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EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

COUNCIL – 5 OCTOBER 2017
DECISION LIST

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
1.	-	Public Question Time	To answer questions from members of the public.	6 Questions were submitted by members of the public and the questions and responses are detailed in the Appendix at the end of this Decision List.	-
2.	-	Apologies for Absence	-	Apologies for absence were received from Councillors Allan, Hitchin and Huffer.	-
3.	-	Declarations of Interest	To receive declarations of interests from Members in respect of any items on the Agenda in accordance with the Members Code of Conduct.	<p>Declarations of Prejudicial Interests were made by the following Councillors as detailed in respect of Agenda Item 12 Local Plan – Proposed Submission Version:</p> <p>Councillor Hunt – as Chairman of Asset Development Committee</p> <p>Councillor Bovingdon – as agent of landowner of particular sites</p> <p>Councillor Ross – as trustee of Bishop Laney Charity</p> <p>Councillor J Schumann – as Chair of Cambs County Council Community Investment Committee</p> <p>Councillors Bailey and Roberts – as Directors of East Cambs Trading Company</p>	-

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
				<p>Board</p> <p>Councillor Hugo – as Chair of Haddenham CLT</p> <p>Declarations of Prejudicial Interests were made by the following Councillors in respect of Item Agenda 15 - Transfer of Tourism, Town Centres and Events Function to City of Ely Council, as City of Ely Councillors:</p> <p>Councillors Austen, Every, Hobbs, Rouse Whelan.</p>	
4.	-	Minutes – 13 July 2017	-	<p>It was resolved:</p> <p>That the Minutes of the meeting held on 13 July 2017 be confirmed as a correct record and signed by the Chairman, subject to the amendment of the third sentence of the fourth paragraph of Minute 25 on page 5 relating to the Corporate Plan – End of Year Report, to read:</p> <p>‘New lane markings had been created at Angel Drove, Ely.....’</p>	Democratic Services Manager
5.	S142	Ely South By-Election Result & Membership of Committees	To receive details of the result of the Ely South By-Election held on 7 September 2017 and the allocation of seats on Committees, etc, arising therefrom.	<p>It was resolved:</p> <p>That the election of Councillor Christine Whelan as a District Councillor for the Ely South Ward and the allocation of seats on Committees, etc, to her arising therefrom, detailed at Appendix 3 to the submitted report, be noted.</p>	Democratic Services Manager

