



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of the Special Meeting of East Cambridgeshire
District Council held in the Council Chamber,
The Grange, Nutholt Lane, Ely on Wednesday
13 April 2016 at 6.00pm

PRESENT

Councillor Allen Alderson	Councillor Richard Hobbs
Councillor Michael Allan (Chairman)	Councillor Julia Huffer
Councillor Christine Ambrose-Smith	Councillor Mark Hugo
Councillor David Ambrose-Smith	Councillor Bill Hunt
Councillor Sue Austen	Councillor Chris Morris
Councillor Anna Bailey	Councillor James Palmer
Councillor Derrick Beckett	Councillor Charles Roberts
Councillor Ian Bovingdon	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 Alan Sharp
Councillor Peter Cresswell (Vice-Chairman)	Councillor Mathew Shuter
Councillor Lorna Dupré	Councillor Stuart Smith
Councillor Lis Every	Councillor Lisa Stubbs
Councillor Elaine Griffin-Singh	Councillor Jo Webber

5 members of the public were in attendance at the meeting

84. **PUBLIC QUESTION TIME**

The following question was asked by Mrs Victoria Holden, Chairman of East Cambs Access Group:

I speak as Chairman of East Cambs Access Group and my question relates to Agenda Item 6 on the Public Conveniences Review. At Agenda Item 6(c) Appendix 1 you will see the points I made at the Commercial Services Committee meeting.

At no time has the Access Group been consulted on the closure of public conveniences by officers of East Cambridgeshire DC, none of the questions I have raised have been answered and no response given to the offer to assist on the provision of accessible public conveniences at Palace Green. If the proposed closures go ahead, despite of what is stated in the Equalities Impact Assessment (EIA), this will impact adversely or discriminate unfairly on particular groups with protected characteristics under the relevant legislation. The law provides that these groups be protected.

If Sacrist Gate public conveniences close, there is no proposal to provide alternative accessible temporary conveniences at Palace Green – I can provide details of these. These should be provided until suitable alternative facilities can be found.

How is it possible to prevent officers presenting misleading and erroneous information to Members on which they are expected to base their decisions in Committee.

The Director Commercial, Emma Grima responded to the question as follows:

An EIA was completed prior to the Commercial Services Committee meeting and the Access Group were consulted before this. With regard to the EIA on the two sites at Sacrist Gate and Newnham Street, consideration was given to accessible facilities nearby and it was concluded that appropriate alternative facilities were available.

85. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bradley, Edwards, Green and Pearson.

86. **DECLARATIONS OF INTEREST**

Cllrs Hunt and Bailey declared a possible potential conflict of interest in Agenda Item 6 on the call-in of the decision made at Commercial Services Committee on 15 March 2016 relating to the Public Conveniences Review and stated that they would leave the meeting during the discussion and decision on that item.

Councillor Dupré queried Councillor Hunt's intended withdrawal for this item, as he was one of the Members listed on the Call-in Form as required to attend for this item. The Chief Executive stated that whilst Cllr Hunt was one of the Members specified to attend for this item, he had decided that his interest prevented him from being present. The Chairman commented that similar situations arose when Call-ins were considered by the Overview and Scrutiny Committee, whereby parties were requested to attend but were not always able to do so.

87. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

There will be an additional Council meeting timetabled for Tuesday 28 June 2016 which is intended to consider the Leisure Centre and any further information relating to the East Anglia Devolution Agreement. Please could you make a note of this date in your diary.

Members are invited to attend the lighting of the joint ECDC and Burwell PC Beacon for the Queen's 90th Birthday.

I am delighted to say that my Reception on 11 March 2016 went according to plan. I would like to thank all the staff and Members who supported me on the day, principally Councillor Mike Rouse with his camera and Lynne Smart and her team who looked after all our guests. The event raised £1,000 for the Chairman's charity – thank you.

88. **EAST ANGLIA DEVOLUTION AGREEMENT**

Council considered a report, Q249, previously circulated, containing the East Anglia Devolution Agreement which authorities in Cambridgeshire, Peterborough, Norfolk and Suffolk were being asked to ratify.

