



EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

Minutes of the Meeting of East Cambridgeshire  
District Council held in the Council Chamber,  
The Grange, Nutholt Lane, Ely on Thursday  
7 January 2016 at 6.00pm

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### **P R E S E N T**

Councillor Allen Alderson	Councillor Elaine Griffin-Singh
Councillor Michael Allan (Chairman)	Councillor Richard Hobbs
Councillor Christine Ambrose-Smith	Councillor Mark Hugo
Councillor David Ambrose-Smith	Councillor Bill Hunt
Councillor Sue Austen	Councillor Tom Hunt
Councillor Anna Bailey	Councillor Chris Morris
Councillor Derrick Beckett	Councillor James Palmer
Councillor Ian Bovingdon	Councillor Charles Roberts
Councillor Mike Bradley	Councillor Hamish Ross
Councillor David Brown	Councillor Mike Rouse
Councillor David Chaplin	Councillor Joshua Schumann
Councillor Steve Cheetham	Councillor Carol Sennitt
Councillor Paul Cox	Councillor Mathew Shuter
Councillor Peter Cresswell (Vice-Chairman)	Councillor Stuart Smith
Councillor Lorna Dupré	Councillor Lisa Stubbs
Councillor Lavinia Edwards	Councillor Jo Webber
Councillor Lis Every	
Councillor Coralie Green	

1 member of the public was in attendance at the meeting

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 the following eulogy for both men:

It was with sadness that we were informed of the death of former District Councillor Lionel Neal. Lionel passed away on 4 November 2015 at the age of 83 and his funeral was held on 26 November 2015 at St Andrew's Church, Isleham.

Lionel was first elected as an Independent District Councillor to represent the Chippenham Ward from 1979 until 1983. He then represented the Fordham Villages Ward from 1983 to 1999. Throughout his time as a District Councillor he sat on numerous Committees, Sub-Committees and Working Parties. Lionel also chaired the Appeals and Complaints Committee; Chairman's Advisory Group; Finance & Policy Committee; Housing Services Committee; and Housing & Environmental Services Committee. From 1992 to 1994, Lionel was Chairman of the Council.

It is also with great regret that I have to announce the death of one of the longest serving Councillors on this District Council, former Councillor Philip Read. Phil passed away on 19 December 2015 and his funeral was held on Tuesday 5 January 2016 at St Andrew's Church in Sutton.

Phil was first elected to the District Council from its inception in 1973 and served continuously until 1995. He then took a sabbatical until 2003 when he returned to the Council and served again up to May 2015. Phil was a Member of a very wide range of Committees during his two periods of office, but I am sure that Councillors and members of the public will remember him most for his measured and effective Chairmanship of the Planning Committee from 2003 to 2014. If this was not enough in terms of service to the community, Phil was a County Councillor from 1973 until 2005 and then from 2006 until his death. He also served as a Sutton Parish Councillor.

At the Chairman's Invitation, Members spoke in tribute to both Councillors Neal and Read as follows:

The Leader of the Council, Councillor James Palmer, stated that he had known both men differently, but that they were very similar in many ways. Lionel Neal had helped Councillor Palmer when he was a new County Councillor, providing him with valuable advice and guidance and was someone Councillor Palmer greatly respected. Similarly, Councillor Read was a man of integrity and a great representative for his Ward. Both men cared intensely and were strong advocates for their communities and would be sadly missed.

Councillor Beckett stated that Lionel Neal was the main reason that he was here as a District Councillor and had served with him for 20 years on Isleham Parish Council. Lionel had served his community and wanted to see the new Community facilities at Isleham completed, which he achieved by attending the opening ceremony in the previous year. Councillor Read had been a mentor to Councillor Beckett on the Planning Committee and was a very entertaining companion on the Planning Committee site visits bus!

Councillor Dupré stated that as she had only joined the Council in the past two years she had not known Lionel Neal, but as a Sutton resident and Ward Councillor she knew Philip Read and that he was well respected locally due to his total commitment to the community. The church had been full at his funeral and this was a reflection of the regard people held him in and how much he would be missed.

