olds.
- Local Authorities retain a statutory duty under the 1996 Education Act to promote high standards so that children and young people achieve well and fulfil their potential: this statutory duty is fundamental.
- There have been significant changes within the Early Years sector recently. Free nursery education places for all three and four years olds is now well-established and the target to accommodate 40% of the most disadvantaged two years olds is being embedded. The extension of the Early Years Pupil Premium to eligible three and four year olds is imminent, with Cambridgeshire piloting this from January 2015.
- Early years practitioners, when planning and guiding children's learning must reflect in their practice children's ability to play and explore, actively learn, create and critically think. It is important that these principles are not overlooked in Early Years practice whilst the changes described above are embedded.
- The importance of learning through play in children's development, which is enshrined in Article 31 of the UN convention on the Rights of the child, needs to be recognised. *[Article 31 of the UN Convention on the Rights of the child (leisure, play and culture) 'Every child has a right to relax, play and take part in a wide range of cultural and artistic activities']*

This Council believes:

- Early childhood must be recognised as a crucial stage in its own right not just as a preparation for school.

- Quality early years provision that has regard to the importance of play is critical to a child's development and lifelong learning.

This Council resolves:

- To note its recognition of the value of play in the Early Years.
- To ask the Chief Executive to write to the Secretary of State for Education on behalf of Cambridgeshire County Council to confirm this Council's belief that learning through play remains a vital part of the initial training for those working towards a qualification in Early Years (including qualified teachers status) and also in the continuing professional development for those already working in the sector

The following amendment was proposed by Councillor David Brown and seconded by Councillor Bywater (deletions struck through and additions in bold).

This Council resolves:

- ~~\_\_\_\_\_ To note its recognition of the value of play in the Early Years.~~
- ~~\_\_\_\_\_ To ask the Chief Executive to write to the Secretary of State for Education on behalf of Cambridgeshire County Council to confirm this Council's belief that learning through play remains a vital part of the initial training for those working towards a qualification in Early Years (including qualified teachers status) and also in the continuing professional development for those already working in the sector~~
- **In accordance with Part 4.1, Section 12.6 (a) (i) of the constitution, to refer this matter to the Children and Young People Policy and Service Committee for consideration.**

Following discussion, it was proposed by Councillor Bates and seconded by Councillor Hipkin that the amendment be put. On being put to the vote, this proposal was carried by a majority.

[Voting pattern: all Conservatives, some Liberal Democrats, some UKIP and all Independents in favour; most Liberal Democrats, one UKIP and all Labour against; 1 UKIP abstained; 1 Liberal Democrat and 1 UKIP did not vote]

Following further discussion, the amendment on being put to the vote was carried by a majority.

[Voting pattern: all Conservatives, some Liberal Democrats, most UKIP and most Independents in favour; most Liberal Democrats, all Labour and one Independent against; 1 UKIP abstained]

Following further discussion, it was proposed by Councillor Bullen and seconded by Councillor McGuire that the question be put. On being put to the vote, this proposal was carried by a majority

[Voting pattern: most Conservatives, one Liberal Democrat, most UKIP and most Independents in favour; most Liberal Democrats and most Labour against; 5 abstained; 5 did not vote]



It was resolved by a majority:

In accordance with Part 4.1, Section 12.6 (a) (i) of the constitution, to refer this matter to the Children and Young People Policy and Service Committee for consideration.

[Voting pattern: most Conservatives, most Liberal Democrats, most UKIP, all Labour and all Independents in favour; one Liberal Democrat and one UKIP against; 3 UKIP abstained; 1 Conservative did not vote]

**b) Motion from Councillor Ian Manning**

The following motion was proposed by Councillor Manning and seconded by Councillor Cearns:

This Council notes:

- the report by the Equalities and Human Rights Commission (EHRC) "The Invisible Workforce" on the role of cleaning service workers in organisations.
- that many of the recommendations within could apply to this Council.
- the EHRC report 96 - "Coming clean: contractual and procurement practices".
- that, in general, cleaners are part of the workforce who can easily be seen as 'second class citizens', even though they provide a vital service.

