

Date of Publication of Decision List: 24 February 2023

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



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

COUNCIL – 21 FEBRUARY 2023 – DECISION LIST

Prior to the commencement of the meeting, tributes were given and a minute's silence was held as a mark of respect following the passing of former Councillor Chris Morris (District Councillor for the Dullingham Villages Ward, 2011-2019) and former Councillor Geoffrey Woollard (District Councillor for the Bottisham Ward, 1985-1991)

| Agenda Item No. | Report Ref. | Item | Issue | Decision | Action by |
|------------------------|--------------------|--|---|---|-----------------------------|
| 1. | - | Public Question Time | To answer questions from members of the public. | No questions were received from members of the public. | - |
| 2. | - | Apologies for Absence | To receive apologies for absence from Members | Apologies were received from Cllr Amy Starkey, Cllr Lisa Stubbs and Cllr Alison Whelan. | - |
| 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. | No declarations of interest were made. | - |
| 4. | - | Minutes – 20 October 2022 and 15 December 2022 | To receive the Minutes of the last Council meeting. | It was resolved: That the Minutes of the Council meetings held on 20 October and 15 December 2022 be confirmed as a correct record and signed by the Chairman. | Democratic Services Manager |

| | | | | | |
|-----|------|---|--|--|-----------------------------|
| 5. | - | Chairman's Announcements | Announcement of items of interest. | The Chairman announced that Joan Cox, Electoral Services Team Leader, would be retiring in March following 41 years of service to the Council. The Chairman thanked Joan for her work on behalf of the Council and the District's residents, and all Members and Officers paid tribute to Joan with a round of applause. | - |
| 6. | - | Petitions | To receive public petitions. | No public petitions had been received. | - |
| 7. | - | Notice of Motions Under Procedure Rule 10 | The following motion was received and considered: a) <u>Voter Identification</u> (text of Motion at end of Decision List) | Motion lost. | - |
| 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. | X150 | Change to Political Group, Proportionality and Membership of Committees | To receive details of revised proportionality as the result of a change to the membership of the Liberal Democrat Group and approve the allocation of seats on Committees, etc, arising therefrom. | It was resolved unanimously: That the revised proportionality as the result of a change to the membership of the Liberal Democrat Group, as detailed in Appendix 1 of the report, and the resulting changes to the allocation of seats on Committees etc as detailed in Appendix 2 of the report, be noted. | Democratic Services Manager |
| 10. | X151 | Pay Policy Statement | To receive the Council's Pay Policy Statement 2023-24, a requirement under the Localism Act 2011. | It was resolved unanimously: That the 2023-24 Pay Policy Statement at Appendix 1 to the report be approved and adopted. | HR Manager |

| | | | | | |
|-----|------|---|---|---|--|
| 11. | X152 | Community Governance Review – Burrough Green/Dullingham | To consider a change to the parish boundary between the parishes of Burrough Green and Dullingham, as suggested by Burrough Green Parish Council, and whether to proceed with the Second Stage Consultation of the Community Governance Review. | <p>It was resolved unanimously:</p> <ol style="list-style-type: none"> 1. That the parish boundary between the parishes of Burrough Green and Dullingham not be amended. 2. That the Council not proceed with the Second Stage Consultation. | Electoral Services Officer |
| 12. | X153 | Schedule of Items Recommended from Committees and Other Member Bodies | To consider and take decisions on items recommended from Committees and other Member Bodies. | <p>1. FINANCE & ASSETS COMMITTEE – 24 November 2022</p> <p><u>Treasury Operations Mid-Year Review</u></p> <p>It was resolved unanimously:</p> <p>That the contents of the mid-year review report on the Council's Treasury operations during 2022/23, as set out in Appendix A1 of the report, be noted.</p> <p>2. FINANCE & ASSETS COMMITTEE – 23 January 2023</p> <p><u>2023/24 Annual Treasury Management Strategy, Minimum Review Provision (MRP) Policy Statement and Annual Investment Strategy (AIS)</u></p> <p>It was resolved unanimously:</p> <p>That approval be given to:</p> | <p>Director Finance</p> <p> </p> <p>Director Finance</p> |

