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EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

COUNCIL – 7 JANUARY 2016
DECISION LIST

Prior to the formal commencement of the meeting, the Chairman announced the recent deaths of former District Councillors Lionel Neal and Philip Read, and gave a eulogy for both men. At the Chairman's Invitation, Members spoke in tribute to both Councillors Neal and Read and one minute's silence was observed as a mark of respect.

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
1.	-	Public Question Time	To answer questions from members of the public.	<p>The following questions were received from Mr Robert Ely and Mr Richard Morgan and read out in their absence regarding the Planning application for the proposed development at Barton Road, Ely:</p> <p><i>Robert Ely, Barton Road, Ely:</i></p> <ol style="list-style-type: none"><i>1. How many car parking spaces are currently available for use by the general public at the Barton Road car park, and how many will be available for use by the general public if the current planning application for partial development of the car park is approved excluding the spaces provided for residents of the new development?</i><i>2. Is the remainder of the car park at Barton Road, not covered by the current planning application, to be the subject of a further planning</i>	-

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				<p><i>application in order to reconfigure parking provision there? If so, what will happen to parking provision overall at Barton Road if the recent application by the council is granted but a later application for reconfiguration of parking provision is not?</i></p> <p><i>Richard Morgan, Merivale Way, Ely:</i></p> <p><i>What provision exactly is to be made for alternative coach parking or passenger drop-off and collection in Ely in order to facilitate the application for development at Barton Road? What is the view of the highways authority, the emergency services, local traders, and other interested parties about this alternative provision, and will the council ensure that all appropriate arrangements including any necessary changes to traffic regulation orders are in place for this before determining the Barton Road planning application?</i></p> <p>The Leader of the Council, Councillor James Palmer, responded to the two questions together and stated that the Planning application had been the subject of discussion and consultation for a lengthy period of time and that the Ely Traders consulted were generally supportive of the</p>	

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				proposals. There were currently 192 spaces within the car park (188 car parking spaces and 4 disabled) and it was proposed that there would be 205 spaces if the development was progressed, a total of 13 more than at present. A Press release was to be made early in the following week, to clarify the position on bus/coach parking and drop-off arrangements. The Council was committed to openness and transparency on this issue and believed that it was acting in the best interests of the public, residents and Tax Payers and providing more parking spaces.	
2.	-	Apologies for Absence	-	Apologies for absence were received from Cllrs Hitchin, Huffer, Pearson and Dan Schumann.	-
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.	No declarations of interests were received.	-
4.	-	Minutes – 22 October 2015	-	It was resolved: That the Minutes of the meeting held on 22 October 2015 be confirmed as a correct record and signed by the Chairman.	Democratic Services Manager
5.	-	Chairman's Announcements	Announcement of items of interest.	The Chairman made the following announcements:	-

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				<p><u>Budget Seminar</u></p> <p>'Members are reminded of the annual Budget Seminar scheduled for Thursday 21st January at 6.00pm in the Council Chamber, which you previously have been notified of. The seminar will provide a briefing for Members ahead of the Finance papers being considered by the Corporate Governance and Finance Committee and full Council; on the draft revenue and capital budgets for 2016/17 and beyond; the funding of the LATC and Leisure Centre; and the position in respect of the future funding of local government.</p> <p>If you have not already done so, please can you inform Kimberley Wardle in Democratic Services as to whether or not you will be attending.'</p> <p><u>Resignation of Councillor Vince Campbell</u></p> <p>Since the last Council meeting, Councillor Vince Campbell has resigned. We thank him for his service to the Council. The bye-election for the Bottisham Ward will be held on 4 February 2016.</p> <p><u>Thanks to Members and Officers</u></p> <p>As it is the first meeting of the New Year, I would like to officially thank the following</p>	

