



EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

## AGENDA ITEM NO 4(a)

Minutes of the Meeting of East Cambridgeshire  
District Council held in the Council Chamber, The  
Grange, Nutholt Lane, Ely on Thursday 16 July  
2015 at 6.00pm

---

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

Councillor Allen Alderson	Councillor Lis Every
Councillor Michael Allan (Chairman)	Councillor Coralie Green
Councillor Sue Austen	Councillor Elaine Griffin-Singh
Councillor Anna Bailey	Councillor Neil Hitchin
Councillor Derrick Beckett	Councillor Richard Hobbs
Councillor Ian Bovingdon	Councillor Julia Huffer
Councillor David Brown	Councillor Bill Hunt
Councillor Vince Campbell	Councillor James Palmer
Councillor Steve Cheetham	Councillor Charles Roberts
Councillor Paul Cox	Councillor Hamish Ross
Councillor Peter Cresswell (Vice-Chairman)	Councillor Mike Rouse
Councillor Lorna Dupré	Councillor Joshua Schumann
Councillor Lavinia Edwards	Councillor Stuart Smith
	Councillor Lisa Stubbs

Approximately 8 members of the public/staff were in attendance at the meeting.

Prior to the commencement of formal business, the Chairman announced that this Council meeting was being webcast and broadcast live to the internet via YouTube.

#### 17. **PUBLIC QUESTION TIME**

There were no public questions received.

#### 18. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Christine Ambrose-Smith, David Ambrose-Smith, Bradley, Chaplin, Hugo, Tom Hunt, Morris, Pearson, Dan Schumann, Sennitt, Shuter and Webber.

#### 19. **DECLARATIONS OF INTEREST**

Councillor Palmer declared an interest in Agenda Item 11 relating to the Local Plan Review.

#### 20. **MINUTES**

It was resolved:

That the Minutes of the Council meeting held on 28 May 2015 be confirmed as a correct record and signed by the Chairman.

21. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

**Urgent Item of Business**

I have agreed to allow consideration of an Exempt urgent item of business on appointment of Section 151 Officer as Agenda Item 15, on the grounds detailed in the Exempt report circulated to all Councillors. A resolution to exclude the Press and Public will need to be agreed before its consideration and a revised Agenda sheet has been tabled to reflect this.

**Additional Council Meeting - Local Government Boundary Commission for England Review**

As you will be aware, the Local Government Boundary Commission for England (LGBCE) commenced its consultation on 23 June 2015 on Warding arrangements, based on a reduction of Council size to 27 Councillors, as part of its Electoral Review of East Cambridgeshire. This consultation period ends on 31 August 2015.

Therefore, an additional Council meeting is required before the end of August for this Council to approve its submission to the LGBCE on future Warding arrangements. In view of the very tight timescales involved for the preparation of the Council's submission, I have agreed that an additional full Council meeting be held on **Thursday 20 August 2015 at 6pm in the Council Chamber.**

Please make a note of this date in your diary.

**Chairman's Civic Service**

My Civic Service will be held on 1 November 2015 at St Peter's Church, Fordham. This will have a Christian element but also will recognise the unsung heroes of East Cambridgeshire.

**Ramadan Fasting Feast**

On Monday I joined the Mayor of Ely in attending the Muslim Ramadan Fasting Feast on Ely Market Square.

22. **PETITIONS**

No petitions had been received.

23. **MOTIONS**

No motions were received under Council Procedure Rule 10.

24. **QUESTIONS FROM MEMBERS**

The following question was received from Councillor Steve Cheetham:

*'As members are aware, the residents of Aldreth & Haddenham had fought an industrial wind farm application for over 18 months, which ended with the developer withdrawing the planning application entirely from the planning system to the absolute delight and relief of the residents. However the 60m Anemometer Mast is clearly still standing in Berry Fen as a constant reminder of the potential threat of the development. As the Wind Turbine application has been entirely withdrawn from the planning, I ask the Members of the Council if they would agree to write to the CEO of REG Windpower to request the removal of the Anemometer Mast, as it is no longer required to provide data to inform the Wind Farm application. This removal will take the cause of continued concern and anxiety as expressed to me by residents away.'*

In response, the Leader of the Council, Councillor James Palmer, thanked Councillor Cheetham for his question and stated that Haddenham and Aldreth residents had received what they most wanted when the Planning application had been withdrawn and that he would gladly write the requested letter on behalf of the Council.

