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EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

COUNCIL – 23 FEBRUARY 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.	A statement had been received from Wilburton resident Steve Griffiths in connection with Agenda Item 7a Motion – A1123 (and A1421) Re-Classification and was read aloud on his behalf. Members were asked to take this into consideration as part of the debate on Agenda Item 7a. (Statement detailed at end of Decision List.)	-
2.	-	Apologies for Absence	To receive apologies for absence from Members	Apologies had been received from Councillor Charlotte Cane. She later joined the meeting at 9:04pm for Agenda Item 10 onwards.	-
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.	A Declaration of Interest was made by Cllr Amy Starkey as follows: Agenda Item 9: Recommendations from Committees and other Member Bodies - Cllr Starkey stated that she would leave the meeting for this item only.	-
4.	-	Minutes – 22 October 2020	To receive the Minutes of the last Council meeting.	It was resolved:	

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
				That the Minutes of the Council meeting held on 22 October 2020 be confirmed as a correct record and be signed by the Chairman.	Democratic Services Manager
5.	-	Chairman's Announcements	Announcement of items of interest.	<p>The Chairman announced the impending retirement of Dr Liz Robin, Cambridgeshire and Peterborough Director of Health.</p> <p>On behalf of the Members and Officers of the Council, the Chairman thanked Dr Robin for all her pandemic-related work and wished her well for her forthcoming retirement.</p>	-
6.	-	To Receive Petitions	To receive public petitions.	No public petitions had been received.	-
7.	-	Notice of Motions Under Procedure Rule 10	<p>The following motions were received and considered:</p> <p>a) <u>A1123 (and A1421) Re-Classification</u> (text of Motion at end of Decision List)</p> <p>b) <u>Brexit</u> (text of Motion at end of Decision List)</p> <p>c) <u>In support of the Fens Biosphere</u></p>	<p>Motion carried.</p> <p>Motion lost.</p> <p>Motion, as amended, carried.</p>	<p>Infrastructure & Strategy Manager</p> <p>Chief Executive</p>

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
			(text of Motion as amended at end of Decision List)		
8.	-	To answer Questions from Members	To receive questions from Members of Council.	Six Questions from Members were received and responses given as detailed at the end of the Decision List.	-
9.	V131	Recommendations from Committees and Other Member Bodies	To consider and take decisions on items recommended from Committees and other Member Bodies.	<p data-bbox="1272 571 1899 675">1. FINANCE AND ASSETS COMMITTEE – 26 NOVEMBER 2020</p> <p data-bbox="1350 722 1899 866">(a) <u>Local Council Tax Reduction Scheme & Discretionary Business Rate Reliefs Policy Reviews 2021/22</u></p> <p data-bbox="1350 914 1585 938">It was resolved:</p> <p data-bbox="1350 978 1899 1193">(i) That the LCTRS 8.5% benefit scheme, i.e. the maximum benefit to working age claimants is 91.5%, be retained for 2021/22 financial year.</p> <p data-bbox="1350 1201 1899 1345">(ii) That the Council's policies with regard to Discretionary Business Rate Reliefs remain unchanged for 2021/22.</p> <p data-bbox="1350 1385 1899 1455">(b) <u>Treasury Operations Mid-Year Review</u></p>	Finance Manager & S151 Officer

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
				Chairman of the Finance & Assets Committee, to approve any Business Rate reliefs or other changes to Business Rates announced by Government in the national Budget on the 3 rd March 2021, as detailed in paragraph 6.7 of the report.	S151 Officer / Chairman of Finance & Assets Committee
11.	V133	Amendment to the Community Infrastructure Levy Infrastructure List	To consider the inclusion of a new infrastructure project onto the Council's Community Infrastructure Levy (CIL) Infrastructure List.	It was resolved: That the draft CIL Infrastructure List, as set out in Appendix 1 of the report, be approved, with the inclusion of the Gardiner Memorial Hall, Burwell project.	Infrastructure & Strategy Manager
12.	V134	Committee Restructuring	To consider the proposed restructuring of the Council and its Committees.	It was resolved: <ul style="list-style-type: none"> • That the revisions to the terms of reference as summarised in paragraph 4.2 and detailed in Appendix 1 of the report be approved to take effect from the Annual Council meeting; • That the Monitoring Officer be authorised to make the necessary and consequential amendments to the Constitution to implement the Council's resolution; • That the Democratic Services Manager be authorised to consult with the existing Independent Remuneration Panel (IRP) to 	Democratic Services Manager Monitoring Officer Democratic Services Manager