*Councillor Rouse entered the meeting at 6.10pm*

Councillor Bill Hunt stated that he first had met Philip Read when coxing a racing boat. He was an outspoken strong-minded person, but loved everything about his home village of Sutton and had demonstrated a commitment and long-service to the community that it was unlikely that others would match and he would be missed.

One minute's silence was observed as a mark of respect to both men.

56. **PUBLIC QUESTION TIME**

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:

Robert Ely, Barton Road, Ely:

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?*
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 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?*

Richard Morgan, Merivale Way, Ely:

*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?*

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 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.

57. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Hitchin, Huffer, Pearson and Dan Schumann.

58. **DECLARATIONS OF INTEREST**

No declarations of interests were received.

59. **MINUTES**

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.

60. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

**Budget Seminar**

'Members are reminded of the annual Budget Seminar scheduled for Thursday 21<sup>st</sup> 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.

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.'

**Resignation of Councillor Vince Campbell**

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.

**Thanks to Members and Officers**

As it is the first meeting of the New Year, I would like to officially thank the following Members and Officers for being most helpful to me recently.

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 Henneby 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.

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.

Thirdly, I would like to thank my Vice-Chairman, Cllr Peter Cresswell.

#### Chairman's Reception

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 evening.

### 61. **PETITIONS**

No Petitions had been received.

### 62. **MOTIONS**

#### (a) **Affordable Housing**

The following Motion was proposed by Cllr Lorna Dupré and seconded by Cllr Sue Austen:

This Council:

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 question the rationale underpinning this decision, or to debate the issues it raises.

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.

Speaking as the proposer of the Motion, Councillor Dupré stated that she had been very surprised by the e-mail she had received advising of the change to the policy on affordable housing with no consultation, particularly in the light of the extensive level of consultation that had been undertaken as part of the Local Plan process. This change raised a huge 'white flag' to developers regarding the Council's expectations for affordable housing for the new Local Plan. In addition, affordable housing now could be built in different areas from which the developer contributions had been generated. This was why Councillor Dupré was requesting that the matter be submitted to the Corporate Governance and Finance Committee for proper consideration and debate, bearing in mind the fact that this Council prided itself on being a Committee system rather than a Cabinet system. Therefore, she urged Members to support the Motion.

Councillor Palmer stated that this was an interesting Motion from the Liberal Democrats since they had campaigned on the fact that the Administration was not providing sufficient affordable housing. East Cambridgeshire was a District that many people wished to live in, but the current policy was preventing this. Councillor Palmer acknowledged that this was a difficult area that needed to be addressed. The policy had set a level of affordable housing provision but, if the private sector was unable to develop sites with this level of provision, the policy was not achieving what it should be and needed reviewing. Land prices in the District were affected by its proximity to Cambridge and the Council needed to ensure that the required number of all types of housing were constructed. Therefore, the provision of a cash contribution by developers to provide affordable housing elsewhere was a pragmatic solution. The Council was committed to the provision of quality affordable housing which was why it had a policy on Community Land Trusts (CLTs). Councillor Palmer stated that he was disappointed by the Motion which did not understand the detail of the issues.

Councillor Bill Hunt used the example of high income tax rates that had driven many wealthy people out of the country in the past and stated that a similar situation arose to drive developers away from this District by setting high affordable housing requirements. Many Members in the Council Chamber who sat on Planning Committee had heard developers on the viability of sites and therefore the Council needed to set realistic thresholds. This Council was in favour of CLTs to deliver affordable housing and the first people would be moving into 23 well-designed properties in Stretham this year. Other Councils had set high affordable housing requirements but virtually none was delivered in these areas, as developers did not go there. This was why Councillor Hunt could not support the Motion.

Councillor Tom Hunt endorsed the views expressed by Councillors Palmer and Bill Hunt, stating that good intentions were commendable but what really mattered was delivery. Any policy needed reviewing if it was not working and it was important to ensure that affordable units were provided for young people, but also that market homes were delivered generally to boost home ownership.

