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EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

**COUNCIL – 16 OCTOBER 2014**  
**DECISION LIST**

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
		Election of Chairman for the Meeting	To elect a Chairman for the meeting due to the absence of the Chairman and Vice-Chairman of the Council.	It was resolved: That Councillor Richard Hobbs be elected as Chairman for the duration of the meeting.	
1.	-	Public Question Time	To answer questions from members of the public.	<p>The following question was asked by Charlotte Cane of Swaffham Road, Reach:</p> <p><i>'You are considering spending CIL funds on 2 major Capital projects. Why don't you allocate those funds to smaller local projects which will benefit more people around the District more quickly, e.g. urgent repairs to Swaffham Prior's school roof?'</i></p> <p>In response, the Chief Executive stated that the question related to Agenda Item 13 on the Community Infrastructure Levy (CIL) amendment to the Regulation 123 List and requested that the Corporate Unit Manager, Emma Grima, respond to this as part of her presentation on the item. In addition, the Chief Executive stated that similar issues had been raised by Swaffham Prior Parish Council and a copy of his response to the Parish Council had been tabled for the information of Members and would be provided to Ms Cane.</p>	-

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2.	-	Apologies for Absence	-	Apologies for absence were received from Councillors Alderson, Allan, Christine Ambrose-Smith, David Ambrose-Smith, Austen, Beckett, Cornell, Edwards, Harris, Kerby, Read, Williams and Willows.	-
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 – 17 July and 4 September 2014	-	It was resolved: That the Minutes of the meetings held on 17 July and 4 September 2014 be confirmed as a correct record and signed by the Chairman.	Principal Democratic Services Officer
5.	-	Chairman's Announcements	Announcement of items of interest.	The Chairman made the following announcements: The Chairman advised Members of progress in the treatment of Councillor Philip Read and asked that the best wishes of the Council be conveyed to him for a speedy recovery.	Principal Democratic Services Officer
6.	-	To Receive Petitions	To receive public petitions.	No Petitions had been received.	-
7.	-	Notice of Motions Under Procedure Rule 10	To consider any Motions submitted in accordance with Council Procedure Rule 10.	No Motions had been submitted.	Chief Executive/ Principal

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					Solicitor
8.	-	To answer Questions from Members	To receive questions from Members of Council.	<p>The following 3 questions were received from Councillors Neil Morrison and Ian Allen and responses tabled as detailed:</p> <p><b>Question from Councillor Neil Morrison:</b>  ‘The Council last held a staff survey of its employees in 2012. It was the clear intention of the Authority to conduct a similar event sometime during 2014. There is now only two months of the current year to run but no evidence that a staff survey is being implemented or even planned.  My question is:- As a consequence of the staff replies to the previous survey and the negative results being published in the Press, is the ruling group so afraid of a repeat performance that they have abandoned any pretence of holding a survey for fear of bad publicity before next year’s District elections?’</p> <p><b>Response:</b>  The Council’s HR &amp; Facilities Service Manager has been reviewing the current format of the Council’s staff survey and best practice in order to increase staff participation in 2014.  The introduction of regular ‘pulse surveys’ across the Council to engage with staff on specific issues (including those covered in</p>	

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				<p>the previous staff survey) has been proposed in the HR &amp; Facilities Service Plan and subject to approval by the Regulatory &amp; Support Services Committee on 20<sup>th</sup> October, the first 'pulse survey' will be conducted by the end of December 2014 and another by the end of March 2015. These new surveys will be conducted on a quarterly basis each year, which will enable Management to focus on key topics and implement agreed actions without delay to demonstrate that the Council is listening to the views of its staff.</p> <p><b>Question from Councillor Ian Allen:</b>  'Following the adoption by full Council on 4 September 2014 of the Motion regarding renewable energy applications and the impacts of those on the residents of the District:  Does the Council have a view on the impact of Gas Fracking on the rights of freeholders and on the safety of our water supply, coming as it does from vulnerable aquifers? Is the Council happy to allow Liberal Democrat Lady Kramer to gain assent, and I quote, "to give the right to leave deep level land in a different condition from that before, including leaving any infrastructure or substance in the land." The reinjection of toxic fracking fluids has caused problems in the USA and, if allowed</p>	