With the permission of the Chairman, Councillor Beckett expressed concern at the amount of additional paperwork that had been tabled at this meeting on the day and stated that it was unacceptable for such a volume to be presented at the last minute for Members to digest and understand.

In response, the Chief Executive apologised and acknowledged that a lot more additional paperwork had been tabled than was usual. Whilst these included essential amendments, he agreed that Officers needed to make it clear why the additional paperwork was being tabled and to highlight the changes from the original report or recommendations.

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

Council considered a report, Q32, which detailed a recommendation from the meeting of Licensing Committee on 17<sup>th</sup> June 2015 in respect of the Officer delegations for Licensing Sub-Committees.

Councillor Beckett commented that he found the report disturbing as an elected Member of East Cambridgeshire District Council, since it appeared to be giving away the right for Licensees to be 'judged by their peers'. The fact that action would be taken by Officers unless they referred it to a Sub-Committee meant that Councillors were abrogating their responsibilities. The Chairman of Licensing Committee, Councillor Griffin-Singh, explained that in the majority of cases there were no issues with Licensing applications and they could be dealt with by Officers under delegated powers. In addition, there had in the past been, for example, instances where a long-spent conviction had been revealed by a licensed driver applicant and this had required the convening of a Sub-Committee, when it could have been more appropriately dealt with by an Officer. However, where there were genuine concerns or recent events/representations regarding an application, these would continue to come before a Licensing Sub-Committee. The Chairman of the Council confirmed that, when he was previously Chair of Licensing Committee, he had seen some straightforward applications come to a Sub-Committee that could have been dealt with by Officers.

Councillor Beckett stated that he was reassured by the responses he had received, but that the recommendation did not appear to reflect what the Chairman of Licensing Committee was saying. The Chairman of Licensing Committee confirmed that this was what was stated in the recommendation to Council. Councillor Austen commented that, on average, the submission of an application to a Licensing Sub-Committee cost approx £600, so there would be a significant resource saving if straightforward applications were dealt with via Officer delegations.

### **LICENSING COMMITTEE – 17 JUNE 2015**

#### **Licensing Sub-Committees – Officer Delegations**

It was resolved:

That the Principal Solicitor and Monitoring Officer be authorised to make the necessary amendments to the Officer Delegations in the Terms of Reference for the Licensing Committee within the Constitution, to enable the Environmental Services Manager or Director Regulatory Services to grant, refuse, renew, suspend or revoke licences, unless the Environmental Services Manager or Director Regulatory Services, in consultation with the Chairman of the Committee, decide that the matter should be referred to a Licensing Sub-Committee for determination.

### 26. **CORPORATE PLAN 2015 19**

Council considered a report, Q33 previously circulated, detailing the new Corporate Plan 2015-19 for East Cambridgeshire District Council. The Chief Executive highlighted the revised version of the Corporate Plan (Appendix 1) tabled at the meeting, which included an amendment to the last bullet point of the commitment and actions under priority 3 relating to Community Leisure Trusts, pointed out by Councillor Dupré.

The Leader of the Council, in moving the new Corporate Plan, stated that it was exciting to be able to present such an ambitious Plan which demonstrated that the Council accepted and welcomed growth. The Plan stated that a Southern bypass would be delivered and that this Council would work with its partners to deliver a new Soham railway station. The station was not just wanted by Soham residents but the residents of other neighbouring towns and villages as far as Newmarket. CLTs were another fine example of the Council's policies, giving local people the power to decide where and which people would live in their community. Councillor Palmer felt proud to be delivering such an inclusive policy and welcomed the prospect of CLTs springing up throughout the District. However, the Council also needed to meet its Budget as well, which was a 'tough ask' in the current climate. Therefore, it had to continually look for ways to achieve 'best value' for the local taxpayer. Councillor Palmer recommended and commended the Corporate Plan to the Council.

Councillor Bailey commended the fact that the Plan gave a commitment to keeping free car parking and referred to recent media reports that Cardigan had seen a 20% increase in retail trade during a period of the availability of free parking whilst parking machines were being repaired due to vandalism.

