



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of the Meeting of East Cambridgeshire
District Council held in the Council Chamber,
The Grange, Nutholt Lane, Ely on Thursday
21 February 2019 at 6.00pm

PRESENT

Councillor Allen Alderson	Councillor Elaine Griffin-Singh
Councillor Christine Ambrose-Smith	Councillor Julia Huffer
Councillor David Ambrose-Smith	Councillor Mark Hugo
Councillor Sue Austen	Councillor Bill Hunt
Councillor Anna Bailey	Councillor Charles Roberts
Councillor Ian Bovingdon	Councillor Hamish Ross
Councillor Mike Bradley	Councillor Mike Rouse
Councillor David Brown	Councillor Joshua Schumann
Councillor Steve Cheetham	Councillor Carol Sennitt
Councillor Paul Cox	Councillor Alan Sharp
Councillor Lorna Dupré	Councillor Mathew Shuter
Councillor Lavinia Edwards	Councillor Stuart Smith
Councillor Lis Every (Vice-Chairman in the Chair)	Councillor Lisa Stubbs
Councillor Mark Goldsack	Councillor Jo Webber
Councillor Coralie Green	Councillor Christine Whelan

62. **PUBLIC QUESTION TIME**

A petition from Witchford Parish Council and 7 Questions were submitted by Councillor Ian Allen of Witchford Parish Council and the petition, questions and responses are detailed in the Appendix to these Minutes.

Councillor Ross entered the meeting at 6.04pm and Councillor Alderson entered the meeting at 6.14pm.

63. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Allan, Beckett, Chaplin, Cresswell, Hitchin, Hobbs, Morris and Pearson.

64. **DECLARATIONS OF INTEREST**

Declarations of Interests were made by the following Councillors in respect of Agenda Items as detailed:

9 & 14 – Councillors Bailey and Roberts Prejudicial Interests as Directors of ECTC and ECSS.

65. **MINUTES**

It was resolved:

That the Minutes of the meeting held on 18 December 2018 be confirmed as a correct record and signed by the Chairman.

66. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcement:

Alteration of Order of Business

Due to the volume of public in attendance for the item, the Chairman stated that she had agreed to an amendment to the order of business to take Agenda Item 14 on Local Plan – Proposed Submission Version after Agenda Item 11 on the Revenue Budget.

67. **PETITIONS**

No Petitions had been received.

68. **MOTIONS**

The following Motion was proposed by Cllr Lorna Dupré and seconded by Cllr Christine Whelan:

Highways England Application to Reclassify the A14 as a Motorway

This Council notes:

- That in 2016 the Secretary of State for Transport granted a development consent order for the A14 Cambridge to Huntingdon Improvement Scheme;
- That in 2018 the Roads Minister asked Highways England to reclassify the new A14 between Girton and the new Ellington junctions, and the A1 between Alconbury and Brampton, as a motorway; and
- That Highways England have now applied to the Planning Inspectorate for a change to the scheme's development consent order to allow the roads to become motorways.

The consultation period for this application closes on 28 February 2019.

If approved, motorway status will mean that certain categories of vehicle, including slow-moving farm vehicles, will not be permitted to use the upgraded A14. It is not clear from the consultation documents

what traffic modelling has been carried out to test the impact this change will have on traffic through the villages of East Cambridgeshire.

The Council instructs the Director Commercial to respond to the consultation to ascertain what modelling has been carried out to assess the impact that the proposed new motorway status for the A14 will have on villages in East Cambridgeshire, and — if this is deemed by the Council to be insufficient — to request that sufficient traffic modelling be done and the results shared with the District Council before the change of status is approved.

Councillor Dupré, as the proposer of the Motion, stated that she had brought it to this Council due to the potential for an increase in certain types of traffic on the non-motorway roads such as the A10 and A142 through East Cambridgeshire and the fact that no modelling appeared to have been undertaken of the knock-on effects on villages of the upgrading of the A14. Such modelling had been promised but no evidence had been provided that this had taken place.

The meeting was briefly adjourned at 6.22pm and Councillors Alderson, Edwards and J Schumann left the meeting as Councillor Alderson felt unwell. The meeting resumed at 6.25pm and Councillor J Schumann returned to the meeting at 6.27pm.

Councillor Hunt commented that there already were impacts on the villages of East Cambridgeshire when the A14 was congested or accidents occurred and that any delay in the completion of the works would impact on the other non-motorway roads such as the A10 and A142 through East Cambridgeshire. Once the new A14 was completed the old A14 road would remain for local traffic. Motorways were the fastest and safest form of highway in the country and lorries would use these in preference to local roads, thus reducing the number of heavy vehicles on those roads. This would make the local roads safer for traffic needing to use them for local journeys. Councillor Hunt urged against anything that would delay the upgrading of the A14 or cause any increase in the Budget. Therefore, he stated that he could not support the Motion.

Councillor Bradley endorsed Councillor Hunt's views and stated that the upgrading of the A14 to a 3 lane motorway would remove lorries from villages and be welcomed by local residents, so needed completing as quickly as possible.

Councillor Brown highlighted the fact that the NFU had been consulted and had expressed no concerns regarding the upgrading of the A14.

Councillor Whelan stated that she supported the Motion not because it was intended to delay the upgrading of the A14, but because there was no data at present regarding the impact on local roads. Therefore, modelling was required to make an informed decision.