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				<p>here, could make our District especially vulnerable.'</p> <p><b>Response:</b>  East Cambridgeshire District Council does not have a policy on gas fracking. The Supplementary Planning Document being reported to Council focuses on renewable energy technologies such as solar, wind and biomass, rather than non-renewable sources. It seeks to provide further detail to the policies in the Core Strategy (2009) and emerging Local Plan (2014 as amended) on renewable energy. Cambridgeshire County Council is the body who is responsible for determining planning applications for gas fracking in the county (as the mineral planning authority). The District Council would be a consultee to any planning application. Activities would also need to secure a drilling licence from central Government (Department of Energy and Climate Change).</p> <p><b>Question from Councillor Ian Allen:</b>  'In this Council's Policy document on community-led development, I note that in the Section headed '3.2 Evidence of Organisational Structure' fifth bullet point, it states:-  That (a CLT) has clear management policies and procedures in place –</p>	

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				<p>particularly to deal with conflicts of interest on decisions around allocations of resources (e.g. housing allocations).  How in practice can <u>Members</u> of Council be assured of transparency in dealings of allocations, rights of appeal by applicants, and the possibility of inducements in allocations by CLT Trustees? How is this Council going to monitor the activities of CLT partners in the management of CLT Trusts? How is the Council going to ensure transparency in the organisation of all CLTs, which are after all a Council Corporate Objective?"</p> <p><b>Response:</b>  In its capacity as a Planning authority, a community-led organisation such as a Community Land Trust, must produce an allocations policy, which is agreed with the Housing Strategy and Development team as part of the S106 agreement for the allocation of affordable housing (as defined by the National Planning Policy Framework).  In addition, the Council also operates a CLT Support Programme, which provides grants, loans and expertise to emerging and legal constituted CLTs.  In respect of the Council's pre-development loans, there are a number of mechanisms to provide assurance to members. The appraisal of any application and</p>	

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				<p>recommendation is undertaken by a third party, Foundation East Ltd and approved by the relevant Committee.</p> <p>The lending criteria (approved by Development and Transport 11 June 2013) refers to the requirement for the organisation to be:-</p> <ul style="list-style-type: none"> <li>• established as a not-for profit legal incorporated entity;</li> <li>• community controlled and owned with an open democratic structure;</li> <li>• clear about the community that it has been established to serve, with a clear vision and robust governance arrangements in place to ensure it is 'fit for purpose'.</li> </ul> <p>In addition, as part of the application process, the CLT is required to submit, amongst other documents, evidence of need and proposed a property allocations policy.</p> <p>The terms and conditions of any loan include a requirement from the CLT to formally resolve to accept the terms of the loan agreement and obligations on the CLT, specifically (ref: 6.1) as summarised below:-</p> <ul style="list-style-type: none"> <li>• conduct its business in accordance with all relevant laws and codes of practices;</li> <li>• keep ECDC informed of the progress of its business and will</li> </ul>	

