

COUNTY COUNCIL: MINUTES

Please note the meeting can be viewed on YouTube at the following link:

<https://www.youtube.com/watch?v=3mFR-vfXC9U>

Date: Tuesday 19th March 2019

Time: 10:30am – 1:20pm

Venue: Council Chamber, Shire Hall, Cambridge

Present: Councillor Smith M (Chairman)
Councillors D Ambrose Smith, A Bailey, H Batchelor, I Bates, C Boden, A Bradnam, S Bywater, D Connor, A Costello, S Count, S Crawford, S Criswell, K Cuffley, P Downes, L Dupre, J French, I Gardener, D Giles, M Goldsack, J Gowing, L Harford, N Harrison, A Hay, R Hickford, M Howell, S Hoy, P Hudson, B Hunt, D Jenkins, L Jones, N Kavanagh, S King, I Manning, M McGuire (Vice Chairman), E Meschini, L Nethsingha, C Richards, T Rogers, T Sanderson, J Schumann, J Scutt, M Shellens, M Shuter, A Taylor, S Taylor, S Tierney, P Topping, S van de Ven, J Whitehead, J Williams, G Wilson, J Wisson, and T Wotherspoon.

Apologies: Councillors L Every, R Fuller, S Kindersley, L Nieto, K Reynolds and D Wells.

133. MINUTES – 5TH FEBRUARY 2019

The minutes of the meeting held on 5th February 2019 were approved as a correct record and signed by the Chairman, subject to the inclusion of Councillor T Wotherspoon in the list of Members present at the meeting.

134. CHAIRMAN'S ANNOUNCEMENTS

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

135. DECLARATIONS OF INTEREST

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

136. PUBLIC QUESTION TIME

The Chairman reported that three questions had been received from members of the public, as set out in **Appendix B**.

137. PETITIONS

The Chairman reported that no petitions had been received from members of the public.

138. PAY POLICY STATEMENT 2019-20 AND GENDER PAY GAP REPORTING

It was moved by the Chairman of the Staffing and Appeals Committee, Councillor Schumann, and seconded by the Vice-Chairman, Councillor Hudson, that the recommendation from the Staffing and Appeals Committee, as set out in the report on the Council agenda, be approved.

In response to a question from Councillor Manning, Councillor Schumann agreed that Staffing and Appeals Committee should consider publishing the Minority Ethnic Pay Gap in future.

It was resolved unanimously by a show of hands to:

Approve the Chief Officer Pay Policy Statement 2019-20 and the Gender Pay Gap Report 2019.

139. A DRAFT PLASTICS STRATEGY FOR THE COUNCIL

It was moved by Councillor Bailey, and seconded by Councillor Hunt, that the recommendations, as set out in the report on the Council agenda, be approved.

It was resolved unanimously by a show of hands to:

- a) Note the draft Plastics Strategy;
- b) Amend progress reporting from Health Committee to General Purposes Committee as proposed in Section 2.7 of the report; and
- c) Agree that the General Purposes Committee be asked to review the draft policy and recommend a final version of the policy for approval at the next appropriate Council meeting.

140. REPORTS OF THE CONSTITUTION AND ETHICS COMMITTEE

a) Transfer of Delegated Responsibility to receive and approve proposals regarding the Council's exercise of powers covered by the Regulation of Investigatory Powers Act

It was moved by the Chairman of the Constitution and Ethics Committee, Councillor McGuire, and seconded by Councillor Hickford, that the recommendations of the Constitution and Ethics Committee, as set out in the report, be approved.

It was resolved unanimously by a show of hands to:

- a) Amend the Constitution to pass the delegated responsibility to receive and approve proposals regarding the Council's exercise of powers covered by the Regulation of Investigatory Powers Act to the Council's Audit & Accounts Committee.
- b) 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) Public Questions

It was moved by the Chairman of the Constitution and Ethics Committee, Councillor McGuire, and seconded by Councillor Hickford, that the recommendations of the Constitution and Ethics Committee, as set out in the report, be approved.

Councillor Dupre moved an amendment, seconded by Councillor Nethsingha, as set out in **Appendix C**.

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

[Voting pattern: Liberal Democrats and 1 Independent in favour; Conservatives and 1 Independent against; Labour and 1 Independent abstained]

One Member proposed a revision to the eleventh bullet point on page 56 of the agenda, to change “they have” to “the employee has”, which was agreed by the Council.

It was resolved by majority to:

- a) Approve amendments to the Council’s Constitution, as recommended by the Constitution and Ethics Committee, and set out in Appendices 1 and 2 of the report, subject to replacing “they have” in the eleventh bullet point on page 56 of the agenda to “the employee has”; and
- b) 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: Conservatives, Labour and 1 Independent in favour; Liberal Democrats against; 2 Independents abstained]

c) Motions to Council

It was moved by the Chairman of the Constitution and Ethics Committee, Councillor McGuire, and seconded by Councillor Hickford, that the recommendations of the Constitution and Ethics Committee, as set out in the report, be approved.

Councillor Dupre moved an amendment, seconded by Councillor Nethsingha, as set out in **Appendix D**.

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

[Voting pattern: Liberal Democrats and 1 Independent in favour; Conservatives against; Labour and 2 Independents abstained]

It was resolved by majority:

- a) Approve amendments to the Council’s Constitution, as recommended by the Constitution and Ethics Committee, and set out in Appendix 1 of the report.

- b) 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: Conservatives, 6 Labour and 1 Independent in favour; 12 Liberal Democrats and 1 Labour against; 1 Lib Dem and 2 Independents abstained]

141. APPOINTMENTS TO OUTSIDE BODIES

It was moved by the Chairman of the Council, Councillor Smith, and seconded by the Vice-Chairman, Councillor McGuire, and resolved by a show of hands to:

Approve the appointment of Deputy Leader of the Council, Councillor Hickford, as the substitute member of the Cambridgeshire and Peterborough Combined Authority Board, to replace Councillor Bates.