In summing-up, Councillor Dupré commented that the A14 promotional leaflets were an insufficient substitute for modelling data and information, particularly in the light of the fact that East Cambridgeshire villages had been suffering for many years with traffic congestion. Therefore, the Council had a responsibility to residents to press for the provision of the best projections available.

On being put to the vote, the Motion was declared to be lost.

69. **QUESTIONS FROM MEMBERS**

No questions from Members were received.

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

Council considered a report T203, previously circulated, containing items recommended from Committees and other Member bodies as follows:

1. RESOURCES AND FINANCE COMMITTEE – 28 JANUARY 2019

- a. 2019/20 Annual Treasury Management Strategy, Minimum Revenue Provision (MRP) Policy Statement and Annual Investment Strategy (AIS)

It was resolved:

That approval be given to:

- The 2019/20 Treasury Management Strategy;
- The Annual Investment Strategy;
- The Minimum Revenue Provision Policy Statement;
- The Prudential and Treasury Indicators;

as set out in Appendix 1 to the submitted report, as amended to include an updated Brexit Timetable and Process.

- b. Financial Regulations and Financial Procedure Rules

It was resolved:

That approval be given to the adoption of the new Financial Regulations and Financial Procedure Rules attached to the submitted report for inclusion within the Constitution, subject to amendment throughout of reference to 'the relevant Committee' to avoid the requirement to change the Constitution each time the name of that Committee changes.

2. SHAREHOLDER COMMITTEE 11 FEBRUARY 2019

Councillors Bailey and Roberts left the meeting.

East Cambs Street Scene (ECSS) Business Plan

It was resolved:

That the ECSS Annual Business Plan 2019/20 be approved.

Councillors Bailey and Roberts returned to the meeting.

71. COMMUNITY INFRASTRUCTURE LEVY: AMENDMENTS TO REGULATION 123 LIST

Council considered a report, T204, previously circulated, proposing amendments to the Community Infrastructure Levy (CIL) Regulation 123 list (R123 list), namely; the inclusion of A142/Witchford Road roundabout. The Director Commercial reminded Members that inclusion on the R123 list did not give a commitment for funding tonight, but merely allowed for inclusion on the list of infrastructure projects that could potentially benefit from CIL funding. The decision for the release of funds would be considered by the relevant Committee when appropriate.

Councillor Bailey commented that the A142/Witchford Road (Lancaster Way) roundabout and A10/Witchford Road (BP) roundabout were both beyond capacity at peak times, with a 56% increase in traffic from 2010-17. Growth of the Lancaster Way Business Park was dependent upon improvements to these two roundabouts, but S106 funding from Grovemere Properties only secured improvements to the BP roundabout at present. The Combined Authority and County Council were working to identify funding solutions for the Lancaster way roundabout as well and inclusion on the R123 List allowed for a commitment at the appropriate time as part of an overall funding package

Councillor Green, as the Council representative on the Lancaster Way Enterprise Zone Project Board, stated that she was proud of the growth, economic prosperity, funding and jobs that the Enterprise Zone would bring to the area and therefore strongly supported the proposal.

It was resolved (unanimously):

That the draft R123 list attached at Appendix 1 to the submitted report be approved.

72. REVENUE BUDGET, CAPITAL STRATEGY AND COUNCIL TAX 2019/20

Council considered a report, T205, previously circulated, detailing the Council's proposed Revenue and Capital Budgets and the required level of Council Tax for 2019/20. The report also assessed the robustness of the

budgets, the adequacy of reserves and updated the Council's Medium Term Financial Strategy (MTFS).

The Chairman reminded Members that there would be a recorded vote on this issue in accordance with the relevant Regulations and, at her request, the Democratic Services Manager confirmed that Members had a statutory exemption to allow them to vote on the Budget.

The Finance Manager and S151 Officer summarised the report as follows:

'Council is asked to approve the Council Tax Resolution as detailed in appendix 1 to this report and the Council's budget as in appendices 2 and 3 of the revised motion and appendix 4 and 5 of the original report. This recommends that this Council's Council Tax for a band D property during 2019-20 will be £142.14, this being frozen for the 6th consecutive year.

When the draft budget report was presented to Resources and Finance Committee on the 28th January, we were still waiting for two events, the completion of the NNDR1 return and the final Government Settlement. Both of these have now happened.

The NNDR1 return, has had a positive impact on the Council's budget, in that we are collecting more Business Rates from renewable energy producers than previously expected. District Councils are allowed to keep 100% of this element of Business Rates, so this will have a positive impact in each year of the MTFS. Further we are also now forecasting a surplus in the Business Rates account at the end of 2018-19 which will be used in 2019-20.

The Council is in a good position in that, via the use of its surplus savings reserve, it has a balanced budget for 2019-20 and 2020-21 and thus does not need to make any reactionary cuts to services in these years.

However, the Council does continue to have a substantial saving requirement in year three, so does need to be considering now, how this gap is to be bridged in order to achieve a balanced budget for 2021-22 and beyond. The Council's main focus in doing this remains the commercial agenda, but other options as discussed in section 13 of the report will need to be considered.

And one final point if I may, Members will have noted throughout my report the uncertainty of funding beyond 2019-20, with both the Government Spending Review and the Fair Funding Review. The budget presented details a reasonably prudent view of the possible outcome of these exercises, but with no certainty it is possible that 2020-21 could be better or worse than detailed in these papers, I will of

course be monitoring this situation during the coming months and provide members with updates as new information becomes available.'

