



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of the Meeting of East Cambridgeshire
District Council held in the Council Chamber,
The Grange, Nutholt Lane, Ely on Tuesday
15 April 2014 at 6.30pm

P R E S E N T

Councillor Allen Alderson	Councillor Lindsey Harris
Councillor Michael Allan (Vice-Chairman)	Councillor Richard Hobbs
Councillor Ian Allen	Councillor Bill Hunt
Councillor Sue Austen	Councillor Tom Kerby
Councillor Anna Bailey	Councillor Chris Morris
Councillor Derrick Beckett	Councillor Neil Morrison
Councillor David Brown	Councillor James Palmer
Councillor Tony Cornell (Chairman)	Councillor Tony Parramint
Cllr Lavinia Edwards	Councillor Charles Roberts
Councillor Kevin Ellis	Councillor Mike Rouse
Councillor Lis Every	Councillor Joshua Schumann
Councillor Colin Fordham	Councillor Robert Stevens
Councillor Jeremy Friend-Smith	Councillor Hazel Williams MBE
Councillor Sheila Friend-Smith MBE	Councillor Sue Willows
Councillor Tony Goodge	Councillor Gareth Wilson
Councillor Elaine Griffin-Singh	Councillor Pauline Wilson

76. **PUBLIC QUESTION TIME**

There were no public questions received.

77. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from. Councillor Christine Ambrose Smith, Councillor David Ambrose Smith, Councillor Tom Hunt, Councillor John Palmer, Councillor Philip Read, and Councillor Andy Wright.

78. **DECLARATIONS OF INTEREST**

No declarations of interests were received.

79. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reported that Councillor John Palmer and Councillor Read were both in hospital at the present time and asked for Members prayers for their speedy recovery.

80. **POLITICAL PROPORTIONALITY AND MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES**

Council considered a report, N264, previously circulated, giving details of the revised political balance of the Council and the implications for the allocation of seats on Committees arising from the change of Political Group by a Councillor and the vacancy for the Sutton Ward arising from the resignation of Councillor Peter Moakes.

In that connection, a motion was proposed by Councillor James Palmer and seconded by Councillor Gareth Wilson 'That Council agrees, Nem Con, to suspend the rules relating to proportionality to enable the current allocation of seats on Committees to continue until Annual Council on 15 May 2014.' Upon being put to the vote, the motion was carried unanimously. Therefore,

It was resolved (unanimously):

To suspend the rules relating to proportionality to enable the current allocation of seats on Committees to continue until Annual Council on 15 May 2014.

81. **REVIEW OF THE COUNCIL'S COMMITTEE STRUCTURE**

Council considered a report, N265, previously circulated, detailing proposed changes to the Council's Committee structure for implementation from May 2014. The Chief Executive highlighted an amendment to the revised Committee structure chart at Appendix 1 of the report to change the title of the Asset Management Sub-Committee to 'Asset Development Sub-Committee'. The Chief Executive also referred to the Notes and presentation slides from the Member Seminar held on 7 April 2014, which had been circulated to all Councillors, which were intended to inform the debate at Council.

In that connection, the following recommendations in the officer report were moved by Councillor James Palmer and seconded by Councillor Bailey:

To approve the implementation from Annual Council in May 2014:

- (i) of the revised Committee structure and draft terms of reference as detailed in Appendices 1 and 2;
- (ii) to authorise the Chief Executive to make any necessary amendments to the Committee terms of reference and any consequential amendments to the Constitution arising from these changes.

In proposing the motion, Councillor Palmer stated that this would be a major change to the Committee structure and was intended to get the very best out of every Councillor and to give a role to every Councillor. When he was first elected as a Councillor, he was unsure what he had to do and he was

told by other Councillors that they felt the same way. However, the new structure would involve everyone at the grass roots level and would work beyond political limits. The Conservative Group still had a majority on the Council, although this had been shrinking recently, and though it had the major say for the past 7 years, it was still important for everyone to have a role in the Council. This was the basis for the new structure and Service Delivery Champions. The reduction from 5 Policy Committees to 3, might mean that the 3 Committees were more busy, but he did not believe that this would be too onerous if managed properly and they were likely to be properly busy, rather than overloaded. Councillor Palmer believed that there would be greater power and greater democracy via the new Committee structure and Service Delivery Plans. Although it might take time to 'bed-in', he considered this the right way forward and was excited by the new structure and hoped that it would receive cross-party support.

Councillor Pauline Wilson requested that the days and times of meetings be varied to ensure that not all meetings were scheduled for Thursdays or at 4pm, to allow for working Councillors.

