



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Agenda Item 4

Minutes of the Meeting of East Cambridgeshire
District Council held in the Council Chamber,
The Grange, Nutholt Lane, Ely on Thursday
18 July 2019 at 6.00pm

PRESENT

Councillor Christine Ambrose-Smith	Councillor Bill Hunt
Councillor David Ambrose-Smith	Councillor Alec Jones
Councillor Anna Bailey	Councillor Daniel Schumann
Councillor Ian Bovingdon	Councillor Joshua Schumann
Councillor David Brown	Councillor Alan Sharp
Councillor Charlotte Cane	Councillor Lisa Stubbs
Councillor Victoria Charlesworth	Councillor John Trapp
Councillor Matthew Downey	Councillor Paola Trimarco
Councillor Lorna Dupré	Councillor Jo Webber
Councillor Lavinia Edwards	Councillor Alison Whelan
Councillor Lis Every (Chairman)	Councillor Christine Whelan
Councillor Simon Harries	Councillor Gareth Wilson

24. **PUBLIC QUESTION TIME & INTRODUCTIONS**

No public questions were submitted.

The Chairman welcomed Harry Redman, a student from Hills Road 6th Form College on a Work Experience placement for the day, who was observing the Council meeting.

The Chairman reminded Members of the speaking rules within the Council's Procedure Rules and the requirement within the Code of Conduct for Members to treat others with respect, both contained within the Constitution.

25. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Austen, Huffer, Inskip and Starkey.

26. **DECLARATIONS OF INTEREST**

No declarations of interests were received.

27. **MINUTES**

The Minutes of the Annual Council meeting held on 30th May 2019 and the Extraordinary Council meeting held on 19 June 2019 were received.

On a point of personal clarification, Councillor Harries apologised to the Chairman and other Councillors, if his comments at the Extraordinary Council meeting had caused offence. The Chairman expressed her appreciation for the apology.

It was resolved:

1. That the Minutes of the Annual Council meeting held on 30 May 2019 be confirmed as a correct record and signed by the Chairman.
2. That the Minutes of the Extraordinary Council meeting held on 19 June 2019, tabled at this meeting, be confirmed as a correct record and signed by the Chairman with the following amendment:
Minute 23, Former MOD Site, Ely, Page 9 paragraph 3: correction to comment made by Councillor Joshua Schumann – a general offer of co-operation had been made by the Conservative Group to the Liberal Democrat Group, which the Liberal Democrat Group Leader had not had an opportunity to discuss with her Group at that stage. This now had been discussed and a response would be given to the Conservative Administration.

28. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcement:

The Chairman highlighted that she already had attended a number of Civic engagements and these would be detailed in the agenda for the next Council meeting. But she particularly wanted to draw attention to the Isle of Ely Arts Festival which had just concluded and had included events/performances at different locations around the District. This had been very well received and attended and had been supported by the Council.

29. **PETITIONS**

No Petitions had been received.

30. **MOTIONS**

No Motions were received.

31. **QUESTIONS FROM MEMBERS**

Questions were received and responses given as follows:

Former MOD Site, Ely

Councillor Christine Whelan
Liberal Democrats Ely West
East Cambridgeshire District Council:

What is the timetable for the various stages of the Phase 2 development of the MOD site?

Response from Director Commercial:

Under the current estimated timetable ECTC plans to submit two planning applications. The first application will be submitted on the infill areas of the site in October 2019. The second application will be submitted on the remainder of the site in January 2020.

If planning permission is granted construction would commence in April 2021 with sales commencing in October 2021.

ECTC Business Plan

Question from Councillor Lorna Dupré:

- On 11 February 2019, the Shareholder Committee of this Council deferred to its next meeting (14 March 2019) consideration of the Business Plan of East Cambs Trading Company, amid significant concerns expressed by Councillors.
- On 21 February 2019, Full Council approved the Business Plan of East Cambs Street Scene, but not of East Cambs Trading Company.
- On 1 March 2019, an email was received cancelling the meeting of the Shareholder Committee scheduled for 14 March 2019, and rescheduling it to 17 April 2019.
- On 10 April 2019, an email was received cancelling the meeting of the Shareholder Committee scheduled for 17 April 2019. When asked the reason for the cancellation, the response was 'lack of business'.
- On 11 April 2019, Full Council disbanded the Shareholder Committee and distributed its responsibilities among two reorganised policy committees. The Business Plan of East Cambs Trading Company was not on the agenda for approval.
- On 30 May, Full Council met for the first time under the new political administration. It did not consider or approve the Business Plan of East Cambs Trading Company.

- The Finance & Assets Committee met on 20 June 2019 and did not consider or recommend the Business Plan of East Cambs Trading Company.

Given that this Council has therefore not approved the Business Plan of East Cambs Trading Company, on what governance basis is it continuing to operate?

Response from Director Commercial:

ECTC Board approved the 2019/20 Business Plan which was presented to the Council's Shareholder Committee on 11 February 2019. Various comments were made by the Shareholder Committee and as a result of this ECTC required time to consider the concerns raised and make the necessary changes to the business plan.