The Chief Executive explained that if Council ratified the Agreement this evening, this authority would be the first in East Anglia to do so. Devolution would be a complex process, with more information emerging as matters progressed. This was why it was intended to come back to full Council in June once more detailed information was available.

The recommendations in the submitted report were moved by the Leader of the Council, Councillor James Palmer, and seconded by the Deputy Leader, Councillor Charles Roberts.

Councillor Palmer stated that, as the Leader of this Council, he had been discussing a detailed vision of change for how the Council operates and selling the vision of what can be achieved in the future. At present, East – West infrastructure did not help working people. This and other Districts were being asked to deliver substantial housing growth, which could not be achieved without the infrastructure to go with it. Councillor Palmer asked why we would want to be part of the of the Devolution deal? Do Members feel happy with infrastructure provision over the past 25 years? Do they feel that more jobs could be delivered if the effects of the CB1 postcode could be expanded to more widely? With regard to rail links, the Ely North junction currently was a bottleneck that needed to be sorted out. Therefore, this District was in a perfect geographical position to take advantage of the Devolution deal. Councillor Palmer stated that he wanted this District to be a better place to live and work and believed that Devolution would deliver this. The current Agreement was not the finished document, but was the first stage in the move to a Combined Authority that would be able to deliver for the people who live, work and care about this area. That was why we could not afford to turn the Devolution deal down.

Councillor Cresswell stated that he also supported the Devolution Agreement for two significant reasons:

Since he first joined the Council in 2003, there had been much talk about the necessity for infrastructure improvements in the District and many meetings had been held discussing these necessities. However, to say progress had been slow would be a massive understatement.

Secondly, it must be recognised that restructuring of local government in this part of the country was long overdue. The last reorganisation was in 1974, when East Cambridgeshire District Council came into being.

Therefore, Councillor Cresswell fully supported an East Anglia Combined Authority, particularly as it came with the promise of devolved funding for the region of £900M over 30 years. Councillor Cresswell recognised that cross-county border partnership was essential, representing as he did a Ward in the south of the District which bordered Suffolk.

Councillor Cresswell believed that Councillors had a responsibility to be forward thinking for the benefit of the local communities they represented and for the residents who put their confidence in them by voting for them. Councillor Cresswell stated that the suggestions that Devolution would lead to 4 tier local government were unlikely to be the case in the long term. If localism was to be effective and meaningful, more services should be devolved to a local level, i.e. to District Councils.

The Government recently had announced that all schools were to become academies and Councillor Cresswell believed that Adult Social Care would sit more comfortably with the NHS, and that all other County Council Services could be undertaken by District Councils such as our own. His one reservation was in the title of Mayor to lead this new body, as the title could prove confusing. He believed that Executive Chairman might be more appropriate for a region such as East Anglia.

In concluding, Councillor Cresswell stated that East Cambridgeshire District Council would benefit significantly in the short and long term from the Devolution deal and therefore urged Members to support the recommendations.

Councillor Bailey commented that examination of the detailed Agreement revealed a hugely complex issue. However, it was the principle which was the most important issue at this stage, as this was only the start of the process. This Council needed to show a commitment to the principle now, when there was a great deal of support for getting things right, or later we may find that we would still have to go down the same route without the money or power attached. The Agreement would enable us to take control from Central Government of huge areas of responsibility and give East Cambridgeshire a say in things that we don't currently have. It would also address the infrastructure deficit and give the opportunity to draw-down on funding. The recommendation highlighted a list of infrastructure projects critical to this geographical area. That was why as a 'can do' authority, we should express our commitment to progress the Agreement. It also opened the door to the reorganisation of local government in the area. Therefore, Councillor Bailey expressed her wholehearted support for the Agreement.

Councillor Shuter asked Members when they had received a better offer. This was a great opportunity that benefited those Councillors such as himself with Wards on the Suffolk border. He recognised that 'the devil would be in the detail' and that the process would be long and arduous, but the ultimate prize was worth having as it would deliver the infrastructure and growth that we want. In addition, agriculture was a key area for the region that was vital to Cambridgeshire and also to Norfolk and Suffolk, and scientific developments could assist with improvements in this area. This Agreement would help to get rid of outdated borders such as that around Newmarket. Councillor Shuter stated that from an East Cambridgeshire viewpoint, we should support the Agreement.