Councillor Beckett questioned the impact on Members with jobs of the Service Delivery Champion role, as those Champions would be expected to meet with the relevant officers during the officer's normal working hours which were in the day. The Chief Executive confirmed that this would be the case and that a certain level of time investment would be required from Champions. Councillor Beckett commented that whilst not against the principle of change, the implications of it also needed to be considered.

Councillor Beckett proposed an amendment to paragraph (ii) of the motion, to authorise the Monitoring Officer to make any necessary amendments to the Constitution, as this role was designated to the Monitoring Officer as the 'Proper Officer' in the Constitution. The amendment was seconded by Councillor Goodge.

Councillor Charles Roberts entered the meeting at 6:45pm

A number of Members questioned the need for the amendment. The Chief Executive explained that a named officer needed to be authorised to make the necessary amendments to the Constitution in accordance with the officer delegations rules.

As a result of further questions regarding delegation to the Monitoring Officer,

It was resolved:

That the press and public be excluded from the meeting 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 there would be disclosure to them of exempt information of Category 1 and 2 of Part 1 Schedule 12A to the Local Government Act 1972 (as amended).

Once in Exempt session, the Chief Executive explained the current situation regarding the post of Monitoring Officer.

It was then resolved:

That the public be re-admitted to the meeting.

Once back in public session, Councillor Beckett agreed to revise his amendment to paragraph (ii) of the motion, to read: 'to authorise the Chief Executive and Deputy Monitoring Officer to make any necessary amendments to the Committee terms of reference and any consequential amendments to the Constitution arising from these changes.' In so doing, he stated that this Council had to work under its Constitution and not including reference to the Proper Officer for maintenance of the Constitution would be a deviation from this. Upon being put to the vote, the amendment, as revised, was declared to be carried.

Speaking on the substantive motion, Councillor Gareth Wilson welcomed the proposals being put forward, particularly those to give full Council greater powers and to have more meetings, which should lead to more items coming direct to Council, rather than via Committees, and more meaningful debates at Council. He also welcomed the concept of the Service Delivery Champions and hoped that these could be more flexible than what was currently proposed in the Terms of Reference for Committees so that they would not necessarily have to be a Member of the Committee concerned. Consideration could also be given to having more than one Service Delivery Champion for a particular Service area, e.g. a Champion for Housing for the north and south of the District. In addition, Member Champions could be appointed for particular projects on a time-limited basis. The Chief Executive stated that the structure would be as flexible as possible within legislative/common law constraints. However, due to the formalised nature of Service Delivery Champions, they would need to be a Member of the relevant Committee. Nevertheless, it might be possible to have more than one Service Delivery Champion for large Service areas. But a major advantage of the new system would be in respect of those service areas which had not received any Member attention/input in the past and would now have a designated Champion.

Councillor Every stated that the Committee structure chart did not refer to the Service area of Tourism which was an important area. The Chief Executive reported that this was included in the Markets and Town Centre Services area.

Councillor Allen highlighted the importance of the Service Delivery Champion role and the need for Champions to be on top of their brief from his previous experience as Member Champion for Travellers. He believed that in workload terms they would need to ensure that officers were delivering services in accordance with the agreed policies and were likely to be as involved in the Committee as the Chairman. Councillor Allen was unsure how

an opposition Service Delivery Champion would support and deliver a policy that may be controversial or be seen to be that of the ruling administration. Councillor Allen also was concerned regarding the potential workload of the Regulatory and Support Services Committee since it had 10 Service areas reporting to it. Earlier in the debate reference was made to the Policy Committees being properly busy, rather than overloaded, but thinner agendas could be undemocratic, if this gave greater delegated powers to officers rather than Members. Councillor Allen also stated that he would be unable to be a Service Delivery Champion since, as an unaligned Member, he did not have a place on any Committees.

Councillor Palmer responded by stating that the Council was currently in the embryonic stages of the new structure and would try to be as flexible as possible and accommodate as many Members as possible that expressed an interest. However, he could not promise that everyone would get everything that they wanted.

In response to a further question by Councillor Williams MBE regarding the possibility of greater flexibility in the definition of Service Delivery Champions in the Constitution, the Chief Executive stated that Service Delivery Champions had a more formalised role than the previous Member Champions, requiring them to be a Member of the Committee responsible for the Service area.

Councillor Beckett asked how many seats would be available on Committees/Sub-Committees and it was confirmed that 62 seats would be available meaning that Members would be guaranteed only one seat on Committees.