Attention was drawn to the following revised motion tabled at the meeting, which was proposed by Councillor Bailey and seconded by Councillor Roberts:

That approval be given to:

- The formal Council Tax Resolution which calculates the Council Tax requirement as set out in Appendix 1 of the submitted report.
- The draft 2019/20 Revenue Budget as set out in Appendix 2 of the submitted report (as amended), including a proposed Council Tax freeze.
- The Statement of Reserves as set out in Appendix 3 of the submitted report (as amended).
- The 2019/20 Fees and Charges as set out in Appendix 4 of the submitted report.
- The Capital Programme and financing as set out in Appendix 5 of the submitted report.
- The awarding of discretionary Business Rate relief to certain retail business premises with a rateable value below £51,000 as set out in paragraphs 5.2 to 5.4 of the submitted report.

(The revised Appendices 2 and 3 include the removal of the cost of the pre-full Council buffet for elected Members (saving £900 per annum) and the addition of membership of the Association of Drainage Authorities (at an initial cost of £334 per annum).

The Deputy Leader of the Council, Councillor Bailey, spoke as follows in support of the Budget:

This is the last budget we will set before the all-out election in May, so it's appropriate to reflect on the work of the Council over the last four years.

Back in 2014 this Council was in a very different place, we took difficult decisions about changes to the staffing structure and reductions in the number of Councillors. We were told, by the opposition, that chaos would ensue, that the work of the Council would suffer, that things would grind to a halt, and that nothing would get done. How very wrong that was.

Thank you John, and to all the staff at the Council, for stepping up, putting forward your ideas, and embracing the opportunities. This has become a demanding, but exciting Council to be involved with.

A particular thanks to staff in democratic services for their work in dealing with all the implications of the boundary changes - it was, and continues to be, a lot of work, efficiently delivered.

This Council is now a customer driven, efficient Council with a “can do” and “open for business” attitude to everything we do. It is unrecognisable from the one I joined in 2007.

We are a nimble, dynamic, pro-active, forward thinking, entrepreneurial authority that *delivers* at pace for our residents.

Our zero percent Council Tax rise, which in this budget, will have continued for six years, our low management costs - the lowest of all District Councils in Cambridgeshire by a large margin - and our record of delivery are all things of which we can be proud. We are the smallest of the five second tier authorities in Cambridgeshire but I know we are an authority that others look to.

The last four years have seen:

- The opening of the cinema and Ely Leisure Village complex
- The opening of The Hive Leisure Centre - a new asset for our District, delivered with no external borrowing and no Council Tax increases. A prime example of the new “commercial for community benefit” approach this Council adopted - turning the situation of the old, tired, repair hungry swimming pool that cost this authority nearly £100k per annum to run, into a new cost neutral asset for our community. Thank you to Sally Bonnet and Cllr Hobbs
- Opening of the Ely Bypass, with a contribution from East Cambs of £1m. We were told by the opposition to “stop dreaming”; they dismissed it as “fantasy”, opposing it at every opportunity. We dug in, we drove it forward from *this* Council and now the road is open
- New car parks at The Dock in Ely and the Railway Station in Littleport, and no increases to fees, which at Ely remain half those at the Station. Thanks to Spencer Clarke and Cllr Hunt
- Free car parking retained for the whole term and enshrined in our constitution, and new spaces opened in our central Ely car parks
- And the Markets Team has gone from strength to strength, receiving a national award for Markets Team of the year, and delivering a markets programme that brings footfall into the City and that others look to for inspiration. Thank you to Julia Davies and the rest of the team
- The first CLT homes are occupied in Stretham - local working people, previously shut out of social housing, unable to afford open market housing, shut out no longer. Local residents, able to afford to continue living in their own community and a new purpose built GP surgery to come - paid for by the value of the land, extracted for the good of the community

- Soham CLT has completed, delivering 61% affordable homes
- Haddenham CLT is about to begin building - it will deliver 35% affordable homes
- Delivery of the King's Row development on Barton Road, including two homes that have gone into the CLT and are now occupied; and money for a third affordable home, to be delivered off site; providing some £1.7m to the public purse
- And what a turnaround in the performance of our brilliant recycling and waste service since they left Veolia and came in house into East Cambs Street Scene. Thank you to Jo Brooks, James Khan and Cllr Huffer and of course to Nick Wyatt or should I say Michael Recycle!
- And what a fantastic job they have been doing cleaning up our streets, clamping down on fly-tipping, graffiti and litter
- And thanks to our Communications Team colleagues for running an award winning public education campaign - "Be Like Michael, Recycle"
- We've had the opening of the Community Hubs - safe spaces for people to get advice and support on a whole range of issues. They are an integral part of the unique way that our Housing team prevents homelessness. Thank you to the whole Team for your dedicated work
- And congratulations to Shona McKenzie for her efforts in achieving White Ribbon accreditation for the Council, standing up against domestic abuse
- We've seen continued healthy growth in new businesses and job creation - thank you to Martin Smith and the team - and what a brilliant Business Boost event we had at The Hive this year
- And the Team has recently launched free Wifi in Ely and Soham centres. We continue to work on a solution for Littleport

What a great record of delivery. Thank you to Maggie Camp and Ian Smith who have stepped up and kept the Council on the legal and financial straight and narrow during this period of frenetic activity.

