



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE
Telephone: 01353 665555

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that a meeting of the **EAST CAMBRIDGESHIRE DISTRICT COUNCIL** will be held in the **COUNCIL CHAMBER** at **THE GRANGE, NUTHOLT LANE, ELY, CB7 4EE, ON THURSDAY 21 APRIL 2022** commencing at **6.00pm** with up to 15 minutes of Public Question Time, immediately followed by the formal business, and you are summoned to attend for the transaction of the following business:

AGENDA

1. PUBLIC QUESTION TIME [oral]

The meeting will commence with up to 15 minutes Public Question Time

2. APOLOGIES FOR ABSENCE [oral]

3. DECLARATIONS OF INTEREST [oral]

To receive declarations of interest from Members for any items on the Agenda in accordance with the Members Code of Conduct

4. MINUTES – 22 FEBRUARY 2022

To confirm as a correct record

5. CHAIRMAN'S ANNOUNCEMENTS [oral]

6. TO RECEIVE PETITIONS (IF ANY) [oral]

7. NOTICE OF MOTIONS UNDER PROCEDURE RULE 10 [oral]

(i) Congestion charging

That this Council opposes congestion charging in Greater Cambridge.

Proposer: Cllr Bill Hunt
Secunder: Cllr Anna Bailey

(ii) Accessible toilets

This Council notes that:

- Not every Council owned or managed public toilet in East Cambridgeshire is accessible for people with disabilities.

- The Government has decided that large accessible toilets for severely disabled people—known as Changing Places toilets—will be made compulsory for large new buildings, such as shopping centres, supermarkets, sports and arts venues. The Changing Places interactive map at <https://www.changing-places.org/find> indicates that there is not a single Changing Places toilet in the whole of East Cambridgeshire, and that the nearest Changing Places toilets for residents of the district are at Eddington, Bar Hill, and Mildenhall. Furthermore, East Cambridgeshire is the only district in Cambridgeshire for which no Changing Places grant funding was awarded by Government in March this year.
- The charity Crohn's and Colitis UK is encouraging venues providing accessible toilets to install new signage—two standing figures and a wheelchair user with the words *Accessible Toilet* and the logo 'Not every disability is visible'. This is to help stop stigma and discrimination towards people with Crohn's Disease and Ulcerative Colitis and other invisible conditions. There have been instances nationally where such individuals using an accessible toilet have been accused by staff members of being ineligible to use them.

This Council believes that:

- Provision of good quality, accessible, well-signed public toilets is important not only as a human right, but also for its potential to attract tourists to East Cambridgeshire and enable East Cambridgeshire residents to enjoy the amenities of the district.
- Every public toilet should be accessible for people with disabilities.
- Severely disabled people and their families or carers should be able to spend time in public places confident that a Changing Places toilet is available within a reasonable enough distance not to curtail their visit.
- People with invisible disabilities should be able to use accessible toilets without fear of stigma or discrimination.

This Council resolves to:

- Review disability access to every public toilet provision in East Cambridgeshire, and where this is not in place draw up a plan for installation of disability access arrangements, or make arrangements to replace the toilet with one which can be adapted and which is within a reasonable distance from the inaccessible toilet.
- Engage with businesses and partner organisations across East Cambridgeshire to identify premises, regardless of ownership, where a Changing Places toilet could be installed; work with them to access Government grant or other funding; and ensure that any Changing Places toilets so installed are properly signposted for visitors.
- Ensure that existing public toilets are signed in line with Crohn's & Colitis UK guidance; ask town and district centre retailers and leisure outlets to do likewise with their accessible toilets; and seek advice from Crohn's & Colitis UK on the information and training this Council should provide to council staff members to enable them to understand these conditions and to prevent potential embarrassment for those who suffer with them.

Proposed by: Cllr Lorna Dupré

Seconded by: Cllr Matt Downey

8. **TO ANSWER QUESTIONS FROM MEMBERS (IF ANY) [oral]**
9. **LOAN TO EAST CAMBS TRADING COMPANY (ECTC)**
10. **APPOINTMENT OF BOARD DIRECTOR ECTC**

11. EAST CAMBRIDGESHIRE LOCAL PLAN (SINGLE ISSUE REVIEW) – PROPOSED SUBMISSION VERSION
12. CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY UPDATE REPORTS
January to March 2022
13. ACTION TAKEN BY THE CHIEF EXECUTIVE ON THE GROUNDS OF URGENCY

EXCLUSION OF THE PRESS & PUBLIC

That the press and public be excluded during the consideration of the following agenda 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 the public were present during the item there would be disclosure to them of Exempt information of Categories 1, 2 and 3 of Part I Schedule 12A to the Local Government Act 1972 (as amended)

14. LOAN TO EAST CAMBS TRADING COMPANY – EXEMPT APPENDIX
15. ARP - S113 FRAUD SERVICES AGREEMENT



J Hill
Chief Executive

To: All Members of the Council

NOTES:

1. Members of the public are welcome to attend this meeting. Admittance is on a "first come, first served" basis and public access will be from 30 minutes before the start time of the meeting. Due to room capacity restrictions, members of the public are asked, where possible, to notify Democratic Services (democratic.services@eastcambs.gov.uk or 01353 665555) of their intention to attend a meeting.