Councillor Beckett commented that the political 'fudging' above did not address a fundamental question posed by Councillor Dupré's Motion of whether there was a Cabinet system or Committee system at this Council. If this was truly a Committee system, it was appropriate for this issue to be properly debated in an open and transparent manner by the relevant Committee.

Councillor Roberts stated that the Motion was contradictory, since it recognised the shortage of affordable housing, but there was a shortage of all types of housing provision within the District. An enterprise zone was proposed at Witchford which would bring jobs to the District, but not enough houses of all types were being constructed at present for the growth. CLTs delivered both open market and affordable houses. The Council's record on delivering houses required a tweaking of the policy to get the market going on a multi-faceted basis. If this was not done, the Council could not say that it was 'open for business', as housing was a fundamental element of this. Action was required now, rather than more discussion and debate.

In summing-up, Councillor Dupré stated that this had been an interesting debate, since the policy had not just been slightly amended but significantly changed without consultation. She was glad the Administration had acknowledged that the record of housing delivery had been poor, but Councillor Dupré was not convinced that the change in policy would solve this. This Council apparently operated a Committee system, but it was not being allowed the opportunity to discuss or challenge the change of policy, which was not Committee governance. This was more representative of a Cabinet system.

It was resolved:

On being put to the vote, the motion was lost.

(b) Council Tax

The following Motion was proposed by Cllr Lorna Dupré and seconded by Cllr Sue Austen:

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.

This authority also notes that:

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.

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.

This authority therefore:

4. calls on Cambridgeshire County 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
5. instructs the Chief Executive to write to the Chief Executive of the County Council to this effect.

Speaking as the proposer of the Motion, Councillor Dupré stated that in the Chancellor's Autumn Statement County Councils were permitted to raise their Council Tax by an additional two per cent to address the shortfall in Social Care funding. Clearly it was a decision for the County Council to determine its own Budget, but it would impact on vulnerable people and groups within this District and there were examples of instances where the County Council was attempting to pass down costs to District Councils and local Councils, e.g. libraries being run by volunteers, school crossing patrols, requests for contributions to local highways schemes. Therefore, it would be wrong for the County Council to attempt to pass on cuts when it could offset these by accepting the option to increase its Council Tax by an extra two per cent in 2016/17.

Councillor Bailey spoke as Vice-Chair of the County Council Adult Care Committee. She stated that the Committee had produced a balanced Budget based on a Council Tax rise of 1.99%, without having to take the additional 2%. This 2% increase would generate an additional £4.8M. However, the increasing demands on Adult Care Services meant that services had to be delivered in a completely different manner. The County had embarked upon the inspiring 'Transforming Lives' project to change methods of service delivery and free-up Social Care Workers to produce innovative support packages



which met individual customer needs, whilst reducing costs to the public purse. Taking the £4.8M would not address the £5.2M cut and therefore the County Council needed to do things differently. Councillor Bailey stated that she was fundamentally opposed to an increase in Council Tax above the 1.99%, as this would affect the poorer groups in society and would not address the requirement for service efficiencies. Councillor Bailey had respect for and faith in the new County Council Chief Executive. Furthermore, it was not appropriate for this Council to advise the County Council on an appropriate level of Council Tax. Therefore, Councillor Bailey could not support the Motion.

Councillor Brown endorsed Councillor Bailey's views and stated that the Motion 'missed the point'. Cambridgeshire County Council operated a Committee system as well and was currently debating proposals for savings, with the final decision being made on the overall Budget by full Council in February. It was a matter for the County Council to determine its own Budget.

Councillor Palmer also concurred with these views, stating that the County Council was a large organisation employing over 4,000 staff, with a Budget and assets of billions of pounds. Therefore, it would decide its own Budget in the proper forum at the appropriate time.

Councillor Bill Hunt stated that he believed in local democracy and the residents of East Cambridgeshire had voted for a Party that had given a commitment not to increase Council Tax or to charge for parking. Councillors had a duty to represent the people who had elected them and, as local Parish Councils would not advise the District on spending, we should not advise the County Council on its Budget.