Council believes the recommendations that could apply to this Council are as follows:

- recommendation 7, access to redress: Clients should consider making their grievance mechanisms available for contracted workers such as cleaning operatives.
- recommendation 8, Inspections and audits: Client organisations should look at how they audit and inspect cleaning contractors. We advocate the use of ethical audits or similar tools, which assess workers' experience in the workplace against internationally-accepted labour standards such as the Ethical Trading Initiative's Base Code.
- recommendation 10, Facilities: Client organisations should consider giving cleaning staff access to change and rest facilities, including lockers, changing rooms and amenities, such as staff canteens, provided for other employees and contracted workers.
- recommendation 14, Dignity and respect: Client organisations should consider what action they can take to ensure that cleaners are treated with the same dignity and respect as their own workforce or customers. This could include improving their employees' awareness that their equality, dignity in the workplace, and bullying and harassment policies cover cleaners, in the same way as any other employee.
- recommendation 15, Procurement: We encourage clients to consider entering into longer cleaning contracts to allow a more positive relationship

to develop with the cleaning firm which can create the conditions for improved pay, better quality of service, increased job security and investment in training.

Council believes that it meets these requirements for the most part as:

- recommendation 7: Leading Customer Care (LCC) Support Services have their own grievance procedures as a contractor to Cambridgeshire County Council (CCC). Cleaners are made aware that they can raise any harassment type problems directly with the CCC facilities contract manager.
- recommendation 8: At CCC we work with LCC to audit cleaning work at six sites per month. Three in the north of the county and three in the south. Work is inspected unannounced, scored and entered into a rolling spreadsheet and then discussed and addressed where necessary at the monthly contract review meeting. Cleaners who present issues with standards and scope are helped with additional training and moved into alternative teams and locations if deemed necessary.
- recommendation 10: CCC cleaners have a dedicated office space and rest area which houses lockers. They arrive at work already in uniform, but have space for coats and belongings to be stored. Cleaners normally work early morning or late evenings and our canteen facilities are closed at these times. CCC day janitors are free to use staff facilities such as the coffee shops, canteen and break out areas.
- recommendation 15: as a public body, CCC is already bound to comply with the public sector equality duty by having due regard to the need to eliminate unlawful discrimination and harassment, advance equality of opportunity and promote good relations when procuring cleaning services.

However Council feels we could improve against these as follows:

- when retendering, following the best practice case outlined by the Equality and Human Rights Commission, including asking whether tenderers pay their staff the living wage.
- asking the General Purposes Committee to consider use of the Ethical Trading Initiative's Base Code in further procurement processes

Finally, Council believes that CCC could benefit from being an early identified adopter of best practise and therefore Council resolves to:

- write, via the Director of Customer Service and Transformation, to the Chair of the Equality and Human Rights task force, asking that CCC's practices be recognised as an example of best practise and promoted as such.
- seek to work with the EHRC towards an accreditation standard, and be able to use this to get extra value or savings from future cleaning contracts.
- try to ensure that all cleaning staff employed directly or indirectly by CCC are paid the living wage.

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

[Voting pattern: all Liberal Democrats, one UKIP, all Labour and 2 Independents in favour; all Conservatives and most UKIP against; 2 Independents abstained]

**c) Motion from Councillor Ian Manning**

The following motion was proposed by Councillor Manning and seconded by Councillor van de Ven:

This Council recognises:

- the recent announcement of £214m for cycling schemes announced by the Government.
- work done by officers of this Council towards securing a portion of this money for Cambridgeshire.
- redesigning existing layouts, and providing adequate space for motorists, cyclists and pedestrians is very challenging.