Councillor Rouse expressed a preference for the reorganisation of Local Government, but stated that one size did not necessarily fit all. At best Local Government worked well, but at worst it could be a slave to bureaucracy. Therefore, Councillor Rouse did not favour the creation of another tier of Local Government. However, he believed that this Council should support the Devolution deal, since improvements in infrastructure were required as these were largely rural counties hampered by poor infrastructure links and pockets of deprivation on the coast. The list of infrastructure 'wants' in the recommendations had been outstanding for years, despite universal support. Therefore, we should build an 'Eastern Powerhouse' in the hope of getting something done.

Councillor Sharp stated that his working background and experience made him supportive of the Devolution deal and cited the example of the Manchester Devolution. He considered that Members should not get 'bogged down' in the detail at this stage and did not believe that it would result in another layer of Local Government, but a reorganisation of the tiers.

Councillor Bill Hunt concurred with other speakers' views that the talk about infrastructure problems had been ongoing for many years and now was the time to address key issues such as the A10 upgrade and the local railway infrastructure issues to produce a complete East-West rail link.

Councillor Dupré stated that regional level Government and Devolution were required, but that this was not a genuine Devolution deal. This deal was being imposed not agreed in conditions of great secrecy and synthetic urgency and would create an extra tier of Local Government. It proposed a directly elected Mayor with a Cabinet and vague scrutiny arrangements, without details of the location or additional costs relating to these. Were these to be funded from the £30M per annum? This £30M would only fund 1 mile of motorway per year. East Cambridgeshire was an important part of the sub-region, but was unlikely to get all of the infrastructure improvements on the 'shopping list' in the recommendations. Councillor Dupré believed that the deal failed on three key criteria of bringing greater democracy, resources and power. It was also unclear as to what would happen if a number of authorities did not ratify the Agreement. Cambridge City and the LEP already had stated that they would not ratify the deal. If the deal changed, would there be a need

for the constituent Councils to re-consider or re-ratify it? The Agreement also needed to be ratified by authorities by the end of June. Councillor Dupré queried what consultation had been undertaken with local stakeholders, who these stakeholders were and what, if any, response had been given by them?

Councillor Joshua Schumann stated that this deal was a way for outdated borders to be crossed and key infrastructure issues such as the A14/A142 junction to be addressed. Authorities needed to stop being insular and consider the wider interests of the whole region. In response to Councillor Dupré's stated concerns, he commented that no other deal was on the table. This deal would be subject to further development, so it seemed rash to discard it at this stage because all the detail was not yet available. Councillor Schumann believed that a regional mayor would be more representative than officials in Westminster. Councillor Schumann was hopeful that the deal would deliver new money and funding for infrastructure.

The Chairman reiterated the fact that this was only the beginning and the first of many stages, as had been the experience in Manchester.

Councillor Beckett referred to the points made by many speakers on the potential benefits of this deal for the region. However, he was sceptical as to whether these promises could be delivered. He also queried how we could ratify the Agreement when so little of the detail was known. Councillor Beckett referred to inconsistencies in the Agreement such as the statement that 'there were no proposals to take powers away from local authorities'. The mayoral structure also would result in greater bureaucracy and costs. In addition, despite being a Devolution deal, the document stated that the funding would still be subject to Central Government assessment, approval, and scrutiny. Councillor Beckett expressed the hope that this District would get the stated list of infrastructure projects, but geography demonstrated a number of other competing priorities such as the A47 and A10 Kings Lynn which were likely to restrict our share of the funding. He also commented that Cambridgeshire County Council had not accepted the Agreement in its current form.

Councillor Roberts commented that this Council was not at the point of needing the full detail of the deal, but this was the time to decide if we wanted to adopt pioneering proposals. This deal demonstrated a bold approach and an opportunity to be at the forefront of events. Councillor Roberts believed that this Council had a passion for this deal to succeed and that we should send a message to our partners to that effect.