Agenda Item No.	Report Ref.	Item	Issue	Decision	Action by
				<p>consider the implications of the new Audit Committee;</p> <ul style="list-style-type: none"> That the memberships of the Finance & Assets Committee, Operational Services Committee, and Licensing Committee each be increased to 11 Members. 	Director Commercial / Director Operations
13.	V135	Pay Policy Statement 2021/22	To consider the Council's Pay Policy Statement for 2021/22 in accordance with the requirements of the Localism Act 2011.	<p>It was resolved:</p> <p>That the 2021/22 Pay Policy Statement set out in Appendix 1 of the report be approved and adopted, subject to the deletion of paragraphs 10.4 and 10.5 to reflect the changed legislative position.</p>	HR Manager
14.	-	Cambridgeshire and Peterborough Combined Authority Update Reports: October & November 2020, and December 2020 & January 2021	To receive reports on the activities of the Combined Authority from the Council's appointees.	<p>It was resolved:</p> <p>That the reports on the activities of the Combined Authority from the Council's appointees be noted.</p>	-
15.	V136	Action taken by the Chief Executive on the Grounds of Urgency – Additional Restrictions Grants	To note the action taken by the Chief Executive on the grounds of urgency.	<p>It was resolved:</p> <p>That the actions taken by the Chief Executive on the grounds of urgency relating to Covid-19 Additional Restrictions Grants detailed in the report be noted.</p>	-

1. PUBLIC QUESTION TIME

The following statement was received from Steve Griffiths and read out at the meeting on his behalf:

"Regarding Agenda item 7(a) A1123 (and A1421) Re-Classification:

Whilst I would support a genuine, evidence based, approach to reducing traffic on the A1123, the motion put forward to the Council contains no factual basis upon which the statements made can be shown to warrant consideration.

I am astonished that the County Council have made a decision without considering the impact on the wider network. Surely Councillors do not think that the traffic will simply disappear because of a re-classification?

I am also concerned that the motion has been allowed to be put in place with the wording of "expresses its disappointment that this was not supported by all County Members representing East Cambridgeshire Divisions". In a democratic country, those members should be allowed to vote as they wish – particular given the lack of any evidence put to the County Council. This wording should be struck from the motion as being undemocratic.

The Councillors should be aware of the following document:

<https://www.cambridgeshire.gov.uk/asset-library/Heavy-Goods-Vehicle-Diamond-Area-ReportNovember-2020.pdf>

The conclusion is comprehensive, demonstrating that traffic does not travel the length of the A1123 (as would be expected as an "A14 bypass"), and including:

"To conclude the HGV 'diamond' area analysis there are several key points to note. Over the data collection period, 4,325 HGV's were captured by the cameras, with a daily average of 875 HGV trips per day. Out of the 4,325 HGV's trips the analysis showed that only 7% (311) were considered through trips. **The remaining 93% (4,014) are local trips** which have interacted with sites / locations within the 'diamond' area. **It is therefore considered that implementing measures to reduce levels of through trips would not have a significant impact on the number of HGV's within the 'diamond' area.**"

(My emphasis)

This would appear to contradict the three points of the motion. The sheer quantity of traffic using the B1049 in peak times demonstrates the notion of B-road classification simply does not reduce traffic levels – yet not formal traffic data is presented to support the motion.