However, Council regrets:

- negative feedback on recent cycle schemes including, but not limited to:
  - the Perne Road roundabout and the Hills road/ junction
  - yet another shared use path on Eddison Bell Way – resulting in conflict between cyclists and pedestrians
  - Ermine Street in Huntingdon, where no provision is made in the highest risk area
- that negative feedback on these often comes from all road users: pedestrian groups, disability groups, cycle campaigners and from motorists.
- that consultation in some cases took place earlier with cyclists than with other road users – this should not be the case, as it creates resentment amongst the other groups.

Council believes that adopting the recommendations of the *Making Space for Cycling* report could mean more efficient use of public money to the benefit of all road users: motorists, cyclists and pedestrians. As this is of benefit across a number of Council areas, Council resolves to:

- ask all the Service Committees to review and adopt, if appropriate, any recommendations of the *Making Space for Cycling* report relevant to their remit;
- ask the Economy and Environment and Highways and Community Infrastructure Committees to use the report's recommendations when developing or commenting on schemes that are funded from money designed for cycling improvements;
- consult with all road users earlier in such projects; and
- by doing so, ensure that any such schemes benefit all road users, and tax payer money is spent more wisely.

The following amendment was proposed by Councillor Hickford and seconded by Councillor Bullen (deletions struck through and additions in bold).

Council resolves to:

- ~~ask all the Service Committees to review and adopt, if appropriate, any recommendations of the *Making Space for Cycling* report relevant to their remit;~~
- ~~ask the Economy and Environment and Highways and Community Infrastructure Committees to use the report's recommendations when developing or commenting on schemes that are funded from money designed for cycling improvements;~~
- ~~consult with all road users earlier in such projects; and~~
- ~~by doing so, ensure that any such schemes benefit all road users, and tax payer money is spent more wisely.~~
- **In accordance with Part 4.1, Section 12.6 (a) (i) of the constitution, to refer this matter to the Highways and Community Infrastructure Committee for consideration.**

Following discussion, it was proposed by Councillor Palmer and seconded by Councillor McGuire that the question be put. On being put to the vote, this proposal was carried by a majority.

[Voting pattern: all Conservatives, one Liberal Democrat, most UKIP and all Independents in favour; most Liberal Democrats and all Labour against; 1 UKIP abstained]

Following further discussion, the amendment on being put to the vote was carried by a majority.

[Voting pattern: most Conservatives, some Liberal Democrats, all UKIP, one Labour and all Independents in favour; most Liberal Democrats against; 5 did not vote]

It was resolved by a majority:

In accordance with Part 4.1, Section 12.6 (a) (i) of the constitution, to refer this matter to the Highways and Community Infrastructure Committee for consideration.

[Voting pattern: most Conservatives, all Liberal Democrats, most UKIP and most Independents in favour; some Conservatives and some UKIP against; 7 abstained; 3 did not vote]

## **132. QUESTIONS:**

### **a) Questions on Fire Authority Issues**

The Chairman of the Cambridgeshire and Peterborough Fire Authority, Councillor P Brown, responded to one question on Fire Issues, in accordance with the guidelines agreed by the Council. The question is set out in **Appendix B**.

**b) Oral Questions**

Six questions were asked under Council Procedure Rule 9.1, as set out in **Appendix C**.

In response to these questions, the following items were agreed for further action:

- In response to a question from Councillor Hickford, the Chairman of the Economy and Environment Committee, Councillor Bates, agreed to pass on to Councillor Hickford the Highways Agency (Highways England from 1st April 2015) clarification of the use of motorway hard shoulder as extra lane
- In response to a question from Councillor Mason, the Chairman of the Economy and Environment Committee, Councillor Bates, undertook to provide a written response, copied to all members, on which body dealt with Busway matters
- In response to a question from Councillor Scutt, the Chairman of the Highways and Community Infrastructure Committee, Councillor Hickford, undertook to provide a written response, copied to all members, in relation to governance standards of Kora and the Regis Group and on the company's alleged avoidance of UK tax.

**c) Written Questions**

No written questions had been submitted under Council Procedure Rule 9.2.