The meeting will be webcast and a live stream of the meeting will be available. Further details can be found at www.eastcambs.gov.uk/meetings/council-21042022.

Public Questions/Statements are welcomed on any topic related to the Council's functions as long as there is no suspicion that it is improper (e.g. offensive, slanderous or might lead to disclosures of Exempt or Confidential information). Up to 15 minutes is allocated for this at the start of the meeting. Further details about the Public Question Time scheme are available at:

<https://www.eastcambs.gov.uk/committees/public-question-time-scheme>

The Council has adopted a 'Purge on Plastics' strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we would ask members of the public to bring their own drink to the meeting, if required.

2. There will be an announcement at the start of the meeting regarding the procedure to follow should the fire alarm sound during the meeting.
3. Reports are attached for each agenda item unless marked "oral".
4. If required all items on the agenda can be provided in different formats (e.g. large type, Braille or audio tape, or translated into other languages), on request, by calling Main Reception on (01353) 665555 or e-mail:
translate@eastcambs.gov.uk
5. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

"That the press and public be excluded during the consideration of the remaining item no(s). X 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(s) there would be disclosure to them of exempt information of Category X of Part I Schedule 12A to the Local Government Act 1972 (as amended)."



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Agenda Item 4

Minutes of a Meeting of
East Cambridgeshire District Council held at
The Maltings, Ship Lane, Ely, CB7 4BB on
Tuesday 22nd February 2022 at 6.00pm

PRESENT

Councillor Christine Ambrose Smith	Councillor Mark Inskip
Councillor David Ambrose Smith	Councillor Alec Jones
Councillor Sue Austen	Councillor Daniel Schumann
Councillor Anna Bailey	Councillor Joshua Schumann
Councillor Ian Bovingdon	Councillor Alan Sharp (Chairman)
Councillor Charlotte Cane	Councillor Amy Starkey
Councillor Matthew Downey	Councillor Lisa Stubbs
Councillor Lorna Dupré	Councillor John Trapp
Councillor Lavinia Edwards	Councillor Paola Trimarco
Councillor Lis Every	Councillor Jo Webber
Councillor Mark Goldsack	Councillor Alison Whelan
Councillor Simon Harries	Councillor Christine Whelan
Councillor Julia Huffer	Councillor Gareth Wilson
Councillor Bill Hunt	

1 member of the public was in attendance for Minute 48.

48. PUBLIC QUESTION TIME

At the invitation of the Chairman, two questions were asked by members of the public, which the Chairman invited the Leader of Council to respond to. The questions and answers are detailed below:

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

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

Response from the Leader of Council, Cllr Anna Bailey:

"Thank you for your question.

The Cambridgeshire Pensions Fund is managed by Cambridgeshire County Council which received similar questions at its meeting in December 2021. At that meeting, which was chaired by County Cllr

Alison Whelan who also sits on this authority, the Pensions Committee also considered a revised Responsible Investment (RI) Policy that was the culmination of over a year of deliberation and has been subject to consultation with each scheme employer in the Fund and tens of thousands of scheme members. I am told that the Committee's approach, which is one of engagement over blanket divestment of any sector or region, is entirely consistent with the Paris Agreement.

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

b) Question from Ely resident, Peter Bates:

(Read aloud on his behalf by the Democratic Services Officer.)

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

It is also noted that currently, in the District two charging points at a co-op in Sutton don't appear to have been working properly since May 2021 and a Petrol Station north of Soham appears to have six EV charging points that have not been working since December 2020 when it opened. Both are managed by a major National company that it is understood that ECDC plans to enter into a partnership with for the installation of EV Charging points in Ely Car parks. In addition, One Supermarket in Ely only has a slow EV charging point and another in Ely has recently had installed four free fast EV charging points and one Rapid EV charging point. But this has not been working for over two weeks. How is the Council going to proactively encourage and ensure the widespread installation of accessible and well positioned rapid (>50kw) and fast (7kw) EV Charging points across the District working with companies that will provide reliable EV Charging points with good customer service? How will the tender process for council managed charging points be undertaken? And when will these be delivered?"

Response from the Leader of Council, Cllr Anna Bailey:

"Thank you for your question.

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

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

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

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

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

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

ECDC will ensure that any licence includes clear and robust service level standards, including customer service measures.

Work is already progressing to deliver Electric Vehicle Charging Points in a number of the Council's car parks in Ely. The Council is working with the operator to complete the necessary licences that will include the customer service and operational standards that we are seeking."

49. APOLOGIES FOR ABSENCE

Apologies were received from Cllr David Brown.

50. DECLARATIONS OF INTEREST

There were no declarations of interest.

51. MINUTES – 21st OCTOBER 2021

Council received the Minutes of the Meeting held on 21 October 2021.

A Member raised a Point of Order regarding a public question taken at the meeting from the partner of a Member, which the Member raising the issue considered to be offensive and slanderous, and that had been published in full in the Minutes thereby becoming, in their opinion, libellous. The Member questioned what legal advice had been sought by the Council prior to publication of the draft Minutes. On the invitation of the Chairman, the Monitoring Officer confirmed that no legal advice had been sought.

Cllr Inskip then proposed the following Motion, seconded by Cllr Dupré:

To add the following note at the end of Minute 32:

Minute 32 iii) repeats in full, defamatory statements made during Public Question Time. It is regrettable that such statements were allowed to be made in contravention of Council Procedure Rule 8.1.2 which is intended to prevent offensive or slanderous questions from being tabled.

