



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 22
October 2015 at 6.00pm

P R E S E N T

Councillor Allen Alderson	Councillor Julia Huffer
Councillor Michael Allan (Chairman)	Councillor Mark Hugo
Councillor Christine Ambrose-Smith	Councillor Bill Hunt
Councillor David Ambrose-Smith	Councillor Chris Morris
Councillor Anna Bailey	Councillor Andy Pearson
Councillor Derrick Beckett	Councillor Charles Roberts
Councillor Ian Bovingdon	Councillor Hamish Ross
Councillor David Brown	Councillor Mike Rouse
Councillor Vince Campbell	Councillor Dan Schumann
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 Lavinia Edwards	Councillor Lisa Stubbs
Councillor Lis Every	Councillor Jo Webber
Councillor Richard Hobbs	

Approximately 2 members of the public were in attendance at the meeting.

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

39. **PUBLIC QUESTION TIME**

The following question was asked by Ms Christine Whelan of Ely:

"I would like to thank the council for the reply I received to the question I asked at the last full council meeting. I would, however, ask the council to answer the actual question rather than the question it wishes to answer."

The District Council is under a duty to notify the County Council Highways Authority within seven days after Building Regulations approval has been passed, advising that an Advance Payment Code is required under Highways Act 1980. Please will the Chairman of the Planning Committee personally:

- *list the date of approval of all developments of ten properties or more approved since January 2000, and the date on which the Highways Authority was advised of the Advance Payment Code requirement*
- *confirm that in future Advance Payment Codes will be requested for all developments of 10 or more properties."*

The Director Commercial and Corporate Services, Emma Grima, clarified that the District Council was under a duty to notify the County Council Highways Authority within seven days after Planning permission had been granted and stated that she needed time to discuss the issue with Cambridgeshire County Council and therefore would provide the questioner with a written answer.

40. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors, Austen, Bradley, Dupré, Green, Hitchin, Tom Hunt, Palmer.

41. **DECLARATIONS OF INTEREST**

Councillor Pearson declared an interest in Agenda Item 10 relating to the Licensing Act 2003 Licensing Authority Statement of Licensing Policy – Five Year Revision; & Gambling Act 2005 Licensing Statement of Principles – Three Year Review, since he was a licensee of licensed premises and Secretary of Ely Sports and Social Club.

42. **MINUTES**

It was resolved:

That the Minutes of the meetings held on 16 July and 20 August 2015 be confirmed as a correct record and signed by the Chairman.

43. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

Chairman's Civic Service

I would like to remind Members that my Civic Service will be held on Sunday 1 November 2015 at 3pm at St Peter's Church, Fordham. Refreshments will be provided after the Service in the Victoria Village Hall. For this reason, Lynne Smart would like to know by tomorrow please who will be attending to make the correct arrangements.

I would also like to take this opportunity to thank the Members who are helping me on the day. Thank you very much indeed.

Webcasting of Meeting

This evening we have a new Team dealing with the broadcasting and I would like to thank them and wish them the best of luck.

Air Crash, Redmere

Can I ask you all to stand to observe a minutes silence to mark the tragic death of a member of the US forces in yesterday's accident in our District.

44. **PETITIONS**

No petitions had been received.

45. **MOTIONS**

The following Motion was proposed by Cllr Charles Roberts and seconded by Cllr Josh Schumann:

This Council instructs the Deputy Monitoring Officer to amend the Constitution as detailed below, specifically:-

Reference (Part 3 Page 50 Paragraph 5.5)

Delete "The Planning Manager or Director (Regulatory Services) shall decide whether to include the application on the Planning Committee agenda in consultation with the Chairman or Vice-Chairman of the Planning Committee"

In proposing the motion, Councillor Roberts referred to the straightforward nature of the change and the fact that the relevant pages of the Terms of Reference of the Planning Committee had been tabled at the meeting to give clarity of context.

It was resolved:

On being put to the vote, the motion was supported unanimously.