Chairman

**COUNTY COUNCIL – 24TH MARCH 2015  
CHAIRMAN’S ANNOUNCEMENTS**

**PEOPLE**

**Councillor Martin Curtis**

Councillor Martin Curtis will be standing down as a County Councillor from 30th March 2015, which will ensure that the resultant by-election will take place on 7th May 2015. Councillor Curtis was first elected to the County Council on 5 May 2005, representing the Whittlesey North Electoral Division. Martin was the Cabinet Member for Children and Young People from 2008. He then became the Cabinet Member for Health and Wellbeing from 2011. He was Cabinet Member for Adult Services from 2012 where he helped drive through a prevention and transformation strategy to help the County Council meet its growing obligations to care for vulnerable adults. In May 2013 he became Leader of Cambridgeshire County Council until his resignation in May 2014.

**The Council’s Two Senior Coroners**

David Morris, Senior Coroner for South and West Cambridgeshire, and William Morris, Senior Coroner for North and East Cambridgeshire will be formally retiring in April after 25 years' and 30 years' service respectively. The Council would like to record thanks to them for their long service and dedication to bereaved families in Cambridgeshire during that time.

**COUNTY COUNCIL - 24<sup>TH</sup> MARCH 2015**

**ORAL QUESTIONS TO THE CHAIRMAN OF THE FIRE AUTHORITY**

**1. Question from Councillor Lucy Nethsingha**

I understand that Sir Peter Brown went down to visit the Fire Minister yesterday. I wondered whether he had any information he would like to give. I had hoped to discuss this with Sir Peter Brown over lunch so apologies Sir Peter for having not discussed it with you over lunch. I wondered if you would like to give us any further information on those conversations but if you don't have anything more to tell us I would be perfectly happy to discuss it with you later.

**Response from Councillor Sir Peter Brown, Chairman of the Fire Authority.**

I did go down to see the Fire Minister yesterday. I attended the Fire Conference in Newcastle where she was speaking. We had a discussion after her speech and she asked me if I would go down to see her. And I went, I invited the Leaders of the parties to come with me. Unfortunately I don't think many were able to come but I did take Councillor Giles with me. I apologise that we haven't actually spoken at Authority about this but I wanted to move fairly swiftly to see what was going on in terms of why we're being called in.

It related to the re-engagement of the Deputy Fire Officer which took place last September and has only just become apparent to some electors, or some residents who wrote to the Fire Minister about that and therefore she called us in to see why we were re-engaging. Councillor Giles and I spent an hour with her yesterday. We explained the situation to her and she and we left with her quite happy with the exception that she has asked us to be more transparent in that process. Now, about a year ago, the Overview and Scrutiny Committee on the Authority looked at our transparency and we did make some changes which have been approved by the Authority. She is going to write to me and tell us where we could be more transparent and until I get that letter there's not much more I can say but it was quite a productive meeting. We told her exactly why we were doing it and the progress that we are making as a Fire Authority and we left her quite happy.

**COUNTY COUNCIL - 24<sup>TH</sup> MARCH 2015  
ORAL QUESTIONS**

**1. Question from Councillor Amanda Taylor to Councillor Steve Count, Leader of the Council**

It relates to the Council's plans to allow a private firm, Kora, to take over the third floor of the Central Library, which as Council knows has caused a degree of consternation amongst the public of Cambridge. My question is a simple one and I hope that you will be able to answer it simply. How long have you been aware of these plans?

**Response from Councillor Steve Count**

I couldn't give you the exact date. I certainly, I certainly believe that I was the Cabinet Member for Resources and Performance so we are going back quite a while ago when the ideas first got discussed. Now, after leaving that position and, leaving, being kicked out under the new system think is more appropriate. But after changing position that then went to the H&CI Committee which Roger is Chairman of, and the plans I guess continue to be worked up over there. How much involvement before it went to the papers I don't know, but that's the total answer I can give you.