Looking forwards:

- We await the outcome of our bid to purchase 88 empty homes at the MoD site in Ely, which we plan to renovate, to deliver 92 homes in phase 1, with the potential in the future for up to 62 new homes on the site, including new affordable homes to be retained in a CLT and reserved for local working people
- Work on the A14 upgrade continues and the road is due to open next year - this Council is contributing to the cost
- We have built funding into the Capital budget for the purchase of additional land to again increase the capacity of commuter car parking near to the Railway Station
- And we are driving forward the work to upgrade the A10, and in the short term deal with the notorious BP and Lancaster Way

roundabouts. Thanks to Sally Bonnet for continuing to drive this forward

- We are working hard to support the health of the High Street - our free parking, markets and free Wifi are all part of that support, and we welcome central Government's announcement that they will fund and allow a 33% business rate relief for small retailers - benefiting up to 210 of our small retail businesses

We have today a balanced budget, with a Council Tax freeze and improving services, notably, no cuts to services, no new fees and charges, and it is not only a balanced position for 2019/20, it is a balanced position for the next two financial years.

As has been the case in the past, we have a significant budget gap three years ahead, and it is true to say that the uncertainties are greater than they have been in the past, but I note the prudent but positive comments of our S151 officer at 13.4 of the report about the prospects for the Medium Term Financial Strategy.

It is for this purpose that we have the Surplus Savings Reserve - money that we carefully set aside, years in advance for exactly this purpose. It is a practice that has stood this Council in good stead, allowing us the small luxury of time to deal with future budget gaps.

- The MTFFS makes an allowance for the resetting of the business rates baseline
- It assumes no dividend payments from the Trading Companies
- We are investing in the waste fleet, and the Depot at Littleport
- Our reserves at 10% of expenditure are at a healthy level

I want this Council to continue to be different and I believe it is possible, in the right hands, and with the right focus and effort, to keep being a delivering, efficient "can do" Council well into the future.

I hope that everyone here will recognise the success of the Council, by supporting the budget this evening.

An amendment was proposed by Councillor Dupré and seconded by Councillor Whelan as follows:

The Liberal Democrat Group propose the following amendments to the budget presented in the agenda papers for this meeting:

1. REMOVE the cost of the pre-full council buffet for elected members, saving £900 per annum.
2. ADD membership of Association of Drainage Authorities at an initial cost of £334 per annum, to reflect the significance of drainage and flooding to East Cambridgeshire.

3. INCREASE the community transport grant pot from £15,000 to £50,000 per annum — an increase from £43,500 to £50,000 in 2019/20, then maintaining it at this level henceforward.
4. ADD additional resource to the Planning Department in particular to support landscape consultancy responses on planning applications, equivalent to 0.5 FTE of a planning officer (£16,000).
5. INCREASE Council Tax by 1 per cent per annum starting in 2019/20 and continuing to 2021/22.

In financial terms, the overall impact of these changes is to reduce the “savings to be identified” value in 2021-22 from £3,183,519 to £3,045,800.

Councillor Dupré stated that she was pleased that two items from the above amendment had been accepted by the ruling Group in their revised motion. She also highlighted and commended her other 3 modest proposals.

Councillor Bailey commented that with regard to the other 3 Liberal Democrat Budget amendment proposal, the grants available for community transport were large and varied and the Combined Authority, which had assumed responsibility for this area, was currently undertaking a review. Therefore, she could not support a proposal to increase the Budget for a service that was the remit of another authority. With reference to the additional resource for the Planning service, Councillor Bailey stated that the Council would be open to considering a request from officers in this respect, if made. Councillor Bailey expressed surprise that no further amendments had been proposed by the Lib Dems regarding the opening of public conveniences, the provision of an additional 15 affordable housing units on the former MOD site and a play park at North Ely.

Councillor Bradley expressed surprise at the proposal for membership of Association of Drainage Authorities, as the Lib Dem Members had not come forward to serve as Council representatives on Internal Drainage Boards (IDBs).

Councillor Hunt questioned where the Lib Dems intended to find the money for the funding of additional items in the Budget and referred to the significant increases in Council Tax during the period when they were last in power.

Councillor J Schumann stated that he was proud of the transformation of the Planning Service achieved by the Director Operations, Jo Brooks, and Planning Manager, Rebecca Saunt, and was certain that any staffing requests would be considered positively.

Councillor Dupré responded by stating that the Council had contributed funding for projects beyond their remit such as the Ely Southern Bypass, and that the additional Planning resource for landscape consultancy services was intended to be for the provision of independent external advice and analysis. The Lib Dems also had provided nominations for Members from Parish Councils to serve on the IDBs. Therefore Councillor Dupré stood by her amendments and a slow increase in the Council Tax.

In accordance with the requirements of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken on the amendment, the results of which were as follows:

FOR: (3) – Cllr Austen, Dupré, Whelan.

AGAINST: (25) – Cllrs C Ambrose Smith, D Ambrose Smith, Bailey, Bovingdon, Bradley, Brown, Cheetham, Cox, Every, Goldsack, Green, Griffin-Singh, Huffer, Hugo, Hunt, Roberts, Ross, Rouse, J Schumann, Sennitt, Sharp, Shuter, Smith, Stubbs and Webber.

ABSTENTIONS: (0)

The amendment was declared to be lost.

Speaking on the revised motion, Councillor Dupré referred to the anticipated shortfall of £3M in 2021/22, which would make the Council more reliant on building and property development against the desires of local residents.

Councillor Hunt referred to the fact that the Council's fees and charges were staying the same, the Council retained free parking and had only lost 3 free spaces, which soon would be made up for by 6 new spaces in Newnham Street.