[Voting pattern: Conservatives, Labour and Independents in favour; Liberal Democrats abstained]

142. MOTIONS SUBMITTED UNDER COUNCIL PROCEDURE 10

Two motions had been submitted under Council Procedure Rule 10.

(a) Motion from Councillor Josh Schumann

The following motion was proposed by Councillor Schumann and seconded by Councillor Hay:

The Council notes that it has agreed to the disposal of the Shire Hall site in order to support the delivery of services to the most vulnerable residents of Cambridgeshire. With growing pressure on resources the Council recognises that people are more important than bricks and mortar and it must therefore do everything it can do to minimise the cost of its operational property portfolio in order to maximise the amount of resources that can be redirected to the provision of services.

As part of this disposal the Council has recognised the importance of the mound and civil earthworks to both the residents of, and visitors to, the County. As consequence the marketing of the opportunity has ensured that all bidders are clear that the Council is seeking proposals that will enhance access to, and the public experience of, the scheduled ancient monument.

The Council also notes that the Ancient Monuments and Archaeological Areas Act 1979 provides a public right of access. This is not the same as a right of way and can, on occasion, be restricted. Examples of when this may be necessary include for the purposes of maintaining and preserving the site or in the interests of public safety.

The landowner deposit that has recently been lodged does not impact or alter this legal obligation but instead prevents any new rights from

consolidating/accruing under the Highways Act 1980 and/or the Commons Registration Act 2006. This provides additional protection to Castle Mound whilst not impacting the current public access to the site.

The Council therefore endorses:

- The approach of the Commercial and Investment Committee to ensure that the proposals for the disposal of the Shire Hall Site require each bidder to set out their plans for investment in, and protection of, the heritage of the Site;
- The decision to provide additional protection to the value of and the public access to the site through the issuing of a landowner's deposit under Section 31(6) of the Highways Act 1980.

Following discussion, the motion on being put to the vote was carried.

[Voting pattern: Conservatives and Independents in favour; Liberal Democrats and Labour against]

(b) Motion from Councillor Nichola Harrison

The following motion was proposed by Councillor Harrison and seconded by Councillor Nethsingha:

The Council notes:

- a) that the Shire Hall site contains the remains of Cambridge's Norman castle, comprising the motte (the Castle Mound) and bailey (of which the green open space adjacent to the mound is part), as well as earthworks dating from the Civil War;
- b) that these features are included in Historic England's Schedule of Monuments (Source IDs 1006905 and 1006886);
- c) that these monuments are highly valued by the people of Cambridgeshire and are visited and enjoyed by many local residents, schoolchildren, visitors and tourists.

The Council agrees:

- i) that as the owner of the monuments and a public body with responsibilities for Cambridgeshire's economic, educational, cultural, health and social well-being, the Council has a duty to ensure that the public is guaranteed full and free access to and enjoyment of the monuments, subject to any restrictions that may be statutorily required or otherwise agreed in order to protect visitors and the monuments from harm;
- ii) that before effecting a freehold or leasehold sale of all or part of the Shire Hall site, the Council will explore all available legal options in order to secure the proper maintenance of the monuments and establish permanent legal rights for the public to continue to:

- 1) access and use for recreation the Castle Mound and adjacent green space;
- 2) view the Civil War monument;
- iii) to consider offering the monuments for sale to Cambridge City Council as a possible means to achieve the rights referred to in (ii) above, but in any event within the next four calendar months to publish details of how it plans to achieve those rights.

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

[Voting pattern: Liberal Democrats in favour; Conservatives against; Labour and Independents abstained.]

143. QUESTIONS

(a) Cambridgeshire and Peterborough Combined Authority and Overview and Scrutiny Committee (Council Procedure Rule 9.1)

Four questions were submitted under Council Procedure Rule 9.1 of the Council's Constitution, as set out in **Appendix E**.

(b) Questions on Fire Authority Issues

No questions were submitted on Fire Authority Issues.

(c) Written Questions (Council Procedure Rule 9.2)

Two questions were submitted under Council Procedure Rule 9.2, as set out in **Appendix F**.

**COUNTY COUNCIL – 19TH MARCH 2019
CHAIRMAN’S ANNOUNCEMENTS**

PEOPLE

Executive Director for Place & Economy

Steve Cox has been appointed by Cambridgeshire and Peterborough, as Executive Director for Place & Economy - leading one of the only joint services in the UK concentrated on developing both a City unitary and County Council area, and completing a wholly joined up management team under Chief Executive Gillian Beasley.

Steve is currently Corporate Director, Place at Thurrock Council where over the past three years he has been responsible for leading England’s highest rated planning service, drawing down £150m of Government growth funding and where he is currently delivering a £500m capital programme and leading Thurrock’s response to the proposed £6bn Lower Thames Crossing.

SERVICE DEVELOPMENTS

Ely Bypass Project

The Ely underpass re-opened to traffic at the end of February, marking the completion of all work associated with the Ely Bypass project. The closure of the level crossing and underpass improvements, made possible by the opening of the bypass, have provided improved local access to Ely for cyclists and pedestrians, alongside changes to the warning signage for the height restriction associated with the railway bridge. Work with Network Rail is also continuing to ensure that drivers are adequately warned of the recent permanent closure of the level crossing.

Abbey Chesterton Bridge and Chisholm Trail

Work has now begun on the first phase of a major walking and cycling trail through Cambridge. The cutting of the sod for the Abbey Chesterton Bridge and Chisholm Trail by the Chairman of the Council, Mandy Smith and Chair of Greater Cambridge Partnership, Lewis Herbert along with local cycling campaigner Jim Chisholm took place on the 8th March, and is the culmination of 25 years of work.

The Abbey Chesterton Bridge which is funded by Cambridgeshire County Council will be only the second new crossing of the River Cam since 1970.