**Supplementary question from Councillor Amanda Taylor**

As the Leader of the Council now, I would assume that although Councillor Hickford is the Chair of the Highways and Community Infrastructure Committee I assume that you still had a knowledge of these matters. Do you agree that in hindsight it would have been appropriate to have made these negotiations known to Members of this Council more than a week before the Committee at which this was debated and agreed?

**Response from Councillor Steve Count**

No I can't support that and I'll tell you why. The reason I didn't make anything available to anyone else whilst I was Cabinet Member is it never got to the stage that there was a formal proposal on the table. The discussions batted backwards and forwards between us and the officers and these people as to whether it would ever ever ever come to fruition. Now I know that I lost track of it to a certain degree after it went to H&CI but there is a confidential element to this and actually building up the business case on whether it was something we would ever want to do was based on that confidential information. Therefore you wouldn't go out and want to start the hares running before you could actually know something's going to happen at the end of the day, so no, I think that no, I am comfortable in my position on that.

**2. Question from Councillor Roger Hickford to Councillor Ian Bates, Chairman of the Economy and Environment Committee**

I would like to ask the Chair of E&E among many mornings of driving in on the M11 at half past seven, eight o'clock to get those early morning meetings as I am sure we all do, quite often I am passing the queues of traffic on the hard shoulders on the M11 and this causes lots of near misses where cars are trying to cut in etcetera and my question really is what are we doing as a Council please to try and remedy the situation for all roads but in particular the M11 which is the one I experience quite often.



## **Response from Councillor Ian Bates**

This was actually discussed some time ago and it's fair to say that I have raised this particular issue with the Director, Executive Director and the Head of Service to go to the Highways Agency. There was a proposal many, about three possibly three or two years ago, where this was a suggestion coming forward to use the as a third lane which has happened in many other parts of the country. He is actually in contact with the Highways Agency which will of course be from the 1st April Highways England to actually clarify whether that is actually a practical possibility to use the third lane which of course would enormously help congestion and people coming into Cambridge and wider afield. So it is in hand and hopefully we will get an answer shortly and I am happy to pass on the answer when we've got it.

### **3. Question from Councillor Peter Downes to Councillor Sebastian Kindersley, Chairman of the Constitution and Ethics Committee**

I hope that the next meeting of your Committee will consider this morning, which I don't think has been an uplifting experience frankly. I think that we have been very bogged down in procedural matters. I think our impatience with each other has been distorted by this wish to finish at lunchtime which you declared at the beginning and I think that was in a sense unhelpful because it has required us to accelerate through things without giving people a fair chance to express opinions. And I would like to ask the Chairman if he will give the Constitution and Ethics Committee a chance to review the procedures because one important fundamental issue has arisen and that is the relationship between Committees and full Council. That is an important fundamental issue which has arisen because if we are only going to have important matters discussed by a specific Committee and only an annual report from these Committees then I think there's a danger of a miss match between our general knowledge and our specific knowledge. We are all required to be generalists from the point of view of the public, we have our specific interests, we have our specific expertise, but when it comes to the public we are required to know more widely what is going on and I feel that this morning has illustrated some of the tensions that might arise. So I am asking in a constructive way that we consider this morning and think whether we can improve our procedures to allow proper participation and proper relationship between Committees and full Council.

## **Response from Councillor Sebastian Kindersley**

I am sure I can speak on behalf of the Committee when I extend an invitation to Councillor Downes to attend the next meeting on April 21st so that he can put his concerns explicitly but it is ultimately up to the Committee to decide what it wants to put on its agenda and the matters that it wants to review and not I have to say for the Chairman or the Chairwoman or the Vice-Chairman or the Vice-Chairwoman or a combination of all or none of the above because you know that is the point of the Committee system, is that decisions are largely made by Committees. And I think whilst I take on board Councillor Downes' concerns about the proceedings this morning, I think one of the things that they do highlight is that Members are not using the Committee system as perhaps as comprehensively as they might. Committees are there as a tool to deliver decision making and in which we all participate and just from a personal point of view having stood up and presented on behalf of the Constitution and Ethics Committee over nearly the past two years, very difficult issues I think it's time actually that you know we really took the Committee system to our heart and jumped into it 100%. There is still a resistance to decision making being made in Committees and it is difficult but we do need to do it 'cause otherwise we will have a repeat of this morning which I am not sure has been our greatest moment despite the very enthusiastic efforts of the Chairman to keep us all in line.