I also note that the HGV Diamond Report states "the committee with appoint a county wide working group to develop a revised policy for HGV management". The revised policy has yet to be published, and therefore this motion appears to be "jumping the gun". As Cllr Hunt is

a Councillor on the Member Steering Group, surely he would want to see the outcome of the working party to make sure he is doing right for his ward members based on fact?

Would the reclassification result in a road with a lower maintenance requirement, yet the same level of traffic? This could be pot-hole hell, the consequences of which could be significant to both roads users and the Councils.”

7. NOTICE OF MOTIONS UNDER PROCEDURE RULE 10

a) A1123 (and A1421) Re-Classification

This Council unequivocally supports Cambridgeshire County Council in its commitment and ambition to reclassify the A1123 (and A1421) from an “A” to “B” road.

Furthermore, the Council commends the motion proposed by Councillor Bill Hunt and agreed by the County Council on 15 December 2020 but expresses its disappointment that this was not supported by all County Members representing East Cambridgeshire Divisions.

The reclassification of the A1123 (A1421) provides a number of key advantages and opportunities for the East Cambs villages of Haddenham, Stretham, Wicken and Wilburton, specifically:

- following the improvements to the A14, to improve the quality of life for many 1000’s of our residents;
- improve air quality and congestion consistent with the Council’s Climate Change Strategy;
- reduce the incidence of pedestrian and cycle injury, damage to vehicles and houses caused by the use of A1123 as a strategic route (or locally known as the “A14 bypass”) by vehicles especially HGVs.

The Council requests the Leader of the Council and Chief Executive to forward this motion to the Executive Director for Place and Economy and pledges our support to this important initiative.

b) Brexit

The council notes, through recent Government statistics and ongoing reports from UK businesses, that new trading conditions following Brexit have made the business models of many existing small to medium sized enterprises (SMEs) either much more difficult, impairing their ability to invest in the UK, or in some cases no longer viable.

The Council further notes that:

East Cambridgeshire depends for employment, service provision, business rates and the buying power of its population on such enterprises.

Both the Council's future strategic growth plans (including market town masterplans) and medium to long-term financial plans require a vibrant SME sector.

Any major downturn in projected growth for businesses in this sector risks undermining some of the assumptions on which financial planning and budgeting are based.

The Council therefore mandates the Section 151 Officer to examine those underlying assumptions that have been made concerning economic conditions, business recovery and Council income streams, that are relevant to medium and long-term financial planning.

All those assumptions related to current and proposed future Council financial plans are to be compared with the emerging realities of Brexit-related impacts to local businesses, investment prospects and wider public finances. Assumptions that no longer apply as expected, together with other financial gaps, are to be identified.

The Section 151 Officer will report to the F&A Committee at its projected May meeting with notification of:

Changes to risk profiles for council activities, loans, investments and income projections.

Changes to the risk profile of Trading Company activities.

Assessments on possible changes needed to Council financial strategy as a result of these developments.

This information is required to ensure that disruption caused by changes to economic activity in the SME sector does not expose the Council's finances to further risk.

c) In support of the Fens Biosphere

This Council is proud to be a partner in Natural Cambridgeshire, the Local Nature Partnership for Cambridgeshire and Peterborough which launched its Doubling Nature vision last year. Achieving the vision depends on collaborative partnerships and the sharing of the vision with a wide range of stakeholders, including various agencies, organisations, communities, landowners, farmers and developers.

Biosphere Reserve status is awarded by UNESCO to unique and valuable landscapes. The stated aims of biospheres are to connect people, economies, and nature to secure a future where all can thrive, meeting the needs of current and future residents and working towards providing secure and happy futures for all. Further, that biospheres aim to improve the natural environment, using new ideas, science, and technology to explore new ways of living every day in ways that solve global challenges.

East Cambridgeshire lies wholly within the proposed Fens Biosphere geography, and includes the proposed Biosphere Core Zones of the Ouse Washes, Wicken Fen, and Chippenham Fen, all of which already enjoy protected status.