| | | | | | |
|-----|------|--|--|--|--|
| | | | | <ul style="list-style-type: none"> i) The 2023/24 Treasury Management Strategy ii) The Annual Investment Strategy iii) The Minimum Revenue Provision Policy Statement iv) The Prudential and Treasury Indicators <p>3. AUDIT COMMITTEE – 23 January 2023</p> <p><u>Anti-Fraud & Corruption Strategy</u></p> <p>It was resolved unanimously:</p> <p>That the Anti-Fraud & Corruption Strategy, as set out in Appendix C1 of the report, be approved and adopted.</p> | Director Finance/ Democratic Services Manager |
| 13. | X154 | Revenue Budget, Capital Strategy and Council Tax 2023/24 | To consider the Council's proposed Revenue Budget, Capital Strategy, and required level of Council Tax in 2023/24. | <p>It was resolved:</p> <p>That approval be given to:</p> <ul style="list-style-type: none"> i) The formal Council Tax Resolution which calculated the Council Tax requirement, as set out in Appendix 1 of the report. ii) The draft revenue budget for 2023/24 and MTFS for 2024/25 to 2026/27, as set out in Appendices 2a and 2b of the report. iii) A Council Tax freeze in 2023/24. | Director Finance |

| | | | | | |
|-----|------|--|--|---|----------------------------|
| | | | | <ul style="list-style-type: none"> iv) The Statement of Reserves, as set out in Appendix 3 of the report. v) The 2023/24 Fees and Charges, as set out in Appendix 4 of the report. vi) The Capital Strategy and financing, as set out in Appendix 5 of the report. vii) The extension of Business Rate reliefs (which would be fully funded by the Government through Section 31 grants), as detailed in Sections 6.6 to 6.10 of the report. viii) The discretionary element of the Council Tax Support Fund, as detailed in Sections 11.9 to 11.11 of the report. | |
| 14. | X155 | The Making (Adoption) of the Swaffham Bulbeck Neighbourhood Plan | To formally adopt the Swaffham Bulbeck Neighbourhood Plan as part of the Development Plan for East Cambridgeshire. | <p>It was resolved unanimously:</p> <ul style="list-style-type: none"> a) That Swaffham Bulbeck Parish Council be congratulated on its preparation of a Neighbourhood Plan and a successful referendum outcome, becoming the sixth parish council to do so in East Cambridgeshire. b) That the Swaffham Bulbeck Neighbourhood Plan, as set out in Appendix 1 of the report, be formally made part of the Development Plan for East Cambridgeshire with immediate effect. | Strategic Planning Manager |

| | | | | | |
|-----|------|--|--|--|------------------|
| 15. | X156 | Appointment of Board Director (East Cambs Street Scene) | To appoint a Board Director for East Cambridgeshire Street Scene (ECSS) | It was resolved: That Isabel Edgar, Director Operations, be appointed as a Board Director for ECSS. | Chief Executive |
| 16. | X157 | East Cambs Street Scene Management Fee | To respond to a request from East Cambs Street Scene (ECSS) Board, for an increase in the Management Fee for 2022/23 to meet the additional costs the Company has encountered in-year. | It was resolved: a) That an additional one-off management fee payment to ECSS in 2022/23 of up to £500,000 be approved. b) That the Director Finance be authorised to make the payment of up to £500,000, based upon an open-book accounting approach, at the end of the financial year. | Director Finance |
| 17. | - | Cambridgeshire & Peterborough Combined Authority Update Report | To receive the reports from the constituent council representatives on the Combined Authority: Audit & Governance Committee (30/09/22, 2/12/22, 13/01/23 and 27/01/23) Overview & Scrutiny Committee (17/10/22, 28/11/22, 10/01/23 and 23/01/23) Combined Authority Board (19/10/22, 30/11/22 and 25/01/23) | It was resolved unanimously: That the reports on the activities of the Combined Authority from the Council's representatives be noted. | - |

| | | | | | |
|-----|-------------|--|--|---|------------------|
| | | EXCLUSION OF THE PRESS & PUBLIC | | It was resolved unanimously: That the press and public be excluded during the consideration of the remaining items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories 3 & 4 of Part I Schedule 12A to the Local Government Act 1972 (as amended). | |
| 18. | X158 & X159 | Section 113 Business Cases – Fraud Services Anglia Revenues Partnerships | To consider two reports from the Anglia Revenues Partnership concerning Section 113 Fraud Service Agreements | It was resolved unanimously: That the recommendations in the reports be approved. | Director Finance |

7. NOTICE OF MOTIONS UNDER PROCEDURE RULE 10

a) Voter Identification

This Council notes

1. The passing of the Elections Act 2022 including a new requirement for electors to show photographic identification at polling stations in order to vote in person;
2. The concerns expressed by a variety of organisations that this is likely to prevent large numbers of people from participating in elections, with black and minority ethnic, low income, disabled, LGBT+, elderly and young voters being particularly likely to be disenfranchised;
3. That the acceptable forms of ID listed by the Government are weighted towards more affluent and older voters, who are more likely to have passports, driving licences, and senior citizens' bus passes, while forms of photo ID more likely to be held by younger people such as young persons' railcards have been excluded;
4. The comments of the Electoral Commission in September 2022 that the new rules could not 'be delivered in a way which is fully secure, accessible and workable', pointing out that 7.5 per cent of voters do not currently hold an acceptable form of ID and over 1,000 voters were denied the opportunity to vote during Voter ID trials in the 2018 and 2019 Local Elections;

5. The view of the Association of Electoral Administrators that 'it is no longer realistic to successfully introduce Voter ID in May 2023', and that the timetable for implementation should therefore be put back; and
6. The concerns expressed by the Local Government Association that there is insufficient time to make the necessary changes ahead of the May 2023 elections without risking access to the vote, and that the introduction of voter ID requirements should therefore be delayed.