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				<p>Members and Officers for being most helpful to me recently.</p> <p>Firstly referring to my Civic Service last November, I would like to thank Cllrs James Palmer, Josh Schumann, Richard Hobbs and Derrick Beckett for their excellent rendering of the scripts. Also I would like to thank Lynne Smart, Joy Hennebry and Denise Gawthrop for organising the day and making it so pleasant for our guests. Mary and I are so proud of the event and compliments are still coming in.</p> <p>Secondly, the Christmas card you all received. I must thank Cllr Mike Rouse for being kind enough to allow me to use one of his photographs and Andy Dicks for the imaginative design.</p> <p>Thirdly, I would like to thank my Vice-Chairman, Cllr Peter Cresswell.</p> <p><u>Chairman's Reception</u></p> <p>Lastly, I am announcing that the Chairman's Reception is going to be held on Friday 11 March at the Maltings in Ely. I sincerely hope that you will all be attending and meeting colleagues and dignitaries from other authorities and enjoy the</p>	

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				evening.	
6.	-	To Receive Petitions	To receive public petitions.	No petitions had been received.	-
7.	-	Notice of Motions Under Procedure Rule 10	<p>(a) <u>Affordable Housing</u></p> <p>The following Motion was proposed by Cllr Lorna Dupré and seconded by Cllr Sue Austen:</p> <p>This Council:</p> <ol style="list-style-type: none"> 1. notes the announcement by East Cambridgeshire District Council on 5 November 2015 of an immediate halving of its expectation of affordable housing to be provided on development sites, with the remainder to be provided offsite or as a financial contribution to the authority; 2. recognises the significance of this decision, not only for sites currently under negotiation, but also as a signal to developers about the council's expectation for affordable housing in the emerging replacement Local Plan; and 3. expresses its concern that elected members have not been given the opportunity to 	On being put to the vote the motion was lost.	Director Commercial & Corporate Services/ Director Support Services

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			<p>question the rationale underpinning this decision, or to debate the issues it raises.</p> <p>In view of the council's failure to meet its targets for the provision of affordable housing, and the severe problems caused for local people by the shortage of affordable housing in East Cambridgeshire, the council therefore resolves to submit the decision as published, along with the accompanying report produced by the council in conjunction with Bespoke Property Consultants, for debate at the next meeting of the council's Corporate Governance & Finance Committee.</p> <p>(b) <u>Council Tax</u></p> <p>The following Motion was proposed by Cllr Lorna Dupré and seconded by Cllr Sue Austen:</p> <p>This authority notes that the Chancellor of the Exchequer has permitted local authorities to reduce the critical shortfall in adult care funding, by raising council tax by an additional two per cent this coming year.</p>	<p>On being put to the vote the motion was lost.</p>	<p>Chief Executive</p>

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			<p>This authority also notes that:</p> <ol style="list-style-type: none"> 1. Cambridgeshire County Council is already in very straitened circumstances and could raise around £4.8 million by this means; 2. failure to do so would result in unnecessary cuts of that amount in adult care, or in other county council services such as mobile libraries, school crossing patrols, street lighting, and winter gritting; and 3. such cuts would reduce the quality of life of East Cambridgeshire residents. <p>This authority further notes that Cambridgeshire and Peterborough are among the 10 per cent of local authorities with the most challenging health budgets, and that reductions in adult care provision would cause additional pressures on already stretched local health services.</p> <p>This authority therefore:</p> <ol style="list-style-type: none"> 4. calls on Cambridgeshire County 		

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			<p>Council to take the opportunity to reduce the level of cuts to local services, by accepting the option to increase its council tax by an extra two per cent in 2016/17; and</p> <p>5. instructs the Chief Executive to write to the Chief Executive of the County Council to this effect.</p>		
8.	-	To answer Questions from Members	To receive questions from Members of Council.	<p>The following question was received from Councillor Lorna Dupré:</p> <p>I would like to ask the Chairman of the Regulatory & Support Services Committee, Cllr Anna Bailey: Under its proposed policy on unauthorised gypsy and traveller encampments, to be presented for adoption to the Regulatory & Support Services Committee on Monday 11 January, does the council intend to identify sites in the district that are particularly vulnerable to unlawful occupation or trespass, as recommended in the guide <i>Dealing with illegal and unauthorised Encampments: A summary of available powers</i>, published by the DCLG in March 2015; and if so, will she ensure that the CAMRO data centre site at the Elean Business Park in Sutton is considered for inclusion in any such list of sites?</p>	