The proposed Fens Biosphere was awarded Candidate Status by UK Man and the Biosphere (UK MAB) on behalf of UNESCO in November 2019, which is the first stage in achieving Biosphere Reserve designation by UNESCO. The UK currently includes seven areas that have achieved designation. Eight former Biosphere sites in the UK have withdrawn from the World Network of Biosphere Reserves. If the Fens Biosphere were to achieve designation it would be one of 714 designated Biospheres in the world, located across 129 countries, and would be the only lowland Biosphere in the UK, and the East of England.

In order to gain UNESCO Biosphere designation, the Biosphere initiative must demonstrate the widest level of local support, including that of local authorities. Although several local authorities within the candidate area have voiced support, in order to achieve designation, it is a requirement that this support is demonstrated through formal endorsement. For the Fens Biosphere project, a date of June 2022 has been given by which that endorsement must be demonstrated.

The Council discharges its statutory duty to control and determine development in the district through adherence to national legislation and local planning policy, currently the National Planning Policy Framework and the East Cambridgeshire Local Plan 2015.

This Council:

- notes the efforts of those involved to date in achieving Candidate Status
- recognises the potential value of the Fens Biosphere, but
- believes the implications of Biosphere Reserve status are not yet clear

Further, this Council notes:

- the Government's recently closed White Paper consultation "Planning for the Future" which sets out plans for fundamental reform of England's planning system, the outcome of which is, as yet, unknown
- that there has been no consultation on the Fens Biosphere with Parish, Town and City Councils, communities and residents to date

This Council therefore:

- requests further investigation of the implications and benefits of designation for East Cambridgeshire, and
- instructs the Chief Executive to write to Cambridgeshire Acre to seek further information

8. TO ANSWER QUESTIONS FROM MEMBERS

i) Question to the Leader of the Council from Councillor Alan Sharp:

“The Council’s most recent 5 year land supply report, published in December 2020 shows that the Council has not only retained its 5 year housing land supply, but that with effect from 1st January 2021 it can in fact demonstrate 6.14 years supply of land. Does the Leader agree with me that this is good news for residents?”

Whilst noting that the Council has no powers or levers to force developers to build out the units that they have been granted planning permission for, does the Leader also agree with me, that the fact that the Council has also passed the Housing Delivery Test with a score of 87% against a pass rate of 75% is very good news for residents and communities in helping to ensure development is controlled, and the development envelopes are respected?

Further, does she agree with me that the recent successes of the Council in defending the multitude of planning appeals and judicial reviews from developers on sites in Witchford is a sign of a well-run, competent planning department that has a full complement of staff and provides a first class service for residents?”

Response from Leader of the Council, Councillor Anna Bailey:

“I have the pleasure of informing Council today that actually, as a result of the successful Housing Delivery Test outcome, we are now able to demonstrate just over 7 years housing land supply in East Cambs. The fact that the Council can demonstrate this level of supply of land for housing is indeed very good news for our communities and residents. This means that the development envelopes, the lines drawn round our villages and settlements, outside of which development is not normally able to take place are respected.

The fact that we have also passed the housing delivery test which is necessary to keeping that land supply figure intact is also to be celebrated. Together, these two achievements put us in the strongest possible position to resist speculative development and we have recently seen a number of inappropriate applications outside the line successfully refused.

As well as respecting the development envelopes, having a 7+ year supply of housing land in place also means that our community led development policy is working at its most effective. It is this policy that has brought forward the successful Community Land Trust settlements that can now be seen across our district - in Swaffham Prior, Stretham, Soham, Haddenham and two CLT homes in Ely, with more CLT sites on the way. Congratulations to the new tenants of the first two CLT properties at Haddenham who moved into their new homes last month, built by East Cambs Trading Company – my enormous thanks and gratitude also to the Haddenham CLT Trustees – they have worked incredibly hard, in short order, and in the middle of a global pandemic to get to this point. Their efforts are paying off and their community, as well as having truly affordable housing reserved for Haddenham people, will also have an income in perpetuity. And all this at nil cost to tax payers with the exception of a modest £5k grant to get them started.

