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EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

**COUNCIL – 21 OCTOBER 2021 – DECISION LIST**

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
1.	-	Public Question Time	To answer questions from members of the public.	Three questions from members of the public were received and responses given as detailed at the end of the Decision List.	-
2.	-	Apologies for Absence	To receive apologies for absence from Members.	Apologies were received from Cllrs Charlotte Cane and Joshua Schumann.	-
3.	-	Declarations of Interest	To receive declarations of interests from Members in respect of any items on the Agenda in accordance with the Members Code of Conduct.	Declarations of Interest were made as follows regarding Agenda Item 8: Notice of Motions under Procedure Rule 10 – Community Land Trusts:  Cllr Anna Bailey – a Board Member of East Cambridgeshire CLT.  Cllr Gareth Wilson – a Trustee of Haddenham CLT.  Cllr Lisa Stubbs – a Board Member of East Cambridgeshire CLT.	-
4.	-	Minutes – 15 July 2021	To receive the Minutes of the last Council meeting.	It was resolved:  That, subject to the amendment of “commercially” to “commercial” in the first bullet point of the final paragraph on page 8 of Minute 27 Corporate Plan 2021-2023 (Update), the Minutes of the Council meeting held on 15 July 2021 be confirmed as a	Democratic Services Manager

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				correct record and be signed by the Chairman.	
5.	-	Chairman's Announcements	Announcement of items of interest.	The Chairman emphasized the importance of Members' safety following the dreadful events of 15 <sup>th</sup> October 2021 which resulted in the death of Sir David Amess MP, and drew their attention to the guidance circulated by the Legal Services Manager.	-
5b.	-	Minute's silence	To pay respects following the death of former District Councillor John Gibb.	Cllr Wilson delivered a tribute, and a minute's silence was held as a mark of respect following the death of former District Councillor John Gibb, Liberal Democrat Member for Dullingham from 1999 to 2003.	-
6.	-	Soham North By-Election Result, Proportionality & Membership of Committees	To receive details of the result of the Soham North By-Election held on 23 September 2021 and the allocation of seats on Committees etc arising therefrom.	It was resolved: That the election of Cllr Mark Goldsack as a District Councillor for the Soham North Ward, and the allocation of seats on Committees, etc, arising therefrom (detailed in Appendix 3 of the report), be noted.	-
7.	-	To Receive Petitions	To receive public petitions.	No public petitions had been received.	-
8.	-	Notice of Motions Under Procedure Rule 10	The following motion was received and considered:  <u>Community Land Trusts</u>  (full text of the Motion at the end of the Decision List)	Motion lost.	-

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9.	-	To answer Questions from Members	To receive questions from Members of Council.	Four Questions from Members were received and responses given as detailed at the end of the Decision List.	-
10.	-	Referral-up from the Operational Services Committee – Parking Enforcement	<p>a) To receive a presentation from Supt James Sutherland, Cambridgeshire Police.</p> <p>b) To consider the referral-up from the Operational Services Committee (Agenda Item 13, Sept 2021).</p>	<p>It was resolved:</p> <p>i) that the Cambridgeshire Police Pilot Scheme to integrate community-based enforcement of speeding, anti-social and illegal parking under Section 38 of the Police and Crime Act 2017, be supported.</p> <p>ii) that the proposals from Cambridgeshire Police to target identified 'hot spots' in the District with enhanced on-street enforcement in 2021/22 be supported.</p> <p>iii) that Superintendent James Sutherland, Cambridgeshire Police (or representative), be invited to a future meeting to report on the evaluation of the pilot, when appropriate.</p> <p>iv) that the Operational Services Committee be requested to review the effectiveness of the targeting of enforcement activity in 'hot spots' by October 2022.</p> <p>v) that necessary support be provided to Cambridgeshire Police (when requested) to implement the above initiatives.</p>	Director, Operations

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				vi) that CSAS not be implemented in East Cambridgeshire (subject to a further review by end of 2022).	
11.	W84	Recommendations from Committees and Other Member Bodies	To consider and take decisions on items recommended from Committees and other Member Bodies.	<p><b>1. FINANCE &amp; ASSETS COMMITTEE – 22 July 2021</b></p> <p><u>Treasury Operations Annual Performance Review</u></p> <p>It was resolved:</p> <p>That the report on the Council's Treasury operations during 2020/21, including the prudential and treasury indicators as set out in Appendix A1 of the report, be approved.</p> <p><b>2. LICENSING COMMITTEE – 4 October 2021</b></p> <p><u>Gambling Act 2005 Statement of Licensing Principles – Three Year Review</u></p> <p>It was resolved:</p> <p>That the Gambling Act 2005 – Statement of Principles for Licensing be approved for adoption to come into effect on 31 January 2022 following a period of publication to be not less than 28 days.</p>	<p>Finance Manager</p> <p>Senior Licensing Officer</p>

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12.	W85	East Cambridgeshire Local Plan (Single Issue Review) – Second Consultation	To consider progressing the second round of consultation on the very limited update of the Local Plan and receive a progress update on broader planning policy matters.	It was resolved: That the second round of consultation on the very limited partial update of the 2015 Local Plan, as set out in Appendix 1 of the report, be approved.	Strategic Planning Manager
13.	W86	Community Infrastructure Levy Infrastructure List and Governance	To consider changes to the Community Infrastructure Levy infrastructure list and governance arrangements.	It was resolved: i) that the draft Infrastructure List, as set out in Appendix 3 of the report, be approved. ii) that the draft Governance Arrangements, as set out in Appendix 5 (revised) of the report, be approved. iii) that a contribution of £40,000 per annum, for 25 years, be made from the CIL income to the A14 Improvements project. iv) that the Deputy Monitoring Officer be authorised to make the necessary changes to the Council's Constitution.	Director Commercial  Deputy Monitoring Officer
14.	-	Combined Authority Update Report	To receive the reports from the Constituent Council representatives on the Combined Authority: Audit & Governance Committee (30/7/21 & 24/9/21) Overview & Scrutiny Committee (26/7/21, 23/8/21 & 27/9/21) Combined Authority Board (28/7/21, 25/8/21 & 29/9/21)	It was resolved: That the reports from the Constituent Council representatives on the Combined Authority, be noted.	-

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15.	W87	Action taken by the Chief Executive on the Grounds of Urgency	To note the action taken by the Chief Executive on the grounds of urgency in respect of: a) Additional Restrictions Grant – Round 6 b) Little Thetford Parish Council	It was resolved:  That the actions taken by the Chief Executive on the grounds of urgency relating to Additional Restrictions Grant Round 6 and to Little Thetford Parish Council, as detailed in the report, be noted.	-

## **1. PUBLIC QUESTION TIME**

### **i) Question from Paul Farley:**

“I have been a resident of Stretham since 1986 when I left the Army, my wife Jennifer was born in and lived in Stretham her whole life, she has a long family connection to the village, her Grandfather was the last Porter at Stretham Railway Station. My daughter Laura, her partner and three children are resident in a CLT property on Manor Farm Stretham, hence my interest in the ongoing discussions concerning the future of CLTs.

Without the development of Manor Farm Laura would have been forced to leave the village of her birth to find suitable and affordable housing. Because of the CLT she has been able to remain in Stretham and her two children of school age attend the local primary school.

Many of the friends that she grew up with have had to leave Stretham due to the shortage of suitable and available housing. CLT's provide a valuable source of affordable housing enabling young families to remain in the villages where they grew up close to families/parents. The families can then provide support such as child care etc, without the CLTs life would be much more difficult for these young people who are the future guardians of village life.

I have followed the various discussions concerning the operation and future of CLTs, whilst doing so I have become increasingly concerned at the level of public vilification and harassment that Parish Councillors and CLT Trustees are subjected too, both at meetings and via social media including unwarranted and unfounded allegations of corruption. I am sure that councillors will agree that such harassment is unacceptable in any circumstances. If you were a young person considering becoming a Parish Councillor or Trustee of a local organisation and became aware of such harassment would you still put yourself forward?

It is my understanding that East Cambs District Council has no authority or legal power to dictate to or control the actions of the CLTs named in the motion, (I note that Haddenham has not been included and I suspect that this is for political reasons), therefore council time would be better spent on matters that fall under ECDC Finance and Assets matters which it can influence.

Question:

Will those conducting the review make an assessment of the public vilification and harassment of Parish Councillors and CLT Trustees and the purpose and intent behind it?"

**Response from the Leader of Council, Cllr Anna Bailey:**

Cllr Bailey thanked Mr Farley for his question and, given the level of public discourse to date, his willingness to attend and speak. She invited the Proposer and/or Seconder of the Motion at Agenda item 8 to respond at this point or in the later debate on the item.

**Response from the Proposer, Cllr Simon Harries**

Cllr Harries stated that he would give a more detailed response in the debate on the Motion, but, in summary, his intention in proposing the review referred to in the Motion was to include all interested parties in the review and he would expect full submissions from both sides of the debate. The purpose of his proposal was to get all views out into the open in the interests of transparency and to start the process of healing within the communities in order to move forward.

**ii) Question from Graham James:**

"The following quotes are from the 2019 Lib Dem Election Manifesto:

*People are struggling to afford good homes in the right location; house prices are too high and the possibility of owning a home seems remote for many people.*

*We will protect people from becoming victims of crime by focusing on what stops re-offending.*

*Our plan means more police, properly supported by the government and focused on the community policing that prevents crime and makes people feel safe.*

*A well functioning democracy should have a high standard of public debate in which citizens are supported, educated and empowered to distinguish between facts and lies; civility in public discourse is protected.*

I am surprised that the paper on Community Land Trusts tabled by Councillors Dupré and Harries for today's meeting appears to be championing greater control and oversight by East Cambs District Council over local CLTs. Firstly, they are independent bodies set up

under statute, registered and monitored by the Financial Service Authority. Secondly, based on previous comments by Lib Dem Councillors across social media, they have decried any support role for such groups from officers and elected members.

At the last election I voted for the Lib Dems but I do not see the attributes I listed from the Lib Dem Manifesto represented in the recent behaviour in Little Thetford where I was the Chair of the Parish Council and the CLT. I resigned owing to the threats and disruptive behaviour by a small minority of residents that I and fellow Councillors and Trustees suffered. In particular four ladies in the village (one of whom is my wife) received vile and nasty, targeted hate mail that were reported to the police as hate crimes and is being investigated as malicious communications.

In my view, whilst people in public life must remain open to legitimate question and criticism, neither they nor their families should be subject to the most horrendous abuse and intimidation.

My question is why you are allowing and encouraging Lib Dem ECDC Councillors to meet and embolden through comments on social media, a small minority of local people to spur them to become Rule and law breakers that has had a significant detrimental effect on the local community?"

**Response from Cllr Simon Harries:**

Cllr Harries stated that rather than championing increased oversight through the Motion he wanted the opposite. The Motion was about the relationship between CLTs and the Council; finding out what was happening at present and improving it for the future. He believed that CLTs should be independent and not subject to interference by the District Council. He stated his firm opposition to any cases of abuse and his alarm at cliques forming within villages and old friends becoming enemies; all residents were from one community and as a District Councillor he hoped each community would find a way to come back together again. It was well known that he had spoken to residents from all four villages named in the CLT motion, and he stated that, in every case, the individuals had approached him. Prior to his election as an East Cambs District Councillor, he had been unaware of CLTs but had been introduced to them by investigating the situation in Kennett. Compared to other areas of the country, he considered that CLTs were run in a unique way in East Cambs and he had been contacted by residents in relation to Manor Farm, Kennett and Little Thetford. He believed that communities should run their own affairs, not be led by himself or anyone else, he therefore wanted to understand the Council's role and relationship with local CLTs and to be confident that the interactions were right for the future.

**iii) Question from Domingo Negrone:**

"Councillor Harries is deliberately stoking animosity, especially with this spurious motion. Councillor Harries takes the work of NIMBYs and on the instruction of NIMBYs attacks like a rabid keyboard warrior, anyone attempting to champion CLTs, he does not bother to speak to the local people living in CLT homes, the only people he wants to hear from are those with vested interests. Councillor Harries does not have the intellectual capacity to challenge the merits of CLTs, he did not challenge the merits of the Little Thetford CLT, instead he engaged in slanders, smears, and character assassinations. Councillor Harries does not believe in fact finding, he believes in not



letting the truth get in the way of a nasty tweet. Councillor Harries does not want to do real work when it is easier to inspire hate and division and keep people separated from the truth by liking slanders, sharing smears and posting hatchet jobs.

Will Cllr Harries apologise for his lies and malicious misrepresentations, to the residents of Little Thetford and to the outgoing CLT Trustees, and if not, will Cllr Dupré be ejecting him from the Liberal Democrat Group?"

**Response from Cllr Simon Harries:**

Cllr Harries stated that the questioner's allegations about him were untrue. He stated that he had questioned himself in response to recent accusations and was aware of his own faults, but he was not fomenting or inciting anything. The Motion had been drafted prior to the recent events concerning Little Thetford and was unrelated to them, although they highlighted the urgency of the need for a review in his opinion. It was clear that some villages had become painfully polarised on the issue of CLTs and he believed that it was important to ask why.

## **8. NOTICE OF MOTIONS UNDER PROCEDURE RULE 10**

### **Community Land Trusts**

This Council recognises the important role of Community Land Trusts across the world in holding land on behalf of a place-based community, while serving as a long-term steward for affordable housing and other community assets. This Council supports the principle that development should take place in partnership with local communities, and with their support.

This Council notes that the administration has made working in alliance with CLTs across the District, and setting up its own District-wide CLT, its preferred way of meeting the need for affordable housing in East Cambridgeshire.

The Council notes however that trust in CLTs among members of the general public has been damaged as a result of concerns expressed by residents in Wilburton, Stretham, Kennett and most recently Little Thetford, related to:

- Some decisions and actions taken by CLTs in their villages, in particular concerning developments widely seen as not appropriate in scale or location for the communities in question;
- Worries that parish councils are being unduly influenced by CLT trustees, shown by the vote of no confidence in Wilburton and resignation en masse of councillors in Little Thetford;
- Further concerns about profits gained by landowners as result of choices made by CLTs.

The Council acknowledges its own responsibilities as a result of its public support to all these CLTs and believes that it is necessary to review the issues that have arisen in the four villages noted above. This review should have a specific focus on the relationship between

ECDC and the CLTs in this district, to ensure that the involvement of CLTs as an integral part of council housing policy is seen as rational, safe and unambiguous, with an effective code of conduct in place. The following process for the review is proposed:

- a. Desk research, to review all relevant documents, to be provided by the CLTs in question.
- b. Written submissions, to be invited from residents in relevant villages and from landowners associated with the developments now being proposed.
- c. Interviews, to include a minimum of three trustees (or former trustees if none are in post now) from each CLT.
- d. Public meetings in each of the four villages, in which residents will be invited to provide feedback, evidence and views.

The review should be carried out by a politically proportional working group set up by the Finance & Assets Committee at their next meeting. This activity should be completed within three months of commencement and will report initially to the Finance & Assets Committee, and to Full Council directly afterwards.

In the meantime, no further CLT project-related financial commitments should be incurred by the Council or its companies until after the report, as defined in this motion, has been considered by Full Council.

Proposer: Councillor Simon Harries  
Seconder: Councillor Lorna Dupré

## **9. TO ANSWER QUESTIONS FROM MEMBERS**

### **i) Question to the Leader of Council from Cllr Mark Goldsack:**

“I am constantly asked about the legitimate position of Neighbourhood Plans and the current Local Plan in regard to possible new development applications. Could the Leader of the Council please state the current position held by East Cambs and what this means for speculative development on non-agreed sites in both the Local Plan and local Neighbourhood Plans?”

### **Response from the Leader of Council, Cllr Anna Bailey:**

“Thank you Councillor Goldsack for your question.

The Council has just published its five year land supply report which shows that we have a seven year supply of housing land. This means that we have two years excess supply of land which is great news and puts us in a really strong position for defending appeals.

This means that we can keep assessing development proposals against all policies in our Local Plan, or where there's one in place, the Neighbourhood Plans. We have three adopted Neighbourhood Plans in East Cambs: Fordham, Sutton and Witchford and there are several more at different stages of development.

Any Neighbourhood Plan that is adopted after April 2015, the date of our Local Plan, takes priority over the Local Plan if there are conflicting policies.

So I'm delighted to say that our ability to resist unwanted speculative applications on non-allocated greenfield sites is currently strong, due to our ability to demonstrate that we have a healthy five year land supply of deliverable housing sites, a matter referred to in a separate agenda item this evening."

**ii) Question to the Leader of Council from Cllr Lis Every:**

"Following the delivery of the BP roundabout upgrade, I am pleased to see that new hi-tech and prestigious companies are coming to Lancaster Way Business Park which will lead to many jobs. It's great that the Lancaster Way roundabout itself includes a cycle/pedestrian crossing to encourage active travel to and from the business park and further afield. However, we do need to see a safe cycle/pedestrian crossing of the A10 in the area of the BP roundabout in order to really encourage people out of their cars. Can the Leader please tell Council what she has been doing to encourage delivery of this vital piece of infrastructure?"

**Response from the Leader of Council, Cllr Anna Bailey:**

"Thank you for your question Cllr Every. I agree that it is incredibly exciting to see new high quality businesses and jobs coming to the Enterprise Zone at Lancaster Way Business Park. These jobs are targeted at, and very often filled, by local people, supporting the efforts of this Council to reduce out-commuting and help people to live and work locally and have a better quality of life.

The final piece of what has been a very long and incredibly complicated jigsaw in a constrained funding environment is to provide a safe crossing of the A10 in the vicinity of the BP roundabout. This is something I have lobbied for extensively for many years, and I had secured the commitment of the previous Mayor of Cambridgeshire and Peterborough to deliver it. The new Mayor has not yet made any commitment to it, but I met with him on 5th August to discuss the matter in detail and from that meeting and a subsequent message from his Strategic Advisor I believe he has every intention of delivering a solution as early as possible.

During our meeting I told the Mayor about the underpass further up the A10 that was built as part of the Ely Leisure Village and how successful it had been. The District Council is therefore working with the developer of the underpass to provide information to the Mayor about it to try to help.

As a member of the Combined Authority Board I raise this issue at every relevant opportunity and more, and I will continue to do so."

**iii) Question to the Chairman of Operational Services from Cllr Mark Inskip:**

“At the full Council meeting on 23 February, I asked a question to the Chair of Operational Services Committee about the recent email outage, raising my concerns that further actions were needed to guarantee that the council’s email system was sufficiently resilient to future outages. In his response he dismissed my concerns in a politicised answer.

At the full Council meeting on 15 July, I again asked a question to the Chair of Operational Services Committee about email outages following a further incident earlier in July which left email services unavailable for the best part of a day and a half along with several more days to recover emails. I repeated my call for a much more thorough review to learn lessons and avoid further incidents. He again dismissed my call, stating that he was satisfied with the explanation provided to him and the action taken. Less than a fortnight later, another major email outage occurred, this time taking several weeks for all Outlook data to be restored, and with some emails sent to Council email addresses never arriving.

Does he now acknowledge that a prompt and thorough review much earlier in the year could have avoided the major disruption caused to staff and members of the public by subsequent email outages?

Is the subsequent review detailed in the email sent on his behalf on 24 August 2021 now complete?

When will the findings be shared with all Members of the Council?”

**Response from the Chairman of the Operational Services Committee, Cllr David Ambrose Smith:**

“I would like to thank Councillor Inskip for his questions.

On the first point: No I don’t. Decisions were made from information available at the time.

In my email I informed Members that there would be an internal review which would focus on the following four areas:

First – Why the exchange database failed. This element of the review is in progress. The IT team is working with Microsoft and, so far, no obvious point of failure has been identified.

Second – Failings with the back-up provider. This element of the review is in progress.

Third – Reviewing our support contract. This element of the review is about to commence.

Fourth – What can we do to mitigate future downtime. This element of the review is underway but will not conclude until the completion of the Office 365 migration.

The migration to Office 365 is underway and the IT team is currently working on migrating the staff mailboxes. The migration needs to complete before all of the points in the internal review can be addressed.

I will ask the Director Operations to share the outcome of the internal review with all Members once it is complete.”

**iv) Question to the Leader of Council from Cllr Simon Harries:**

“At the full Council meeting held on 23 February 2021, the Council resolved to request further investigation of the implications and benefits of the Fens Biosphere designation for East Cambridgeshire, and instructs the Chief Executive to write to Cambridgeshire ACRE to seek further information.

Can the Leader of the Council update the Members on the progress of those investigations over the last 8 months, including a summary of each of the meetings the Chief Executive has held to progress the investigation and when he plans to report back to Members?”

**Response from the Leader of Council, Cllr Anna Bailey:**

“Thank you for your question.

After the approval of the motion the Chief Executive wrote to Cambridgeshire Acre to inform them of the decision to explore the potential designation in more detail and advised that the Director Commercial would be the lead officer.

Subsequent to this the Director Commercial has met with Cambridgeshire Acre on three occasions, one of the meetings included the Chair and Vice-Chair of the Fens Biosphere steering group.

The meetings focused on getting a better understanding of the background as to how the Fens Biosphere came to being and what work could be done by the Steering Group, working with the Council to explore the implications.

In addition, with the assistance of Cambridgeshire Acre, the Director Commercial and the Strategic Planning Manager met with North Devonshire Councils as they already have a designation. The meeting focused on the interplay between the designation and planning policy and it was noted that the Biosphere there was driven by the District Councils collectively.

In the late summer there was a change in personnel at Cambridgeshire Acre and the Fens Biosphere Steering Group took the decision to employ a consultant to assess the project. The Director Commercial met with the consultant, only this Tuesday, to better understand the direction of travel for the future of the potential Biosphere Designation. The consultant is currently meeting with all of the local authorities to understand the status quo and will meet with the Director Commercial again at the end of November to provide an update on progress.”