Several Members questioned the appropriateness of considering the Motion since it did not concern the accuracy of the Minutes. Others stressed that the particular situation merited debate.

The Chief Executive explained that the Minutes should be an accurate and balanced reflection of proceedings at the meeting. Regarding the Motion, the Council could either debate the appropriateness of the proposal or the Motion could be put to the meeting. The Chairman stated that discussion relating to accuracy, and a vote on the Motion, would be permitted on this basis.

A Member requested that their deep concern regarding the Motion be recorded and raised a Point of Order as to whether the insertion of a footnote into the Minutes would be in accordance with Local Government meetings law and practice and Council Procedure Rules. The Democratic Services Manager explained that Council Procedure Rules permitted Council to amend the Minutes regarding a point of accuracy *via* a Motion and that this could take the form of a footnote. The issue was whether the Minutes were an accurate record of the actual proceedings at the meeting and it was for Council Members to consider and vote on whether the proposed footnote was acceptable in this context.

Following a request from a Member, a recorded vote was taken on the Motion:

FOR: (10) – Cllrs Cane, Downey, Dupré, Harries, Inskip, Jones, Trapp, A Whelan, C Whelan, Wilson

AGAINST: (17) – Cllrs C Ambrose Smith, D Ambrose Smith, Austen, Bailey, Bovingdon, Edwards, Every, Goldsack, Huffer, Hunt, D Schumann, J Schumann, Sharp, Starkey, Stubbs, Trimarco, Webber

ABSTENTIONS: (0)

The Motion was declared to be lost.

Cllr Bailey then proposed that the Minutes be confirmed as a correct record and Cllr J Schumann seconded the Motion. In response to a question from a Member, the Chairman confirmed that the Minutes published on the website were the draft version and were not adopted as a correct record of the meeting until they had been approved at the next meeting.

Following a request from a Member, a recorded vote was taken on the Motion:

FOR: (17) – Cllrs C Ambrose Smith, D Ambrose Smith, Austen, Bailey, Bovingdon, Edwards, Every, Goldsack, Huffer, Hunt, D Schumann, J Schumann, Sharp, Starkey, Stubbs, Trimarco, Webber

AGAINST: (10) – Cllrs Cane, Downey, Dupré, Harries, Inskip, Jones, Trapp, A Whelan, C Whelan, Wilson

ABSTENTIONS: (0)

The Motion was declared to be carried.

It was resolved:

That the Minutes of the meeting held on 21st October 2021 be confirmed as a correct record and signed by the Chairman.

52. CHAIRMAN'S ANNOUNCEMENTS

The Chairman noted the excellent work of the Viva Theatre Group whose newly-opened theatre in Soham had been partially funded by the Council. He also informed Members that he had represented the Council at the Remembrance Day Service in Ely and at a service in Ely Cathedral on 6 February to mark the 70th anniversary of Her Majesty The Queen's accession to the throne.

53. PETITIONS

No petitions had been received.

54. **MOTIONS**

a) **Adherence to COVID-19 Public Health Regulations and Guidance**

The following Motion detailed in the Agenda summons was proposed by Cllr Inskip and seconded by Cllr Harries in accordance with Council Procedure Rule 10.3:

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

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

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

Council shares the severe disappointment of many East Cambridgeshire residents that this leadership and responsibility has not been demonstrated by Prime Minister Boris Johnson.

While residents of the district obeyed the lockdown rules, often at huge personal cost, missing funerals, cancelling weddings and saying goodbye to dying loved ones on video calls, the Prime Minister was acting as if the rules did not apply to him.

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

Speaking as proposer of the Motion, Cllr Inskip then explained that, in accordance with Council Procedure Rule 12.6 and with the agreement of the seconder, the Motion had been altered by him to incorporate some elements of Cllr Bailey's subsequently circulated and published amendment, which he considered had improved upon the original version. The altered Motion had been tabled at the meeting as follows:

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

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

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

Council shares the severe disappointment of many East Cambridgeshire residents that this leadership and responsibility has not been demonstrated by Prime Minister Boris Johnson.

While residents of the district obeyed the lockdown rules, often at huge personal cost, missing funerals, cancelling weddings and saying goodbye to dying loved ones on video calls, the Prime Minister was acting as if the rules did not apply to him.

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

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

Cllr Inskip highlighted the unprecedented demands that had been placed on the population as a result of the public health regulations that had been imposed since the first lockdown 23 months earlier. He emphasised the huge personal costs and trials that had been experienced day-to-day and the exemplary behaviour of the majority of people, who had obeyed the rules both to protect themselves and to protect others. Community groups had formed quickly to help others and locally the leadership, support and assistance at Parish and District level had been excellent. Nationally, there had also been examples of strong leadership, most noticeably from Her Majesty The Queen who, despite her grief at the loss of her husband of over 70 years, sat alone at the funeral of her husband. However, public leadership had not been universally good at a national level with, in particular, allegations and evidence appearing since November 2020 to indicate that the Prime Minister and those at 10 Downing Street had not complied with the restrictions imposed on the population. Many local residents had expressed their anger about this to Cllr Inskip and the purpose of his Motion was to recognise the sacrifices made by local people and to reject the notion that there was 'one rule for most' and another for the Prime Minister.