No community understands better the need to be able to refuse unwanted and inappropriate applications than Witchford. And I am grateful to the hard work and expertise of the Council’s Planning Team and Senior Management in successfully defending no less than four legal planning battles in Witchford in the last year. We have shown that we are willing and capable of standing up to these challenges from developers in defence of our communities. It also shows that we support those communities that have gone the extra

mile to shape development in their area by doing the hard graft of getting a Neighbourhood Plan in place and that we will fight to protect those plans alongside our own Local Plan.

I have to say that this is in very stark contrast to Liberal Democrat controlled South Cambs District Council's planning service which has been having very serious and costly procedural and Governance issues. At the last two meetings of the Planning Committee alone, 5 of the 6 agenda items placed before Committee are now facing judicial review; the Council has had to refer itself to the High Court; and an independent audit of its planning performance has been commissioned. I am sorry for staff and residents in South Cambs - they deserve better and I thank our excellent Head of Planning and her full complement of staff for the professional and efficient service that together, they run."

ii) Question to the Leader of the Council from Councillor Bill Hunt:

"Does the Leader join with me in welcoming the decision of the Finance and Assets Committee to work with the Chief Constable to implement Section 38 of the Police and Crime Act to carry out enforcement of on street car parking regulations?"

And secondly, what is the Leader's ambition for the introduction of CSAS in the District and would she commit to referring any decision on this to Full Council and to giving all Members an opportunity to discuss the issue beforehand?"

Response from Leader of the Council, Councillor Anna Bailey:

"Taking your questions in reverse order CSAS can be effective on a number of fronts and I am particularly interested in the training that underpins CSAS.

Nevertheless, we do not have any plans for introducing CSAS at this time. When and if we do consider this, we will do it on a case by case basis, considering each CSAS power on individual merit.

And yes, of course, the ultimate decision would lie with this Council and after an all Member Seminar.

Following the successful Conservative motion to find a way to enforce on street car parking regulations I very much welcome the decision of Finance & Assets Committee to pursue the implementation of S38.

It is disappointing that the Liberal Democrat Group failed to support it at Committee. I note that since the Committee meeting, the Liberal Democrat Leader is promoting the use of Civil Parking Enforcement, CPE, instead, including advocating spending large sums of tax payer's money in order to do so. Cllr Dupre cites another local authority that is proposing to spend £400k of tax payer's money to implement CPE as the way forward, but there was no amendment forthcoming from the Liberal Democrat Group at the F&A Committee proposing this and I note there is no mention of it in their budget amendment this evening.

I have said it before and I will say it again, if we can make it work S38 is a significantly less bureaucratic and less expensive way of dealing with this issue than the CPE route and it is right to pursue it. Whilst the vast majority of other local authorities use CPE it is no coincidence that those authorities also charge for car parking in their off street car parks which we will not do. S38 is potentially much simpler, quicker and cheaper to implement and will give us greater ability to flex resources as required to run an effective system of compliance.

Dangerous and inconsiderate on street parking has for too long blighted our towns and villages and, under this Conservative administration, the Council, as usual, has sought a creative solution rather than blindly copying what other Councils do. It has my full support and I will be looking to see significant progress as soon as possible.”

iii) Question from Councillor Christine Whelan:

“The Council have recently revised their equality, diversity and inclusivity policy, in light of this what has the Council done to promote LGBT History month which is happening this month as it does every February?”

Response from Chairman of Finance & Assets Committee, Councillor David Brown:

“The Council hasn’t promoted LGBT History month. In the future if Members have ideas for communication activity that the Council should be undertaking then please could these items be submitted to the Communications team for consideration.”

iv) Question to Chairman of Operational Services Committee from Councillor Mark Inskip:

“Has the Chairman of the Operational Services Committee requested and received a full report on the recent email outage which left the Council without email services for nearly three days? Does this report include an analysis of the root cause of the incident, future preventative and/or mitigation actions and other lessons learned? Does the report include a review of the Disaster Recovery plan as a consequence of the lengthy outage? Does the report include an analysis of the effect of this incident on the Council’s risk register? And is he confident of the adequacy of the Council’s investment in its information technology?”