The Chisholm Trail, which is funded by the Greater Cambridge Partnership will allow cyclists to travel on mostly off-road routes across the city from Cambridge North to Cambridge Station and also includes a new underpass under Newmarket Road.

It is hoped that the Trail will be a game changer for Cambridge, improving foot and cycle access to places such as the Cambridge Science Park and Cambridge Biomedical Campus.

PUBLIC QUESTION TIME

No.	Question from:	Question to:	Question
1.	Mr Norman Ingle, Member of the Public (<i>not present</i>)	Councillor Steve Count Leader of the Council	<p>Is he content with Stage 3 of the Complaints procedure whereby a Complainant has the right to take a matter to the Chief Executive? In my case I have waited almost 6 months for a substantive response and despite 3 e mails to the Chairman (who is supposed to be the Conscience) of the Council, she has not even bothered to respond to me directly. I do acknowledge that this is a difficult matter and that the Council may not know what to do, but nothing is not the answer.</p> <p>How can any resident have any confidence in such a system?</p>
	Response from:	Response to:	Response
	Councillor Steve Count Leader of the Council	Mr Norman Ingle, Member of the Public	The County Council's complaints procedure does give a complainant the right to take a matter to the Chief Executive. However, the matter about which you are complaining has been the subject of several investigations since it was first raised in 1969. You have been informed on several occasions that the County Council will not be replying any further on this matter and that officers and Members will not engage in correspondence with you on this issue. Furthermore, you were informed that if you were dissatisfied with the Council's response sent to you by the Data Protection team on 4th September 2018, you should contact the Information Commissioner's Office.
No.	Question from:	Question to:	Question
2.	Miss New, on behalf of Ms Isabel Lambourne, Member of the Public	Councillor Josh Schumann Chairman of Commercial and Investment Committee	I am a member of the Friends of Castle Mound. Can the County Council give a definitive assurance, stating the legal basis for that assurance, to the friends of Castle Mound and to the general public that the general public will have free open access in perpetuity to the Mound and the grassed forecourt on the Shire Hall site? Would the County Council be prepared to register the Mound and the grassed forecourt on the Shire Hall site as a Town Green?

	Response from:	Response to:	Response
	Councillor Josh Schumann Chairman of Commercial and Investment Committee	Miss New, on behalf of Ms Isabel Lambourne, Member of the Public	<p>Thank you Chairman. In response to Ms Lambourne's question, at this stage the Council has not agreed a preferred bidder for the disposal of the Council's interest in the Shire Hall site. Commercial discussions have been very productive to date, and all bidders have committed to the heritage of the site, and to retain the level of access that is currently afforded to members of public. However, it is not possible at this stage to provide the level of assurance required in the question raised by Ms Lambourne, as the Council is still in commercial negotiations with the bidders.</p> <p>The legal framework under which the future access will be achieved will be determined by the nature of the disposal. We have been constant in our response to the comments regarding public access that it is still not even certain that the Scheduled Ancient Monuments would even be included in the disposal process. We do not believe that the Council could support the registration of the Mound and associated areas in the front of the Shire Hall as a Town Green, as this could affect our ability to negotiate the investment in the heritage of the site.</p> <p>More importantly however, is the need to protect the site. This Council does not restrict activities on the site and only does so in order to avoid damage of Health & Safety reasons. The application for Town Green status could have a detrimental impact on the ability to protect the special nature of this site for future generations and could therefore not be supported. Chairman, further comments and I'm sure debate will be following on from the Motions which are tabled today. Thank you, Chairman.</p>
	Miss New, on behalf of Ms Isabel Lambourne, Member of the Public	Councillor Josh Schumann Chairman of Commercial and Investment Committee	If the Council can make a commitment to access being available in perpetuity, could we have it in writing, equally if you can't make a commitment to access being available in perpetuity, could we have that in writing, please?
	Councillor Josh Schumann Chairman of Commercial and Investment Committee	Miss New, on behalf of Ms Isabel Lambourne, Member of the Public	Chairman, I refer back to my previous response, in that until we have a preferred bidder, it is very difficult to make any sort of commitment, because it very much depends on the bids and the ending of the commercial negotiations.

No.	Question from:	Question to:	Question
3.	Mr Antony Carpen	Councillor Ian Bates Chairman of Economy and Environment Committee	<p>Good Morning ladies and gentlemen. First of all I'd like to apologise for not being able to come along to the last meeting where I had a tabled question, basically because of a mental health illness. This question that I've tabled stems from an event that the County Archaeologist spoke at, celebrating the fiftieth anniversary of the Conservation Area in Cambridge. He said that the County has run out of exhibition and museum space for all of the finds that are being discovered across building sites across the county. So this is all the way up from Waterbeach down to the border with Royston, so it affects all of us, it's not just a Cambridge and District issue.</p> <p>And so rather than just come in to the Council and saying can we have more money please I get the sense that actually we need to have a much more comprehensive response to the challenge that the Head of Archaeology cited.</p> <p>So really what I'm looking for from Councillors in particular is to use their power of convening gatherings and meetings of the great and the good to see how as a county we can respond to this.</p>
	Response from:	Response to:	Response
	Councillor Ian Bates Chairman of Economy and Environment Committee	Mr Antony Carpen	<p>Thank you for the question. Every archaeology project generates archives, which is the permanent record of the fieldwork which takes place throughout the county. This includes the paperwork, images, records, drawings as well as the actual finds from the actual site. Archives are prepared to a standard, and that actually is part of the development process. Selection of the material for storage takes place, but only a very small percentage is suitable for public display; the remainder is used for research and further study.</p> <p>The National Planning Policy Framework defines the requirement of that preparation of those archives, and also - that goes back to 1991 - Planning Policy Guidance 16 is where the developers, who obviously fund a lot of the development in respect of archaeology, fit in to that loop. It can create of course a large amounts of archaeological material, and this can need to be stored.</p> <p>We do work with the Cambridge Universities and also the museums throughout Cambridge, the small ones, the big ones, the ones that are part of the University, and that material is available therefore, it goes back to about the 1990s. And if I can just move on to where we store some of our archives. The archives actually are stored and located in DeepStore which is in Chester, now I suspect that many of you don't know about that, but I'll come back to that later in what I'm going to say. This effectively gives us as much capacity as is needed particularly with Cambridgeshire being a growth area. Currently there are thirteen thousand boxes stored offsite in the DeepStore,</p>