The following Amendment was then proposed by Cllr Bailey and seconded by Cllr J Schumann:

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

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

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

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

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

Speaking on the Amendment, Cllr Bailey stated that the Council was focussed on delivering for local residents and as the country emerged from COVID-19, thanks to the vaccine programme, it was right to thank all those in the District, including those in public office, for their collective efforts throughout the pandemic. The Council would move forward, focussing on supporting local communities, residents and businesses, and the proposed budget to be discussed later in the meeting would detail ways in which the Council intended to do so. She encouraged all Members to support the amendment in united appreciation for the residents of the District.

Following a Member raising a Point of Order, the Chief Executive confirmed that the published Amendment remained procedurally correct since, despite the altered Motion incorporating some of the changes proposed in the Amendment, they had not all been included. Cllr Bailey clarified that the Amendment removed paragraph 4 of the altered Motion.

During debate on the Amendment, many Members recalled individual personal experiences, emphasised the enormous sacrifices that had been required of the population over the previous two years, and commended the work of healthcare professionals and others throughout the very difficult times.

Some Members were of the opinion that the pain of the sacrifices made by many individuals had been made worse by the realisation that the Prime Minister and his staff had not adhered to the same restrictions. A Member considered that, by removing the paragraph referring to the Prime Minister, the Amendment had the effect of not only tolerating the behaviour but also endorsing it.

Other Members commented that matters of national government were outside the remit of the Council and therefore were inappropriate for debate at the meeting. However, a Member asserted that controversy in national politics had the effect of creating distrust and disillusionment in the wider population and it was therefore important to make clear the separation between local and national politics.

Speaking as seconder of the Amendment, Cllr J Schumann echoed other Members' support and praise for the work of residents, NHS workers, other services, and the Council's Officers and senior management. He considered it an inappropriate use of time to debate national politics in a District Council meeting and commended the positive message of the Amendment. He stated his condemnation for any behaviours, at a local or national level, in breach of national rules.

Speaking as proposer of the Motion, Cllr Inskip highlighted that the majority of changes proposed in the Amendment had already been included in the altered Motion. As a result, the Amendment only sought to erase the references to the Prime Minister and this had not been addressed in the majority of speeches during the debate. He therefore believed that the vote on the Amendment provided a choice between condemning or condoning the Prime Minister's behaviour, and between acknowledging or ignoring the anger felt by local residents.

Upon being put to the vote, the Amendment was carried with 16 votes in favour, 10 against, and 1 abstention, and thus became the Substantive Motion.

There were no further comments on the Substantive Motion.

On being put to the vote, the Substantive Motion was carried unanimously.

55. QUESTIONS FROM MEMBERS

Questions were received and responses given as follows:

i) Question from Cllr Lorna Dupré:

Of the Additional Restrictions Grant Round 8 funding:

- What was the total amount available to be allocated?

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

Response from the Leader of Council, Cllr Anna Bailey:

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

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

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

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

ii) Question from Cllr Mark Inskip:

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

Response from the Leader of Council, Cllr Anna Bailey:

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

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

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

iii) Question from Cllr Simon Harries:

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

Response from the Leader of Council, Cllr Anna Bailey:

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

56. PAY POLICY STATEMENT 2022/23

Council considered a report (W141, previously circulated).

The HR Manager introduced the report and explained that the Pay Policy Statement had been updated for the new financial year, as required by the Localism Act 2011, and was included as Appendix 1 of the report. Section 3.2 detailed the pay for the six Chief Officer posts. The salaries would be updated once the April 2021 Pay Award had been negotiated by the National Joint Council for Local Government Services and the trade unions. The salary of the lowest paid employee remained unchanged at £17,842 (£9.25/h) and the ratio between the highest grade and the lowest grade also remained unchanged (7.1:1 at the scale minimum, 7.4:1 at the scale maximum). The National Living Wage was due to increase to £9.50/h on 1 April 2022 and therefore, in the absence of the pay award for 2021, the necessary steps were being taken to increase the pay to £9.50/h for employees on points 1 and 2 on the Council's pay scales until a settlement was reached.

Cllr J Schumann moved the recommendation in the report, seconded by Cllr Goldsack.

Council thanked the HR Manager and team for their report.

It was unanimously resolved:

That the 2022-23 Pay Policy Statement be approved and adopted.

57. SCHEDULE OF ITEMS RECOMMENDED FROM COMMITTEES AND OTHER MEMBER BODIES

Council considered report W142, previously circulated, detailing recommendations from three Committees as follows:

1. Audit Committee – 22 November 2021

PSAA – Appointment of External Audit

It was unanimously resolved:

That the Council opt-in to the appointing persons arrangements made by Public Sector Audit Appointments (PSAA) for the appointment of external audit.

2. Finance & Assets Committee – 25 November 2021

Treasury Operations Mid-Year Review

A Member referenced the earlier public question regarding divesting the pension fund from fossil fuels, and asked about the Council's investments in terms of fossil fuels. The Leader stated that the S151 Officer had recently confirmed that there were no investments in fossil fuels, and the S151 Officer added that all investments were based in money markets.

It was unanimously resolved:

That the mid-year review of the Council's Treasury Management Strategy for 2021/22, as set out in Appendix B1 of the report, be noted.