A motion submitted by Councillor Dupré on affordable housing which was to be seconded by Councillor Austen was declared to be withdrawn, as neither the proposer or seconder were present at the meeting and no other proposer and seconder came forward at the meeting.

Councillor Shuter joined the meeting at 6.15pm

46. **QUESTIONS FROM MEMBERS**

No questions were received from Members.

47. **CRIME STATISTICS AND LOCAL POLICING ISSUES UPDATE**

Council received a presentation from Sergeant Jon Hiron on crime statistics and local policing issues update. Sergeant Hiron explained that his role and daily responsibilities related to the Ely City, Queen Adelaide and Stuntney areas, but that his presentation covered the whole of the District and he could answer questions on that basis. In response to Member comments, Councillor Hiron apologised that the title of his presentation referred to Ely City rather than East Cambridgeshire.

Sergeant Hiron's presentation covered the following areas:

- Police Priorities 2015-16
- Policing: Our New Vision
- Crime Trends - June to September 2015 compared to June to September 2014
- East Cambridgeshire Anti-Social Behaviour (ASB) Performance – September 2014 to September 2015
- Local Confidence Survey
- Community Survey Results
- Current Local Community Priorities

The following points were highlighted by Sergeant Hiron as part of the presentation:

Police Priorities 2015-16 & Policing: Our New Vision - Sergeant Hiron was pleased to report the recent appointment of a new Chief Constable, Alex Wood, who had been the Deputy Chief Constable for the County. The five-point vision reflected his priorities for the Service. The policing priorities might not always reflect localised community priorities, e.g. City of Ely had priorities of parking, speeding and dog fouling, whilst the police focus was to protect vulnerable people and victims of crime such as domestic abuse, sexual offences and burglary victims. Therefore, the Police had to prioritise between competing priorities. The Police had a good record on protecting vulnerable persons and now was looking to focus on burglary victims.

Crime/ASB Trends – Burglary Dwelling had reduced and Burglary Non-Dwelling remained the same and these offences tended to be perpetrated by transient offenders. ASB showed similar patterns across the Ely City; Littleport & West Villages; and Soham & South Villages, with peaks during the July 2015 School summer holiday period, due to youths congregating.

Local Confidence Survey & Community Survey Results – the local confidence survey of 111 Ely residents during July-September 2015, showed a high level of confidence in the Police in East Cambs of 81%. Similarly the community survey of 31 residents between July-September 2015, had shown that 0% residents believed that they lived in a high crime area. Both results were very pleasing.

The Chairman then opened the meeting up to comments/questions from Members to the Sergeant relating to district-wide policing issues.

Councillor Campbell referred to the fact that the crime figures showed an increase in violent crime, the different categories of theft, and criminal damage over the year, which seemed to contradict the high levels of confidence shown by the surveys.

Councillor Shuter stated that the crime figures did not represent his area of Bottisham, Brinkley, etc. He commented that there was no longer a Police presence in this area. Speeding was the biggest issue in the area and a local Speedwatch he had participated in recently had resulted in a 73% speeding rate over the 1.5 hour early evening period. Sgt Hiron acknowledged that due to limited resources the Police had to prioritise and Officers were targeted to the areas with the higher crime rates. However, officers would attend when a crime took place in a particular area. As a former traffic officer Sgt Hiron regarded speeding as an important issue, and whilst the Police did carry out speed checks they had to focus on crime and protecting vulnerable people. However, the Police acknowledged and actively promoted the valuable work undertaken by Speedwatch, and relied upon them to pass statistics through to the Police to identify problem areas.

Councillor Beckett stated that we were fortunate to live in a low crime area and this partly could be attributed to the Police, for which he commended them. However, he had contact the Police yesterday to report a hare coursing incident in his village and had been advised that no officers were available to attend the incident. Councillor Beckett was aware of the air crash at Redmere on the same day but commented that in the past priority had been given to this type of criminal activity. Sgt Hiron apologised that Councillor Beckett had been advised that no officers were available to attend the incident and stated that the Police did focus on

rural crimes such as these, working in partnership with neighbouring areas such as South Cambs.

