

COUNTY COUNCIL: MINUTES

Date: Tuesday 23rd June 2009

Time: 10.30 a.m. to 12.30 p.m.

Place: Shire Hall, Cambridge

Present: Councillors S Austen, J D Batchelor, I C Bates, N Bell, K Bourke, B Brooks-Gordon, F Brown, P Brown, R Butcher, C Carter, K Churchill, J Clark, N Clarke, S Criswell, M Curtis, P J Downes, J Dutton, R Farrer, N Guyatt, S Gymer, N Harrison, D Harty, G Heathcock, W Hunt, C Hutton, J D Jenkins, S Johnstone, E Kadić, G Kenney, S G M Kindersley, V H Lucas, L W McGuire, V McGuire, A K Melton, R Moss-Eccardt, L Nethsingha, L J Oliver, A G Orgee, J Palmer, D R Pegram, A Pellew, J A Powley, P Read, J E Reynolds, T Sadiq, S Sedgwick-Jell, C Shepherd, M Shuter, L Sims, M Smith, T Stone, S Tierney, J M Tuck, S Van de Ven, J West, R West, F Whelan, S Whitebread, S Wijzenbeek, K Wilkins, M Williamson, G Wilson, L J Wilson and F H Yeulett

Apologies: Councillors D Brown, G Harper, S J E King and K Reynolds

1. ELECTION OF CHAIRMAN

It was moved by Councillor Yeulett, seconded by Councillor J Reynolds and resolved:

That Councillor Oliver be elected Chairman of the County Council for the period to the next annual meeting of Council.

[Voting pattern: Conservative, Liberal Democrat and Labour members in favour; Green member abstained.]

Councillor Oliver signed the statutory declaration of acceptance of office, took the Chair and thanked the Council for her election.

The Chairman and Councillors Tuck, Jenkins and Carter thanked the retiring Chairman, Councillor Orgee, for all of his work during his term of office. Councillor Orgee responded and paid tribute to all those who had supported him.

2. ELECTION OF VICE-CHAIRMAN

It was moved by Councillor Pegram and seconded by Councillor L W McGuire:

That Councillor Powley be appointed Vice-Chairman of the County Council for the period to the next annual meeting of Council.

It was moved by Councillor Jenkins and seconded by Councillor Whelan:

That Councillor Heathcock be appointed Vice-Chairman of the County Council for the period to the next annual meeting of Council.

On being put to the vote, Councillor Powley was appointed as Vice-Chairman of the County Council for the period of the next annual meeting of Council.

[Voting pattern: Conservative members in favour of Councillor Powley; Liberal Democrat, Labour and Green members in favour of Councillor Heathcock.]

Councillor Powley signed the statutory declaration of acceptance of office and thanked the County Council for his appointment.

3. REPORT OF THE COUNTY RETURNING OFFICER

Members received the report of the County Returning Officer on the 68 Councillors elected to 59 Electoral Divisions within the County at the elections held on 4th June 2009.

4. CHAIRMAN'S ANNOUNCEMENTS

Deaths of former Councillors

The Chairman reported with sadness the deaths of two former Councillors, Alec Stenner, who had represented Buckden from 1992 to 2005, and Peter Lee, who had represented Woodditton from 1985 to 1997 and had been Leader of the Liberal Democrat Group from 1988 to 1997. Members observed a minute's silence in their memory.

Mark Baker

The Chairman paid tribute to Mark Baker, who would be leaving the County Council at the end of June, following 30 years of local government service. The Chairman thanked Mark Baker for his work and wished him well for the future.

Awards and achievements

The Chairman led members in offering congratulations to all those whose work had contributed to the following:

- The Riverside foot and cycle bridge in Cambridge being highly commended in the Royal Institute of Chartered Surveyors East of England Community Benefit awards
- The County Council's work in St Neots to establish a Community Alcohol Partnership being one of 28 projects shortlisted for the European Public Sector Award.

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. APPOINTMENT OF HONORARY ALDERMEN

It was moved by Councillor J Reynolds and seconded by Councillor Heathcock:

To appoint Anne Kent and Michael Ogden as Honorary Aldermen.

Councillors J West and Orgee spoke in support of the appointments. On being put to the vote, the appointments were agreed.