3. Finance & Assets Committee – 24 January 2022

a) Local Council Tax Reduction Scheme (LCTRS) 2022/23

It was unanimously resolved:

That the changes detailed in the submitted report be approved and thus the East Cambridgeshire District Council's Local Council Tax Reduction Scheme 2022/23 be amended by:

- Reducing the capital threshold from £16,000 to £10,000 and abolishing tariff income;
- Introducing a fixed rate reduction of £7.40 per week for non-dependents;
- Further streamlining the claim process;
- Increasing the tolerance for Universal Credit data re-assessments from £65 per month to £100 per month.

b) 2022/23 Annual Treasury Management Strategy, Minimum Revenue Provision (MRP) Policy Statement and Annual Investment Strategy (AIS)

It was unanimously resolved:

That approval be given to:

- The 2022/23 Treasury Management Strategy
- The Annual Investment Strategy
- The Minimum Revenue Provision Policy Statement
- The Prudential and Treasury Indicators.

7:27-7:35pm the meeting was adjourned for a comfort break.

58. 2022/23 COUNCIL TAX, REVENUE BUDGET AND CAPITAL STRATEGY

Council considered a report (W143, previously circulated) setting out the Council's proposed revenue budget, capital strategy, and the required level of Council Tax in 2022/23. The report also assessed the robustness of the budgets, the adequacy of reserves, and updated the Council's Medium-Term Financial Strategy (MTFS).

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

"Firstly, I understand that there is a motion and an amendment in relation to this matter, but as an introduction to the original report in your agenda papers, Council is asked to approve the Council Tax Resolution as detailed in Appendix 1 and the Council's budget as in Appendices 2 to 5 of the report.

The Council Tax Resolution was circulated to Members after the original dispatch of the agenda, as we did not have the information from all of our preceptors at the time the agenda was dispatched.

When the draft budget report was presented to Finance and Assets Committee on the 24th January, we were still waiting for the final Local Government Finance Settlement from Government and the Business Rates information from the NNDR1; this information is now available and is included in the papers now in front of you. I have also made a few other minor changes as additional information has come to light between the two meetings.

This updated information, especially that in relation to Business Rates, in net terms has made a positive difference from the position reported to Finance and Assets Committee. The Surplus Savings Reserve requirement to balance the 2022-23 budget reducing from £1.427 million to £1.066 million.

The Council, via the use of its Surplus Savings Reserve, has a balanced budget for 2022-23 and 2023-24 and thus does not need to make any immediate changes to service delivery.

However, the Council does continue to have a significant savings requirement in 2024-25 and future years of the MTFS, so does need to be considering how this gap is to be bridged in order to achieve a balanced budget for those years.

Members will have noted throughout my report the uncertainty of funding beyond 2022-23, with the Local Government Fair Funding Review now expected to be implemented from April 2023. The budget presented details a reasonably prudent view of the possible outcome of this exercise, but with no certainty it is possible that 2023-24 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 up-dates as new information becomes available.”

The Chairman then invited Cllr Bailey to propose and speak on the previously-published Motion, as follows, which was seconded by Cllr J Schumann:

Full council is asked to approve:

- The formal Council Tax Resolution which calculates the Council Tax requirement as set out in revised Appendix 1;
- The draft revenue budget for 2022/23 and MTFS for 2023/24 to 2025/26 as set out in the revised Appendix 2(a) & (b);
- A Council Tax freeze in 2022/23;
- The Statement of Reserves as set out in revised Appendix 3;
- The 2022/23 Fees and Charges as set out in Appendix 4;
- The Capital Strategy and financing as set out in Appendix 5.
- To approve the Business Rate reliefs detailed in Section 6.7 of this report.

And also to instruct the Chief Executive to bring forward proposals to the Finance and Assets Committee for the establishment of a £2m Growth and Infrastructure Fund to be funded from the Cambridgeshire Horizons reserve account.

Cllr Bailey made the following speech to propose the Motion:

“As we emerge from the pandemic, I am certain we all recognise its lasting impacts on health, on businesses and on our public services as well as the impact on our national finances and the personal finances of our residents, further exacerbated by the cost of living increases.

Our Council is focussed on delivering for our residents, our communities and our businesses here in East Cambs.

Today we are announcing the launch of our £2m Growth and Infrastructure Fund. We are, once again, freezing the East Cambs element of Council Tax. And we are making new money available for sports and leisure facilities and for community led housing projects.

A new £2m Growth and Infrastructure Fund will support and secure the sustainable growth of the District and could be used to complement, or add to, what we already set out to achieve through our CIL Infrastructure list.

This new capital fund will play a part in continuing to build the infrastructure we need particularly in our growth areas, such a fund could support:

- Community and sports facilities
- Increasing biodiversity and space for nature

It could also potentially provide supplementary funding for:

- New and/or extended cycleways
- Road improvements
- Rail improvements

This is in addition to over £10m invested to date in infrastructure projects across our District since we adopted the Community Infrastructure Levy, as well as £3.8m that's gone directly to our City, Town and Parish Councils. These funds have helped to build and improve leisure centres, recreation fields, country parks, village halls, GP Surgeries, car parks, youth centres, new roads, and cultural facilities such as Ely Museum and the fantastic new Viva Mill.