The Chairman also referred to a recent incident where his wife had phoned 101 due to youths congregating and creating a nuisance in the street they lived in and received no response at all. Sgt Hiron stated that he would need further details to look into the reasons for the lack of response. However, it was important for the Police to maintain public confidence.

Councillor David Ambrose-Smith commented that the sample size for the two surveys was too small for meaningful information to be drawn from the results.

Councillor Cresswell followed-up on the comments from Councillor Shuter regarding the lack of Police presence in the South of the District and stated that, whilst he lived in Newmarket, he was reliant on the Ely Police when reporting incidents. Therefore, Councillor Cresswell requested that Cambridgeshire Police work more closely with Suffolk Constabulary on incidents relating to his Cheveley Ward.

Councillor Cox expressed disappointment at the ASB figures for the District and commented that the surveys only related to Ely. There was also the perception of a lesser Police focus in Littleport than Ely.

Councillor Bill Hunt commended the Police on the excellent job that they were doing and asked if the closure of the Ely courthouse made the Police's job easier or harder and if the Police got full support from the Crown Prosecution Service (CPS).

Councillor Alderson stated that he had reported an incident of noise disturbance in his village of Reach from a Rave at Upware at 6am last weekend and by 9am on the same day he had been rung back by the Police to say that the incident had been resolved and the people moved on. Councillor Alderson commended the Police on this excellent response.

Councillor Ross commented that this was a rural area and hare coursing was therefore a serious matter of criminality, often involving organised and violent perpetrators. In the past this had been focused on with Operation Dorney which had resulted in no crimes of this nature coming to court for two years. Councillor Ross stated that priority should be given to this criminal activity again in order to protect vulnerable people in rural areas.

In response to the above comments, Sgt Hiron confirmed that the confidence surveys were carried out across the District and acknowledged the points regarding the small sample size. Sgt Hiron was unsure if the closure of the courthouse had made a difference to the delivery of local justice and prosecutions and believed that the Police worked well with the CPS overall.

The Chairman thanked Sgt Hiron for his attendance and informative presentation and the Council expressed their gratitude with a round of applause.

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

Council considered a report, Q90, previously circulated, containing recommendations from Committees as follows:

a. LICENSING COMMITTEE – 9 SEPTEMBER 2015

(i) Licensing Act 2003 Licensing Authority Statement of Licensing Policy – Five Year Revision

It was resolved:

That the approved statement of Licensing Policy be adopted to come into effect on 7 January 2016.

(ii) Gambling Act 2005 Licensing Statement of Principles – Three Year Review

It was resolved:

That the approved Gambling Act 2005 – Statement of Principles for Licensing be adopted to come into effect on 31 January 2016 following a period of publication to be not less than 28 days.

Councillor Dan Schumann joined the meeting at 6.53pm

b. CORPORATE GOVERNANCE AND FINANCE COMMITTEE – 28 SEPTEMBER 2015

Treasury Operations Annual Performance Review

It was resolved:

1. That the report on the Council's Treasury operations during 2014/15 including the actual Prudential and Treasury Indicators, as set out at Appendix 1 to the submitted report, be noted.
2. That Members note that the Treasury Management Strategy will be revised as proposals are made for the funding implications of the Leisure Centre and the Local Authority Trading Company (LATC) and that these changes will need to be approved by full Council.

c. REGULATORY AND SUPPORT SERVICES COMMITTEE – 12 OCTOBER 2015

Single Member Vote at Anglia Revenues Partnership (ARP) Joint Committee

In proposing the recommendations, Councillor Bailey commended Councillors David Ambrose-Smith and Every for their work in representing the Council on ARP. Councillor Bailey also put forward the name of Councillor David Ambrose-Smith as the main Member and Councillors Lis Every and Julia Huffer as the names of the Substitute Members under the proposed new arrangements.

It was resolved:

1. That the Council, along with the other partners on the Joint Committee of the ARP, reduce the number of Members able to vote at Joint Committee to one Member per Council.