In summing-up, Councillor Palmer stated that the majority of views expressed at the meeting had been positive and aspirational. The principle of 'subsidiarity' appeared to be key to the document, bringing decision-making closer to the people. The Combined Authority would ensure that decisions were made at the lowest appropriate level and would give this Council the chance to sit on the Combined Authority and influence the decisions made. Councillor Palmer expressed his belief in 'lean government' delivering services to the people and would not support a deal that was not cost-neutral.

It would also give the opportunity to draw-down £900M of funding and deliver the infrastructure we badly need.

A recorded vote having been requested by Councillor Dupré on the motion, it was taken and declared to be CARRIED, with Members voting as follows:

For (29) Cllrs Alderson, Allan, C Ambrose Smith, D Ambrose Smith, Bailey, Bovingdon, Brown, Chaplin, Cheetham, Cox, Cresswell, Every, Griffin-Singh, Hobbs, Huffer, Hugo, B Hunt, Morris, Palmer, Roberts, Ross, Rouse, J Schumann, Sennitt, Sharp, Shuter, Smith, Stubbs, Webber.

Against (3) Cllrs Austen, Beckett and Dupré.

Abstention (0)

It was resolved:

- (i) That 'The East Anglia Devolution Agreement', as set out in Appendix 1 to the submitted report, be ratified.
- (ii) That the Chief Executive and Leader of Council be instructed to ensure the inclusion of key infrastructure projects and priorities (as set out below) in the current and future devolution deals for East Anglia:
 - Ely Southern Bypass
 - Soham Railway Station and doubling of track
 - Ely North Junction
 - Newmarket Curve
 - Junction A14/A142
 - Community Land Trust (CLT) development and related infrastructure
 - A10 upgrade
 - improvements to cross country links East and West.
- (iii) That the Chief Executive be requested to report back to the Council in June to update Members on the implementation of the decisions in (i) and (ii) as detailed above.

89. **CALL – IN OF DECISION MADE AT COMMERCIAL SERVICES COMMITTEE ON 15 MARCH 2016 – PUBLIC CONVENIENCES REVIEW**

Councillors Bill Hunt and Bailey left the meeting for the duration of this item.

Council considered the call – in of a decision made at the Commercial Services Committee on 15 March 2016 regarding the closure of the public conveniences at Newnham Street and Sacrist Gate, Ely as part of the Public Conveniences Review.

The Chief Executive referred Members to the procedure that the call-in would follow attached at 6(d) to the Council Agenda, and explained the specific nature of the call-in that limited it to the issue of the closure of the public conveniences at Newnham Street and Sacrist Gate, Ely; the order of speakers for the call-in, which would be followed by Member debate of the issue; and the possible decisions that could be taken.

Councillor Smith left the meeting at 7.02pm.

In response to a question by the Chairman, the Chief Executive confirmed that all Members could participate and vote on the issue, if they had not declared an interest.

The Director Commercial, as the report author for the Public Conveniences Review, explained the background to the review and the chronology of the reports and decision-making by the Asset Development and Commercial Services Committees. She also informed Council of the services and charging policies of neighbouring local authorities.

Councillor Smith returned to the meeting at 7.06pm.

As Spokesperson for the Members that submitted the call-in, Councillor Dupré stated that the decision had been called-in as it was deficient in a number of aspects. All of the observations of the Access Group had not been considered and all had not been done that could be done to address these. The Council originally had consulted on charging for public conveniences but as there had been no public enthusiasm for this it had been dropped. However, just because the public did not want to pay for public conveniences, it did not mean that they wanted toilets to be closed. No further meeting of the Review Group had been held after the decision was taken not to pursue charging and the Equality Impact Assessment (EIA) was not completed until a report had been submitted to the Asset Development Committee. Councillor Dupré considered that Newnham Street Public Conveniences needed to remain open to meet public demand, whilst the Access Group's offer to explore suitable temporary disabled accessible facilities to compensate for the closure of Sacrist Gate Public Conveniences had not been taken up.

In the light of the above comments, Councillor Dupré proposed the following motion which was seconded by Councillor Austen:

That Newnham Street Public Conveniences be retained and the Council work with the Access Group and others to provide alternative accessible public conveniences in the vicinity of Palace Green, Ely, before the closure of Sacrist Gate Public Conveniences.