			<p>and 27 small finds are stored locally. Cambridgeshire is one of the few counties that has this sort of facility and therefore it is not a major problem for the County archives to be stored.</p> <p>The collections are obviously used throughout the area and they can be on long and short term exhibitions, and we have good working relationship with the museums which I'll mention shortly.</p> <p>We have a strong belief in the importance of public engagement, so lots of the fieldwork which is around county is open at some point in the future. If I could just actually perhaps go back a little bit to the DeepStore, that actually I have visited, and it says the word 'deep', it is very deep, it is actually a salt mine, ok, and actually it is secure because of the conditions they are stored in, which is about the heat and humidity it is constant, 24/7, seven days a week, so the archives are actually stored there. There is a meeting of the curators of the museums shortly, and the Head of Archaeology will be meeting them and discussing the issue as raised by the speaker.</p>
	Mr Antony Carpen	Councillor Ian Bates Chairman of Economy and Environment Committee	<p>Thank you very much Cllr Bates. I guess one of the things I've found having gone to a number of gatherings of local historians across the county is just how fragmented the picture seems to be, and how we don't seem to have, coming up to the present day, the full story of basically how we got to here, and one of the things I've found certainly with my publishing on my blog and online, actually there is a huge and growing amount of interest in the history not just of the city but of the county. And I just feel that as an institution, the County Council could play a stronger convening role to bring those otherwise fragmented but actually very hardworking archaeological and community groups together.</p>
	Councillor Ian Bates Chairman of Economy and Environment Committee	Mr Antony Carpen	<p>I'm happy to take that question away and discuss it with the Head of the Archaeology Department and senior County Council officers about that suggestion.</p>

COUNTY COUNCIL: 19TH MARCH 2019

Agenda Item No. 8(b)

Amendment proposed by Councillor Dupre, Seconded by Councillor Nethsingha

Change Appendices 1 and 2.

Additions in bold and deletions shown in strikethrough and highlighted in grey.

Appendix 1

Extract from Constitution

9.3 Public Question Time

There will be an opportunity for up to four members of the public to ask questions at meetings of the County Council, excluding extraordinary or special meetings of the Council and the first annual meeting of a new Council, to the Leader of the Council and the Chairman/woman of any Committee.

If more than four members of the public apply to speak, questioners will be invited to defer their question to the next meeting. The Democratic Services Officer will ensure that all steps are taken to inform the “unsuccessful” speakers in advance and, where they either choose not to defer their question or do not reply, a written reply will be sent within ten working days after the meeting.

(Any decision to exceed the limit will be at the discretion of the Council Chairman/woman.)

Members of the public wishing to ask a question at the Council meeting should provide the following details to the Council’s Democratic Services by no later than 12.00 noon, five working days before the meeting:

- Name and address and contact details of the person asking the question.
- The name of the organisation if the question is being asked on their behalf.
- Details of the question to be asked.
- The name or position of the member of the Council to whom it is to be put.
- Brief information about how the subject of the question relates to the person asking the question (e.g. as a resident of the area, as a recipient of a service, as the owner of a property affected by a proposal).

Only one question may be asked by each member of the public or organisation and the question must relate to a single topic. A question which is substantially the same as a question which has been put at a meeting of the Council in the past six months will not be allowed.

If the Monitoring Officer considers a question:

- is not about a matter for which the local authority has a responsibility or which affects the County **and is something the Council is able to influence;**
- is illegal, improper, defamatory, frivolous or offensive; or
- requires the disclosure of confidential or exempt information;
- **is within the remit of the Cambridgeshire and Peterborough Combined Authority;**
- **relates to a planning application;**

- ~~• is from an employee of the Council except when acting as Trade Union representatives or private individuals, as they have sufficient channels of communication, both internally and through their representative bodies;~~
- ~~• is from a provider the Council contracts with or chooses not to contract with unless unrelated to those specific contracts;~~
- relates to separate appeal, adjudication, litigation, mediation or dispute resolution;
- is about the conduct of individual Councillors or employees; or
- is in multiple parts.

he or she will inform the Chairman/woman who will then decide whether or not to reject the question.

Members of the public shall have up to two minutes in which to ask the question.

The named member will respond to the question which may take the form of:

- (a) a direct oral response of up to a maximum of two minutes;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written response circulated later to the questioner and made available to all members of Council and to the public.

After the response has been given, the questioner has up to a further minute in which to put one supplementary question or seek clarification of the response to the original question. The supplementary question must arise directly out of the original question or the reply and must not introduce new material.

The recipient of the original question then has up to a further two minutes in which to reply to the supplementary question.

No debate will be allowed on any question or the response.

If the questioner cannot be present at the council meeting to pose her/his [sic] question, a written question will be accepted and answered in writing.

Extract from Constitution**9. PUBLIC SPEAKING AT COUNTY COUNCIL COMMITTEES****9.1 Public Speaking at County Council Committee Meetings**

The County Council recognises the value that can be added by enabling contributions by the public to meetings of council committees and in order to facilitate this, the Chairman/woman or the person presiding at a meeting of a council committee may, at their absolute discretion, grant permission to a member of the public to speak during the meeting.