With regard to Service Delivery Champions from opposition groups, the Chief Executive commented that there might not necessarily be a conflict since the Service Delivery Plans would define the operational/business aspects of service areas. Councillor Williams MBE concurred with this view, as she stated that, despite some lively debate at times, many areas were agreed upon by all parties. This was more about Members supporting and assisting staff to carry out their jobs more effectively and ensuring Member awareness of what they were doing.

With regard to further comments from Members in relation to flexibility in the definition of Service Delivery Champions, the Chief Executive agreed to discuss the legal issues regarding Service Delivery Champions further with the Deputy Monitoring Officer.

Councillor Allan commented that everything could not be resolved this evening but would need to evolve and develop over time.

Councillor Alderson emphasised the importance of the Service Delivery Champions and how they could assist in the more efficient operation of the Council, using the example of a Committee meeting with a heavy agenda on the preceding day. They could liaise with officers at an early stage to improve

service delivery and prevent the requirement for issues to be raised at Committee. However, this role was likely to be more time-consuming for individual Members, although it would be a better system.

Councillor Stevens commented that if Members were interested in a particular Service area they should become a Member of the relevant Committee and express an interest in being the Service Delivery Champion. However, Councillors would still need to ensure that they developed a knowledge of other areas as part of their role of representing the interests of their local constituents, etc, rather than focussing too narrowly.

Councillor Beckett referred to the 'financial implications' section of the report and stated that whilst the savings in Special Responsibility Allowances due to the reduction in the number of Policy Committees had been estimated, no estimate was given for the additional costs of Service Delivery Champions coming into the Grange to meet with officers. The Chief Executive acknowledged that it was difficult to accurately confirm the overall cost implications of the changes to the Committee structure at this stage.

Councillor Bailey stated that the Structure Chart and draft Terms of Reference was not meant to be an exhaustive list, but the Service Delivery Champions needed to be a formal role embedded within the Constitution. There also could then be more informal Policy and Project Member Champions, as appropriate. Councillor Bailey also emphasised the role of officers within the new Committee structure. They had been faced with challenging times over the past months and it was hoped that they would view this as an exciting opportunity to develop the role and responsibilities of staff at a lower level and to increase recognition through the Service Delivery Plans. It would be critical to get these Service Delivery Plans right for both officers and Members and for everyone to be focussed on performance. The new structure also would need to be kept under review.

Upon being put to the vote, the substantive motion was carried.

It was resolved:

To approve the implementation from Annual Council in May 2014:

- (i) of the revised Committee structure and draft terms of reference as detailed in Appendices 1 and 2;
- (ii) to authorise the Chief Executive and Deputy Monitoring Officer to make any necessary amendments to the Committee terms of reference and any consequential amendments to the Constitution arising from these changes.

82. **LOCAL GOVERNMENT BOUNDARY COMMISSION (LGBC) – COUNCIL SIZE**

Council considered a report, N266, previously circulated, containing proposals for the implementation of the Council decision on 9 January 2014 to reduce the number of elected members beyond 2015/16.

In that connection, the following motion was proposed by Councillor Gareth Wilson and seconded by Councillor Morrison:

‘Members are requested to consider the reduction of elected members after the May 2015 election, when our revised committee system has had a chance to bed down. Due to the fact that the Boundary Commission is not able to consider any alterations until after autumn 2015 (see Paragraph 4.7) this would mean that no change is possible until the 2019 elections.

We note the fact that this postponement would save staff time during the substantial staff reorganisation period and in particular the democratic services staff who are working on the massive change to the electoral registration system and this delay would not cause any reduction in the proposed savings.’

In proposing the motion, Councillor Wilson highlighted that nothing could happen regarding a review until after 2015 and any changes would not take effect until the 2019 elections. Therefore, he was recommending deferral of consideration of the issue by a year in view of the pressures on the Chief Executive and Democratic Services staff of major changes to the Committee structure and the electoral registration system to allow for Individual Electoral Registration from the summer of this year. Councillor Wilson considered that it was more appropriate to wait a year to allow the new Committee system to be implemented and see how this operated, together with the roles of the Service Delivery Champions, in order to better assess the new workloads of Councillors. He also highlighted that financial savings arising from a possible reduction in Councillor numbers could not be realised until 2019.

In response to questions from Members, the Principal Democratic Services Officer explained the procedural practices relating to motions and amendments.