Councillor Brown stated that, in the absence of Councillor David Ambrose-Smith, he wanted to commend the proposed improvements to Littleport railway station.

Councillor Bill Hunt commented that the Conservative Group had produced a clear manifesto upon which it had been elected and was now putting this into practice. He highlighted the manner in which Stretham was leading the way on the development of CLTs and gave particular credit to Councillor Roberts for his work on this. The development would deliver 30% affordable housing, a doctors' surgery and business units, as well as 15% CIL from the open market housing of approx £70K for the local Parish Council to spend on worthwhile projects in the village. Councillor Hunt expected this administration to deliver the bulk of its promises on time and on Budget.

Councillor Every highlighted the funding secured to promote skills education and job opportunities for young people and to support the economic growth of the District.

Councillor Dupré commented that the Corporate Plan covered familiar ground which had been debated in this Chamber on a number of occasions in the past. The 23 commitments appeared impressive, but to cover a 4 year period seemed repetitious and unambitious. The items missed seemed as important as those included. For example, the focus solely on CLTs for the delivery of affordable housing with 23 to be completed amounted to only 6 per year over the period of the Plan, with no mention being made of getting tough with developers on affordable housing allocations on new developments. On the priority of improving local transport, there were important missing words such as 'bus', 'bicycle', and 'pedestrian'. The focus was on those with access to a car but how would those unable to use a car access local facilities and employment? No mention was made of improving local bus services, and free car parking without the promise to address the provision of additional town centre spaces would only increase congestion and people driving around to find parking spaces. There was also no mention of measures to address the impact of moving traffic from the Ely station crossing onto the A10. Councillor Dupré also referred to the fact that the Local Plan failure to deliver an ongoing five year land supply was the second greatest corporate risk facing this authority identified on the Council's Corporate Risk Register at Appendix 4. In concluding, Councillor Dupré regarded the Corporate Plan as looking back and stated that she was unable to support it.

Councillor Schumann, as Chairman of Planning Committee, stated that CLTs were one vehicle for the delivery of affordable housing which enabled local communities to decide on how it was delivered. The current affordable housing policies, including viability assessments, were policies of the Coalition Government. Therefore, the varying allocations from 20% to 7% in the District were the result of compliance with those Government policies. In comparison, CLTs were a proactive way to deliver affordable housing. With regard to Councillor Dupré's comment that the Local Plan was not 'fit for purpose', Councillor Schumann stated that one element, the Housing Land Supply, had been challenged, which was the reason for considering whether to commence a Local Plan review. Again, the Council were being proactive in considering how to address this and move forward. Councillor Schumann also stated that Councillor Dupré's comments on car parking were not constructive and had been made many times in the past. He would welcome constructive comments instead of mere criticisms.

Councillor Ross expressed his support for the Corporate Plan and, in particular, the Soham railway station. The Station had been closed in 1965 but the population had doubled since then and its re-opening would help to ease local road congestion.

On a point of clarification, Councillor Bill Hunt stated that whilst buses were not the remit of this Council but the County Council, it had delivered the 'Ely Zipper' bus. In addition, it had provided a cycleway from Sutton.

In summing-up, Councillor Palmer stated that the administration had a clear and positive manifesto and was backing this up by promising to deliver what the local people who voted for them wanted. Councillor Palmer welcomed criticism as a means of keeping the administration 'on its toes' and ensuring that it did not 'rest on its laurels' and hoped that Councillor Dupré and the opposition Members would continue to challenge them.

It was resolved:

1. To approve the new Corporate Plan set out in Appendix 1 (as tabled at the meeting).
2. To instruct the Monitoring Officer to amend the Constitution (ref: Article 1 paragraph 1.05) to incorporate the statement detailed in Appendix 2 to the submitted report.
3. To note the end of year performance reports detailed in Appendix 3 to the submitted report
4. To approve the annual review of the Corporate Risk Register detailed in Appendix 4 to the submitted report.

## 27. **LOCAL PLAN REVIEW**

*Councillor James Palmer left the meeting for the duration of this item and took no part in the discussion and voting thereon.*

Council considered a report, Q34 previously circulated, asking Members to determine whether or not to commence a review of the Council's Local Plan, together with agreement on linked supported work streams.