[Voting pattern: Conservative, Liberal Democrat and Labour members in favour; Green member abstained.]

7. COUNCIL CONSTITUTION

It was proposed by Councillor J Reynolds and seconded by Councillor Criswell

To approve the updated County Council Constitution.

The following amendment was proposed by Councillor Kindersley and seconded by Councillor Moss-Eccardt:

That the following additional changes be made to the County Council's Constitution:

In paragraph 1 of Annexe A of Article 11, change 'be held in private' to 'will normally be open to the press and public'

Replace ' , although a PDG [Policy Development Group] may choose to meet ...' with a full stop

Replace paragraph 11 with:

'Papers containing exempt or confidential information will be marked as 'Not for publication', together with the category of information that is contained within.

Members of the public and the press may only be excluded either in accordance with the Access to Information Procedure Rules (Section 10 of Part 4 of the Constitution) or Paragraph 20.1 and 20.2 of Council Procedure Rules.

The Chairman may invite a member of the public to attend if it is felt that the person may add usefully to be the debate. This power shall be exercised in consultation with the relevant Spokesmen.'

The Council received a report of the Chief Executive and Monitoring Officer on the implications of amendment.

Members speaking in support of the amendment noted that:

- Holding meetings of the PDGs in public would improve transparency, in line with the national shift towards greater openness and accountability.

- Holding meetings in public would also help to improve residents' engagement with and understanding of the complex issues faced by the Council.
- There would be no impact on members' willingness or ability to conduct informed and meaningful debate. Holding meetings in public would enable the public to be better informed about members' differing views.
- Scrutiny Committee meetings were already held in public and there was little evidence from these of members 'playing to the gallery'; rather, members from all groups worked together constructively to the benefit of residents.
- Legislation meant that meetings could still be held in private when confidential information was being considered.
- Cambridgeshire was in a minority amongst local authorities in holding this type of meeting in private.
- Any discussions about the future of the Council's PDGs or wider review of its democratic processes should be cross-party and take place in public.

Members speaking against the amendment noted that:

- The Leader of the Council would be establishing a task and finish group to review the Council's democratic processes, including the role of the PDGs. It would be premature to amend the Constitution in regard to PDGs at this stage. The terms of reference of the task and finish group would be public.
- Waiting for the outcome of the work of the task and finish group would enable newly elected members to experience the PDGs in their current form and to make an informed contribution to the debate about their future.
- Cambridgeshire's PDGs were considered elsewhere to be models of good practice, enabling Opposition and backbench members to advise the relevant Cabinet member and make a genuine contribution to policy-making.
- Public meetings of PDGs could encourage members to 'play to the gallery', reducing the quality of debate. They could also reduce members' willingness to put forward radically new suggestions.

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

[Voting pattern: Liberal Democrat and Green members in favour; Conservative and Labour members against.]

The following amendment was proposed by Councillor Whitebread and seconded by Councillor Moss-Eccardt:

To amend paragraph 9.1 of the Council Procedure Rules and paragraph 1.1 of Annexe A to the Council Procedure Rules, 'County Council Oral Question Time: Guidelines', as set out in Part 4 of the Constitution, to allow members' oral question time to take place at the first annual meeting of a new Council.

Members noted that insufficient information had been given to officers prior to the meeting to enable a report of the Chief Executive and Monitoring Officer on the implications of amendment to be prepared, as was required for Council to consider amendments to the Constitution.

Councillor Whitebread explained that her aim was to enable oral questions to be asked at this meeting and suggested that if the Constitution could not be amended at this time, with members' agreement this part of the Constitution could be suspended for this meeting only to enable members' oral question time to take place.

Members speaking in favour of Councillor Whitebread's proposal and amendment:

- Noted that advance notice of the amendment had been given to officers.
- Noted that there were a number of important issues about which they wished to ask oral questions.
- Suggested that the ability to ask oral questions at the first annual meeting of a new Council would enable better use to be made of an otherwise ceremonial meeting.