2. That the Council has two Member substitutes for the Joint Committee, with the option for one of the substitutes to attend and take part in debate (but not vote).
3. That the ARP Joint Committee constitution in the Council's constitution be revised to reflect 1 and 2 above.
4. That the Council appoints one Member onto the ARP Joint Committee and two substitutes as follows:

Main Member – Councillor David Ambrose-Smith

Substitute Members – Councillors Lis Every and Julia Huffer

49. **LOCAL PLAN REVIEW UPDATE AND STATEMENT OF COMMUNITY INVOLVEMENT (SCI)**

Council considered a report, Q91 previously circulated, requesting Members to agree a set of principles for the preparation of the review of the Local Plan, including agreeing a new Statement of Community Involvement, so that officers can prepare a plan with the confidence that it meets Members expectations. Members also were requested to agree to the setting up of a Member Working Group to help steer the preparation of the Local Plan.

Richard Kay, Strategic Planning Manager, updated Members on the current position regarding the Local Plan review. The Team was now in place and was working well on the statutory plans, with the timetable on track. Whilst there was no requirement to prepare a set of Local Plan principles, it was recommended that this be done to give a clear framework for the review. It was also recommended to take the opportunity to refresh the SCI. However, Members were reminded that the Council would be legally bound to follow the SCI, so it was important not to over-commit yourself in this document. The establishment of a Local Plan Working Group would give greater Member involvement in the process.

The Chairman reported that, in the absence of Councillors Dupré and Austen from the meeting, Councillor Dupré had advised that she would be the Liberal Democrat nomination for the Working Group.

Councillor Roberts, in proposing the recommendations in the report, referred to principles 6 and 7 and queried how the statements in principle 6 that settlements with facilities and services will not be permitted to say 'no' to growth, unless there are clear and insurmountable constraints preventing any growth, and principle 7 on the allocation of sites of 10 homes or more/0.25ha, were compatible with principle 10 on clear, simple and effective consultation. The Strategic Planning Manager explained that the previous bottom-up principle driven by communities had led to anomalies in some settlements and that the Local Plan Team would be working with communities to show that they needed to contribute to the growth targets for the District. The Strategic Planning Manager also explained that the 10 homes or more cut-off point seemed appropriate for a rural District of East Cambs' size and nature, and that sites below these thresholds would not be allocated. Instead, these small sites could come forward under the normal Planning process. With regard to principle 10, the Strategic Planning Manager stated that confusion could be caused by continuous engagement and consultation, whilst focussed consultation at key stages in the Plan process was considered to be more effective.

Councillor Beckett referred to box 3 relating to consultation on amended Planning applications in the SCI on page 16 of the report, and queried why a minimum of 14 days was given for comment but no maximum was given. The Strategic Planning Manager explained that the maximum was intended to be left at the discretion of the Case Officer for the application and agreed to look at making the wording clearer.

Councillor Bailey stated that she was uncomfortable with allocating all sites of 10 homes or more and considered that it was important to consider how this would be applied. Councillor Bailey also commented that it was important to get the consultation right, to ensure effective engagement with Parishes so that they were willing to accept growth. The Strategic Planning Manager explained that an overarching growth target would be set through the process of sustainability appraisal and then it would be decided how to divide this target by identifying the best sites in settlements to select.

Councillors Roberts, Bailey and Brown suggested that a further read-through of the relevant documents was required before they were published to correct any typographical, grammatical and formatting errors and to ensure clarity of wording.

It was resolved:

1. That a set of principles, as attached at Appendix A to the submitted report, for preparing the review of the Local Plan be agreed.
2. That an updated Statement of Community Involvement (SCI), as attached at Appendix B to the submitted report, be adopted.
3. That a non-decision making Working Group be set up to assist Member involvement and understanding of the preparation of the Local Plan, together with agreeing Terms of Reference for such a Group as set out at Appendix C to the submitted report.
4. That the following Members be appointed to sit on the Working Group:
 - Cllr Coralie Green (Conservative) (Strategic Planning Member Champion)
 - Cllr David Brown (Conservative)
 - Cllr Ian Bovingdon (Conservative)
 - Cllr Steve Cheetham (Conservative)
 - Cllr Julia Huffer (Conservative)
 - Cllr Josh Schumann (Conservative)
 - Cllr Derrick Beckett (Independent)
 - Cllr Lorna Dupré (Liberal Democrat)

Councillor Bill Hunt left the meeting at 7.15pm.