Richard Kay, Strategic Planning Manager, explained the background to the consideration of the review and the recent Witchford Planning appeal decision which had been granted due to the inability of the Council to demonstrate that it had a five year supply of housing land. Mr Kay stated that even if the decision to undertake a review was taken, the Local Plan (April 2015) would remain in force for the next few years. However, if the Council did decide to proceed with a review, it would need to approve a Local Development Scheme (LDS) which set out a timetable for the production of a new Local Plan and make recommendations on the Supplementary Planning Documents (SPDs) to focus on to help guide the detailed proposals in particular areas. Mr Kay reminded Members of the Member Seminar scheduled for 27 July 2015 at which detailed questions on the Local Plan review would be addressed, if the decision to proceed was taken this evening.

*At this point, Councillor Schumann declared an interest as a Member of the Environment and Economy Committee of Cambridgeshire County Council which had made recommendations regarding the SPD on Flood and Water Management.*

Councillor Beckett questioned if the Council could just review the 5 year land supply rather than undertaking a total review of the Local Plan. Mr Kay stated that the law did not allow the Council just to amend one element of the Plan. However, this was not as drastic as it appeared, since the majority of the Plan was considered to be sound and could be carried forward. Nevertheless, the opportunity needed to be given for consultation and representations from interested parties.

Councillor Bailey commended Mr Kay on his clear report but commented that it would be helpful for Members to know which SPDs would now not be reviewed. Mr Kay confirmed that SPDs for specific development sites would not now be taken forward, at least for this year.

*Councillor Roberts left the meeting at 6.50pm.*

It was resolved:

1. That, in principle, officers be authorised to commence a review of the Local Plan.
2. That with immediate effect the attached Local Development Scheme (LDS), which sets out a timetable for the production of a new Local Plan, be approved.
3. That the priority for the immediate future for the production of other 'Supplementary Planning Documents' (SPDs) be focussed on a Community-led Development SPD, a Flood and Water Management SPD and an update to the current Design Guide SPD.

*Councillor Palmer and Roberts returned to the meeting at 6.52pm.*

28. **COMMUNITY INFRASTRUCTURE LEVY: REVISED GOVERNANCE ARRANGEMENTS**

Council considered a report, Q35 previously circulated, regarding revised arrangements for the allocation of Community Infrastructure Levy (CIL) contributions.

The Corporate Unit Manager, Emma Grima, highlighted the revised recommendations and CIL Governance Arrangements tabled at the meeting which were the result of a meeting with the County Council earlier in the week.

Councillor Palmer stated that the meeting with the County Council and revised arrangements ended conjecture over the County Council's commitment to the Ely Southern Bypass and clarified what the District Council's funding contribution would be.

Councillor Bovingdon endorsed Councillor Palmer's comments and stated that the report showed that this Council was committed to delivering major projects and had a policy for this.

Councillor Beckett stated that whilst he did not want to obstruct major projects, the Council was again delegating powers away from Members.

Councillor Dupré shared this concern that 90% of CIL monies would be allocated by officers under delegated powers. Councillor Dupré commented that Members did not yet know the details of the funding strategy for the Leisure Centre as a whole, since the scheduled Member Seminar had been postponed and would not take place now until the tender had been let. Therefore, it appeared premature to decide how to allocate funding when Members did not know the overall strategy. Councillor Dupré also referred to the Joint Member and Officer Steering Group detailed in the amended Governance Arrangements and queried where this had been established and who had been appointed to it. The Chief Executive and Corporate Unit Manager agreed to respond on this.

Councillor Hobbs, as Chairman of Commercial Services Committee, stated that whilst the sports village was proceeding, nothing was ruled out at this stage and the transport issues were also going to be examined.

Councillor Bailey stated that she wanted to allay Councillor Beckett's fears that the Governance Arrangements were simply a means to reduce bureaucracy. Councillor Bailey also reiterated that any amendments should be clearly highlighted when a document was changed. Similarly, Councillor Brown expressed his assurances that there was adequate Member involvement in the arrangements. Councillor Schumann reiterated his view expressed earlier in the meeting that, whilst it was appropriate for opposition Members to challenge, the Council had to carry on moving forward.