Speakers will usually only be permitted to speak once in any debate and speeches will usually be time limited to three minutes. Permission to speak may be refused if the anticipated contribution:

- **is not relevant to the agenda items of the meeting;**
- **is substantially the same as a question which has been put at a meeting of a Committee or Sub-Committee in the past six months;**
- **is illegal, improper, defamatory, frivolous or offensive;**
- **requires the disclosure of confidential or exempt information;**
- **~~is from a provider the Council contracts with or chooses not to contract with unless unrelated to those specific contracts;~~**
- **relates to separate appeal, adjudication, litigation, mediation or dispute resolution;**
- **is about the conduct of individual Councillors or employees; or**
- **is in multiple parts.**

~~in circumstances where this is not conducive to the orderly conduct of council business including where it is likely, in the opinion of the Chairman/ woman, that defamatory, vexatious, discriminatory or offensive language will be used.~~

~~Permission to speak may also be declined if the anticipated contribution is not relevant to the agenda items of the meeting and where a question is substantially the same as a question which has been put at a meeting of a Committee or Sub-Committee in the past six months.~~

In order to assist meeting organisers members of the public* wishing to speak at a Committee meeting** are asked to make a request in writing no later than 12.00 noon three working days before the meeting via letter to the Democratic Services Officer, Democratic and Members' Services, SH1102, Cambridgeshire County Council, Shire Hall, Cambridge CB3 0AP or via e-mail (this information is available at the bottom of the agenda front sheet) and provide the following details:

- **Name, address and contact details** of the person making a comment or asking a question
- **Details of the request to speak:** The full text of the question to be asked or a list of the main points regarding a comment about a matter on the agenda.

(Requests to speak received after the three day deadline may be permitted, at the discretion of the relevant Committee Chairman/woman.)

9.2 Participating in a Committee Meeting

If registered to speak, members of the public should arrive at the venue (usually Shire Hall) at least 15 minutes before the start of the meeting and report to the Democratic Services Officer present. The register of speakers will be kept by Democratic Services and provided to the Chairman/woman in advance of the meeting. No more than three speakers will normally be permitted per subject at a meeting (subject to the Chairman/woman's discretion). Only one question or comment may be allowed per speaker.

When the meeting reaches the agenda item, the Chairman/woman will ask the member of the public to speak. The member of the public is asked to behave appropriately for the nature of the meeting, and show courtesy and respect to everyone present. He/she should not make any remarks which are offensive, defamatory, insulting or discriminatory. The time limit to pose a question or make a comment will be three minutes for each speaker. The Democratic Services Officer will time each speaker to ensure that he/she does not exceed three minutes. The member of the public must cease speaking when so instructed by the Chairman/woman. The Chairman/woman may allow questions from Committee members to the speaker for clarification only.

The Chairman/woman will deal with the question or statement, or request that an appropriate Member or Officer reply orally. If this is not possible, the member of the public will be provided with a written answer using the contact details provided within ten working days.

If there should be a large number of requests for public speaking regarding one or more items on the agenda, the Chairman/woman may take steps to ensure that the meeting can be conducted in an appropriate fashion; for example, move the agenda item to the beginning of the meeting or limit the number of speakers. If the Chairman/woman should decide to limit the number of speakers, the Democratic Services Officer will ensure that all steps are taken to inform the "unsuccessful" speakers in advance and a written reply will be sent within ten working days after the meeting.

This process does not apply to County Councillors as their speaking rights as non-Committee members are covered under 'Attendance of other County Councillors' below. ~~It also does not apply to employees of the Council except when acting as Trades Union representatives or private individuals, as they have sufficient channels of communication, both internally and through their representative bodies.~~

** For the purposes of this guide a "member of the public" is defined simply as anyone who lives or works in Cambridgeshire or is affected by a decision made in Cambridgeshire.*

*** This procedure does not apply to meetings of Full Council and Planning Committee as these meetings have their own procedures.*

COUNTY COUNCIL: 19TH MARCH 2019

Agenda Item No. 8(c)

Amendment proposed by Councillor Dupre, Seconded by Councillor Nethsingha

Change Appendix 1

Additions in bold and deletions shown in strikethrough and highlighted in grey.

Appendix 1

Extract from Constitution

10. **MOTIONS ON NOTICE**

10.1 **Notice**

Except for motions which can be moved without notice under Rule 11, written **or electronic** notice of motions for discussion at Council meetings, excluding extraordinary or special meetings **and the annual budget meeting** of the Council or the first annual meeting of a new Council, must be delivered to the Proper Officer not later than 12.00 noon 14 days before the date of the meeting. The Proper Officer will maintain a public record of all motions submitted. **Any Councillor may give notice of not more than one motion for consideration at an ordinary meeting.**

~~Other than at the annual budget meeting for which no notices of motions shall be accepted, a maximum of five motions shall be accepted for debate at an ordinary meeting of the Council under this standing order.~~

10.2 **Motion set out in Agenda**

Motions for which notice has been given will be listed on the agenda in the order in which notice **of the full written motion in its draft form** was received, unless the member giving notice states, in writing, that he/she proposes to move it to a later meeting or withdraw it.

10.4 **Motions affecting Councillor or persons employed by the Council**

Motions will not be permitted to raise the competence or performance of a councillor or officer, nor any matter involving exempt information or normally considered 'confidential'. A motion cannot make any abusive or defamatory comments.

11. **MOTIONS WITHOUT NOTICE**

The following motions may be moved without notice:

- (a) To appoint a Chairman/woman of the meeting at which the motion is moved.
- (b) In relation to the accuracy of the minutes.
- (c) To change the order of business in the agenda.
- (d) To refer something to an appropriate body or individual.
- (e) To appoint a committee or member arising from an item on the summons for the meeting.
- (f) To receive reports or adoption of recommendations of committees or officers and any resolutions following from them.