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				provide ECDC specifically, with trading and income and expenditure accounts, quarterly in audited management accounts and such information to satisfy the Council that the Borrower is carrying out its activities and undertaking in an efficient and business-like manner.	
9.	-	Crime Statistics and Local Policing Issues Update	To receive a presentation from Inspector Marcia Nichols, East Cambridgeshire Safer Neighbourhoods Manager, on crime statistics and local policing issues update.	That the presentation be noted.	
10.	P95	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><b><u>Corporate Governance and Finance Committee – 25 September 2014</u></b></p> <p><b><u>Treasury Operations Annual Performance Review</u></b></p> <p>It was resolved:</p> <p>That the report on the Council's Treasury operations during 2013/14 including the actual Prudential and Treasury indicators, as set out at Appendix 1 to the submitted report, be noted.</p>	Financial Services Manager
11.	P96	Bell Road, Bottisham Masterplan – Interim Policy Guidance	To consider comments received on the draft Masterplan for land east of Bell Road Bottisham and a revised final version of the document.	<p>It was resolved:</p> <p>i. That the responses received during consultation on the draft Bell Road Masterplan (attached as Appendix 1 to the submitted report) be noted.</p>	Principal Forward Planning Officer



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				<ul style="list-style-type: none"> <li>ii. That the revised final version of the draft Bell Road Masterplan be approved as Interim Policy Guidance (attached as Appendix 3 to the submitted report) prior to adoption of the East Cambridgeshire Local Plan.</li> <li>iii. That any subsequent minor changes to the Masterplan document prior to publication as Interim Policy Guidance be approved by the Principal /Forward Planning Officer, in consultation with the Chair of Corporate Governance and Finance Committee.</li> </ul>	
12.	P97	Draft Supplementary Planning Document (SPD) on Renewable Energy	To consider the consultation responses to the Draft Supplementary Planning Document (SPD) on Renewable Energy Development (commercial scale), which sets out the Council's proposed approach to large scale renewable energy proposals.	<p>It was resolved:</p> <ul style="list-style-type: none"> <li>i. That the summary of the consultation responses to the Draft SPD on Renewable Energy Development, attached as Appendix 1 to the submitted report, be noted.</li> <li>ii. That the revised Supplementary Planning Document on Renewable Energy Development (attached as Appendix 2 to the submitted report) is adopted by the District Council, subject to the following amendments tabled at the meeting:</li> </ul> <p style="text-align: center;"><b><u>Paragraph 3.3 (point 1, final sentence)</u></b></p>	Forward Planning Officer

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				<p>‘Applicants will need to consider any adverse impacts on views which are currently available from and to strategic green infrastructure sites including the Wicken Fen Vision area <b>and the Ouse Washes and Devil’s Dyke area.</b>’</p> <p><u>Reason for suggested change:</u> Proposed additional wording to include reference to the Ouse Washes as an area of strategic green infrastructure which should be considered by applicants.</p> <p><b><u>Paragraph 8.3 (point 4)</u></b></p> <p><b>4. Catchment restrictions:</b> The District Council will also consider the need to impose restrictions on the distance travelled by vehicles to provide suitable biodegradable materials to be used in anaerobic digestion plants within the district. <b>Planning conditions will also be applied to require the use of wheel washing equipment to ensure that material is not deposited on the public highway. The Council will also apply appropriate planning conditions</b></p>	

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				<p><b>to restrict the hours of operation of anaerobic digestion plants to protect residential amenity, as outlined in Section 6 of the SPD.</b></p> <p><u>Reason for suggested change:</u> Change of wording to make it clear that planning conditions will (rather than 'may') be used to require wheel washing equipment where anaerobic digestion plants are proposed. Proposed additional wording to include reference to the hours of operations of these plants.</p> <p><b><u>Page 17 paragraph 6</u></b></p> <p>Insert the following sentence at the end of the paragraph: "This may result in a requirement to carry out further additional mitigation measures."</p> <p><b><u>Page 19, new paragraph between paragraphs 6 and 7</u></b></p> <p>Insert additional paragraph after paragraph 6 as follows: "Where impacts have been identified, it may be possible to agree effective mitigation measures. Where such measures have been agreed, there</p>	