This Council believes that

- a. All residents eligible to vote should be encouraged and enabled to do so, with as few barriers to participation as can be proven to be absolutely necessary;
- b. The new requirement is disproportionate given that in the 2019 General, Local, European, and Mayoral Elections there were only four convictions resulting from allegations of in-person voter fraud out of 58 million votes cast, and in the 2021 Local Elections just one caution for election fraud was issued by the police;
- c. The role of local authorities such as East Cambridgeshire District Council that are responsible for electoral registration and administration is to ensure access to the democratic process for all eligible electors; and
- d. The rushed and last-minute timeframe in which this legislation has been enacted will put considerable strain on staff and resources at East Cambridgeshire District Council to communicate the new rules to voters, provide Voter Authority Certificates to thousands of local residents, and train polling station staff in less than four months in the run-up to the 2023 Local Elections.

This Council therefore resolves to

- I. Instruct the Chief Executive to write to the Cabinet Office to express the Council's complete opposition to the proposals for mandatory Voter ID in view of the damaging effect it will have on UK elections, and to demand that this section of the new legislation is repealed immediately;
- II. Write to every household in East Cambridgeshire about the new requirement for voter identification and the risk that electors may be disenfranchised;
- III. Work with partners including parish councils and the County Council to increase awareness of the change in legislation and the new barriers to electoral participation;
- IV. Liaise with the County Council and other partners to develop and implement a targeted programme to ensure that residents particularly at risk of losing their right to vote are made aware of the requirement to apply for identification papers in order to vote, and supported to do so; and
- V. Receive a report to the March meeting of the Council's Finance & Assets Committee to update on the activities carried out under I-IV above, publish the numbers of applications for Voter Authority Certificates received, and the number awarded, and advise of any issues arising.

Proposer: Cllr Lorna Dupré
Secunder: Cllr Charlotte Cane

8. TO ANSWER QUESTIONS FROM MEMBERS

i) Question to the Leader of the Liberal Democrat Group from the Leader of the Council:

I note that the Liberal Democrat Group began this four-year administration period with 13 Councillors and are now depleted to 9. I also note that Cllr Matt Downey, who isn't here this evening, has been expelled by his colleagues from the Liberal Democrat Group.

Can Cllr Dupré please explain to this Council and to East Cambs residents why Cllr Matt Downey has been expelled from the Liberal Democrat Group and will Cllr Dupré now condemn the behaviour of Cllr Matt Downey that led to his having been found in breach of the Code of Conduct by an independent external Code of Conduct expert, costing Council Tax payers thousands of pounds, and leading to the censure of Cllr Downey?

Response from the Leader of the Liberal Democrat Group, Cllr Lorna Dupré:

Cllr Matt Downey was excluded from the Liberal Democrat Group under its standing orders in accordance with the Group's procedures.

ii) Question to the Leader of the Liberal Democrat Group, and a County Councillor, from Cllr Bill Hunt:

I note that there have been some 24,000 replies to the recent consultation proposing road charging in Cambridge. I am aware from conversations with East Cambs residents and from public opinion testing that this proposal is generally opposed and hated. I also note that the final County Council decision will not now be made until after the District Council elections in May.

Please will Cllr Dupré confirm that if there is a majority of replies to the consultation that oppose the charge that she will honour democracy and vote against road charging?

Response from the Leader of the Liberal Democrat Group, Cllr Lorna Dupré:

The Making Connections consultation has indeed attracted significant levels of response. Neither Cllr Hunt nor myself knows the content of those responses, which will take some time to be analysed.

Decades of decline have left many of our towns and villages poorly served by public transport. Young people struggle to get to college, work or leisure. Older people and those with disabilities also lose out. Many low income families can't afford to run a car.

A Liberal Democrat council will work with other councils to get East Cambridgeshire properly connected. We want attractive, reliable, affordable public transport for those who can't drive and those who want a convenient alternative to using a car.

