

EXTRACT OF MINUTES

AGENDA ITEM 6 (c)

Minutes of the meeting of the Commercial Services Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Tuesday, 15th March 2016 at 5.30pm

P R E S E N T

Councillor Richard Hobbs (Chairman)
Councillor Allen Alderson
Councillor Steve Cheetham
Councillor Lorna Dupré
Councillor Lavinia Edwards
Councillor Lis Every
Councillor Andy Pearson
Councillor Stuart Smith

OFFICERS

Lewis Bage – Project & Engagement Officer
Emma Grima – Director, Commercial & Corporate Services
Victor Le Grand – Business Development Manager (Leisure Services)
Janis Murfet – Democratic Services Officer

IN ATTENDANCE

Councillor Sue Austen
Councillor Bill Hunt
Dr Batul Dungarwalla, Chief Executive, Rural Cambs Citizens Advice
Mrs Victoria Holden, Chairman, East Cambs Access Group
3 members of the public attended the meeting

51. PUBLIC QUESTION TIME

There were no public questions.

52. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors Coralie Green, Mark Hugo and Dan Schumann.

53. DECLARATIONS OF INTEREST

There were no declarations of interest.

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54. **MINUTES**

It was resolved:

That the Minutes of the meeting held on 13th January 2016 be confirmed as a correct record and signed by the Chairman.

55. **CHAIRMAN'S ANNOUNCEMENTS**

- The Chairman announced that Mrs Victoria Holden, Chairman of the East Cambs Access Group was present and would address Members regarding the Public Conveniences Review. Rather than have her speak under Public Question Time, he had asked her to speak at Agenda Item No. 8;
- The Chairman offered congratulations to the Open Spaces & Facilities Manager and his team for securing the Grounds Maintenance contract until 2020. This contract was worth over £1 million in income to the Council, and was a valuable service to Sanctuary residents;
- A leisure centre update would go to Council for the next stage in May;
- The cinema site was up and running, with the road markings having been put down.

58. **PUBLIC CONVENIENCES REVIEW**

The Committee received a report, Q216, previously circulated, from which Members were asked to consider recommendations from the Asset Development Committee held on 1st February 2016.

At the invitation of the Chairman, Mrs Victoria Holden, Chairman of the East Cambridgeshire Access Group, addressed the Committee and read from a prepared statement. A copy of the statement is attached to these minutes as Appendix 1.

The Director, (Commercial & Corporate Services) then summarised the main points of her report and asked Members to note the tabled amendment to the recommendation:

It was proposed by Councillor Allen Alderson and seconded by Councillor Lavinia Edwards:

"Retain 2.1(iii) and (iv)

Amend 2.1 (i) and (ii) to read:

To refer back and recommend to Asset Development Committee, as a matter of urgency, specifically:

- i) Transfer (at the value of £5.00) the freehold of the public conveniences at Carter Street, Fordham to Fordham Parish Council (subject to a*

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reversion clause in the event of the asset ceasing to be utilised as a public convenience) and the one off payment of £9,555;

- ii) Retain the public conveniences at Barton Road, Ely for 2016/17, subject to a contribution of £8,000 from City of Ely Council and an annual review.”*

Councillor Dupré said that on a point of procedure, the tabled paper referred to a revised “motion” and this was incorrect, because what was before Members was an amendment.

She proposed the following amendment to the amended recommendation:

“Delete 2.1(iii) and 2.1 (iv).

Add new 2.2: Members instruct Officers to work with the Access Group to develop alternative proposals for Palace Green and Sacrist’s Gate that will ensure accessible toilets in the immediate vicinity of the Cathedral.”

Her amendment was not seconded.

Councillor Dupré next raised what she considered to be a potential conflict of interest. There were Members of this Committee who served on both the District Council and the City of Ely Council, and one council was paying money to offset the costs of the other. She asked what legal advice those Members had taken in connection with this. The Chairman replied that he had not taken any advice. As a City of Ely Member, he had voted to keep the Barton Road conveniences open and he would be content not to vote on this amendment. He did not see what legal risk there could be. Councillor Every concurred, adding that the issue was being referred back to the Asset Development Committee, so this meeting was not making a decision.

Councillor Dupré said her final point related to substance. There was an unsatisfactory position with the Access Group because they had not been consulted until after the recommendation had been made to the Asset Development Committee. Disadvantaged groups would be affected by the closure of the accessible toilet. The Access Group had highlighted 150 comments, and she herself had a petition, which contained over 500 signatures, opposing the proposed closures.

Councillor Dupré continued, saying that Ely was an international centre for visitors, but unlike other places, it did not have department stores. There would not be enough toilets if the proposal went ahead, and yet there was enough money in the Council’s budget to keep them open. The Council should be providing what people wanted. She said that she would vote against the amendment because it was insufficient to meet the needs of the disabled, parents, grandparents and visitors to the City. She wished to see Sacrist’s Gate and Newnham Street stay open and absolutely did not want Barton Road to close.

The Chairman reiterated that he would not vote on the proposed amendment to the recommendation, and the Committee duly returned to the motion proposed by Councillor Alderson and seconded by Councillor Edwards. When put to the vote, the motion was declared carried.

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Having been proposed and seconded, the substantive motion was now put to the vote and declared carried.

It was resolved:

To refer back and recommend to Asset Development Committee, as a matter of urgency, specifically:

- 1) To transfer (at the value of £5.00) the freehold of the public conveniences at Carter Street, Fordham to Fordham Parish Council (subject to a reversion clause in the event of the asset ceasing to be utilised as a public convenience) and the one off payment of £9,555;
- 2) To retain the public conveniences at Barton Road, Ely for 2016/17, subject to a contribution of £8,000 from City of Ely Council and an annual review;

It was further resolved:

To approve the recommendations of the Asset Development Committee (Ref: 1st February 2016, Agenda Item 6), specifically, the closure of the public conveniences at:

- Newnham Street, Ely; and
- Sacrist Gate, Ely and meet the costs of £5,000 for the surrender of the lease.