- (g) To withdraw a motion.
- (h) To amend a motion.
- (i) To proceed to the next business.
- (j) That the question be now put.
- (k) To adjourn a debate.
- (l) To adjourn a meeting.
- (m) To suspend a particular Council Procedure Rule.
- (n) To exclude the public and press in accordance with the Access to Information Rules.
- (o) To not hear further a member named under Rule 19.3 or to exclude him/her from the meeting under Rule 19.4.
- (p) To give the consent of the Council where its consent is required by this Constitution.

12. RULES OF DEBATE

12.1 No Speeches Until Motion Seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

12.2 Right to Require Motion or Amendment In Writing

Unless notice of the motion or amendment has already been given, the Chairman/woman may require it to be written down and handed to him/her before it is discussed.

12.3 Seconders' Speech

When seconding a motion or amendment, a member may reserve his/her speech until later in the debate.

12.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Chairman/woman.

12.5 When a Member may Speak Again

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) To speak once on an amendment moved by another member.
- (b) To move a further amendment if the motion has been amended since he/she last spoke.
- (c) If his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried).
- (d) In exercise of a right of reply.
- (e) On a point of order.
- (f) By way of personal explanation.

12.6 **Amendments to Motions**

- (a) An amendment to a motion must be relevant to the motion and will either be:
- (i) To refer the matter to an appropriate body or individual for consideration or reconsideration.
 - (ii) To leave out words.
 - (iii) To leave out words and insert or add others.
 - (iv) To insert or add words.
- ~~(v)~~ As long as the effect of (ii) to (iv) is not to negate the motion.
- (b) An amendment to a motion must be delivered to the Monitoring Officer and Democratic Services Manager in its intended final form not later than noon one working day before the date of the meeting at which the motion is to be considered. If more than one amendment is received, amendments will be taken at the meeting in the order in which they were received by the Democratic Services Manager

If no withdrawal, confirmation or change is received by the Monitoring Officer, it will be assumed that the amendment is to be considered in its initial form.

No other amendment may be moved at the meeting except where the Chairman/woman of Council may permit, at his or her absolute discretion, in exceptional circumstances and to ensure the efficient or proper discharge of the Council's business, a further amendment or amendments to be moved.

- (c) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (d) If an amendment is not carried, other amendments to the original motion may be moved.
- (e) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (f) After an amendment has been carried, the Chairman/woman will advise the meeting of the content of the amended motion before accepting any further amendments, or if there are none, put it to the vote.

12.7 **Alteration of Motion**

- (a) A member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations to the motion which could be made as an amendment may be made.

12.8 **Withdrawal of Motion**

A member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

12.9 **Right of Reply**

- (a) The mover of a motion, whether amended or not, has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his/her amendment.

12.10 **Motions which may be Moved During Debate**

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) To withdraw a motion.
- (b) To amend a motion.
- (c) To proceed to the next business.
- (d) That the question be now put.
- (e) To adjourn a debate.
- (f) To adjourn a meeting.
- (g) To exclude the public and press in accordance with the Access to Information Rules.
- (h) To not hear further a member named under Rule 19.3 or to exclude him/her from the meeting under Rule 19.4.

12.11 **Closure Motions**

- (a) A member may move, without comment, the following motions at the end of a speech of another member:
 - (i) to proceed to the next business.
 - (ii) that the question be now put.
 - (iii) to adjourn a debate.
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Chairman/woman thinks the item has been sufficiently discussed, he/she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Chairman/woman thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.

- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman/woman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

12.12 Point of Order

A member may raise a point of order at any time. The Chairman/woman will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Chairman/woman on the matter will be final.

12.13 Personal Explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Chairman/woman on the admissibility of a personal explanation shall be final.

12.14 Officers Addressing the Council

Officers will not normally be called upon to address the Council or to answer questions unless specifically requested to do so by the Chairman/woman of the Council. This rule shall not apply to the provision of procedural advice by the Monitoring Officer or to the Head of Paid Service and Chief Finance Officer when acting in their statutory roles.

13. STATE OF COUNTY DEBATE

- 13.1 The Chairman/woman, in consultation with the Leader, may convene meetings of the Council to discuss matters relating to the state of the County. The application of these Rules to such meetings may be varied in accordance with a detailed protocol agreed by the Council.

14. PREVIOUS DECISIONS AND MOTIONS

14.1 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least a third of members.

14.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least a third of members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

COUNTY COUNCIL – 19TH MARCH 2018

CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY AND OVERVIEW & SCRUTINY COMMITTEE - QUESTIONS UNDER COUNCIL PROCEDURE RULE 9.1

Questions to the Council's Appointee on the Combined Authority –
Councillor Steve Count

Question from Councillor French

Thank you Madam Chairman, the question is to Councillor Count; Councillor Count can you tell me, I understand that when the prospect of a Mayoral Combined Authority was being proposed, the Liberal Democrats here voted against the Conservative proposals, which were supported by the Independents and the Labour Group. One of the arguments they refuted was any new money that would come in over and above the original £770M in the deal.

We are delighted to learn this week that Cambridge North Fringe received backing from the Chancellor last week in his speech. Can you tell us how much money the Conservative Chancellor has pledged for this scheme, and how many affordable houses is expected to be delivered?

Response from Councillor Count:

Thank you Councillor French, I did get pre advice of this, and you are correct, that when we were fighting hard for a Combined Authority and a Mayor, £770M was on the table, the Independents voted for it, Labour voted it, Liberal Democrats voted against, and one of the reasons they put forward was that would be the end of it, it will never be enough.

Well I can tell you, the Chancellor, in his Spring Statement announced £770M from his Housing Infrastructure Fund for three areas. Only Combined Authorities were allowed to bid for that, at that level. We were fortunate, this Combined Authority got £227M – yes that is worth applauding - £227M for the Cambridge North East project, and that funding will enable Anglia Water to relocate their reprocessing plant, unlock the delivery of a new community of 7,600 homes - 3,400 of which are expected to be affordable. Thank you.