Councillor James Palmer stated that it was his personal belief that there were too many Councillors at present for the size of the Council, when compared to other Councils. It was also difficult morally when the Council was considering the number of staff employed by the Council, not to also consider Member numbers as well. It was clear that local government was facing significant changes and, whilst local democracy important, we have to look around at our near neighbours and reference was made to the fact that Forest Heath DC was operating with 27 Members. Councillor Palmer also referred to the variations in local elector representation and number of Parish Councils covered per Ward across the District. So whilst the savings arising

from a reduction in Councillor numbers might not be huge, Councillors had to review themselves and consider if they were effectively representing the public. Councillor Palmer stated that he genuinely believed that the Council could work effectively with fewer Members and that we would not be overburdening staff through the conducting of a review. However, the review would show that Councillors were prepared to review themselves as well as staff, which was very important. This was why he could not support the motion.

Councillor Bill Hunt concurred with a number of Councillor Palmer's comments and stated that whilst there would never be a right time to conduct a review, the council had to set out a direction of travel. It was important for staff morale to know that Councillors also were prepared to review themselves, to achieve the best value for residents of the District and ensure the optimum performance of both staff and Members.

Councillor Pauline Wilson commented that, whilst Councillor Palmer had referred to a moral point, no elections could be held before 2018 at the earliest, so there was no urgency to make a decision today and all that was being requested in the motion was to defer consideration of the matter for one year. Councillor Pauline Wilson referred to the fact that the requirement for a decision now might be motivated by the fact that there were to be District Council Elections in 2015.

Councillor Williams MBE commented that the point appeared to be to show that Councillors were to be reviewed as well, to give a justification to make Members feel better. This would not help the staff who would be required to conduct the review.

Councillor Allen stated that he originally had believed that the motion had come from the Leader of the Council and was heartened by the prospect until he realised that he was wrong. He also considered that the review was motivated by the forthcoming District Council Elections in 2015 and believed that the justification from the ruling administration was facile, as there was no reason for a decision to be taken now. Councillor Allen also commented that Councillor Palmer seemed to be openly questioning the quality of his own Councillors.

Councillor Morris left the meeting at 7.50pm

Councillor Allen believed that a reduction in the number of Councillors could create a democratic deficit at District level as, if the number of Councillors was reduced to say 25, it would be easier for the political parties to select candidates and to win seats covering bigger areas and encompassing a larger number of Parishes. It would also decrease the likelihood of Independent candidates being successful in elections, as they would not have the local profile or resources to cover a larger area. Councillor Allen believed that it should still be possible for a local person who was not part of a political party to stand as a Councillor for their local area.

Councillor Beckett commented that according to the table at Appendix 3, Forest Heath DC with 27 Councillors only had an average electorate per Member of 1,471, which was still lower than East Cambridgeshire currently.

Councillor Morris returned to the meeting at 7.52pm

Councillor Beckett stated that we should be giving a clear direction to staff that they would not need to deal with this matter until after the 2015 District Council Elections. Councillor Beckett also referred to possible cost implications if the terms of office for District Councillors were not concurrent with Parish Councillors.

Councillor Bailey stated that it would send the right signal to make a decision now and have a timetable for the review. This did not mean that officers would have to start work on the review immediately, but would mean that a timetable had been set. Therefore, Councillor Bailey stated that she would vote against the motion.

Councillor Hobbs stated that he believed that the current number of District Councillors was about right but that a review should be conducted to make a judgement.

Councillor Roberts commented that this was another part of the jigsaw of the root and branch review of the Council and that consideration needed to be given to the number of Councillors required to run the Council. This was not about forthcoming elections, but the right thing to do.

Councillor Morrison referred to the 'direction of travel' term used earlier in the debate and stated that this was premature at this stage. He also referred to the statement in the LGBC guidance that a reduction in numbers of Councillors solely to achieve financial savings would not satisfy the criteria to conduct a review. However, the review would place an additional burden on staff, when no change could take place until 2019 Elections, so Councillor Morrison could not understand the urgency. He also highlighted the recent local press reports of an agreement in principle for greater shared working between South Cambridgeshire and Huntingdonshire District Councils locally, which could pave the way for further amalgamations.

In responding to the debate on the motion, Councillor Gareth Wilson stated that he hoped that Members would support the motion and advise the Chief Executive not to start work on the review now, as this Council could be very different in 2015. Therefore, it would be better to wait until the Council had more experience of operating the new Committee system and IER had been implemented.

Upon being put to the vote the motion was declared to be lost.

The meeting was adjourned at 8.10pm for a comfort break and re-convened at 8.16pm.

Councillor David Brown then proposed the following motion to amend the recommendations in paragraph 2.1 of the officer report, which was seconded by Councillor Palmer:

- (i) approve a revised Council size of a maximum of 27 Members;
- (ii) delete paragraph 2.1(ii);
- (iii) confirm the whole election cycle for future District elections;
- (iv) approve an implementation date of May 2019 for elections to the revised boundary arrangements;
- (v) authorise the Chief Executive to submit a request to the LGBC to undertake an electoral review based on the decisions as above.