Councillor J Schumann highlighted this Council's Budget position compared to Local Government nationally. Most Councils were increasing their Council Tax by the maximum amount allowed but our Council Tax was again frozen, whilst still increasing services and facilities within the District. Councillor Schumann paid tribute to the leadership of the Chief Executive, John Hill.

On a point of order, Councillor Whelan highlighted the increase in particular fees and charges.

In summing-up, Councillor Bailey stated that there had been a very small number of increases in fees and charges for certain licensing functions and echoed the view that the Council increased taxes and charges as a last resort, whilst still investing in services and staff.

In accordance with the requirements of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken on the Motion, the results of which were as follows:

FOR: (25) – Cllrs C Ambrose Smith, D Ambrose Smith, Bailey, Bovingdon, Bradley, Brown, Cheetham, Cox, Every, Goldsack, Green, Griffin-Singh, Huffer, Hugo, Hunt, Roberts, Ross, Rouse, J Schumann, Sennitt, Sharp, Shuter, Smith, Stubbs and Webber.

AGAINST: (3) – Cllr Austen, Dupré, Whelan.

ABSTENTIONS: (0)

The motion was declared to be carried.

It was resolved:

That approval be given to:

- The formal Council Tax Resolution which calculates the Council Tax requirement as set out in Appendix 1 of the submitted report.
- The draft 2019/20 Revenue Budget as set out in Appendix 2 of the submitted report (as amended), including a proposed Council Tax freeze.
- The Statement of Reserves as set out in Appendix 3 of the submitted report (as amended).
- The 2019/20 Fees and Charges as set out in Appendix 4 of the submitted report.
- The Capital Programme and financing as set out in Appendix 5 of the submitted report.
- The awarding of discretionary Business Rate relief to certain retail business premises with a rateable value below £51,000 as set out in paragraphs 5.2 to 5.4 of the submitted report.

(The revised Appendices 2 and 3 include the removal of the cost of the pre-full Council buffet for elected Members (saving £900 per annum) and the addition of membership of the Association of Drainage Authorities (at an initial cost of £334 per annum).

73. **LOCAL PLAN – PROPOSED SUBMISSION VERSION**

Council considered a report, T208 previously circulated, to agree a way forward for the emerging Local Plan. The Strategic Planning Manager stated that due to the manner in which the examination of the East Cambridgeshire Local Plan had proceeded and the large scale and the nature of the modifications being required by the designated Local Plan Inspector, he was, with great regret, having to recommend the withdrawal of the submitted Local Plan.

Councillor Bailey expressed disappointment that it was necessary to consider this option, but stated that the Council could only work within the process that currently existed. The shortfall in the development of homes locally was not the fault of the hard working Planning officers at this Council, but the fact that developers were not constructing properties on sites for which they had received Planning permissions. The Council had made a large level of investment in keeping the Local Plan current but now was faced with a stark choice of accepting the Inspector's modifications which were unjustified, untested and would plunge us into 5 year land supply issues, or withdraw the Local Plan. The Inspector's modifications significantly changed the reasoned proposals put forward by this Council for growth and which respected the particular characteristics of local villages, deleted proposed higher disability standards and CLT policies already included within the Local Plan and determined as sound by the previous Inspector. The current Inspector appeared to have gone beyond the remit of her role and had not worked in a collaborative manner with this Council. Therefore, this Council could not accept the large-scale modifications imposed by the Inspector that would affect communities for years to come. Councillor Bailey used the example of Reach that had voted to protect its historic green as part of the Neighbourhood Plan process. The Council would regain a 5 year land supply position by April 2020, and we were proposing to withhold payment to the Inspector for breach of the terms of the Service Level Agreement for the examination process. Notwithstanding the Inspector's findings, Councillor Bailey thanked Richard Kay and Councillor Coralie Green, Chair of the Local Plan Working Group, for their outstanding work on the Local Plan review and expressed great disappointment at the dilemma now faced by this Council. However, we must support fully justified and quality growth, which was why it was regrettably necessary to withdraw from the Local Plan process.

Councillor Bailey's speech received a round of applause by Council Members.

The Leader of the Council, Councillor Charles Roberts, stated that the Inspector's response had been perverse and unsubstantiated. Her report had been received late and once examined in detail by officers, changed beyond recognition the submission draft Local Plan of this Council. This was why the Council should continue with 'business as usual' by retaining the current Local Plan.

Councillors Bailey and Roberts then left the meeting for the duration of this item.

The recommendations in the submitted report were moved by Councillor J Schumann and seconded by Councillor Green.

An amendment tabled at the meeting then was proposed by Councillor Dupré and seconded by Councillor Whelan as follows:

After 'That Council' add:

- I. Condemns the actions of the political leadership of the Council in withholding information about the Inspector's modifications to the draft Local Plan, resulting in the Council being forced into a decision without proper opportunity to consider and evaluate the consequences and options.

and renumber existing 2.1 I and II.

Councillor Dupré stated that the amendment had been compelled by the events of the last 8 days. This Council had received the Inspector's modifications on 19 December 2018, but had concealed them from the Lib Dems and other stakeholders and they had not been published by the Council until this Council Agenda had been produced. The Inspector had written to the Council expressing her concerns regarding the non-publication. The Lib Dems had been advised on 13 February 2019 of the impending publication of the report to Council on this issue, 2 months after receipt from the Inspector. Therefore, the Lib Dem Group had not had sufficient time to consider the implications and the Council had not sought the views of local stakeholders on the modifications.