We're freezing Council Tax for the ninth year in a row – we are the only District or County Council in the country to have achieved this. This is not because we are ideologically welded to doing so, but because we have taken steps to create the environment where we can – and one where we are still delivering great services and new community facilities and infrastructure. It is pleasing to see support from the Liberal Democrat Group for this Council Tax freeze in their budget amendment. All other local authorities in Cambridgeshire, with the exception of Fenland, are increasing their Council Tax by the maximum amount possible. At a time when household costs are rising so rapidly – because we can – it is important that we do our bit to help, modest though that may be.

We have a balanced budget for the next two years - I will not raise Council Tax in order to put money into the East Cambs bank account.

We are also making new money available for Leisure Centres and community-led housing projects. This fulfils our promise, following delivery of The Hive, to support other Leisure Centres in our district and will help them to make improvements to run sustainably. We are also providing new funds for community-led housing projects to help them carry out necessary investigations and preparatory work to develop their projects and ultimately to deliver affordable homes reserved for people in their own community.

We have no external borrowing. We behave commercially for community benefit. We make good use of our own reserves to forward fund projects and activities that deliver benefits to our communities and that provide a return for the Council that far outstrips that available

through normal investment. The effort and investments that we have put into East Cambs Trading Company alone has provided over £3.6m financial benefit to this Council since it began, with more to come over the next few years.

We have the lowest management costs of all the District Councils in Cambridgeshire, by some considerable margin.

As ever, I pay tribute to all our officers who help manage the budgets of this Council and deliver services to our residents, and I particularly want to thank Sally Bonnett for her careful stewardship of the Covid grants over the last two years, and of course our S151 officer Ian Smith for his careful approach to managing the Council's finances.

So, in summary, Chairman, Members, a new £2m Growth and Infrastructure fund, a Council Tax freeze for 9 years, a balanced budget for the next two years, new money for Leisure Centres and community led housing projects, no external borrowing and low management costs all go to show one thing. That this is a well-managed Council, a Council that is delivering for its residents.

To our colleagues in the Independent and Liberal Democrat Groups - you can have every confidence in voting for this carefully considered, financially responsible, well managed budget that supports and delivers for our residents, our businesses and our communities.”

On the invitation of the Chairman, Cllr Dupré then proposed the previously-published Amendment, seconded by Cllr Cane, as follows:

Full council is asked to approve:

- The formal Council Tax Resolution which calculates the Council Tax requirement as set out in LD Revised Appendix 1;
- The draft revenue budget for 2022/23 and MTFS for 2023/24 to 2025/26 as set out in LD Revised Appendix 2(a) & (b), specifically to reflect the following proposals:
 - a) Delete the post of Community Led Development Advisor (£38,000) from 2022/23;
 - b) Delete the CLT pre-development finance support (£100,000);
 - c) Delete increase in PR expenditure (£25,000) from 2022/23;
 - d) Allocate £10,000 to investigate Civil Parking Enforcement options;

e) Devolve the 2022/23 Rural Services Delivery Grant to parish councils (£169,000);

- A Council Tax Freeze in 2022/23;
- The Statement of Reserves as set out in LD Revised Appendix 3;
- The 2022/23 Fees and Charges as set out in Appendix 4;
- The Capital Strategy and financing as set out in LD Revised Appendix 5.
- To approve the Business Rate reliefs detailed in Section 6.7 of this report.

And also to instruct the Chief Executive to bring forward proposals to the Finance and Assets Committee for the establishment of a £2m Growth and Infrastructure Fund to be funded from the Cambridgeshire Horizons reserve account which includes a specific allocation of £500,000 as a capital contribution to the A10 BP Pedestrian and Cycle Crossing.

Cllr Dupré made the following speech to propose the amendment:

“I move the budget amendment from the Liberal Democrat group. Our amendment is intended to alter the proposals from the Conservative group in a number of significant ways:

Firstly, our amendment deletes the post of Community Led Development Advisor and the £100,000 of CLT pre-development finance support. Put very simply, and in terms no-one will misunderstand, we don't trust this administration and its version of community-led development as far as we can throw them.

Every other district in the County is part of the community-led development offer by Cambridgeshire ACRE through the Combined Authority. We see no reason why any authority seeking to be transparent, inclusive, and genuinely respectful of the voice of local communities would not want to do the same.

Secondly, our amendment deletes the increase of £25,000 in the cost of the Council PR budget. There is no excuse for increasing the size of the Council administration's self-promotion spend by one-third and we will not support it.

Thirdly, we would use some of this saving on a one-off spend of £10,000 to investigate options for introducing Civil Parking Enforcement. By the end of this year we will be able to count on the fingers of one hand the number of councils where on-street parking is still enforced—or

realistically not enforced—by the police. And East Cambridgeshire will be one of them. It's time to look at ways in which we can join the rest of society while achieving our own local objectives.

Fourthly, we would delegate the £169,000 Rural Services Delivery Grant to parish and town councils, with a view to them spending that money on environmental or biodiversity activity, or actions to help mitigate development in their communities.

Fifthly and finally, we would commit an initial £500,000 from the new Growth & Infrastructure Fund as matched funding towards a safe crossing for pedestrians and cyclists at the A10 BP crossing in Ely. This is something residents have been crying out for ever since the roundabout was reconfigured under the cheerleadership of the Leader of the Council, to exclude safe travel on foot or by bicycle.

I commend these proposals to this Council.”