Members speaking against Councillor Whitebread's proposal and suggestion:

- Expressed concern that insufficient notice had been given and urged that the meeting continue in accordance with the published agenda.
- Noted that the reason the Constitution did not permit oral questions to be asked at the first annual meeting of a new Council was that Cabinet members and others in positions of responsibility took up their posts and responsibilities with effect from this meeting.
- Noted that questions to Cabinet members and others could be lodged orally or in writing at any time, not only in Council meetings
- Suggested that the future implementation of the proposal could be considered by the task and finish group reviewing democratic processes.

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

[Voting pattern: Liberal Democrat members in favour; Conservative, Labour and Green members against.]

Members then voted on the original motion, which was carried unanimously.

8. ELECTION OF THE LEADER OF COUNCIL

It was proposed by Councillor Bates, seconded by Councillor F Brown and resolved:

To appoint Councillor Tuck as Leader of the Council for the period to the annual meeting of Council in 2013.

[Voting pattern: Conservative and Labour members in favour; Liberal Democrat and Green members abstained.]

9. CABINET MEMBERSHIP AND PORTFOLIOS

The Leader of the Council, Councillor Tuck, moved receipt of a paper listing the names of the members of the Cabinet and their portfolio assignments, as set out in Appendix A to these minutes.

10. STATEMENTS ON THE DEATH OF A BABY

The Cabinet Member for Children, Councillor Curtis, made a statement on the recent death of a six-week-old baby girl in Milton. He offered his thoughts and sympathy to the baby's family and friends. He confirmed that the baby had been subject to a Child Protection Plan. The Council was supporting the Police, who were conducting an investigation into the circumstances of the baby's death. The Cambridgeshire Local Safeguarding Children Board would be conducting a Serious Case Review. More information would be brought to members when appropriate.

One of the Liberal Democrat Spokesmen for Children and Young People's Services, Councillor Downes, also offered his condolences to all those surrounding the baby. He confirmed that he and his group would collaborate fully to ensure that any lessons needing to be learned were learned and implemented.

11. APPOINTMENTS TO COMMITTEES

It was moved by the Chairman of the Council, Councillor Oliver, seconded by the Vice-Chairman of Council, Councillor Powley, and agreed unanimously

That the recommendations for appointments to Committees set out in the tabled report on blue paper under item 10 be approved, subject to the correction of 'Pellow' to 'Pellew' where appropriate.

The full details of appointments to Committees are set out in Appendix B to these minutes.

12. APPOINTMENTS TO OUTSIDE ORGANISATIONS

It was moved by the Leader of the Council, Councillor Tuck, seconded by the Deputy Leader, Councillor L W McGuire, and agreed unanimously

That the recommendations for appointments to outside organisations set out in the tabled report on pink paper under item 11 be approved.

The full details of appointments to outside organisations are set out in Appendix C to these minutes.

13. NOTIFICATION OF THE APPOINTMENT OF OPPOSITION GROUP LEADERS AND POLITICAL GROUP SPOKESMEN

The Council noted that Councillor Jenkins had been appointed as the Leader of the Liberal Democrat Group and Councillor Carter as the Leader of the Labour Group for the period to the next annual meeting of the Council.

A paper setting out Opposition Spokesmen was tabled and is attached as Appendix D to these minutes.

14. APPROVAL OF CALENDAR OF COUNTY COUNCIL MEETINGS

It was proposed by the Chairman of the Council, Councillor Oliver, seconded by the Vice-Chairman of Council, Councillor Powley, and resolved unanimously:

That the following calendar of meetings for the County Council be approved:

- 21st July 2009
- 13th October 2009
- 8th December 2009
- 16th February 2010
- 19th February 2010 (provisional)
- 30th March 2010
- 18th May 2010.

15. MINUTES – 19th MAY 2009

The Chairman sought Council's agreement for her to sign the minutes of the meeting held on 19th May 2009, as circulated on orange paper, as a correct record of the meeting.

Councillors Jenkins and Moss-Eccardt commented that they had no wish to challenge the accuracy of the confidential minutes, as circulated on orange paper. However, they wished to challenge the content of the non-confidential summary, as circulated on white paper. The Chairman advised that this issue would need to be raised with the Council's Monitoring Officer outside of the Council meeting.

The minutes of the meeting of Council held on 19th May 2009 were then approved as a correct record and signed by the Chairman.