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				<p>The following response was given by the Chairman of the Regulatory & Support Services Committee, Cllr Anna Bailey:</p> <p>The Policy coming to the Regulatory and Support Services Committee next week is to deal specifically with unauthorised encampments once they are happening.</p> <p>However, much prevention work does also take place at this Council. We currently have two officers who have and continue to identify sites that are vulnerable to unlawful occupation or trespass; for obvious reasons, those sites are not made public! The officers proactively patrol the district and will take appropriate steps including welfare checks, delivery of black sacks, take photographic evidence, advise partners of the encampment and give move on advice. The council will also take legal action to have the encampment removed.</p> <p>If the unauthorised encampment is on private land the officers will give private land owners, including business parks, free advice (including legal advice), support and assistance to have the encampment removed. The Council can only take legal action against unauthorised encampments on public land not private land.</p>	

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				<p>The council also works proactively with its partners including County Council to monitor new and existing Gypsy and Travellers movements.</p> <p>We are currently undertaking a Gypsy and Traveller and Travelling Showmen accommodation needs assessment in the District. This will inform of site allocation as part of the Local Plan review for future pitch provision”</p> <p>The Council recognises that the Elean Business Park in Sutton is not secure and is therefore susceptible to unauthorised encampments. As Cllr Dupre, and Cllr Stubbs will be aware, officers have had numerous, in depth, conversations with both the land owner and agents of the site. Extensive advice has been given both by this Council and the County Council on how to secure the site, including the erection of temporary concrete blocks (which the County are happy to provide free of charge) and the legal remedies available to the land owner to remove the unauthorised encampment through the proper legal channels. I understand that the concrete blocks now are in place.</p>	

9.	Q155	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><u>CORPORATE GOVERNANCE AND FINANCE COMMITTEE – 3 DECEMBER 2015</u></p> <p>(a) <u>Localised Council Tax Reduction Scheme</u></p> <p>It was resolved:</p> <p>That Council note the continuation of the current Localised Council Tax Reduction Scheme during 2016/17.</p> <p>(b) <u>Council Tax Base 2016/17</u></p> <p>It was resolved:</p> <p>That the Constitution be amended so that the determination of the Council Tax Base in future years is delegated to the Chief Financial Officer, with the policy on discounts and premiums to be reviewed by the relevant Committee on at least a three yearly basis.</p> <p>(c) <u>Treasury Operations Mid Year Review</u></p> <p>It was resolved:</p> <p>That approval be given to an amendment to the current Treasury Management Strategy to reflect that for the financial year 2015/16, investments can be made for up to 1 year with Nationwide Building Society.</p>	<p>Chief Financial Officer</p> <p>Democratic Services Manager/Chief Financial Officer</p> <p>Chief Financial Officer</p>
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10.	Q156	East Cambridgeshire Preliminary Draft Local Plan	To determine whether to approve the Preliminary Draft version of the East Cambridgeshire Local Plan for the purpose of public consultation.	<p>It was resolved:</p> <ol style="list-style-type: none"> 1. That the Preliminary Draft Local Plan be approved for public consultation for a period of six weeks during February and March 2016. 2. That delegated authority be given to the Strategic Planning Manager, prior to its publication for consultation, to make any minor, non-consequential amendments (such as correcting typographical errors) and any presentational improvements. 	Strategic Planning Manager
11.	Q157	Council Response to LGBCE Draft Recommendations on the Electoral Review of East Cambridgeshire	To agree the Council's submission to the Local Boundary Commission for England (LGBCE) consultation on its draft recommendations on the new electoral arrangements for East Cambridgeshire District Council.	<p>It was resolved:</p> <p>That the submission to the LGBCE attached as Appendix 1 to the submitted report be approved, with the addition of the paragraph below:</p> <p><u>Fordham and Isleham</u></p> <p>The Council proposes that the two single member Fordham and Isleham wards be combined into a two-member Fordham & Isleham ward. This arrangement better reflects the community interest and identities of the smaller villages in these wards. In particular Chippenham parish looks towards Fordham not Isleham for services. All five parishes are united in the Three Rivers Group of Parishes.</p> <p>This arrangement also allows for better equality of representation as it reduces the variance to -1.7%.</p>	Infrastructure & Strategy Manager