6.	-	Chairman's Announcements	Announcement of items of interest.	<p>The Chairman made the following announcements:</p> <p><u>Alteration of Order of Business</u></p> <p>Due to the volume of public in attendance for this item, the Chairman stated that he had agreed to an amendment to the order of business to take Agenda Item 12 on Local Plan – Proposed Submission Version before Agenda Item 11 on New Council Corporate Plan 2017-19.</p> <p><u>Civic Events</u></p> <p>My first three announcements this evening relate to forthcoming events:</p> <p>Our Civic Service is fast approaching. It will take place on Sunday 22nd October, at St Andrews Church, Soham, at 3.00pm. I hope you will be able to join us on that occasion. If you have not, as yet, responded to the invitation, I would be grateful if you would do so, by emailing my PA Lynne Smart.</p> <p>As you are aware, during my term of office I am organising visits to local businesses for Members. The next of these will be to CP Foods on the morning of Friday 27th October. Further details will be sent to you within the next few days.</p> <p>If you already have access to a 2018 diary,</p>	
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				<p>you may care to note that my Chairman's Reception will take place towards the end of the civic year, on Friday 20th April 2018. The venue will be Granary Barns, Woodditton, which offers very impressive facilities. As well as the opportunity to socialise, the evening will include entertainment provided by the Viva Theatre Company, which was founded by our colleague Councillor Dan Schumann.</p> <p><u>Unauthorised Traveller Encampment</u></p> <p>Members may be aware of the traveller unauthorised encampment that arrived in St Margarets Field in Burwell last Friday afternoon. The travellers had been evicted from both Cromer and Newmarket. Jo Brooks, Director of Operations, and Angela Parmenter, Housing Manager, co-ordinated a multi agency approach to evict the travellers quickly. They worked with Burwell Parish Council to give legal advice, carried out checks at the site including welfare, black sack distribution and co-ordinating the eviction, which involved the Police from two counties and the bailiffs. I'm pleased to advise that the travellers vacated the field on Tuesday afternoon.</p> <p>Unfortunately the mess the travellers have left behind is considerable. Under normal circumstances the land owner is responsible for the site clear up. However, Jo Brooks has advised me that the Council</p>	
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				<p>will provide this (as we did at Kennett a few weeks ago) and waste operatives were on site by 9am yesterday morning.</p> <p>The travellers have now moved to Godmanchester and I know Jo Brooks and her team are keeping a watching brief. Communications are continuing with the Parish Councils, businesses and farmers on securing their land. Interventions such as concrete blocks have been distributed where appropriate.</p> <p>On behalf of you all I would like to thank Jo Brooks, Angela Parmenter and the Waste Department for all their hard work in resolving the situation. In particular, I know Councillor David Brown will wish to be associated with these thanks.</p> <p><u>Las Vegas Shootings</u></p> <p>Finally on a very sad note, I am sure all Members of the Council will have been appalled by the atrocity which took place in Las Vegas earlier this week. Our hearts go out to the relatives and friends of the bereaved, and to those who suffered such dreadful injuries. We regard Americans as our friends. On behalf of the residents of East Cambridgeshire, I have sent heartfelt messages of sympathy to the Commanding Officers at RAF Alconbury, Lakenheath and Mildenhall.</p>	
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7.	-	Petitions	To receive public petitions.	No Petitions had been received.	-
8.	-	Notice of Motions Under Procedure Rule 10	To receive and consider any motions from Members.	No motions were received.	
9.	-	Questions from Members	To receive questions from Members of Council.	<p>Question from Cllr Lorna Dupré:</p> <p>1. <i>Air quality: as at Thursday 7 September, the Director of Public Health for Cambridgeshire had still not signed off the annual air quality report for East Cambridgeshire for 2016-17 (Air Quality in Cambridgeshire: Update – paper to Cambridgeshire County Council Health Committee, 7 September 2017). Has East Cambridgeshire District Council now submitted its annual air quality report for 2016-17, and if so on what date? Has its annual report been signed off by the Director of Public Health for Cambridgeshire, and if not why not?</i></p> <p>2. <i>Fly-tipping: how many prosecutions for fly-tipping have been brought by East Cambridgeshire District Council in (a) 2014-15, (b) 2015-16, and (c) 2016-17? How many of these prosecutions have resulted in conviction?</i></p> <p>Response from Director Operations:</p> <p>1. Air quality: The Air Quality report for ECDC has not yet been submitted to the County for sign-off. The timetable for completion of the draft</p>	

				<p>report by the Council's scientific officer is the end of October. Once the report has been signed-off by the Director of Public Health and submitted to DEFRA, Members will be informed.</p> <p>Local authorities have been issued with a new formatted template by DEFRA to submit their 2017 Annual Status report. This will include air quality data collected from the additional monitoring site throughout the district. From the data collected during this reporting period, there are no exceedances or likely exceedances of the statutory air quality objectives applicable to Local Air Quality Monitoring (LAQM) in England for ECDC.</p> <p>2. Fly-tipping: During the years in question (2014/15, 15/16 and 16/17) there were no prosecutions for fly tipping offences. During this time investigations were routinely carried out, some resulting in low level enforcement actions, including verbal warnings & directions to remove waste from public land, but none were formally progressed. Other related enforcement measures included stop & search operations with Cambridgeshire Police of vehicles suspected of being unlicensed waste carriers & checks on businesses to ensure that trade waste disposal arrangements were in place, but again, none resulted in formal enforcement action</p>	
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				<p>being taken.</p> <p>Departure of the Clean Neighbourhoods Enforcement Officer in March of this year provided an opportunity to reconsider the provision of enforcement services. These functions have been moved into the Environmental Services Team. Two Technical Officers have been trained to undertake a range of Enforcement Functions & the Dog Warden role has been extended to enforce in relation to dog fouling issues. Expanding the Dog Warden's role to include fouling issues will give greater emphasis to this emotive issue, which it is believed will be widely supported. New arrangements have been in place since completion of necessary training at the end of June.</p>	
10.	S143	Schedule of Items Recommended from Committees and Other Member Bodies	To consider and take decisions on items recommended from Committees and Other Member Bodies	<p>a. <u>RESOURCES AND FINANCE COMMITTEE – 21 JULY 2017</u></p> <p><u>Corporate Risk Management</u></p> <p>It was resolved:</p> <p>That approval be given to the proposed amendments to the Corporate Risk Register and Risk Management Policy detailed in the submitted report.</p>	Chief Financial Officer