Chairman:

CABINET MEMBERSHIP AND PORTFOLIOS 2009/10

POSITION	COUNCILLOR
Leader of the Council	Councillor J M Tuck
Deputy Leader and Cabinet Member for Highways and Access	Councillor L W McGuire
Cabinet Member for Children	Councillor M Curtis
Cabinet Member for Learning	Councillor D Harty
Cabinet Member for Adult Social Care, Health and Wellbeing	Councillor F Yeulett
Cabinet Member for Communities	Councillor Sir Peter Brown
Cabinet Member for Growth, Infrastructure and Strategic Planning	Councillor R Pegram
Cabinet Member for Economy and the Environment	Councillor T Orgee
Cabinet Member for Resources and Performance	Councillor J R Reynolds
Cabinet Member for Customer Service and Transformation	Councillor S Criswell

COMMITTEE MEMBERSHIP 2009/10

SCRUTINY COMMITTEES**CORPORATE SERVICES (11)**

Cllr K Churchill	C	Substitutes:	
Cllr N Clarke	C	Cllr C Hunt	C
Cllr N Guyatt	C	Cllr P Read	C
Cllr S Tierney	C	Cllr J Clark	C
Cllr J Powley	C	Cllr D Brown	C
Cllr M Shuter (Chairman)	C	Cllr K Bourke	LD
Cllr M Smith	C	Cllr N Harrison	LD
Cllr J Batchelor	LD	Cllr C Shepherd	LD
Cllr M Williamson	LD		
Cllr B Brooks-Gordon	LD		
Cllr C Carter	L		

CHILDREN AND YOUNG PEOPLE'S SERVICES (11)

Cllr C Hutton	C	Substitutes:	
Cllr S Johnstone (Chairman)	C	Cllr K Churchill	C
Cllr R West	C	Cllr N Clarke	C
Cllr V McGuire	C	Cllr S Tierney	C
Cllr J Palmer	C	Cllr L Sims	C
Cllr L Wilson	C	Cllr D Jenkins	LD
Cllr G Kenney	C	Cllr F Whelan	LD
Cllr S Gymer	LD		
Cllr S van de Ven	LD		
Cllr A Pellew	LD		
Cllr S Sedgwick-Jell	G		

HEALTH AND ADULT SOCIAL CARE (11)

Cllr B Farrer	C	Substitutes:	
Cllr L Sims	C	Cllr L Kadic	C
Cllr S King	C	Cllr V McGuire	C
Cllr J Dutton	C	Cllr J Palmer	C
Cllr A Melton	C	Cllr G Kenney	C
Cllr K Reynolds (Vice-Chairman)	C	Cllr K Wilkins	LD
Cllr J West	C	Cllr P Downes	LD
Cllr G Heathcock (Chairman)	LD	Cllr S van de Ven	LD
Cllr S Austen	LD		
Cllr L Nethsingha	LD		
Cllr C Shepherd	LD		

ENVIRONMENT AND COMMUNITY SERVICES (11)

Cllr D Brown	C	Substitutes:	
Cllr R Butcher (Vice-Chairman)	C	Cllr B Farrer	C
Cllr J Clark	C	Cllr N Guyatt	C
Cllr B Hunt	C	Cllr M Smith	C
Cllr L Kadic	C	Cllr J Dutton	C
Cllr P Read	C	Cllr Moss-Eccardt	LD
Cllr G Harper	C	Cllr T Stone	LD
Cllr N Bell (Chairman)	LD	Cllr S Kindersley	LD
Cllr S Whitebread	LD	Cllr S Gymer	LD
Cllr G Wilson	LD		
Cllr S Wijsenbeek	LD		

DEVELOPMENT CONTROL COMMITTEE (7)

Cllr R Butcher	C	Substitutes:	
Cllr B Farrer	C	Cllr N Guyatt	C
Cllr P Read (Chairman)	C	Cllr J Clark	C
Cllr M Smith	C	Cllr L Kadic	C
Cllr S Kindersley	LD	Cllr B Hunt	C
Cllr N Harrison	LD	Cllr D Jenkins	LD
Cllr B Brooks-Gordon	LD	Cllr T Stone	LD

STANDARDS COMMITTEE (5)