12.	Q158	Establishment of the Local Authority Trading Company	To agree the establishment of the East Cambridgeshire Local Authority Trading Company (LATC).	<p>It was resolved: That approval be given to:</p> <ul style="list-style-type: none"> (i) the Overall Business Plan (OBP) as detailed in Appendix 1 of the submitted report, subject to the amendment of paragraph 4.1.1 relating to the quorum for Board meetings, to refer to a quorum being three, to include 1 elected Member Director and 1 Officer Director; (ii) the Business Plans for Property Development and Commercial Services, attached as Appendices 2 and 3 of the submitted report; (iii) the Shareholder Agreement and Articles of Association detailed in Appendices 4 and 5 of the submitted report; (iv) the funding strategy detailed in paragraph 5.0 of the submitted report; (v) the composition of the Board as set out in Appendix 1 (ref: P9 paragraph 4.1.1) of the submitted report; (vi) the appointment of Paul Remington as Chairman of the LATC; (vii) the Risk Management Plan attached as Appendix 6 of the submitted 	Chief Executive/ Director Commercial & Corporate Services/ Chief Financial Officer
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				<p>report.</p> <p>Furthermore, in order to implement (i) to (vii), that the necessary authorisations and approvals be granted to:</p> <p>(viii) the Chief Financial Officer to enter into a loan agreement based on the heads of terms detailed in Appendix 7 of the submitted report;</p> <p>(ix) the Chief Executive and Legal Services Manager to complete the necessary legal documentation to implement the above;</p> <p>(x) the Deputy Monitoring Officer to amend the Constitution, as necessary, to implement the above;</p> <p>(xi) the Chief Financial Officer to ring fence the affordable housing additional element of New Homes Bonus payable to the CLT on completion of each property.</p> <p>(xii) That approval be given to the establishment of a LATC Shareholder Review Committee with a membership of five (four Conservatives and one Liberal Democrat) to implement the review identified in the Overall Business Plan (reference: Appendix 1 page 10 paragraph 4.1.5) within the</p>	<p>Chief Executive/ Chief Financial Officer/ Monitoring Officer</p>
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				agreed timescales, with the membership of this Committee comprising Councillors David Ambrose-Smith, Bradley, Cresswell, Dupré and Morris.	
13.	Q159	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><u>ASSET DEVELOPMENT COMMITTEE – 30 SEPTEMBER 2015</u></p> <p><u>The Role of the Asset Development Committee and the Local Authority Trading Company (LATC)</u></p> <p>It was resolved:</p> <p>That the revised terms of reference of the Committee, as detailed in Appendix 1 of the submitted report, be approved.</p>	Chief Executive/ Director Regulatory Services/ Monitoring Officer
	-	EXCLUSION OF THE PRESS AND PUBLIC	That the press and public be excluded during consideration of the remaining agenda item because it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of public were present during the items there would be disclosure to them of exempt information of Category 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).	<p>It was resolved:</p> <p>That the press and public be excluded during consideration of the remaining agenda item.</p>	-

14.	-	Exempt Minutes – 22 October 2015		It was resolved: That the Exempt Minutes of the meeting held on 22 October 2015 be confirmed as a correct record and signed by the Chairman.	
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