Councillor French:

Thank you. So with the £227M of the new money, can you tell me what the other new monies have come in to the Combined Authority areas, secured by the Mayor and the Combined Authority, in the 22 months since his election, and whether that further strengthens your belief that devolution for Cambridgeshire and Peterborough was a good idea?

Councillor Count:

In less than two years that the Mayor has been in place, the Combined Authority have secured over £120M of new monies on top of that £227M. Transforming Cities £74M, another £20M, £2M for Mayoral capacity, etc. So £347M allocated to this area in the last two years over and above the £770M in the original deal. Now I know – going back to the original deal - that £770M for this area wasn't enough for the Liberal Democrats to think this was a good idea. I have to ask, is £1.1Billion enough to convince them that they got it wrong?

Question from Cllr Nethsingha:

To answer your question, no, really not. Unbelievable. My question to Councillor Count, as a Board Member, is that at a recent meeting of the Combined Authority Board Members last week, a decision was made not to allow members of Combined Authority Scrutiny Committee working group on the Cam Metro access to papers on the Strategic Outline Business Case on the Cam Metro project. The Cam Metro project is both incredibly important for transport for the south of the county, but it's also incredibly expensive, it may involve cutting-edge new technology, and it is therefore a very high risk and complex project.

Knowing about this, and knowing the complexity of the project, the Cam Metro working group, which includes members from all parties, and from across East Cambridgeshire, South Cambridgeshire and Cambridge City, have spent many, many hours looking at the project, learning about it, and in particular, analysing a lot of the risks that there are around complex transport projects, and the things that have gone wrong with other complex transport projects – mostly national ones actually, they've looked at the risks and how to avoid them.

They asked the Board whether they could have sight of the strategic outline business case, in plenty of time before our Scrutiny meeting next Monday. That request was denied. We were not allowed to have ... it was the Members of the working group who wanted access to those papers in plenty of time, they were not given that access, they were told they could have them at the same time that the papers were published.

So I was very disappointed that the Board rejected that request. They understood perfectly well that they would have had to keep the Strategic Outline Business Case confidential. They are all Councillors, they are all responsible, sensible Members of Councils, they understand about confidentiality. They wanted to be able to examine it carefully in order to be able to do their job as Scrutiny Members properly.

So I would like to ask Councillor Count whether he supported that request from Scrutiny or whether he opposed it in that meeting? I would also like to ask him whether he has seen the papers for the Strategic Outline Business Case for the Cam Metro on which he will be having to vote on, a week on Wednesday, and if so, when he saw those papers.

Councillor Count:

Yes, so I don't think that this decision went to the Board of the Combined Authority, at an official Board meeting. I therefore think it is appropriate that it's responded to by the person responsible for governance at the Combined Authority Board, to give you an official response from the Combined Authority rather than me, from an unofficial meeting.

In terms of, have I seen the paper - yes I've seen the papers, I've had a good look at the Strategic Outline Business Case, and I've had a good look at the confidential appendix as well.

Councillor Nethsingha:

I'm disappointed that you're not... I know it was an informal meeting, but you were at that informal meeting, and I'm disappointed that you were not willing to give your support to the Scrutiny Committee in the work that they did, and they did put in a lot of work on that at this public forum.

I'm interested that you have seen those papers, I'd be interested to know when you saw them, when were they sent to you. When were they made available to you?

Councillor Count:

I'm sorry you're disappointed, I can understand why you're disappointed, I feel more sorry for some of the other Members of the Scrutiny Committee, who must be really disappointed by the fact that it was felt that they couldn't be allowed to receive those papers, and some of the questions might be revolving around personalities rather than process, which makes certain things rather more difficult.

In terms of when I received the Strategic Outline Business Case, I think I received it in ample time for an informal discussion last Wednesday. So I'm guessing about a week/ten days ago. In terms of the confidential appendix, which has got the finances, I received that probably on Sunday – sorry on the weekend, or on Monday, something like that. I can't be any more accurate. Around those two dates - about ten days ago, and about two days ago.

Question from Councillor Downes:

My question is much less complex and technical: has the Mayor heard of Huntingdonshire?

Response from Councillor Count:

To a certain extent, I'm being advised I can't answer, but that's not actually true, and whilst I should be sticking to the papers and that, I know from the Combined Authority meetings that we give fair, or the Mayor individually, as well as the Board, gives fair and equal hearing to all the things moving forward.

There is a paper coming forward in the next meeting of the Combined Authority, which discusses the funding for the third river level crossing at Huntingdonshire, which was Huntingdonshire's main devolution ask in the original devolution papers.

Councillor Downes:

Thank you very much for that, yes I'm sure. You ought to be aware that there is a perception in Huntingdonshire, which may be wrong, and it may be shared by other Huntingdonshire Members, that most of the largesse has gone to East Cambridgeshire and Fenland area, which undoubtedly needed it, but it would be good to see some of the really serious transport issues that we have in Huntingdonshire are also addressed by the Mayor.

Councillor Count:

I think to be fair, that what I see at the Combined Authority is what I see as a County Councillor, I go to many meetings and I hear from people "we never get our fair slice of the cake, someone else always gets it".

I can assure you that Huntingdonshire has got an equal voice, and is equally (*indistinct*) forward to, according to the methods and the ways the Combined Authority works.

The governance there at the CA is able to demonstrate exactly where it's allocating the funding, and what's going on with all the funding. If you are going to talk about the lion's share, there is no doubt that the lion's share will be going to South Cambridgeshire and the City. And there is a very good reason for that. I mean, I'm a Fenlander, so I'd rather not be as equitable as one might like. But the CPIER report was very clear, that we unless we deliver in South Cambridgeshire and around Cambridge City, the means by which people can move about there, which is probably the most expensive part of anything - the Cam Metro - then we will achieve the economic growth that we guarantee.