50. **DRAFT COMMUNITY-LED DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT**

Council considered a report, Q92 previously circulated, containing a draft guide on CLTs and Community-Led Development; and a draft Supplementary Planning Document for such development schemes.

Richard Kay, Strategic Planning Manager, explained the background to the development and content of the two documents. He explained that some of the formatting had gone awry in the electronic transfer of the CLTs and 'Community-Led Development: a guidebook for communities' at Appendix 1 to the submitted report.

Councillor Bill Hunt returned to the meeting at 7.18pm.

Councillor Roberts, in proposing the recommendations in the submitted report, commended Richard Kay and his Team on their work in preparing these two excellent documents which demonstrated this Council's commitment to promoting CLTs. Councillor Josh Schumann, in seconding the recommendations, emphasised the importance of these two documents and highlighted the section in the motion on affordable housing which had to be withdrawn earlier in the meeting, which referred to 'work with housing associations, developers and other 'interested parties' to find innovative ways to build more affordable homes and to begin to redress the chronic shortage'. Councillor Schumann stated that these two documents did this.

Councillor Bailey also commended the two documents and stated that their production was well-timed when the Council was commencing a Local Plan review, as they showed communities how they could they could initiate developments in their own villages. Councillor Bailey suggested that a Seminar could be held for Parishes on the subject of CLTs, with representatives of the Stretham and Wilburton CLT attending to give first-hand information and advice.

It was resolved:

1. That the "CLTs and Community-Led Development: a guidebook for communities" attached at Appendix 1 to the submitted report be approved.
2. That approval be given for the purposes of public consultation, to the draft "Community-Led Development Supplementary Planning Document" attached at Appendix 2 to the submitted report, with consultation being undertaken for a period of approximately 8 weeks commencing in early November and ending 22 December 2015.
3. That all Members be requested to take available opportunities to promote the guide within their communities.

The Legal Services Manager and Deputy Monitoring Officer, Maggie Camp, left the meeting for the duration of the next item.

51. **APPOINTMENT OF MONITORING OFFICER**

Council considered a report, Q93 previously circulated, regarding the appointment of the Council's Monitoring Officer.

It was resolved:

That Mrs Maggie Camp be designated as the Council's Monitoring Officer under the Local Government and Housing Act 1989.

Maggie Camp returned to the meeting and received congratulations on her appointment from the Chairman and a round of applause from the Council.

52. PROCUREMENT OF A DISTRICT LEISURE CENTRE

Council considered a report, Q94 previously circulated, detailing the analysis undertaken relating to the procurement of a District Leisure Centre and requesting agreement to the next phase of the project.

The Chief Financial Officer and Section 151 Officer, Andy Radford, gave the background to and the current position relating to the Leisure Centre project as follows:

'At the Commercial Services Committee on 18 June of this year, Members received and approved the feasibility study for the Leisure Centre.

That study identified some key risks:-

Building cost inflation
Timescales
Tender price exceeding Budget

The Committee agreed with those risks and instructed officers to engage external advice to specifically review the build costs. Clearly, the build costs will be influenced by timescales and inflation, so officers engaged MACE to undertake an independent assessment of the project.

MACE worked through July and August of this year, reviewing the work done to that date, benchmarking costs, engaging with the market on building costs.

This work was presented back in a report to officers, most of which is contained in the Appendix to your next Agenda item.

In essence the MACE view is that:

The timelines can be reduced if procurement of a builder and operator commences immediately. This itself will reduce build cost inflation, one of the key risks highlighted. This will also give earlier confidence on costs and operator profit, it will engage the market quicker, and will enable the operator to influence the build design, which in itself should lead to a stronger commercial operation.