Councillor Beckett asked if dual District Council and County Council Members could vote on this issue. The Monitoring Officer confirmed that the Leader had sought advice on this issue and had been informed that dual Councillors were able to speak and vote on the matter, as this was merely a request to the County Council.

In summing-up, Councillor Dupré stated this decision would have implications for District and Parish Council services locally, which was why it was the appropriate for this Council to consider the effects on our services and residents. Parish Councils already had been written to regarding cuts to school crossing patrols and asking whether Parishes would be willing to contribute to the continuation of the service locally. Since the additional 2% had been offered by a Conservative Chancellor, Councillor Dupré could not understand the unwillingness to accept the option to increase. This was why Councillor Dupré stood by her Motion.

It was resolved:

On being put to the vote, the motion was lost.

63. **QUESTIONS FROM MEMBERS**

The following question was received from Councillor Lorna Dupré:

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 *Dealing with illegal and unauthorised Encampments: A summary of available powers*, 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?

*Councillor Palmer left the meeting at 6.55pm.*

The following response was given by the Chairman of the Regulatory & Support Services Committee, Cllr Anna Bailey:

The Policy coming to the Regulatory and Support Services Committee next week is to deal specifically with unauthorised encampments once they are happening.

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.

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.

The council also works proactively with its partners including County Council to monitor new and existing Gypsy and Travellers movements.

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.

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.

*Councillor Palmer returned to the meeting at 6.57pm.*

64. **SCHEDULE OF ITEMS RECOMMENDED FROM COMMITTEES AND OTHER MEMBER BODIES**

Council considered a report, Q155 previously circulated, detailing recommendations from Corporate Governance and Finance Committee:

**Corporate Governance and Finance Committee – 3 December 2015**

(a) **Localised Council Tax Reduction Scheme**

It was resolved:

That Council note the continuation of the current Localised Council Tax Reduction Scheme during 2016/17.

(b) **Council Tax Base 2016/17**

It was resolved:

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.

(c) **Treasury Operations Mid Year Review**

It was resolved:

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.

*Councillor Josh Schumann left the meeting at 7.00pm.*

65. **EAST CAMBRIDGESHIRE PRELIMINARY DRAFT LOCAL PLAN**

Council considered a report, Q156, previously circulated, to determine whether to approve the preliminary draft version of the East Cambridgeshire Local Plan for the purpose of public consultation. Richard Kay, Strategic Planning Manager, highlighted that the draft had been circulated separately.

Mr Kay gave a brief explanatory background and reminder of the timetable for the Local Plan review process. Mr Kay also highlighted paragraphs 3.4 and 3.5 of the report on what the emerging Local Plan did and did not cover and the summary of policies in paragraph 3.8 of the report.

*Councillor Josh Schumann returned to the meeting at 7.04pm.*

Mr Kay reported that the preliminary draft had been prepared with the involvement of the Local Plan Working Group and that comments from the consultation would inform the next version of the draft Plan. It was proposed to hold a Parish Council consultation evening in February 2016.

*Councillor James Palmer declared an interest at this point, left the meeting for the duration of this item and took no part in the discussion and voting thereon.*

In proposing the recommendations in the officer report, Councillor Roberts commended Richard Kay on his work in getting the Plan to this stage and commented that he considered that it would be a stronger document in the future. Councillor Roberts highlighted the key principles for the new Plan in paragraph 3.5 of the report. In seconding the recommendations, Councillor Josh Schumann stated that as a Member of the Working Group, he considered that this was the next logical step.