Vice Chairman of the Council		Substitutes:	
Cllr K Churchill	C		
Cllr V Lucas	C	N/A	
Cllr P Downes	LD		
Cllr T Sadiq	L		

APPOINTMENTS COMMITTEE (7)

Cllr J Reynolds (Chairman)	C	Substitutes:	
Cabinet Nominee	C		
Cabinet Nominee or non-Cabinet nominee	C	N/A	
Cllr L Oliver or other non-Cabinet nominee	C		
Liberal Democrat Group Leader or Nominee	LD		
Relevant Liberal Democrat Spokesman	LD		
Lib Dem Nominee	LD		

AUDIT AND ACCOUNTS COMMITTEE (7)

Cllr K Churchill	C	Substitutes:	
Cllr N Guyatt	C	Cllr V Lucas	C
Cllr J Reynolds	C	Cllr I Bates	C
Cllr M Shuter	C	Cllr A Melton	C
Cllr T Stone (Chairman)	LD	Cllr F Brown	C
Cllr C Shepherd	LD	Cllr M Williamson	LD
Cllr T Sadiq	L		

SERVICE APPEALS COMMITTEE (pool of members)

Cllr D Brown	C	Substitutes:	
Cllr F Brown	C	N/A	
Cllr B Hunt	C		
Cllr C Hutton	C		
Cllr G Kenney	C		
Cllr S King	C		
Cllr V McGuire	C		
Cllr K Reynolds	C		
Cllr J West	C		
Cllr K Bourke	LD		
Cllr S Austen	LD		
Cllr N Harrison	LD		
Cllr F Whelan	LD		
Cllr M Williamson	LD		

STAFF APPEALS COMMITTEE (pool of members)

Cllr K Churchill	C	Substitutes:	
Cllr L Oliver	C	N/A	
Cllr L Sims	C		
Cllr L Wilson	C		
Cllr N Clarke	C		
Cllr G Harper	C		
Cllr J Batchelor	LD		
Cllr N Bell	LD		
Cllr A Pellew	LD		

PENSIONS COMMITTEE (3)

Cllr N Guyatt	C	Substitutes:	
Cllr J Reynolds	C	N/A	
Cllr P Downes	LD		

JOINT COMMITTEE ON APPOINTMENTS TO THE POLICE AUTHORITY (3)

Cllr L W McGuire	C	Substitutes:	
Cllr A Melton	C	N/A	
Cllr D Jenkins	LD		

JOINT DEVELOPMENT CONTROL COMMITTEE FOR CAMBRIDGE FRINGES (4)

Cllr N Clarke	C	Substitutes:	
Cllr G Kenney	C	Cllr B Brooks-Gordon	LD
Cllr T Orgee	C		
Cllr N Harrison	LD		

JOINT DEVELOPMENT CONTROL COMMITTEE FOR NORTHSTOWE (4)

Cllr S Johnstone	C	Substitutes:	
Cllr P Read	C	Cllr N Harrison	LD
Cllr K Reynolds	C		
Cllr D Jenkins	LD		

JOINT PLANNING COMMITTEE FOR CAMBRIDGE CITY FRINGES (3)

Cllr G Kenney	C	Substitute:	
Cllr J Reynolds	C	Cllr T Orgee	C
Cllr N Harrison	LD		

TRAFFIC MANAGEMENT AREA JOINT COMMITTEES

CAMBRIDGE (6)

Cllr J Reynolds	C	Substitutes:	
Cllr K Wilkins	LD	Cllr T Orgee	C
Cllr K Bourke	LD	Cllr N Harrison	LD
Cllr A Pellew	LD	Cllr R Moss-Eccardt	LD
Cllr S Whitebread	LD	Cllr B Brooks-Gordon	LD
Cllr T Sadiq	L	Cllr S Wijisenbeek	LD

EAST CAMBRIDGESHIRE (5)

Cllr D Harty	C	Substitutes:	
Cllr F Brown	C	Cllr L W McGuire	C
Cllr M Shuter	C	Cllr D Brown	C
Cllr P Read	C	Cllr J Palmer	C
Cllr N Bell	LD	Cllr B Hunt	C
		Cllr S Austen	LD

FENLAND (5)