Meanwhile local Conservatives continue to campaign against public transport—calling for the axing of ten bus routes based on misleading figures, opposing the £1 a month Mayoral precept to keep existing rural buses, and trying to sabotage the trials of the experimental 'Ting' demand responsive bus service.

I know residents are concerned about proposals for a 'congestion charge' in Cambridge to fund improvements. My Group wants major changes to public transport to provide high quality alternatives to driving before charging is considered. And any plan for charging needs to be fair and equitable. The current proposals don't pass that test.

iii) Question to the Chairman of the Finance & Assets Committee from Cllr Christine Whelan:

The UK has seen a significant rise in the last few years of hate towards the LGBTQ+ community especially trans women in local communities. There has also been verbal abuse towards LGBT+ people in our own District.

- Only this last week we saw a young trans girl Brianna Ghey murdered. This is particularly highlighted as this month is LGBT+ history month.
- What provisions have the council made regarding protection for the LGBT+ community and what did the council do this month to recognise LGBT history month this year?

Will the Council join other councils next year in flying the Progress Pride flag during February next year and fly the Progress Pride flag during Ely Pride?

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

Any incident/crime that comes to the Council's attention is dealt with thoroughly, sensitively, in confidence and with the victim's full support.

Hate crime/incident training took place online in November 2022 for Community Safety Partnership (CSP) partners and parish councils. The training covered what a Hate Crime is, how to spot it and what to do about it if you suspect or are told a Hate Crime against the LGBTQ+ community has occurred. Four Hate Crime reporting centres have been established across the District in Fordham, Littleport, Sutton and The Lighthouse centre in Ely. East Cambs District Council and the CSP are promoting these and encouraging further partners to sign up.

Hate Crime is also a feature in our Community Eyes & Ears programme. The Council has distributed information booklets, provided training to Neighbourhood Watch groups, Members and Parish Councils and there is a link to it on the CSP webpage for the public to access. Working with the CSP, we have also created a Hate Crime toolkit which has been distributed to all schools in East Cambridgeshire and is available on the CSP webpage for all to access.

There is a specific LGBTQ+ section in the Councils Engagement Toolkit. This covers the importance of and methods of engagement, barriers, and benefits of engagement for this specific group.

With all of our communications, we make the content specifically relevant to the people of East Cambridgeshire, where possible. For the past two years, the Comms Team has been unable to find specific events being hosted in East Cambridgeshire to support LGBTQ+ History Month, hence no posts have been shared to date. If Members are aware of any events or activities taking place

then the Comms Team is very happy to promote them. The Comms Team is working in partnership with the CSP to produce a proactive comms plan for 2023/24 at which events such as LGBTQ+ History will be showcased.

On the 16 November 2016, Agenda Item 10, Council took the decision to fly the Union Flag on a permanent basis, unless otherwise instructed by His Majesty's Government.

iv) Question to the Chairman of the Operational Services Committee from Cllr Charlotte Cane:

As Chair of Operational Services Committee and an Observer on the ECSS Board, why did Cllr Huffer not bring the financial issues at ECSS to the Committee Members' attention when they were discussing cancelling January's scheduled meeting of the Committee due to "lack of business"? Why did she consider that an overspend by ECSS of at least £300,000 was not worthy of discussion at an Operational Services Committee meeting in January?

Response from the Chairman of the Operational Services Committee, Cllr Julia Huffer:

An email cancelling the Operational Services Committee that was due to be held on 16 January 2023 was sent to Members of the Committee on 14 December 2022. The meeting was cancelled due to a lack of substantive business. At the time of cancellation the level of overspend was still being calculated. An indicative overspend figure of £300,000 was reported to the Finance & Assets Committee on 23 January 2023.

ECSS held a formal Board Meeting on 31 January 2023 to consider a request to ask the Council to increase the 2022/23 Management Fee. Only Council can make the decision to agree this request as it is outside the budget of the Operational Services Committee.

v) Question to the Chairman of the Operational Services Committee from Cllr John Trapp:

As one of the Council's Observers at the ECSS Board meetings, how frequently did Cllr Huffer receive and review Management Accounts for ECSS?

Response from the Chairman of the Operational Services Committee, Cllr Julia Huffer:

ECSS Board last reviewed the management accounts on 31 January 2023. Prior to this, as it is essentially on operational budget, the Board did not receive management accounts, instead it discussed and approved the annual statutory accounts.

vi) Question to the Chairman of the Operational Services Committee from Cllr Mark Inskip:

When did the ECSS Board first discuss the forecast overspend for the year to 31 March 2023 and when did the Board first discuss that the overspend would be at least £300,000?

Response from the Chairman of the Operational Services Committee, Cllr Julia Huffer:

The ECSS Board first discussed the overspend on 31 January 2023.