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				<p>may be a requirement for post-construction surveys to validate the assessed level of predicted impacts and the effectiveness of the agreed mitigation measures. This may result in a requirement to carry out further additional mitigation measures.”</p> <p>iii. That any subsequent minor changes to the SPD document prior to publication be approved by the Principal Forward Planning Officer, in consultation with the Chair of Corporate Governance and Finance Committee.</p> <p>iv. That the revised Scheme of Delegation to officers for planning applications in the Council's Constitution, as set out in Appendix 3 to the submitted report, be approved.</p>	
13.	P98	Community Infrastructure Levy - Amendment to Regulation 123 List	To consider an amendment to the Community Infrastructure Levy ('CIL') Regulation 123 list ('R123 list'), namely; the inclusion of the Ely Southern Bypass.	It was resolved: That the draft Community Infrastructure Levy ('CIL') Regulation 123 list ('R123 list'), as set out in Appendix 1 to the submitted report, be approved.	Corporate Unit Manager

14.	P99	Revocation of Ely Mooring Byelaws	To consider the revocation of Ely Mooring Byelaws sealed by the District Council on the 27 April 2001 and 5 March 2014.	It was resolved: That approval be given to the revocation of Ely Mooring Byelaws sealed by the District Council on the 27 April 2001 and 5 March 2014.	Solicitor/ Partnerships Officer
15.	P100	Polling District, Polling Places and Polling Stations Review	To consider the outcome of the review of Polling Districts, Polling Places and Polling Stations.	It was resolved: i That the outcome of the Review of Polling Districts, Polling Places and Polling Stations, as detailed in Appendix A of the submitted report, be noted.  ii That the proposed changes detailed below to the location of Polling Places/Stations be approved:  Burwell KB1 - That a new polling station inside the polling district be found.  Cheveley MD1 - That a new polling station inside the polling district be found.  Dullingham Villages MK1 - That the larger of the rooms at Parsonage Farm Barns is used for all future elections.  Ely East HG1 - St Peters Church Hall in Broad Street be used as an alternative to The Maltings.  Ely West HI1 - Use of the larger meeting room of the Methodist	Chief Executive/ Electoral Services Officer

				<p>Church.</p> <p>Ely North HJ6 - Use of St Michael and All Angels Church in Chettisham to retain a polling place in Chettisham village.</p> <p>Fordham Villages LI6 - Use of conservatory room at George &amp; Dragon public house instead of using a portacabin in their car park.</p> <p>Haddenham JJ1 and JA1 - That a new polling station inside the polling district at Witchford be found and that we seek to use the large hall at the Arkenstall Centre for future elections.</p> <p>Littleport IE1 - If we cannot use the Methodist Church Hall, a new polling station inside the polling district be found.</p> <p>Soham North LF1 - That a new polling station inside the polling district be found.</p> <p>Soham South LG2 - That a new polling station inside the polling district be found.</p> <p>Sutton JE1 - Use of the Royal British Legion Hall at the Brooklands Centre, larger room with better disabled access and easier route to polling station from car park.</p>	
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16.	P101	Community Governance Review (CGR) Little Thetford	To consider the outcome of the consultation on the draft proposal to decrease the number of Parish Councillors on Little Thetford Parish Council from nine to seven, as part of a Community Governance Review (CGR) arising from a request from the Parish Council.	<p>It was resolved:</p> <p>That the final proposal/recommendation, in accordance with the Terms of Reference for the Community Governance Review, be:</p> <p>‘That the number of Parish Councillors on Little Thetford Parish Council be decreased from 9 to 7, to come into effect for the Parish elections in May 2015.’</p> <p>and that Council approve the making of an Order to that effect.</p>	Electoral Services Officer
17.	P102	Resolution to Extend 6 Month Rule – Section 85 Local Government Act 1972	To consider a further extension of the 6 month rule for Councillor Philip Read, having regard to the circumstances of his absence from meetings.	<p>It was resolved:</p> <p>That Council approves an extension of the 6 month rule for Councillor Philip Read on ill-health grounds until the end of the municipal year and expresses its best wishes to him for a speedy recovery.</p>	Principal Democratic Services Officer