During debate on the Amendment, several Members addressed the proposed spend regarding Civil Parking Enforcement (CPE). Some Members referred to the previous Council meeting, at which a proposal to investigate CPE had been defeated, therefore in their opinion funding for CPE should not be included in the budget for the next financial year. However, others argued that in the intervening months the parking situation had not improved and therefore a feasibility study would be beneficial in helping to address residents' regular concerns regarding parking in the District. £10k had been proposed since that was the cost of the feasibility study conducted for Fenland District Council.

A Member commented that Parish Councils were better placed to address climate change actions and biodiversity at a local level, hence the proposal to devolve the 2022/23 Rural Services Delivery Grant to Parish Councils.

Several Members stressed the importance of freezing Council Tax whenever possible, and that the balanced budget and significant reserves enabled that to happen for 2022/23. Some Members contrasted this with the County Council's recent decision to raise Council Tax by the maximum permissible amount that did not require a referendum, although others highlighted the differences in reserves between the two councils which impacted the County Council's ability to freeze Council Tax.

Some Members criticised the proposal to remove the post of Community-Led Development Adviser and the CLT pre-development finance support, and cited this as evidence of a lack of support for CLTs. Others questioned the purpose of the financial support and the adviser since other CLTs had been successfully established without those in place. A Member also argued that the Council's methods of working with CLTs were at odds with other Councils' processes and that overall the policy was not delivering sufficient housing and was disrupting some communities.

The allocation of £500k as a capital contribution to the A10 BP pedestrian and cycle crossing was criticised by a Member due to insufficient information about the scheme, and the Member's belief that any funding for such a scheme should come from elsewhere.

The proposal to remove the increase in PR expenditure was defended by some Members on the grounds that an increase was unjustified, although another Member argued that the additional costs were essential since they would be used to promote the Council's climate change agenda and to engage with the public.

As seconder of the Amendment, Cllr Cane commended the balanced budget amendment and repeated the proposer's comments regarding the scheme run by the Cambridgeshire & Peterborough Combined Authority, facilitated by Cambridgeshire ACRE, in support of CLTs. She emphasised that CLTs should be from and for the community and that, rather than withdrawing support from CLTs, the intention was that they should be supported through ACRE, in common with CLTs in other Local Authorities. The proposed £10k to investigate CPE, and £500k contribution to the A10 crossing, recognised the everyday inconvenience faced by local residents due to parking infringements throughout the District and the lack of a safe cycle/pedestrian crossing on the A10 at the BP roundabout. The Council had supported the changes at the roundabout which had resulted in a more dangerous situation for pedestrians and cyclists, and should therefore be part of the solution to the problem. Regarding the Rural Services Delivery Grant, the provision of funds for Parish Councils to allocate to community groups had been undertaken by the Council several years previously and the budget amendment sought to re-establish that.

As proposer of the original Motion, Cllr Bailey criticised the proposal to make the position of Community Led Development Adviser redundant and remove the CLT pre-development finance support. She stated that similar support was not available *via* the Combined Authority and, following the closure of the Community Housing Fund, CLTs needed to be able to access funding. Regarding the Rural Services Delivery Grant, the situation had been different when the Council last delegated the money to parish councils and was not comparable to the present day. Parish councils now had access to funding *via* their own CIL funds or the District Council's CIL list and it would not be prudent for the Grant to be devolved. The Amendment also sought to remove the additional funding for PR, which would be essential in promotion of the climate emergency and net zero messaging; and to provide unnecessary funds to investigate CPE which had previously been refused by the Council as shown in the Minutes of the previous meeting. The proposal to provide £500k towards the A10 crossing was also ill-timed since work was ongoing with the Combined Authority Mayor to provide a business case for a crossing, and once that was in place then the Council could consider options for contributing to the cost, for example using S106 or CIL funding.

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

FOR: (10) – Cllrs Cane, Downey, Dupré, Harries, Inskip, Jones, Trapp, A Whelan, C Whelan, Wilson

AGAINST: (17) – Cllrs C Ambrose Smith, D Ambrose Smith, Austen, Bailey, Bovingdon, Edwards, Every, Goldsack, Huffer, Hunt, D Schumann, J Schumann, Sharp, Starkey, Stubbs, Trimarco, Webber

ABSTENTIONS: (0)

The Amendment was declared to be lost.

During debate on the Motion there was general support for the freeze on Council Tax. A Member raised the issue of spending on The Hive Leisure Centre, stating that it would be important to ensure that the facility was of a high standard when the operating contract was re-tendered. Another Member spoke in favour of the whole proposal, citing the Council's sound management as having enabled a further year of no Council Tax rise as well as continuing to increase services to residents. Successes from the previous year were highlighted, including the COVID-19 responses, the new Community Bus, the successful bids to the Combined Authority for Market Towns funding for Ely and Soham, and the Youth Strategy.

As seconder of the Motion, Cllr J Schumann urged all Members to support the proposed budget due to its freeze on Council Tax and the £2m of funding for communities. The proposer, Cllr Bailey, reiterated that the budget was balanced for two years with no external borrowing, there would be a Council Tax freeze, money for leisure centres and community-led housing projects, and a new £2m Growth and Infrastructure Fund would be launched.