It was resolved:

1. Approve the amended governance arrangements set out in Appendix 1 (as tabled at the meeting).
2. Authorise the Principal Solicitor and Monitoring Officer to make the necessary changes to the Council's Constitution.

29. **EAST CAMBRIDGESHIRE DISTRICT COUNCIL OWNED LOCAL AUTHORITY COMPANY (LATC)**

Council considered a report, Q36 previously circulated, detailing the proposed stages in the establishment of an East Cambridgeshire District Council wholly owned Local Authority Trading Company (LATC). The Chief Executive highlighted the revised recommendations and Terms of Reference tabled at the meeting to change the title of the Committee to avoid issues with the legal status of a 'shadow' Committee.

The Chief Executive explained the process and timetable to form the new LATC, which needed a coherent business plan but flexibility to develop in the future. This was an ambitious proposal but the Chief Executive was confident that the timetable could be met.

Councillor Hobbs moved and Councillor Cresswell seconded the revised recommendations and proposed the following Conservative nominations for the Establishment Committee:

Councillors Lis Every, Bill Hunt, James Palmer, Charles Roberts.

Councillor Dupré stated that she agreed with the principle of a trading company but had concerns regarding the governance arrangements and staffing issues. She also queried if the salary of the Chief Executive would be reduced as the level of his responsibilities reduced. In addition, she asked the Leader of the Council about the level of remuneration for the Chairman of the Board and asked that the other Directors not be remunerated. Councillor Dupré nominated herself as the Liberal Democrat Member of the Establishment Committee.

Councillor Beckett referred to potential situations where the Trading Company now could be applying to the Council for Planning permission for developments. As Planning was meant to be non-political, what safeguards would there be that we were ensuring rigour and fairness in the consideration of our own applications, in order to avoid public criticism for passing these.

Councillor Palmer acknowledged Councillor Beckett's concerns but he assured him that this Council would deal with its own applications in the same impartial and robust manner that it dealt with all applications. The LATC was about gain for the taxpayer not gain for individual Board members and measures would be put in place to ensure that it traded properly.

Councillor Schumann stated that whilst this was new territory for the Council and other local authorities nationally due to the financial pressures faced by them, this Council had determined its own applications in the past and would continue with its normal practice of examining each application on its merits based on Planning grounds. As Chairman of Planning Committee, Councillor Schumann would remain unbiased.

Councillor Cresswell stated that this was an exciting but ambitious project which he wholeheartedly supported to safeguard the Council's interests.

It was resolved:

1. That the establishment of a Committee of Council as detailed in Appendix 1 (as tabled at the meeting) be approved.
2. That five Members be appointed to the Committee (4 Conservative, 1 Liberal Democrat) as follows:

Councillors Lis Every, Bill Hunt, James Palmer, Charles Roberts.  
Councillor Lorna Dupré.

3. That the Chief Executive and Chairman of the Committee be requested to report to Full Council in January 2016.
4. That approval be given to the allocation of £30,000 to the Committee to fund external support as required to implement 3 above, to be funded from existing resources.

30. **PROPOSED CHANGES TO THE CONSTITUTION - DISMISSAL AND DISCIPLINARY OF STATUTORY OFFICERS**

Council considered a report, Q37 previously circulated, proposing changes to the Council's Constitution in the light of new Regulations on the dismissal and disciplinary of Statutory Officers.

It was resolved:

That the Monitoring Officer be authorised to amend the Officer Employment Procedure Rules in the Constitution (page 4(53)-(55)) to make changes to the procedure for appointment and dismissal of senior officers.

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

It was resolved:

That the press and public be excluded during consideration of the remaining agenda item because it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of public were present during the items there would be disclosure to them of exempt information of Category 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

*The meeting was adjourned at 7.25pm for a comfort break and re-convened at 7.30pm.*

32. **APPOINTMENT OF SECTION 151 OFFICER**

Council considered a report regarding the appointment of the Council's Section 151 Officer.

It was resolved:

That Mr Andy Radford be designated as the Council's Section 151 Officer under the Local Government Act 1972 and 1988.

The meeting concluded at 7.35pm.

Chairman.....

Date: 22 October 2015