There is some value engineering which can take place now and this work will continue with a builder and operator for the duration of the project.

Using this approach, MACE has been able to confirm the maximum capital cost and realistic operator profit. This has given me, as your CFO, confidence that the Leisure Centre is affordable.

I have been advising Members on the affordability and funding options for the Leisure Centre, most recently at a Member Seminar on 7 September. I tested this advice with the Council's Treasury Management advisers earlier this week, who were in full agreement with my approach and advice given to Members.

On the assumption that the approach proposed by MACE to give cost certainty is adopted by the Council for this project, I remain comfortable that the project is affordable.

To move the Council to the next stage requires a project Budget of £500,000, which will enable the two procurements to commence. Sufficient progress will be made to bring back the final business case to your April meeting of Council, which is the point when the final decision to proceed will be sought.'

In proposing the recommendations in the submitted report, the Chairman of Commercial Services Committee Councillor Hobbs, stated that it was a great pleasure to him that the Council had reached this point and could now make a judgement on whether to move forward. The current swimming pool was 'living on borrowed time' and was costing £170K per year to run. This sum could fund a better facility for the District. Councillor Every, in seconding the recommendations, endorsed this view and the thoroughness of the approach adopted.

Councillor Bailey asked for the thanks of the Council to be placed on record to Allison Conder and Andy Radford for their work in getting the Council to this point.

It was resolved:

1. That approval be given to the programme timetable detailed in Appendix 1 of the submitted report.
2. That approval be given to the allocation of up to £500,000 within the capital programme to progress the project to RIBA Stage 4 and the procurement of the contractor and operator.
3. That the amendment to the capital programme reflected in the mid-year review of the Council's Treasury Management Strategy.
4. That the Chief Financial Officer be instructed to bring forward a further report to Council in April 2016 detailing the outcome of the procurement of the contractor and a recommended funding strategy to progress the project to completion.

53. **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 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

The meeting was adjourned at 7.31pm for a comfort break and re-convened at 7.40pm. Councillor Beckett left the meeting during the adjournment and did not return.

54. **NEW DISTRICT LEISURE CENTRE - APPOINTMENT OF DESIGN TEAM AND SUB-CONSULTANTS**

Further to Minute 52 above, Council considered a report requesting decisions to progress the new Leisure Centre project to the next stage. The Principal Community and Leisure Services Officer explained the nature of the decisions required from Members.

It was resolved:

1. That the outcome of the cost and programme critique work completed by Mace between July and August 2015 be noted.
2. That a Design Team and Project Manager be appointed through the NHSSBS framework, and legal and procurement expertise be appointed directly by the Council.
3. That the design and development work; timetable and fee parameters set out in Appendix 1 (Exempt) of the submitted report be approved.
4. That the Council's Infrastructure and Strategy Manager be instructed to report back to Council in April 2016 following completion of the procurement of a building contractor.

At the conclusion of this item, the Chairman of Commercial Services Committee Councillor Hobbs, referred to the imminent departure of the Principal Community and Leisure Services Officer, Allison Conder, from the Council. He commented that he had worked with some capable and professional officers during his years as a Councillor, but Allison had been one of the most notable, working hard on a number of vital leisure projects such as the Leisure Centre and Ely Country Park to name but a few. Four years ago, his inbox had been filled with complaints about the swimming pool, but these had dried up on Allison's arrival due her ability to deal effectively with such challenging issues. When Councillor Hobbs walked in the Country Park he would remember Allison and he believed that the Leisure Centre and Leisure Village projects had reached their current position largely due to Allison's hard work. He expressed the very best wishes of Council to Allison for the future and this was followed by a round of applause from the Council.

55. **EXEMPT MINUTES – 16 JULY 2015**

It was resolved:

That the Exempt Minutes of the meeting held on 16 July 2015 be confirmed as a correct record and signed by the Chairman.

The meeting concluded at 7.50pm.

Chairman.....

Date: