

Date of Publication of Decision List: 25 February 2022

FOR INFORMATION ONLY – THESE DECISIONS ARE NOT SUBJECT TO CALL-IN



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

COUNCIL – 22 FEBRUARY 2022 – DECISION LIST

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
1.	-	Public Question Time	To answer questions from members of the public.	Two questions from members of the public were received, and answers given, as detailed at the end of the Decision List.	-
2.	-	Apologies for Absence	To receive apologies for absence from Members	Apologies had been received from Cllr David Brown.	-
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.	None.	-
4.	-	Minutes – 21 October 2021	To receive the Minutes of the last Council meeting.	It was resolved: That the Minutes of the Council meeting held on 21 October 2021 be confirmed as a correct record and be signed by the Chairman.	Democratic Services Manager
5.	-	Chairman's Announcements	Announcement of items of interest.	The Chairman noted the excellent work of the Viva Theatre Group whose new theatre had recently opened in Soham, and informed Members that he had represented the Council at the Remembrance Day Service in Ely and at a service in Ely Cathedral on 6 February to mark the 70 th anniversary of Her Majesty The Queen's accession to the throne.	-

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
6.	-	To Receive Petitions	To receive public petitions.	None.	-
7.	-	Notice of Motions Under Procedure Rule 10	The following motion was received and considered: a) <u>Adherence to COVID-19 Public Health Regulations and Guidance</u> (text of Motion, as amended, at end of Decision List)	Motion, as amended, carried.	-
8.	-	To answer Questions from Members	To receive questions from Members of Council.	Three questions from Members were received, and responses, given as detailed at the end of the Decision List.	-
9.	W141	Pay Policy Statement 2022/23	To receive the Council's Pay Policy Statement 2022-23, as required under the Localism Act 2011.	It was resolved: That the 2022-23 Pay Policy Statement be approved and adopted.	HR Manager
10.	W142	Schedule of Items Recommended from Committees and Other Member Bodies	To consider and take decisions on items recommended from Committees and other Member Bodies.	1. AUDIT COMMITTEE – 22 Nov 2021 (a) <u>PSAA – Appointment of External Audit</u> It was resolved: That the Council opt-in to the appointing persons arrangements made by Public Sector Audit Appointments (PSAA) for the appointment of external audit.	Finance Manager & S151 Officer

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
				<ul style="list-style-type: none"> • Increasing the tolerance for Universal Credit data re-assessments from £65 per month to £100 per month. <p>(b) <u>2022/23 Annual Treasury Management Strategy, Minimum Revenue Provision (MRP) Policy Statement and Annual Investment Strategy (AIS)</u></p> <p>It was resolved:</p> <p>That approval be given to:</p> <ul style="list-style-type: none"> • The 2022/23 Treasury Management Strategy • The Annual Investment Strategy • The Minimum Revenue Provision Policy Statement • The Prudential and Treasury Indicators. 	Finance Manager & S151 Officer
11.	W143	Revenue Budget, Capital Strategy and Council Tax 2022/23	To consider the Council's proposed revenue budget, capital strategy, and proposed level of Council Tax in 2022/23.	<p>It was resolved:</p> <p>That approval be given to:</p> <ul style="list-style-type: none"> • The formal Council Tax Resolution which calculated the Council Tax requirement as set out in revised Appendix 1 of the report; • The draft revenue budget for 2022/23 and MTFS for 2023/24 to 2025/26 as set out in revised Appendix 2(a) and 2(b) of the report; • A Council Tax freeze in 2022/23; 	Finance Manager & S151 Officer

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
				<ul style="list-style-type: none"> • The Statement of Reserves as set out in revised Appendix 3 of the report; • The 2022/23 Fees and Charges as set out in Appendix 4 of the report; • The Capital Strategy and financing as set out in Appendix 5 of the report; • The Business Rate reliefs as detailed in Section 6.7 of the report. <p>It was further resolved:</p> <p>That the Chief Executive be instructed to bring forward proposals to the Finance & Assets Committee for the establishment of a £2m Growth & Infrastructure Fund to be funded from the Cambridgeshire Horizons reserve account.</p>	Chief Executive
12.	W144	Amendments to the Constitution	To review the Constitution and consider proposed amendments.	<p>It was resolved:</p> <p>That approval be given to the following proposed amendments to the Constitution:</p> <ul style="list-style-type: none"> • The 7-day period for Agenda despatch/publication for Council, the two Policy Committees and Audit Committee, as detailed in section 3.2 of the report, be noted, and the Access to Information Procedure Rules be amended accordingly as set out in Appendix 1 of the report; • Council Procedure Rules 6 and 10.1 be amended to reflect the move to 7 clear working days for the despatch/publication 	Legal Services Manager, Democratic Services Manager

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
				<p>of the full Council Agenda as detailed in section 3.3 of the report;</p> <ul style="list-style-type: none"> • Council Procedure Rule 8.1.2 be amended to designate the Monitoring Officer (Deputy Monitoring Officer in absence) as the responsible officer in relation to Public Question Time as detailed in section 3.4 of the report; • Council Procedure Rule 8.1.4 (Questions from the Public) be amended to include all Members to which a public question can be put, as follows. <p><u>8.1.4 (revised)</u></p> <p><i>The question is to any Member of the Council. They may give a verbal answer or undertake to provide a written answer to the question as soon as possible (such reply to be circulated to all Members) or they may decline to answer (for example, on the grounds that the information requested is confidential);</i></p> <ul style="list-style-type: none"> • Council Procedure Rule 24.1.3 for calling of Special Meetings be amended in accordance with Option 1 of Appendix 2 of the report [Section 24.1.3 page 4(15)] • Officer delegations be amended as detailed in section 3.8 and Appendix 1 of the report. • Council Procedure Rule 13.1 (Questions from Members) be amended to enable a 	

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
				<p>Member to ask any question to any Member, as follows.</p> <p><u>13.1 (revised)</u></p> <p><i>A Member of the Council may ask any Member of Council a question either:</i></p> <p><u>13.1.1</u> <i>by giving the question in writing to the Chief Executive not less than 24 hours before the Council meeting; or</i></p> <p><u>13.1.2</u> <i>with the prior permission of the Chairman of the meeting itself on a matter of urgency which could not reasonably have met the rule under 13.1.1 (in this case Members should ensure that copies of the question are available for distribution at the meeting).</i></p> <p><i>Provided always that such questions may be rejected by the Chief Executive or Chairman, if they are matters for which the authority has no responsibility or which does not affect the District; is substantially the same as the question which has been put to the Council in the last 12 months; or requires the disclosure of confidential or exempt information.</i></p> <p><u>13.2 (Deleted)</u></p> <p>It was further resolved:</p> <p>That the Legal Services Manager and the Democratic Services Manager be authorised to make any consequential changes to the</p>	

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
				Constitution arising from the agreed amendments.	
13.	-	Cambridgeshire and Peterborough Combined Authority Update Reports (Oct-Dec 2021)	To receive the reports from the Constituent Council representatives on the Combined Authority: Audit & Governance Committee (17/12/21) Overview & Scrutiny Committee (25/10/21, 22/11/21, 13/12/21) Combined Authority Board (27/10/21, 24/11/21)	It was resolved: That the reports from the Constituent Council representatives on the Combined Authority be noted.	-
14.	W145	Actions taken by the Chief Executive on the Grounds of Urgency	To note the actions taken by the Chief Executive on the grounds of urgency: a) Additional Restrictions Grant Round 8 b) COVID-19 Additional Relief Fund	It was resolved: That the actions taken by the Chief Executive on the grounds of urgency relating to Additional Restrictions Grants and the COVID-19 Additional Relief Fund, as detailed in the report, be noted.	-

1. PUBLIC QUESTION TIME

a) Question from East Cambridgeshire Climate Action Network's Co-Chair, Jethro Gould:

"In light of the council's stated recognition of the climate emergency and financial risk posed by stranded assets associated with oil, coal and gas, will East Cambridgeshire District Council follow Cambridge City Council in publicly stating their support for divesting the Cambridgeshire local authority pension fund from fossil fuels instead of the current passive approach to slowly de-carbonising the fund? And if not, why not?"

Response from the Leader of Council, Councillor Anna Bailey:

“Thank you for your question.

The Cambridgeshire Pensions Fund is managed by Cambridgeshire County Council which received similar questions at its meeting in December 2021. At that meeting, which was chaired by County Cllr Alison Whelan who also sits on this authority, the Pensions Committee also considered a revised Responsible Investment (RI) Policy that was the culmination of over a year of deliberation and has been subject to consultation with each scheme employer in the Fund and tens of thousands of scheme members. I am told that the Committee’s approach, which is one of engagement over blanket divestment of any sector or region, is entirely consistent with the Paris Agreement.

This is a complex area and is not one that elected members or officers at this authority are involved in or have experience of. It is for the County Council to manage the fund and oversee its investment decisions.”

b) Question from Ely resident, Peter Bates:

“Decarbonisation of transport is a critical aspect of mitigating climate change. This involves actively encouraging car owners to change to 100% powered electric vehicles. A critical aspect of encouraging this change is for ECDC to proactively promote reliable public and privately-owned electric vehicle charging points across the District. However, according to UK Government statistics of January 2022 there are only 20 EV charging points per 100,000 of the population in East Cambridgeshire which is below the average for the whole of the East of England which is 29 per 100,000 of the population.

It is also noted that currently, in the District two charging points at a co-op in Sutton don’t appear to have been working properly since May 2021 and a Petrol Station north of Soham appears to have six EV charging points that have not been working since December 2020 when it opened. Both are managed by a major National company that it is understood that ECDC plans to enter into a partnership with for the installation of EV Charging points in Ely Car parks. In addition, One Supermarket in Ely only has a slow EV charging point and another in Ely has recently had installed four free fast EV charging points and one Rapid EV charging point. But this has not been working for over two weeks.

How is the Council going to proactively encourage and ensure the widespread installation of accessible and well positioned rapid (>50kw) and fast (7kw) EV Charging points across the District working with companies that will provide reliable EV Charging points with good customer service? How will the tender process for council managed charging points be undertaken? And when will these be delivered?”

Response from the Leader of Council, Councillor Anna Bailey:

“Thank you for your question.

The East Cambridgeshire Environment Plan 2021-22 includes a commitment to progress the delivery of Electric Vehicle Charging Points (EVCPs) across the district, through the direct delivery of new EVCPs in at least one of our public car parks during 2021/22, and through working with the Combined Authority on a county-wide strategy to support the mainstream roll out of EVCPs.

The Planning Team encourage developers to include EV charging points in their applications, the Fordham Neighbourhood Plan includes a policy that requires provision.

In December 2021, the Building Regulations were updated with a new Part S being added which addresses infrastructure for charging electric vehicles. These regulations will come into effect in June 2022 and will require the provision of charging points in both residential and non-residential new developments. This should help drive increased levels of private and public charge points, without intervention from councils.

The Council is working with the CPCA and New Anglia LEP to produce an Alternative Fuel Strategy and Action Plan for East Anglia, considering both Electric and Hydrogen fuel cell electric vehicles. The key objectives of the Alternative Fuels Strategy and Accompanying action plan are to provide:

- An understanding of the current policy and funding landscape for alternative fuels at local and national level
- An evidence base of likely alternative fuel uptake and best practice policy for supporting this uptake
- A costed and deliverable programme of measures to address barriers to uptake, which reflects the specific challenges and opportunities of the region

Where it is proposed that charging points are installed on Council-owned land, the intention is to grant a licence for an operator to install, own, operate and maintain the Charging Point at the Premises in accordance with a licence agreement.

ECDC will ensure that any licence includes clear and robust service level standards, including customer service measures. Work is already progressing to deliver Electric Vehicle Charging Points in a number of the Council's car parks in Ely. The Council is working with the operator to complete the necessary licences that will include the customer service and operational standards that we are seeking."

7. NOTICE OF MOTIONS UNDER PROCEDURE RULE 10

a) Adherence to COVID-19 Public Health Regulations and Guidance (As amended)

Council thanks East Cambridgeshire residents for their efforts in respecting and abiding by COVID-19 rules since March 2020, particularly during periods of lockdown, and notes the excellent community spirit demonstrated by volunteers helping those most in need.

Cambridgeshire recorded one of the lowest rates for the number of fixed penalty notices (FPNs) issued for breaking COVID-19 rules in England with a rate of 111 FPNs issued per 100,000 people between 27 March 2020 and 19 December 2021.

Council believes that all of those in public office, particularly during a public health pandemic, have a responsibility to provide leadership in both the promotion and demonstration of adherence to the law and to guidance from health professionals, and thanks all those in public office and leadership positions that worked hard to lead by example.

Council affirms its commitment to continue to demonstrate leadership in adherence to the law and to guidance from health professionals, as well as to promoting that approach to the residents of East Cambridgeshire.

Council also notes the work being done both nationally and locally to support businesses and communities as COVID-19 restrictions are lifted and we move to a focus on recovery from the pandemic.

8. TO ANSWER QUESTIONS FROM MEMBERS

i) Question from Councillor Lorna Dupré:

“Of the Additional Restrictions Grant Round 8 funding:

- What was the total amount available to be allocated?
- How many applications were successful and how much money was allocated to them?
- How many applications were unsuccessful, and what was the total amount of the unsuccessful claims?
- How many unsuccessful applications were turned down because they failed to meet the criteria, and what was the total value of these applications?
- How many unsuccessful applications were turned down because they met the criteria but the money had run out, and what was the total value of these applications?
- How many hair salons occupying business premises with fixed costs applied in this round, how many of those were successful, what was the total value of the successful applications, and what was the total value of the unsuccessful applications?”

Response from the Leader of Council, Councillor Anna Bailey:

“The ARG Round 8 closed on Friday 11 February 2022.

The total amount to be allocated is £171,696.12.

The applications are still being assessed. At the time of closing the Council received 58 online applications.

A briefing note, answering all of the questions that have been posed will be circulated to Members once the grant applications have been determined.”

ii) Question from Councillor Mark Inskip:

“What has this Council identified as the short- and medium-term risks arising from the loss of the Persimmon appeal at Soham, and what action is it proposing to take to mitigate these?”

Response from the Leader of Council, Councillor Anna Bailey:

“I am sure Members will appreciate that this matter is complex and one that requires careful consideration.

Officers are currently assessing current pending planning applications and the applications that are already going through the appeal process to assess what impact, if any, this recent decision has on those applications.

The Director Commercial will provide a full briefing note which will include any identified risks for all Members as soon as practicable following the review that is being undertaken.”

iii) Question from Councillor Simon Harries:

“How is the Council managing the conflicts of interest of its Director Commercial being seconded to the East Cambs Trading Company?”

Response from the Leader of Council, Councillor Anna Bailey:

“The Chief Executive will present a report to Council on 21 April 2022 to request the appointment of a new replacement Board Director for East Cambs Trading Company.”