There was insufficient time to reflect the concerns that had been raised by Shareholder Committee as the business plan needed to be approved by the ECTC Board prior to the Shareholder Committee reconsidering the item on 14 March 2019. For this reason the Shareholder Committee meeting was rearranged for 17 April 2019.

At the point of cancelling the Shareholder Committee meeting ECTC was in the process of refining the business case for the development at Haddenham, this would enable Officers to reflect the most up to date financial position of the Haddenham site in the business plan.

Following the decision of Council on 11 April 2019, the first opportunity for ECTC to present the 2019/20 business plan to the Shareholder Committee, which is now a function of Finance & Assets Committee would have been 20 June 2019.

It was not possible for ECTC to present a 2019/20 business plan to the 20 June 2019 meeting due to the decisions taken by Council on 30 May 2019, i.e. the motion to revisit the MOD scheme to deliver at least 50% affordable housing.

With regards to the property element of ECTC, the business that has been transacted by ECTC since April 2019 concerns the completion of the two construction sites at Barton Road Ely and The Shade, Soham and progressing schemes in Haddenham, Ely (MOD Site) and Kennett. All of these plans have been referred to in previous years (approved by ECDC).

Whilst it is recognised that it is a requirement of the Shareholder Agreement to produce an annual business plan for approval by the Council there is no statutory requirement to do so, therefore ECTC is not in breach of any statutory obligations.

ECTC will present the 2019/20 business plan for approval by Council on 17 October 2019.

East Cambs Trading Company (ECTC)

Questions from Charlotte Cane
Councillor for Bottisham Ward:

Question 1

Did ECDC supply written confirmation to the Directors of ECTC on or before 14 November 2018 that ECDC would continue to provide financial support to ECTC?

- If so, when did Councillors approve the sending of this written confirmation?
- If not, how did Councillor Bailey, as a Director of ECTC, feel able to say that the company was a Going Concern and state that ECDC would continue to provide financial support?

Question 2

Have ECDC or ECTC commissioned a full environmental survey of the MOD site?

- If so, can all Councillors have a copy?
- If not, what analysis has the council undertaken of potential contamination on the site and the level of risk involved to the council and to potential occupiers?"

Response from Director Commercial:

Question 1

The financial support from ECDC to ECTC is in the form of the £5m loan which was approved by Council in January 2016. At November 14 2018 there was still £380k on the facility unused and the plans and projections at that stage showed that this would not be needed. As the terms of the loan are for repayment of the capital by the end of March 2021 and the Company had (has) not breached the agreement then the loan was not due for payment and so despite having a net deficit of £711k the Company could continue to trade.

On a point of clarification, Councillor Bailey questioned where the quote attributed to her in the second bullet point of question 1 had been derived. Councillor Cane stated that it was from paragraph 1.4 of the Statement of Accounts.

Question 2

ECTC has commissioned an environmental survey. This document is a technical and lengthy document (approximately 400 pages). This can be provided on request.

32. **RECOMMENDATIONS FROM COMMITTEES**

Council considered a report U33, previously circulated, that gave details of recommendations from the Council's Committees.

a. **FINANCE & ASSETS COMMITTEE – 20 JUNE 2019**

Treasury Operations Annual Performance Review 2018/19

The Chairman of Finance and Assets Committee, Councillor David Brown, again highlighted and commended officers on the higher level of interest the Council had gained, during the last year.

Councillor Hunt highlighted and commended the compliments from Councillor Whelan regarding the Council's investment strategy recorded in the extract of the Finance and Assets Committee Minutes, but stated that he was unsure from the extract which Councillor Whelan had expressed these. Councillor Alison Whelan clarified that she had requested that her compliments be conveyed to the Finance Team for their work in achieving higher than market levels of interest on investments. Councillors Christine Whelan and Cane referred to the inappropriateness of the comment, since only Councillor Alison Whelan was a Member of the Finance and Assets Committee and Councillor Hunt had been present at the meeting referred to. The Democratic Services Manager explained that it was normal practice to differentiate in Minutes when there was more than one Councillor with the same surname serving on the Council, as was the case with Councillors Schumann and Whelan, and she would remind her staff of this for the future.

It was resolved:

That the report on the Council's Treasury operations during 2018/19 including the actual Prudential and Treasury Indicators, as set out at Appendix 1 to the submitted report, be approved.

33. **POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS REVIEW**

Council considered a report, U34 previously circulated, advising Members of the commencement, process and timetable for the review of Polling Districts, Polling Places and Polling Stations.

Councillor Hunt commended the Democratic Services Team on the efficient and professional manner in which they conducted such reviews. Councillor Brown encouraged Members to contribute to the review and referred to the need for the venue for the Polling Station in Burwell to be changed 3 times in recent years due accessibility issues.

It was resolved:

That the process and timetable for the review of Polling Districts, Polling Places and Polling Stations commencing on 30 July 2019 be noted.

34. **COMBINED AUTHORITY UPDATE REPORT**

Council received reports on the activities of the Combined Authority from this Council's appointees.

It was resolved:

That the report on the activities of the Combined Authority be noted.

The meeting concluded at 6:19pm.

Chairman.....

Date: 17 October 2019