Response from Chairman of Operational Services Committee, Councillor David Ambrose Smith:

“The Director of Operations advised all Council Members on 4th February that the emailing system was again operational and gave an explanation of the root cause of the incident. This was a system failure and not any form of cyber-attack. Further communication to all Councillors was provided on 11th February giving detailed technical information and confirmation that the incident did not influence the Council’s Risk Register. As Chairman of the Operational Services Committee I do not feel it necessary for a further review and I am satisfied with the explanation given and the future monitoring of the system that is in place. This current financial year the Council has significantly invested in both hardware and software, including laptops, replacement remote access system and telephone system configuration to enable Officers to work from home throughout the pandemic. Investment has also been made in the completion of a robust Disaster Recovery Site at e-space North and continued upgrades to software used across the organisation. I believe that the

planned investment for the coming year is adequate and proportionate, I can only assume the Liberal Democrats think the same as they have made no proposed additional investment in their budget amendment.”

v) Question to Chairman of Finance & Assets Committee from Councillor Lorna Dupré:

“Approval was given by this Council on 31 July 2020 to spend an additional £30,000 in 2020/21 on the administration’s Mepal Crematorium project, on top of sums already spent up to that point.

Since that date, a further £91,451 has been spent on this project.

Could the Chairman of the Finance & Assets Committee explain:

- a) on what authority £71,487 was spent on this project before that decision was made on 31 July, and where that authority is documented?
- b) which budget head that £71,487 came from?
- c) on what authority an overspend of 205 per cent on the additional £30,000 approved by Full Council has been incurred; who signed this off; and where that is evidenced?
- d) which budget head the £91,451 spent on the project since 31 July 2020 came from?”

Response from Chairman of Finance & Assets Committee, Councillor David Brown:

“The costs prior to July 2020 were funded from the Council’s projected underspend which was last reported to Finance & Assets Committee on 25th January. The proposal for the development of a crematorium with associated burial and pet cemetery facilities on the former Mepal Outdoor Centre was confidential up to this stage and the outline business case remains so. Council agreed the allocation of up to £30k for the submission of the planning application for the development, funded from the Surplus Savings Reserve and I refer you to the 20 February Agenda Item no. 11 and this is subject to a quarterly Finance Report to Finance & Assets Committee. The additional spend of £61451 will also be funded from the Surplus Savings Reserve. The additional spend is due to the additional consultancy and survey costs to resolve complex ecological and access issues prior to submission of the planning application. If the project comes to fruition some of this revenue expenditure can be capitalised with a contribution back into the Surplus Savings Reserve. A full financial statement will be brought to Council at this time with any further expenditure proposals for the development of a full business case.”

vi) Question to Chairman of Finance & Assets Committee from Councillor John Trapp:

“In the light of concerns expressed across the country by local authority election officers and returning officers, can the Chair of the Finance & Assets Committee advise what assessments have been done of the feasibility and additional cost of keeping staff and

members of the public safe during the local elections if they are held on the first Thursday in May, at every stage of the process from nominations to election count; and whether any shortages of polling stations have been identified, and if so how many and where?”

Response from Chairman of Finance & Assets Committee, Councillor David Brown:

“Clearly the question really is a matter for the Returning Officer so it won’t surprise you that he has advised me in my response. Our Returning Officer in conjunction with other Returning Officers in Cambridgeshire and Peterborough are currently finalising their risk assessments. These will cover all aspects of the election from nominations through to declaration. We are also awaiting further Central Government guidance as was included in the documentation published after the Prime Minister’s announcement yesterday, which I am sure you have all read. Specifically in relation to polling stations, 2 polling station venues have been changed. The first is in Cheveley from Cheveley Primary School to Cheveley Parish Hall and the second, one I know well because it’s where I vote, is in Burwell from Gardiner Memorial Hall to Mandeville Hall. An additional polling station has been secured in Soham at the Red Lion Hall.