				<p><u>b. RESOURCES AND FINANCE COMMITTEE – 21 SEPTEMBER 2017</u></p> <p><u>Amendments to Constitution – Contract Procedure Rules</u></p> <p>It was resolved:</p> <p>That approval be given to the revised Contract Procedure Rules, as attached as Appendix 1 to the submitted report, and for these to be incorporated into the Council’s Constitution.</p>	Chief Financial Officer
12. (out of agenda order)	S145	East Cambridgeshire Local Plan – Proposed Submission Version	To seek approval of the proposed submission version of the East Cambridgeshire Local Plan to enable the final round of consultation and also to seek approval, post-consultation, for submission to the Secretary of State for independent examination.	<p>It was resolved:</p> <p>That the Council:</p> <ol style="list-style-type: none"> 1. Withdraws the site allocation (WFD.M1, Land North of Witchford) from the Proposed Submission (‘Publication Draft’) Local Plan. 2. Approves the Proposed Submission (‘Publication Draft’) Local Plan as attached at Appendix 1, for the purpose of both its final consultation for six weeks (likely during November-December 2017); AND its subsequent submission to the Secretary of State for the purpose of independent examination, as amended. 3. Approves the Policies Map (including associated inset maps) as set out as part of the agenda papers, for the purpose of consultation alongside the 	Director Commercial/ Strategic Planning Manager

				<p>Local Plan consultation AND for subsequent submission to the Secretary of State for consideration alongside the examination of the Local Plan, as amended.</p> <p>4. Delegates to the Director Commercial any presentational improvements or other inconsequential changes (e.g. correcting typographical errors or factual inaccuracies) to the Plan or Policies Map prior to the consultation commencing.</p> <p>5. Delegates to the Strategic Planning Manager the ability to agree and consult upon a set of proposed modifications during the examination process (most likely at the very end of the examination process), if asked by the Inspector to do so.</p> <p>6. Notes, subject to agreement of the above recommendations, that the Council can now declare it has a 'five year land supply' for accommodating new homes.</p>	
13. (out of agenda order)	S146	Revised Local Development Scheme (LDS)	To approve an updated timetable (in the form of an updated LDS) for preparation of the Local Plan.	<p>It was resolved:</p> <p>That approval be given with immediate effect to the Local Development Scheme (LDS) attached to the submitted report, which sets out a timetable for the ongoing production of a district wide Local Plan.</p>	Director Commercial/ Strategic Planning Manager/ Planning Manager

11.	S144	Corporate Plan 2017-19	To receive the new Corporate Plan 2017-2019 for East Cambridgeshire District Council.	It was resolved: That the new Corporate Plan set out in Appendix 1 to the submitted report be approved.	Chief Executive /Performance Management Officer
14.	S147	Community Infrastructure Levy and Section 106 Update	To receive an update on the income, allocation and expenditure of Section 106 and Community Infrastructure Levy contributions.	It was resolved: That the income, allocation and expenditure of Section 106 and Community Infrastructure Levy contributions detailed in the submitted report be noted.	Director Commercial
15.	S148	Transfer of Tourism, Town Centres and Events Function to City of Ely Council	To consider draft Heads of Terms for the transfer of the Tourism, Town Centres and Events function to the City of Ely Council.	It was resolved: That the Council: 1. Agrees the transfer of the service, as set out in the draft Heads of Terms in Appendix 1 to the submitted report. 2. Instructs the Chief Executive, to implement recommendation 1 to meet the timetable detailed in paragraph 4.2 of the submitted report. 3. Instructs the Chief Executive to undertake the necessary consultation with Joint Consultative Committee and affected staff. 4. Instructs the Director, Commercial to bring forward a proposal to Community Services Committee, on the terms of reference for the development and implementation of a District wide tourism strategy.	

16.	-	Combined Authority Update Report	To receive a report on the activities of the Combined Authority from the Council's appointees.	It was resolved: That the report on the activities of the Combined Authority from the Council's appointees be noted.	-
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PUBLIC QUESTION TIME – QUESTIONS AND RESPONSES**Agenda Item 12 Local Plan – Proposed Submission Version**

Parish Councillor Ian Allen on behalf of Witchford Parish Council:

The Local Plan proposals for Witchford make it by far the greatest recipient of proposed new housing for a village parish. Witchford is preparing a Neighbourhood Plan, the consultation responses so far are accepting growth but not at the level put forward by ECDC. Witchford PC would like clarification on the following points:

1. Witchford is identified as a large village with a good range of facilities, yet has only a small post office and limited retail. Two schools catering for five to sixteen year old students and a pre-school, all at capacity. The bus service has been cut to approx every two hours, with no Sunday service. There is severe congestion on the A142 at peak times. How is this a basis for major development?
2. What guarantee will you give that the A142/Common Road junction and both the A142/Witchford Road and A10/A142 roundabouts are going to be upgraded to function effectively for the increase in traffic?
3. How is this capacity improvement going to take into account pedestrian and cycle access and encourage cycling as detailed in the Cycling Strategy?
4. Is there going to be a Parish boundary review as part of the largest allocation? 50% of WFD M1 which is allocated for 720 houses lies in Ely Parish, this the CIL and precept benefits will go to City of Ely, while Witchford bears the burden of urbanisation and increased traffic. Will ECDC guarantee a boundary change to reflect the new community?
5. The 'green wedge' described in the draft Local Plan of January 2017 between Ely Road and the A142 has been all but swallowed up by the site WFD M1. What assurances can ECDC give that this too will not be swallowed up with new development?
6. How is the traffic generated by the school(s) going to be managed in Common Road and Manor Road?
7. How are you going to manage and guarantee the defence of identified green space south of Main Street from development?
8. Will ECDC press for a road suitable for school(s) buses through the proposed site north of Manor Road, to help ease congestion?
9. Given the lack of progress on the Ely North development, half of which is in the same ownership as the largest Witchford site, is the Council at risk of another five year land supply failure, if the allocation move forward slowly?
10. Local needs affordable housing has been used as a 'persuader' in local developments, only for percentages to be halved. How is Wittchford going to develop as a balanced community with adequate affordable housing for local needs or are the developments to serve as an overflow from an overheated Cambridge property market?

11. Why has the Local Plan ignored the objections of Witchford PC and residents by not reducing the boundary of site ELY.E2 to exclude Witchford Bridleway 4 across the old airfield. This is an important and well used route in open countryside. What assurances will ECDC provide to protect the environmental amenity of the bridleway?
12. Witchford has received a massive and disproportionate allocation on the grounds that it is a sustainable location being close to a station and employment sites. How is it that the 'golden triangle' and golf course have not been allocated, as they better fit NPPF sustainability criteria?
13. Given the lack of progress on the Ely North developments, half of which is in the same ownership as the Witchford WFD M1 site, is the Council putting itself at risk of another five year land supply failure and this whole sorry process being revisited again?

Response from Director Commercial:

I thank Parish Councillor Ian Allen for the question, which will require detailed consideration of the issues included in it and a written response will be provided. Members also are reminded to have regard to the points raised in conjunction with consideration of agenda item 12.

ADDENDUM: Following the full Council meeting, the additional response below has been provided by the Director Commercial:

Following your public 'Question Time' at full Council on 5 October 2017, it was agreed that, due to the extent of your questions, a written response would be sent to you.

The essence of your set of Questions related to growth at Witchford, and various concerns arising as a result. As you know, later in the full Council meeting (post your question), it was resolved that the Local Plan proceed to consultation but, before doing so, the largest of the sites at Witchford be removed from the officer recommended Local Plan. As a consequence, many of the questions and issues you raise in your questions become either irrelevant or less relevant.

In respect of any outstanding questions you raised which remain relevant, these are all points which suitably could be made as part of the forthcoming consultation on the Local Plan, if you feel it appropriate to do so. That said, following the full Council decision to remove the site at Witchford, the Council hopes that residents of Witchford now will welcome the proposals for Witchford as set out in the Local Plan.

Parish Councillor James Hadlow, Cheveley Parish Council:

1. Can the Council please explain why site CHV2 in Cheveley has been included in the latest version of the Local Plan when drainage issues have not been resolved and the new independent expert analysis of the drainage report has been submitted? This analysis raised a number of issues: in particular the risk of flooding to the proposed and neighbouring properties, which include a Grade II listed heritage asset located in a conservation area, adjacent to the receiving pond.
2. Can the Council please explain why Cheveley village has two allocation sites when Cambridgeshire County Council have submitted a statement saying that Cheveley 'school does not have enough spare capacity in the next five years to accommodate the additional

demand forecast as a result of the proposed development' (site CHV2 in Cheveley). Pupils therefore will have to 'travel to Kettlefields School' in Stetchworth or further afield. Why does Stetchworth not strategically therefore have any allocation?

Response from Strategic Planning Manager:

1. Any decision on this site is subject to agenda item 12. Officers are recommending the site in Cheveley because, from a strategic 'in principle' point of view, the site is suitable as an allocation. The Council is aware that there is also a planning application for the same site, but the process for allocating a site is different to considering a planning application. From a strategic Local Plan point of view, in principle the site is suitable. When it comes to a planning application, considerable detailed consideration would then also be applied.
2. It is confirmed that Cheveley is recommended to have two allocation sites, but one of those sites has consent and is virtually built out. So, in effect, Cheveley only has one new allocation, and that site is included for reasons explained in response to the first question.

Question by Andrew York, High Street, Cheveley:

Regarding the Local Plan and Cheveley village infrastructure vs. increased housing:

- What plans exist to upgrade the water and sewage system infrastructure in the village?
- Do ECDC have proposals to build a new school and village hall for community use in the village to support growth?
- How will ECDC ensure adequate sustainable transport exists for new residents?

Response from Strategic Planning Manager:

Regarding the Local Plan and Cheveley village infrastructure vs. increased housing:

What plans exist to upgrade the water and sewage system infrastructure in the village?

In terms of fresh water: We are aware that water resources in the Cheveley Water Resource Zone are somewhat limited. In the short term, Anglian Water's focus is on reducing consumption (metering, etc). In the medium to long term, it is likely that more water will be transferred in from neighbouring Newmarket WRZ, requiring a **new pipeline and pumping station**. However, Anglian Water have made assumptions about growth which are far higher than we are proposing in the Local Plan. Growth identified in the Local Plan will not, our evidence suggests, directly result in the need for that new pipeline or pumping station.

In terms of waste water: The receiving Water Recycling Centre (or sewerage works, as they are sometimes known) has sufficient capacity to accommodate waste water from the proposed levels of growth.

To accommodate growth, the foul sewerage network was identified as requiring upgrade to ensure sufficient capacity. This is the case for most sites. The necessary improvement would be expected to be delivered by a developer.

In terms of surface water: Any surface issues are a matter for detailed planning applications to resolve.

Do ECDC have proposals to build a new school and village hall for community use in the village to support growth?

There are no present proposals by ECDC to directly provide any such new facilities.

How will ECDC ensure adequate sustainable transport exists for new residents?

As part of the consideration of any new planning proposal, whether it be a Local Plan allocation or consideration of a planning application, the ability of a site to either access existing or provide new sustainable transport facilities is a material consideration. This approach applies to Cheveley, as well as anywhere else in the district. That doesn't mean a proposal will automatically fail or be approved on that basis, it will just be a factor taken into consideration in reaching a decision.

Planning Applications, Cheveley

Question by Jill York, High Street, Cheveley:

Having seen a surprising and worrying number of failures in ECDC planning procedures for recent planning applications in Cheveley village including 17/01518/FUM (and including changes to the local plan), for example:

- Why is it up to the Public to point out basic anomalies and omissions to the planning department?
- Why do the Councillors appear not to have the detail of applications, relying instead on the planning officers overview and how can they make a judgement without all the information being read?

So with this in mind please advise what is being done by ECDC to ensure due democratic process is being followed by its officers and councillors in the planning process?

Response from Director Operations:

Information is submitted by the applicant as part of a planning application and members of the public and consultees are consulted on the information submitted. At this point queries may be raised in relation to the information submitted by members of the public, consultees and also the Planning Officer dealing with the application. If all of the items required for validation have been submitted, an application is made valid, but during the course of the application it can often come to light that additional information is required to be submitted. This is part of the application process.

A comprehensive report is written by officers for Councillors and it is detailed within that report that all of the neighbour responses, consultee responses and details of the application can be viewed on Public Access. Councillors are able to access this information prior to a committee meeting. Planning Officers are qualified and employed by this Council to assess the information submitted and balance the material planning considerations, before making a recommendation to Planning Committee. Members of the Planning Committee are able to ask questions during the meeting for points of clarification from the Case Officer and also anyone who has registered to speak.

Officers follow the relevant processes and Councillors are provided with detailed reports which address issues which have been raised, to allow them to make a decision on an application.

Agenda Item 15 - Transfer of Tourism, Town Centres and Events Function to City of Ely Council

Question by Ted Coney, Waterside, Ely:

Does the Council see a correlation between arts, culture and heritage and the prosperity of Ely and the surrounding area? If it does, will it continue to support Oliver Cromwell's House both as a hub for information and as a tourist attraction?

Response from Chief Executive:

Agenda item 15 relates to the transfer of Oliver Cromwell's House (OCH) and other Tourism, Town Centres and Events functions relating to Ely to the City of Ely Council. However, OCH will remain part of the district-wide Tourism Strategy, even if it is transferred to the City of Ely Council.