Cllr M Curtis	C	Substitutes:	
Cllr R Butcher	C	Cllr F Yeulett	C
Cllr S King	C	Cllr L Sims	C
Cllr S Tierney	C	Cllr J Clark	C
Cllr J West	C	Cllr A Melton	C

HUNTINGDONSHIRE (6)

Cllr P Brown	C	Substitutes:	
Cllr L Kadic	C	Cllr R Pegram	C
Cllr C Hutton	C	Cllr S Criswell	C
Cllr N Guyatt	C	Cllr V McGuire	C
Cllr V Lucas	C	Cllr K Reynolds	C
Cllr P Downes	LD	Cllr G Wilson	LD

SOUTH CAMBRIDGESHIRE (5)

Cllr J Reynolds	C	Substitutes:	
Cllr M Smith	C	Cllr T Orgee	C
Cllr T Stone	LD	Cllr G Kenney	C
Cllr S Kindersley	LD	Cllr D Jenkins	LD
Cllr S Gymer	LD	Cllr S van de Ven	LD
		Cllr M Williamson	LD

**CAMBRIDGESHIRE COUNTY COUNCIL
APPOINTMENTS TO OUTSIDE BODIES: COUNTY COUNCIL APPOINTMENTS**

Appendix C

NAME OF BODY	MEETINGS PER ANNUM	REPS APPOINTED	PROPOSED REPRESENTATIVE(S)
Cambridgeshire and Peterborough Association of Local Councils District Committees: <ul style="list-style-type: none"> • East Cambs • Fenland • Hunts • South Cambs 	4	1 to each	Cllr M Shuter Cllr J West Cllr L Kadic Cllr M Williamson
Cambridgeshire and Peterborough Fire Authority	3	13	1. Cllr R Butcher 2. Cllr S Criswell 3. Cllr L W McGuire 4. Cllr R Pegram 5. Cllr L Oliver 6. Cllr M Smith 7. Cllr F Brown 8. Cllr D Harty 9. Cllr S Kindersley 10. Cllr N Bell 11. Cllr S Gymer 12. Cllr L Nethsingha 13. Cllr C Shepherd
Cambridgeshire Police Authority Note: appointments to the Police Authority are made by the Joint Committee on appointments to the Police Authority.	6	7	1. Cllr I Bates 2. Cllr S Johnstone 3. Cllr J Reynolds 4. Cllr V Lucas 5. Cllr J Clark 6. Cllr K Wilkins 7. Cllr J Batchelor
County Councils' Network Council	3-4	4	1. Cllr J Tuck 2. Cllr L W McGuire 3. Cllr S Johnstone 4. Cllr D Jenkins

NAME OF BODY	MEETINGS PER ANNUM	REPS APPOINTED	PROPOSED REPRESENTATIVE(S)
East of England Regional Assembly	1 minimum	1	Cllr J Tuck
ESPO Management Committee	4	3	1. Cllr B Farrer 2. Cllr J Reynolds 3. Cllr D Jenkins
Bonus Sub-Committee	As required	1	Cllr J Reynolds
Local Government Association	3-4	4	1. Cllr J Tuck 2. Cllr L W McGuire 3. Cllr M Curtis 4. Cllr D Jenkins
LGA Commissions • Rural	4	2	1. Cllr A Melton 2. Cllr D Brown
• Urban	4	2	1. Cllr T Orgee 2. Cllr N Harrison
Resource, Regional Employers Organisation (East of England)	4	4	1. Cllr D Harty 2. Cllr N Clarke 3. Cllr J Reynolds 4. Cllr R Moss-Eccardt
Reserve Forces and Cadets Assoc. for East Anglia	2	1	Cllr V Lucas

APPOINTMENT OF OPPOSITION GROUP LEADERS AND SPOKESMEN

Position	Liberal Democrat	Labour
Group Leader	David Jenkins	Christine Carter
Deputy Group Leader	Peter Downes	Tariq Sadiq
Community and Adult Services	Fiona Whelan Michael Williamson	Christine Carter
Environment Services	Nicola Harrison Kilian Bourke	Tariq Sadiq
Children and Young People's Services	Peter Downes Lucy Nethsingha	Tariq Sadiq
Corporate Directorates	David Jenkins Rupert Moss-Eccardt	Christine Carter