So there will be more money going there, and that's something I've got to suck up and put up with, but having said that, it is a stage one of a longer phase, so if we look at going out to Huntingdonshire for example, it is envisaged that the Cam Metro will go there much earlier than it does to areas such as the ones I represent up in the north and the Fens.

So I wouldn't be disheartened, there will never be an equal share of the money, but there will definitely be the appropriate amount for Huntingdonshire, East Cambs, Peterborough, Fenland, South Cambs and City, as is necessary to drive the economies forward for all of us.

Question from Councillor Giles:

I'm not quite sure where Huntingdonshire is, but there you go, it's just a technical point. It's interesting that the Combined Authority, the whole philosophy behind the Combined Authority was to get people transport-wise to move about the county a lot easier, create jobs, get people, or to discourage people from working in London, and that's why I'm subscribed to the Combined Authority because that was my vision for many, many years. St Neots – we've got to mention St Neots somewhere in this debate - has been a dormitory town for years. And my question is that with the forthcoming improvements for the A428, and the rail link, which hopefully will be combined in the same route, is this being supported by the Combined Authority, by the Mayor, etc.? Because this is a wonderful opportunity to link East West in one carriageway.

I was speaking to a colleague the other night who works in Cambridge, works in Milton, lives in Eaton Socon, and has now moved jobs to Baker Street in London. And I said "oh my God, that journey!" She said "actually it's a shorter time to go from Eaton Socon to Baker Street in London, than it is to go from Eaton Socon to Milton in Cambridgeshire," because of that A428.

Can I have assurance that the Combined Authority, the Mayor will look – and I know it's hopefully going ahead – will give preference, and really push for that to go ahead, please.

Response from Councillor Count:

Thank you for that question, Councillor Giles, the first thing I'd like to say is about St Neots which I think is in Huntingdonshire ... St Neots was the first recipient of the money for the market town planning, and not only did they get that money first, they got to the end of that process first, they got something like £5.5M for a bridge. Basically, the point I'm making is, everyone thinks they never gets something, until you remind them of something they've already had. St Neots - and well worth mentioning it.

It is really disappointing to know the facts, that it's easier to get from St Neots to Baker Street – and I won't dispute that, that sounds right to me, as in terms of that's correct, not that it should be welcomed. So that is exactly the sort of thing that the Combined Authority is trying to utilize its money to combat. In terms of the location of the A428, the rail, etc. The A428 had gone a little bit on the backburner by the government, duelling – they'd moved it back, duelling of the A428 has gone a little bit on the backburner by government, they moved it back, and I believe probably because of intense lobbying by the Mayor has moved it forward a bit, which is great news for that area.

The other good news for that area, there will be a railway coming in. I say of course, it is not a done deal, it's a priority, but it's not a done deal - this authority, the County Council had it in front of the E&E Committee, and Route A was the preference. The Combined Authority has come to the decision, that because of the conflicts of interest of the Members there, they will not come to a preferential view on that, but they will leave it for East West Rail, although James Palmer has expressed a personal view, the Mayor has expressed a personal view, for Route A, in the same way I have expressed a personal view that has coincided with that view taken by the Committee.

One way or another, if you look at the combination of the three – the dualling of the A428, the East West Rail, that will be coming in at some point in time, and of course the Cam Metro, that's already been planned, and further on at a later date, it should start to ease those journeys that are going down to London. One of the worst things about the GVA for this area, is the amount of talent that we lose, that gets captured by London, and that's very much captured in the CPIER report and our own thinking. So St Neots - we don't want it to be a dormitory town for London, we also don't want it to be a dormitory town for Cambridge City, we do want a lot more industry in its own right, in its own area, but if it can't be there, and on your doorstep, I'd far rather it works in another part of Cambridgeshire than down in London.

COUNTY COUNCIL – 19 MARCH 2019
WRITTEN QUESTIONS UNDER COUNCIL PROCEDURE RULE 9.2

1. Question from Councillor Lucy Nethsingha

I few months ago I asked the Chair of the Audit and Accounts Committee to look into the decision by the Commercial & Investment Committee and General Purposes Committee to award a farm tenancy to Councillor Roger Hickford under slightly unusual circumstances. Could the Chair of Audit and Accounts update me on what progress has been made in investigating this matter?

Response from Councillor Mike Shellens, Chairman of Audit and Accounts Committee

The Terms of Reference for this work have been approved by the Chair and Vice Chair of Audit and work has commenced. It is planned that the report will be presented to the Audit Committee at its meeting in July.

The approved investment arising within the issue under consideration has been put on hold pending this work.

The work is a priority of the IA team, recognising the issues involved.

Given the nature of the work it is not possible to provide updates on the work until all relevant information has been considered as findings may change.

The above timeline is conditional on the volume of documentation and information that will be submitted by key stakeholders.

It is estimated that a draft report may be prepared by end April / early May. However, it is best practice that key individuals be given further opportunity at that stage to comment and potentially submit additional information / evidence before the final report is produced.

Updates will be provided to me and the Vice Chair of the Audit Committee regarding adherence to timelines. It is intended to submit the final report for consideration in public by the Audit Committee.

2. Question from Councillor Lorna Dupre

On 16 October 2018, this council resolved to support this year's Clean Air Day on Thursday 20 June 2019. What action is the council taking to put this resolution into practical effect?

Response from Councillor Peter Hudson, Chairman of Health Committee

A communication strategy and action plan is being developed for national Clean Air Day on the 20th June 2019. The approach is to build on the national campaign by sharing key messages, tool-kits and practical actions that local residents, business, schools can take to improve air quality, reduce congestion and improve health. A key focus will be on promoting active travel, which provides the co-benefit of reducing vehicle related air pollution and improving the health of residents through increased physical activity. The day will provide an opportunity to champion and promote current council services which support active travel such as Road Safety Team who work with schools to promote safe active

travel to and from school. Further work will then be done to engage wider partners to promote the key messages locally.