Councillor J Schumann stated that the amendment was politically motivated and that the Inspector's modifications would have a profound and catastrophic effect on the nature of the Local Plan. Officers had required time to consider the modifications in detail. Consultation needed to be meaningful, and it would not be appropriate to consult on something fundamentally flawed and which was against the Council's policies.

Councillor Bradley concurred with this view and reminded Members that the Inspector had clearly stated that she 'was not inviting comments on the contents of her letter' but was expecting the Council to accept or reject her modifications in their entirety.

Councillor Hunt commented that Planning decisions affected local communities for 100s of years and the Council could not accept modifications from one person without justification which would have adverse impacts, including tandem parking, shared highways and footpaths, taking bins unreasonable distances for refuse/recycling collections, poor design policies. This Council needed to have regard to the views of and act in the interests of its local communities.

Councillor Whelan expressed concern at the lack of openness and transparency to the local community demonstrated by the withholding of the Inspector's letter from the public.

Councillor Dupré commented that there was imposition by the Inspector and by this Council resulting from its inability to publish the modifications at an earlier stage. Residents/stakeholders should be given the opportunity to comment on the modifications.

In response to a question by Councillor Schumann, the Director Commercial reported that further consultation would cost approx. £5,000.

Councillor Dupré stated that retention of the 2015 Local Plan would result in the continuing of the current position of haphazard development due to the lack of a 5 year land supply.

Upon being put to the vote, the amendment was lost by 23 votes to 3.

Speaking on the motion, Councillor Goldsack commented that this was a very difficult time and as a Planning Committee Member he took this role very seriously. The significant increases in allocations proposed on developments such as Kingfisher Way would be abhorrent to local people. Therefore, he could not support the Inspector's modifications.

Councillor Bradley highlighted the fact that the Inspector was proposing the deletion of all reference to CLT development in the Plan, even though the previous inspector for the 2015 Plan had found such principles and policies to be sound. The Inspector would not allow the Council any meaningful input into her modifications, such as the removal of the Kennett site of 500 CLT dwellings, tandem parking, etc.

Councillor Griffin-Singh left the meeting at 7.52pm and did not return.

In response to a question by Councillor Bradley regarding the impact of the withdrawal of the Local Plan on Neighbourhood Plans, Mr Kay reported that there would be limited impact as all Neighbourhood Plans to date had to be based upon the 2015 Local Plan. In fact the status of Neighbourhood Plans could be strengthened since, under the law, the status of the latest Plan adopted was highest.

Councillor Cheetham stated that he had been shocked by the Inspector's letter, particularly in light of the fact that the Local Plan Working Group had worked hard with local residents to produce the Plan, and therefore he believed that the large number of modifications were unacceptable. He particularly highlighted the deletion of the policy on Local Green Spaces for places like Reach and Witchford, which was heavily supported by local communities. Its removal would take away the distinctive characteristics of individual villages, which was one of the reasons why he supported the recommendation to withdraw the Local Plan.

Councillor Hugo also referred to the unprecedented level of the Inspector's modifications, which undermined the vast amount of work undertaken by the Council in collaboration with local communities. He was disappointed at the removal of policies relating to CLTs which would provide affordable housing for local people. This would no longer be 'our' Plan but that of an un-elected Inspector. Therefore, it was right to revert to the 2015 Local Plan.

Councillor Sharp agreed that the report by the Inspector was perverse and would make the Local Plan unrecognisable from that produced by this Council. There was no dialogue possible with the Inspector on the modifications and a number of parishes had expressed support for the Council's proposed approach of withdrawal. If the policies relating to CLTs were removed, the Council would not be able to deliver affordable homes at no cost to the Council Tax payer. The Council would be in a position to demonstrate a 5 year land supply in the near future and in light of the Inspector appearing to be 'not fit for purpose', he supported withdrawal of the Local Plan.

Councillor Shuter stated that he represented a number of Saxon and Mediaeval villages in his Ward with special characteristics and believed it was an affront to local democracy that an Inspector had the right to remove the ability of these villages to retain such unique characteristics with no regard to the views of local people.

Councillor Rouse concurred with this view and stated that the un-elected Inspector had no right to ride roughshod over local people in such an arbitrary way. The Council should promote high standards of accessibility and design which will affect the quality of people's lives. We need our Plan not somebody else's.

Councillor Smith reported that Haddenham Parish Council had expressed support for withdrawal of the Local Plan and reverting to the 2015 Local Plan. Therefore, he would be voting for the recommendations.

Councillor Dupré commented that withdrawal meant relying on the 2015 Local Plan which had led to an onslaught of speculative developments. Whilst allocations would be 'wiped clean' in 2020, a 'free for all' situation with regard to Planning applications would remain in the meantime. The Council's plans in relation to CLTs were heavily dependent on the Kennet development, but Kennet was not included in the 2015 Local Plan. There was a complicated tangle of interests within the Council relating to Members also serving on Trading Companies and the Combined Authority. These and the failure of the Local Plan process, increased the risks to the Council on a massive scale. The Lib Dem Group had not been given sufficient time to consider the complex implications of all of this and form an authoritative view in the light of feedback from Parish Councils and other stakeholders. Therefore, the number of unanswered questions made it impossible to make a decision on this issue at this stage.

Councillor Green spoke as Chairman of the Local Plan Working Group and Member Champion for Strategic Planning. The Working Group had met on 12 occasions and reports had been brought to Council for consideration 3 times with resultant public consultation periods and an additional period of consultation. Councillor Green believed that the Council had more than delivered on the legislative provisions and conducted a truly collaborative

process and she had been proud of the work undertaken. This was why, with regret, she could not accept such substantial modifications to the Local Plan. Councillor Green expressed bitter disappointment that there was no right of appeal or challenge to the Inspector's report and modifications and stated that this should be raised by the Council with Central Government. Councillor Green truly believed that withdrawal was in the best interests of local residents. Proposals for the way forward arising from this would be brought back to the Council at the earliest opportunity.