Councillor Hobbs, as Chairman of the Commercial Services Committee, stated that it was wrong of Councillor Dupré to say that consultation had not taken place with the Access Group, as this had resulted in discussions with City of Ely Council to retain the Barton Road Public Conveniences. Councillor Hobbs explained that historically Sacrist Gate Public Conveniences had been leased as there were no toilets at the Cathedral at that time. However, the Cathedral now had public conveniences and the Access Group had not objected to the principle of the closure of the Sacrist Gate Public Conveniences. With regard to Newnham Street Public Conveniences, there were other award winning accessible facilities very nearby at The Cloisters Shopping Centre. The Access Group provided valuable services in relation to disability issues and the Council wished to work with them on all aspects of Council services. Councillor Hobbs expressed surprise at Councillor Beckett's signing of the call-in form, as he had previously voted to close Sacrist Gate Public Conveniences, as Vice-Chairman of a predecessor body.

Councillor Every and Alderson, as other Members named in the call-in, endorsed Councillor Hobbs' comments.

Councillor Beckett responded to Councillor Hobbs by stating that he had signed the call-in as he believed that 'due process' in the decision-making had not been followed, since the EIA had deficiencies in relation to the argument that there were alternative accessible public conveniences in the vicinity of palace Green, and there had been no consultation on the closure of public conveniences.

Councillor Dupré then was given the opportunity to question the relevant speakers on the call-in.

Councillors Hugo and Huffer left the meeting at 7.24pm and 7.25pm respectively.

Councillor Dupré expressed severe disappointment that she had not been able to have the opportunity to question Councillor Bill Hunt on a number of issues relating to the Public Conveniences Review as Chairman of the Asset Development Committee that had conducted the review, since he had withdrawn for this item despite being named in the call-in.

Councillors Hugo and Huffer returned to the meeting at 7.26pm and 7.27pm respectively.

Councillor Dupré asked questions of Councillor Alderson regarding the closures as proposer of the motion at Commercial Services Committee. Councillor Alderson stated that a response already had been given by Councillor Hobbs regarding the justification for the closure of Sacrist Gate Public Conveniences, due to the provision of public conveniences by the Cathedral. With regard to the Newnham Street Public Conveniences closure, Councillor Alderson commented that the situation that would prevail if this

happened would be similar to that in a neighbouring town of Newmarket whereby the toilets were located in a shopping centre adjacent to the car park.

In response to a question from Councillor Dupré to Councillor Hobbs as to whether people with disabilities had been consulted adequately, Councillor Hobbs stated that, whilst consultation had not taken place prior to the Asset Development Committee, it had taken place prior to the Commercial Services Committee.

Councillor Joshua Schumann queried when an EIA had to be completed. The Director Commercial confirmed that this had to be completed before decisions were taken.

In response to questions from Councillor Dupré to the Director Commercial, an explanation was given regarding the reasons for no meetings of the Review Group taking place from October 2015, and on the public consultation processes.

Councillor Austen asked about solar panels on Newnham Street Public Conveniences and the Director Commercial agreed to respond on this issue.

A recorded vote having been requested by Councillor Dupré on her motion, it was taken and declared to be LOST, with Members voting as follows:

For (3) Cllrs Austen, Beckett and Dupré.

Against (27) Cllrs Alderson, Allan, C Ambrose Smith, D Ambrose Smith, Bovingdon, Brown, Chaplin, Cheetham, Cox, Cresswell, Every, Griffin-Singh, Hobbs, Huffer, Hugo, Morris, Palmer, Roberts, Ross, Rouse, J Schumann, Sennitt, Sharp, Shuter, Smith, Stubbs, Webber.

Abstention (0)

The Chief Executive then referred Members back to the call-in procedure and advised Members now to propose a motion to either uphold or amend or reject the decision of the Commercial Services Committee on 15 March 2016.

It was subsequently proposed and seconded that Council uphold the decision of the Commercial Services Committee on 15 March 2016.

It was resolved:

To uphold the decision of the Commercial Services Committee on 15 March 2016 as follows:

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

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

The meeting concluded at 7.40pm.

Chairman.....

Date