Councillor Dupré stated that this was an ambitious Local Plan looking to increase dwellings by a third and she would be interested to hear the views of local people from the consultation. However, it contained a number of contradictions: referring to the need to improve public transport, but constructing a Leisure Centre on the edge of the city of Ely which was not on public transport routes; the issues surrounding the provision of affordable housing; referring to climate change but restricting wind farms and other alternative energy forms. The draft Plan was also reluctant to provide for wheelchair accessible homes, which seemed to be a lost opportunity and was likely to put further pressures on the Council's Disabled Facilities Grants Budget

and the County Council Adult Social Care Budgets. Page 51 of the draft Plan stated that air quality within the district was generally good, but this was not the view of the Joint Parishes Group. Therefore, Councillor Dupré queried how particulates were measured within the District and stated that the Council should not be complacent on this issue and should do more monitoring work. Councillor Dupré also expressed disappointment that the Plan made no reference to Neighbourhood Plans which could be powerful vehicles to shape a local area. Sutton already was progressing such a Neighbourhood Plan and had recently held a local open day.

Councillor Beckett stated that, as a Member of the Working Group, he considered that the process was much more Member driven than previously and that Mr Kay was far more upbeat and positive in moving forward.

It was resolved:

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.

*Councillor Palmer returned to the meeting at 7.15pm.*

66. **COUNCIL RESPONSE TO LGBCE DRAFT RECOMMENDATIONS ON THE ELECTORAL REVIEW OF EAST CAMBRIDGESHIRE**

Council considered a report, Q157 previously circulated, detailing the proposed 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.

Sally Bonnett, Infrastructure and Strategy Manager, reported that the LGBCE draft recommendations accorded with the District Council's submission with the exception of the Bottisham, woodditton, Sutton and Haddenham Wards. Therefore, the Council's proposed submission to the LGBCE draft recommendations made further representations in relation to these Wards and a revision to the proposed recommendations in the officer report also was tabled at the meeting and proposed and seconded in relation to the Fordham and Isleham Wards.

Speaking on the Fordham and Isleham Wards, Councillor Josh Schumann stated that Fordham, Isleham, Chippenham and Snailwell

work very well together as part of the Three Rivers Group of Parishes, share village magazines and look to each other on collective issues such as speeding, etc. Therefore, it was proposed that these villages be combined into a two member Ward, to ensure integrated representation for all of these villages. This would also improve the equality of representation variance to -1.7%.

Councillor Dupré stated that she did not support the elements of the proposed Council submission on the draft recommendations relating to the Bottisham and Woodditton Wards and Fordham and Isleham Wards and proposed the following amendment:

‘That Council agrees the submission to the LGBCE attached at Appendix 1 to the report, with the deletion of the sections relating to the Bottisham and Woodditton Wards and Fordham and Isleham Wards.’

The amendment was seconded by Councillor Austen. Councillor Dupré also expressed disappointment that the County Council electoral boundary review had not been concluded prior to the District review, to assist and inform the District process.

Councillor Chaplin expressed surprise at Councillor Dupré’s amendment, stating that Bottisham was a very large Ward geographically, with significant differences between the north and south, so there was no real argument for Burrough Green to be in the Bottisham Ward. Therefore, he could not support the amendment. Councillor Shuter agreed with Councillor Chaplin stating that there was no association between Bottisham and Burrough Green but there were links with the villages in the Woodditton Ward.

Councillor Alderson commented that the Swaffhams had been included in the Bottisham Ward, meaning that it went from Upware to the edge of Newmarket. This would be a large area for the two Councillors to represent and they would need to consider how to do this effectively between them.

Upon being put to the vote, the amendment was declared to be lost.

Councillor Beckett stated that he agreed with most of Councillor Josh Schumann’s comments on the community links between the villages in the Three Rivers Group and acknowledged that Chippenham children went to Isleham School. However, he also referred to the fact that a two Member combined Ward for Fordham and Isleham gave the majority parties an advantage over independent candidate(s) when campaigning for the Ward.

Councillor Bailey stated that she had some sympathy with Councillor Dupré’s comments regarding the County Council electoral boundary review, as some hints were being given by the LGBCE

without knowing the outcome. Therefore, she thought it appropriate for it to be placed on record that the LGBCE should avoid this situation happening in the future. Councillor Bailey commended Sally Bonnett and the other Officers involved in the review on their work, and stated that it was a testament to the quality of this work that the LGBCE had accepted the majority of the Council's submission. However, Councillor Bailey felt it was appropriate to make further representations on the areas that the Council still had concerns about.