As Chair of Planning Committee, Councillor Schumann expressed concern that the principles of our Local Plan had been turned upside down by the Inspector. The Council should not spend further money to consult on and assess modifications that would fundamentally change the character of local villages. This would be a waste of time and resources. Councillor Schumann did not believe that the modified Plan could be supported by anyone in the Chamber and that was why the Council should revert to the 2015 Local Plan, which had its challenges but belonged to this Council.

A recorded vote was requested on the motion to approve the recommendations in the submitted report, the results of which were as follows:

FOR: (22) – Cllrs C Ambrose Smith, D Ambrose Smith, Bovingdon, Bradley, Brown, Cheetham, Cox, Every, Goldsack, Green, Huffer, Hugo, Hunt, Ross, Rouse, J Schumann, Sennitt, Sharp, Shuter, Smith, Stubbs and Webber.

AGAINST: (0)

ABSTENTIONS: (3) – Cllr Austen, Dupré, Whelan.

The motion was declared to be carried.

It was resolved:

That the Council:

1. Withdraws the Submitted Local Plan from its independent examination, and in doing so the status of that emerging plan is reduced to zero for the purpose of making decision on planning matters.
2. Notes the consequences of withdrawing the emerging Plan from its examination, including on 'five year land supply' matters.

The Meeting was adjourned at 8.26pm for a comfort break and re-convened at 8.32pm. Councillors Bailey and Roberts returned to the meeting.

74. **RESTRUCTURING OF COMMITTEES 2019/20**

Council considered a report, T206 previously circulated, detailing proposals to restructure Committees for the new municipal year 2019/20. A revised report had been circulated to further clarify that the functions of the existing Shareholder Committee would transfer to Finance and Assets Committee.

The Chief Executive reported that the proposals had been drafted in anticipation of the reduction in the number of Councillors from 39 to 28 following the District Council elections in May 2019 and the variations in the workloads of the current Policy Committees. The opportunity also had been taken to review the role of Member Service Delivery Champions which initially had been set up to support new managers following the restructuring of the Council, in the development and presentation of Service Delivery Plans. Given that the new structure now was fully embedded, the 'raison d'être' for these permanent roles was no longer valid. Nevertheless, Member Champions could make a useful contribution to services and specific project delivery (when and where required) and consideration of their appointment in certain circumstance could be made on a case-by-case basis. Since the inception of the Combined Authority and the establishment of ECTC and ECSS, the role of Leader and Deputy Leader of the Council had changed considerably. Therefore, there was a necessity to re-evaluate the roles and refer these to the existing members of the IRP.

Councillor David Ambrose-Smith moved the recommendations in the submitted report and this was seconded by Councillor Bailey.

An amendment tabled at the meeting then was proposed by Councillor Dupré and seconded by Councillor Whelan as follows:

- 2.1 (i) approve the revised Committee structure as detailed in Appendix 2 for implementation from municipal year 2019/20 ***with the addition of a Strategic Planning Committee of 7 members.***
- (ii) ***commit to, that within 12 months of the May 2019 Annual Council meeting proposals will be brought to Council to introduce a new system of area based planning committees.***

Renumber 2.1 (ii) - (iv) to accommodate 2.1 (ii)

Speaking on the amendment, Councillor Dupré stated that strategic planning policy was fundamentally flawed and this represented one of the two highest priority risks to the Council after the Budget. However, the Council currently did not have a Strategic Planning Committee. Councillor Dupré also believed that the development control application process could be improved

by area based Planning Committees, in the light of the site visits and long meetings currently experienced.

Councillor Rouse stated that he could not support the vague area-based Planning Committees proposal. These seemed more appropriate to city areas without parishes such as Cambridge City, rather than rural Districts.

Councillor Schumann also queried how more meetings of area based Planning Committees would reduce Members' workloads. It also could lead to inconsistencies in the consideration of applications between areas and therefore a District-wide approach was preferable. Councillor Bailey agreed that this would undermine the principle of streamlining the Committee process.

Councillor Whelan commented that area based Planning Committees of Members with local knowledge could be beneficial. Councillor Dupré stated that the model she had examined was not Cambridge City but a rural parished District in a neighbouring county. Councillor Dupré also believed that strategic planning issues required a dedicated Committee to consider the issues in detail.

Upon being put to the vote the amendment was declared to be lost.

Speaking on the motion, Councillor David Ambrose-Smith commended the Chief Executive on the proposals which rationalised and streamlined the Committee structure.

Councillor Dupré stated that she was pleased with the clarification provided by the Chief Executive relating to future Shareholder arrangements. With regard to the roles of the Leader and Deputy Leader of the Council, She commented that it had been made clear when the Trading Companies were established, that the Directors should not receive any additional remuneration for the roles. This needed to be made clear to the IRP when the Job Profiles were considered by them as part of the review. The Chief Executive agreed to ensure that this was explained to the IRP.

Councillor Bailey commented that the Council took the Local Plan process very seriously and put a great deal of resources and effort into the preparation of the Local Plan. In addition, the new role of the Leader and Deputy Leader on the Combined Authority (CA) was very demanding and time-consuming in terms of promoting the interests of the District and ensuring the submission of 'shovel-ready' projects to the CA for consideration.