#### **4. Question from Councillor Mike Mason to Councillor Ian Bates, Chairman of the Economy and Environment Committee**

I am sorry that I have not had a chance to talk to him about it before but it will come as no surprise to him that it concerns the matter of the Guided Busway. And really it is a result of our deliberations over the Constitution this has raised one or two anomalies and one or two things which have not actually been addressed by the recent consultation with Members. I noticed in the other in an email from the Infrastructure Delivery Officer the other day an update on the legal situation with regard to the current process. That was as a result of a question at General Purposes Committee, so General Purposes Committee had an answer to their question on that. Dealing with a matter of a TRO in HC&I Committee which concerned car parking charges on one of the busway Park and Ride sites, we had a further confusion where HC&I were dealing with that but it was in fact initially instigated by Councillor Bates' own Committee namely E&E. So there is a degree of ambiguity as to where things are reported to with regard to the Busway. The Busway Resolution Group which was established I believe by the previous Cabinet probably a couple of years ago now seems to have been lost in the constitutional process, who does it report to, so my question is really to Councillor Bates – can he please have a look at all of these issues on the Busway and would he please come back to the Council with some solution.

#### **Response from Councillor Ian Bates**

I think bearing in mind the complexity of the question as it involves more than one Committee, it would be sensible to have a written response to that and we will organise that in due course and all Members will be receiving the outcome of that.

#### **5. Question from Councillor David Jenkins to Councillor Roger Hickford, Chairman of the Economy and Environment Committee**

I have a question for Councillor Hickford. Histon and Impington has just taken delivery of an excellent minor highways scheme. It was well planned, well implemented and completed without fuss so thank you very much. One of the problems that does worry me about these schemes is when you come to look at the cost. So little of the cost is on the apparent delivery and there's an awful lot of cost in there for traffic management and overhead. May I suggest that we take a look at this and see how imaginative developments can be implemented to reduce the cost of these schemes so that more can be implemented.

#### **Response from Councillor Roger Hickford**

I'd like to take personal, thank you for the scheme, yes I did that myself, so. I can't take personal credit for it but thank you. And as far as the actual overheads and the cost, it's we are actually going through a review at the moment of local highway improvement schemes, it is cross party, and that is one of the things that actually can be looked at, and I will make sure it is looked at at the next meeting.

#### **6. Question from Councillor Jocelyne Scutt to Councillor Roger Hickford, Chairman of the Highways and Community Infrastructure Committee**

I refer to the decision of the 17th March and in particular paragraph B to enter into an agreement with Kora which is part of the Regis Group. I note that the Chief Executive Officer of the Regis Group is alleged to have said that the company is situated in Luxembourg for tax reasons, hence implicating Kora, so:

- 1) Does the Chair have knowledge of the alleged tax position of the Regis Group as one allegedly avoiding the payment of tax in this country and hence implicating Kora and
- 2) Was a proper review of the governance standards of Kora including the Regis Group its parents and its alleged failure to pay tax in the United Kingdom undertaken before this resolution was passed by the Committee and
- 3) Does the passing of the Resolution by the Committee mean that that Committee favours and supports this County Council doing business with, entering into an agreement with, or engaging in a joint venture with a company that is allegedly involved in the alleged avoidance of the payment of tax in this country or at least does not demur from the County Council doing so. And I regret I was not able to put this question earlier in discussion but I was waiting for the lunchtime adjournment.

**Response from Councillor Roger Hickford.**

I did have no knowledge at all of this question. It does seem to be quite complex so in that fact I shall get a written response to yourself and pass it to yourself and the rest of the Council.