Councillor Bill Hunt stated that he was proud to be proposing recommendations that cut the bureaucracy of the Council by reducing the number of Councillors from 39 to 28. Whilst the savings in Members Allowances would be modest, since Councillors at East Cambridgeshire did not receive significant levels of allowances, the proposed number of Members appeared realistic to effectively undertake the administration of the Council. Councillor Bill Hunt expressed a preference for one or two Member Wards, with three or more being less workable.

Councillor Josh Schumann commended Sally Bonnett on her work and stated that whilst he understood Councillor Beckett's concerns regarding Independent candidates, this was not a criterion for consideration as part of a boundary review.

It was resolved:

That the submission to the LGBCE attached as Appendix 1 to the submitted report be approved, with the addition of the paragraph below:

Fordham and Isleham

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.

This arrangement also allows for better equality of representation as it reduces the variance to -1.7%.

*Councillor Josh Schumann left the meeting at 7.35pm and did not return.*

67. **ESTABLISHMENT OF THE LOCAL AUTHORITY TRADING COMPANY**

Council considered a report, Q158 previously circulated, detailing the decisions required for the establishment of the East Cambridgeshire Local Authority Trading Company (LATC). The Chief

Executive highlighted an additional recommendation tabled at the meeting regarding the establishment of a LATC Shareholder Review Committee. Councillors Palmer and Roberts moved and seconded the officer recommendations in the report with the inclusion of the additional recommendation tabled.

Councillor Palmer stated that, whilst the Council had a balanced Budget for the next two years, now it need to concentrate on how to future-proof the Council. The LATC was a leap of faith but if it was successful would significantly benefit the Council Tax payers of East Cambridgeshire. Councillor Palmer proposed that the Conservative Members of the Shareholder Review Committee would be Councillors Cresswell, David Ambrose-Smith, Bradley and Morris and Councillor Dupré nominated herself for the Liberal Democrat Group Member of the Committee.

Councillor Bailey congratulated the Officers involved in the establishment of the LATC for getting the Council to this point. A very complex piece of work had been undertaken in a short period of time, but to a high standard and in a robust manner. She commended the Markets Team for being an enthusiastic trail blazer for the Company. Councillor Bailey stated that she would pass onto Officers some minor typographical errors in the documents for correction and raised the following questions/issues:

- Paragraph 4.8 of covering report – was the payment of £350 per annum for four years just for CLT affordable housing units or all affordable housing units?
- Appendix 1 page 9 paragraph 4.1.1 – states quorum for Board meetings shall be three, but should specify that this include 1 elected Member Director and 1 Officer Director.
- Appendix 1 page 10 paragraph 4.1.5 – is the Shareholder Committee making recommendations to the LATC or to the Council?
- How is audit for 'Teckal' compliance carried out?

These were responded as follows:

- The payment of £350 per annum for four years was just for CLT affordable housing units
- The proposer and seconder of the Motion agreed to its amendment to specify that the quorum include 1 elected Member Director and 1 Officer Director.
- The Shareholder Committee was making recommendations to full Council.
- 'Teckal' compliance would be reviewed on an ongoing basis.

Councillor Dupré stated that she was pleased that LATC Board Members would be excluded from being Members of the Shareholder



Committee and to see the amendments made to ensure the separation of Lead Officer responsibilities, although this still would not totally resolve potential conflict of interest issues. Councillor Dupré also was pleased with the strengthening of the Risk Register. However, she commented that this should have been one of the first documents produced, so that the LATC Establishment Committee could have considered the risks in detail and how to mitigate them at an earlier stage. Councillor Dupré referred to the fact that the Council would be borrowing £5M for the loan to the LATC at the same time as borrowing for the Leisure Centre, which was a significant risk for the Council, and that Planning permission had not been granted yet for the Vineyards and Barton Road sites. Councillor Dupré understood why authorities were establishing LATCs and she was pleased that she had been able to make some proposals to tighten up the governance arrangements, but she still had concerns regarding the potential conflicts of interests and on the 'Teckal' exemption of the Company. This would result in her abstaining from voting.