It was resolved:

1. That approval be given to the revised Committee structure as detailed in Appendix 2 to the submitted report for implementation from the municipal year 2019/20.

2. That the role of Service Delivery Champions be revised and make provision for member champions for key services and projects (when and if appropriate).
3. That the Chief Executive and Monitoring Officer be authorised to make the necessary consequential amendments to the constitution and shareholder agreement to implement the above recommendations.
4. That the Democratic Services Manager (Deputy Monitoring Officer) be authorised to consult with the existing Independent Remuneration Panel (IRP) to consider the implications of the new responsibilities and Job Profiles for Leader and Deputy Leader as detailed in Appendix 3 to the submitted report.

Councillor J Schumann left the meeting at 8.54pm and did not return.

75. **PAY POLICY STATEMENT 2019/20**

Council considered a report, T207 previously circulated, detailing the Council's Pay Policy Statement for 2019/20 in accordance with the requirements of the Localism Act 2011.

The HR Manager stated that the ratio between the highest grade and lowest grade at the scale minimum pay point was 1:7.4 and at the maximum pay point was 1:7.9.

It was resolved:

That the 2019/20 Pay Policy Statement be approved and adopted.

76. **COMBINED AUTHORITY UPDATE REPORTS: JANUARY 2019**

Council received reports on the activities of the Combined Authority from the Council's appointees.

It was resolved:

That the reports on the activities of the Combined Authority from the Council's appointees be noted.

77. **EXCLUSION OF THE PRESS AND PUBLIC**

It was resolved:

That the press and public be excluded during consideration of the following item 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 public were present during the item there would be disclosure to them of exempt information of Category 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

78. **EXEMPT MINUTES – 18 DECEMBER 2018**

It was resolved:

That the Exempt Minutes of the meeting held on 18 December 2018 be confirmed as a correct record and signed by the Chairman.

The meeting concluded at 8.57pm.

Chairman.....

Date 11 April 2019

PUBLIC QUESTION TIME – QUESTIONS AND RESPONSES

Agenda Item 14 Local Plan – Proposed Submission Version

Parish Councillor Ian Allen on behalf of Witchford Parish Council:

PETITION OF WITCHFORD PARISH COUNCIL TO EAST CAMBRIDGESHIRE DISTRICT COUNCIL

We the Councillors of Witchford Parish Council resolved at an ordinary meeting on Wednesday 20 February 2019 to petition East Cambridgeshire District Council to consult with the parishes in the district to allow them to express an opinion on whether:

- i) The proposed modifications to the Submission Local Plan 2018 put forward by the Inspector should be challenged;
- ii) The proposed modifications to the Submission Local Plan 2018 put forward by the Inspector should be accepted; or
- iii) The District Council should revert to the 2015 Local Plan.

Response from Strategic Planning Manager:

There are only two options available to the Council: withdraw, or proceed with the Inspector's modifications. If the Council went to consultation on the Inspector's modifications, that consultation is unlikely to be meaningful since the Inspector is extremely unlikely to change her mind on any of her modifications. So the final Local Plan fundamentally will be based on the published Inspector's proposed modifications, even if a consultation process is undertaken. Therefore, if Members are minded to withdraw the Submission Local Plan, it would be better to do so now rather than postpone such a decision until after a consultation process which is unlikely to have any material effect on the proposed modifications.

QUESTIONS

1. The Government has made provision for Councils to build Council housing. Now that the flagship CLT policy is in tatters, is ECDC going to develop a more conventional route to deliver much needed affordable housing?
2. Witchford Parish Council has spent thousands of pounds developing a Neighbourhood Plan. It is structured to fit into the emerging Local Plan as required by policy. Are ECDC Members happy to refund this cost which could have been avoided with a more transparent process?
3. Is object failure in Planning a good reason for the local electorate to lose faith in this Council?

4. Just what are the detailed dangers of working with the 2015 Local Plan highlighted at paragraph 3.35 of the Agenda Paper?
5. Is ECDC going to provide funding or officer time to reinforce the Neighbourhood Plan process across the District? It may be that these Plans are the only form of Planning control that will work for our communities following the abject failure of the Council to adequately plan for us.
6. Is the bullet point at paragraph 3.22 referencing CLT policy – which is a key Corporate Objective – the real stumbling block to modification and acceptance of the emerging Local Plan? Is the Inspector's opinion in any way surprising given the flawed interpretation of community led development?
7. What impact will the Council's failure to agree a Local Plan have on the delivery of the North Ely development?

Response from Director Commercial & Strategic Planning Manager:

I thank Parish Councillor Ian Allen for the questions. Some of the issues raised I can respond to tonight and for some a fuller written response will be provided. Members also are reminded to have regard to the points raised in conjunction with consideration of agenda item 14.

- 1, 4.& 6 This issue will be considered and discussed under Agenda Item 14.
2. There should be no significant impact from Agenda Item 14 on the emerging Witchford Neighbourhood Plan, as this Plan has been developed in compliance with the 2015 Local Plan.
3. The question is noted.
5. The Strategic Planning Manager briefly explained the level and nature of the support that has been, and will continue to be, provided by the District Council for the preparation of Neighbourhood Plans. He explained that full details of the support is set out in the Council's Statement of Community Involvement (SCI), which is available on the website. The Director Commercial stated that more detailed information would be provided in her written response.
7. As the North Ely Development was already a secured and allocated site, there would be no impact on this development.