In proposing the motion, Councillor Brown explained that the Chief Executive only would be submitting a request to the LGBC for a review at this stage. He had deleted reference to the introduction of single Member Wards, as he considered that this was a matter for the LGBC to consider as part of the review. Personally, he did not understand why only Ely, Littleport and Soham should be considered appropriate for multi-Member Wards and from his experience in Burwell could see the benefits of a multi-Member Ward and did not believe that the public would understand the concept of single Member Wards.

Councillor Hobbs concurred with Councillor Brown's view of the benefits of multi-Member Wards and stated that, from his experience, multi-Member Ward Councillors treated the whole Ward as their electorate. Councillor Hobbs stated that he could support paragraph (v) of the motion, but not the rest.

Councillor Stevens referred to the difficulties of drawing boundaries around villages, but that the motion was better than the recommendations in the officer report. He considered that things would not fit in rural areas, which was why there would need to be multi-Member Wards. Councillor Stevens argued that, as there were 9 County Councillors in the District, you could equally make a case for 3 Member Wards per County Council Division.

Councillor Jeremy Friend-Smith stated that when he joined the Council in 1999, there were 36 Councillors and a subsequent review had increased this to the current 39 Members. He was fortunate that in Ely there was only one Parish/Town Council to deal with, but a reduction to 27 Councillors would mean rural Councillors representing more villages, creating difficulties in them dealing with a larger number of Parish Councils and keeping abreast of local issues.

Councillor Beckett welcomed the clarity in Councillor Brown's motion and commented that in the past the District had been very Ely-centric and perhaps a review might address this.

Councillor Goodge referred to Appendix 3 on the comparative analysis of average electorate per Member and questioned whether it was worthwhile to conduct a review.

Councillor Sheila Friend-Smith commented that the last increase in the number of Councillors had been as a result of the housing growth in Ely and that more growth was expected in North Ely and Soham, which seemed to indicate justification for an increase in the number of Councillors rather than a decrease. This would also seem to indicate that representation in the Ely area would increase, possibly at the expense of other areas, and enhance any Ely-centric focus, rather than lessen it. Councillor Sheila Friend-Smith believed that the Council needed to make a long-term case for review based on population growth rather than cost savings.

Councillor Bill Hunt stated that the current structure of local government in England was difficult to explain to the public. This Council was proposing to reduce the number of Councillors in the interests of reducing costs and bureaucracy and securing value for money for local Council Tax payers. This was why he would be supporting the motion.

Councillor Gareth Wilson commented that he was glad that the Council was not recommending single-Member Wards and emphasised that it would be the LGBC that would decide on the appropriate number of Councillors for the authority. However, Councillor Wilson was concerned about how communities might be divided or put together as a result of the review. The Council would have to make a detailed case as part of the review process and might still end up with 39 Councillors anyway. Councillor Wilson recommended that even if the Council was to request a review, they should give a clear timetable for when the Chief Executive was to commence work, which should not be immediately. The Chief Executive explained that in the event of the Council deciding to request a review, the LGBC would consider whether to include this Council in its review programme from 2015/16 onwards in August 2014 and would wish to arrange a meeting with the Leader and Chief Executive to discuss the timetable and process for the review. The Council would be required to formulate a case for its recommended reduction in Council size, but much of the preparatory work had been commenced already in the drafting of this report to Council.

Councillor Allen requested clarification on the position regarding the officer report and motion, and Councillor Brown stated that there was a 'free vote' on the issue. In that connection, Councillor Allen commented that further justification/evidence was required for the recommended reduction to 27 Members in the motion, as the arguments in the officer report were based on a reduction to 25 Members. Councillor Allen stated that he would not be supporting the motion.

Councillor James Palmer stated that he supported the deletion of the recommendation relating to single-Member Wards and confirmed that there was a free vote, so that Members could consider the issues as individuals.

Councillor Palmer expressed his view that a review should be undertaken by the LGBC of the appropriate number of Councillors for the District, with a key issue being elector representation. He believed that the Council would continue to grow over the next 20 year period, but this was likely to be a more gradual process.

Upon being put to the vote, the motion was declared to be carried.

It was resolved to:

- (v) approve a revised Council size of a maximum of 27 Members;
- (vi) confirm the whole election cycle for future District elections;
- (vii) approve an implementation date of May 2019 for elections to the revised boundary arrangements;
- (iv) authorise the Chief Executive to submit a request to the LGBC to undertake an electoral review based on the decisions as above.

The meeting concluded at 8.45pm.

Chairman.....

Date 15 May 2014