Councillor Beckett queried the arrangements for the £5M loan to the LATC and was advised by the Chief Financial Officer that this would be financed by borrowing from the Public Works Loan Board (PWLb). Councillor Beckett stated that the LATC was a leap of faith as described by the Leader of the Council, particularly with regard to the £5M loan and the transfer of the Vineyards and Barton Road sites to the Company at what he considered to be an undervaluation.

*Councillor Cox left the meeting at 7.55pm.*

Councillor Beckett stated that the establishment of the Company gave him cause for consternation and questioned if the appointment of the Leader and Deputy Leader of the Council as Board Members was for commercial or political reasons. Councillor Beckett commented that history was littered with disasters from Councils trying to run commercialised ventures. Councillor Beckett also believed that CLTs should be run by villages themselves rather than by East Cambridgeshire. However, Councillor Beckett was pleased to see proposals for better use of office space within The Grange.

Councillor Roberts clarified that the East Cambridgeshire DC CLT was the response to smaller communities that may not have the capacity to run a CLT themselves.

*Councillor Cox returned to the meeting at 8.00pm.*

Councillor Roberts stated that he did not regard the LATC as a leap of faith but as an exciting project with an element of risk. However, the Council was taking steps to measure and manage this risk.

In summing-up, Councillor Palmer stated that Councils did not always 'make a mess' of projects, and in this case had produced detailed documents to prevent this. Councillor Palmer did not believe that there would be conflicts of interest or 'grey areas', as himself and the other Members and Officers on the Board were there to represent the interests of the residents of the District and had a clear direction on what was to be achieved in the form of the Business Plan.

It was resolved:

That approval be given to:

- (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 report.

Furthermore, in order to implement (i) to (vii), that the necessary authorisations and approvals be granted to:

- (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;
- (ix) the Chief Executive and Legal Services Manager to complete the necessary legal documentation to implement the above;
- (x) the Deputy Monitoring Officer to amend the Constitution, as necessary, to implement the above;

- (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.
- (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 agreed timescales, with the membership of this Committee comprising Councillors David Ambrose-Smith, Bradley, Cresswell, Dupré and Morris.

68. **SCHEDULE OF ITEMS RECOMMENDED FROM COMMITTEES AND OTHER MEMBER BODIES**

Council considered a report, Q159 previously circulated, detailing a recommendation from Asset Development Committee on the future role of Asset Development Committee in relation to the establishment and operation of the Local Authority Trading Company (LATC). Members were informed that the Terms of Reference of the Asset Development Committee required revision to enable it to act as the Shareholder Committee for the LATC established in the preceding item. In addition, consequent changes would be made to Council Procedure Rules and the substitutes on Asset Development Committee under Officer Delegations to ensure the necessary separation of Member and Officer roles.

Councillor Bill Hunt expressed his support for the changes and stated that whilst there was a risk, the Trading Company aimed to provide maximum value to the residents of East Cambridgeshire. Councillor Bill Hunt also stated that he would not take part in any LATC applications submitted to Planning Committee.

Councillor Bailey highlighted a typographical error in the first bullet point of paragraph 4.1 of the Terms of Reference for Asset Development Committee which should read 'or' rather than 'and'.

Councillor Dupré supported the separation of Member and Officers roles for the Company and Shareholder Committee and commented that she was glad that Councillor Bill Hunt had raised the issue of potential conflicts of interest relating to Planning Committee. However, Councillor Dupré stated that she still would be abstaining from voting.

It was resolved:

That the revised terms of reference of the Committee, as detailed in Appendix 1 of the submitted report, be approved.

69. **EXCLUSION OF THE PRESS AND PUBLIC**

It was resolved:

That the press and public be excluded during the consideration of the remaining 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 the public were present during this item there would be disclosure to them of exempt information of Category 3 of Part 1 Schedule 12A to the Local Government Act 1972 (as amended).

70. **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.

The meeting concluded at 8.14pm.

Chairman.....

Date        25 February 2016