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

FOR: (17) – Cllrs C Ambrose Smith, D Ambrose Smith, Austen, Bailey, Bovingdon, Edwards, Every, Goldsack, Huffer, Hunt, D Schumann, J Schumann, Sharp, Starkey, Stubbs, Trimarco, Webber

AGAINST: (10) – Cllrs Cane, Downey, Dupré, Harries, Inskip, Jones, Trapp, A Whelan, C Whelan, Wilson

ABSTENTIONS: (0)

The Motion was declared to be carried.

It was resolved:

That approval be given to:

- The formal Council Tax Resolution which calculated the Council Tax requirement as set out in revised Appendix 1 of the report;
- The draft revenue budget for 2022/23 and MTFs for 2023/24 to 2025/26 as set out in revised Appendix 2(a) and 2(b) of the report;
- A Council Tax freeze in 2022/23;
- The Statement of Reserves as set out in revised Appendix 3 of the report;
- The 2022/23 Fees and Charges as set out in Appendix 4 of the report;
- The Capital Strategy and financing as set out in Appendix 5 of the report;
- The Business Rate reliefs as detailed in Section 6.7 of the report.

It was further resolved:

That the Chief Executive be instructed to bring forward proposals to the Finance & Assets Committee for the establishment of a £2m Growth & Infrastructure Fund to be funded from the Cambridgeshire Horizons reserve account.

59. AMENDMENTS TO THE CONSTITUTION

Council considered a report (W144, previously circulated) proposing amendments to the Council's Constitution.

The Democratic Services Officer/Deputy Monitoring Officer introduced the report and explained that the suggested amendments to the Constitution predominantly formalised the policy changes regarding Agenda despatch/publication timings: namely that Agendas for Full Council, Finance & Assets Committee, Operational Services Committee, and Audit Committee would be despatched/published seven clear working days in advance of the meeting, rather than the statutory minimum of five days. There was also a necessary revision as a result of restructuring at Anglia Revenues Partnership (ARP) and clarification on some issues as well as correction of anomalies.

Cllr Bailey, seconded by Cllr J Schumann, moved the previously-published Motion, which revised the recommendations in the report, as follows:

That Council approves the proposed amendments to the Constitution namely:

- (i) Note the change to the period for Agenda despatch/publication to 7 days for Council, the 2 Policy Committees and Audit Committee as

detailed in 3.2 below and amend the Access to Information Procedure Rules as set out in Appendix 1;

(ii) Amend Council Procedure Rules 6 & 10.1 to reflect the move to 7 clear working days for the despatch/publication of the full Council Agenda as detailed in 3.3 below;

(iii) Amend Council Procedure Rule 8.1.2 to designate the Monitoring Officer (Deputy Monitoring Officer in absence) as the responsible officer in relation to Public Question Time as detailed in 3.4 below;

(iv) Amend Council Procedure Rule 8.1.4 (Questions from the Public) to include all Members to which a public question can be put as detailed below:

8.1.4 (Revised)

The question is to any Member of the Council. They may give a verbal answer or undertake to provide a written answer to the question as soon as possible (such reply to be circulated to all Members) or they may decline to answer (for example, on the grounds that the information requested is confidential);

(v) Consider the existing Council Procedure Rule 24.1.3 for calling of Special Meetings as set out in 3.6 below and the amending of the Procedure Rule in accordance with Option 1 Appendix 2 (ref: 24.1.3, Section 4, Page 15);

(vi) Amend the officer delegations as set out in 3.8 and Appendix 1;

(vii) Amend Council Procedure Rule 13.1 (Questions from Members) to enable a Member to ask any question to any Member as detailed below:

13.1 (Revised)

A Member of the Council may ask any Member of Council a question either:

13.1.1 by giving the question in writing to the Chief Executive not less than 24 hours before the Council meeting; or

13.1.2 with the prior permission of the Chairman of the meeting itself on a matter of urgency which could not reasonably have met the rule under 13.1.1 (in this case Members should ensure that copies of the question are available for distribution at the meeting).

Provided always that such questions may be rejected by the Chief Executive or Chairman, if they are matters for which the authority has no responsibility or which does not affect the District; is substantially the same as the question which has been put to

Council in the last 12 months; or requires the disclosure of confidential or exempt information.

13.2 (Deleted)

And that the Legal Services Manager and Democratic Services Manager be authorised to make any consequential changes to the Constitution arising from the agreed amendments.

Cllr Bailey welcomed the proposal to provide Members with more time to study the agenda papers prior to meetings and explained that the Motion also sought to improve public access by providing a forum in which members of the public could ask a question of any Member. Members would have the right to provide a written response after the meeting, if they preferred. The Motion would also permit Member to Member questions, and both of these changes were intended to maximise the accessibility and accountability of the Council and all of its elected Members.

Some Members welcomed the clarity and openness that they believed these changes would bring. They stressed the importance of accountability to the public and the ability for members of the public to ask any individual Member a public question since the responsibilities of power lay with all elected Members, not just with the Administration. A Member also welcomed the opportunity for Member-to-Member questions, for example to seek clarity if one Member had made public comments about another Member.

Other Members supported the recommendations in the report but disagreed with the revisions made in the Motion. They asserted that the purpose of both "Questions from the Public" and "Questions from Members" was to hold the decision-makers to account. They therefore welcomed the addition of the Leader of the Council to those who could be questioned, but considered it inappropriate to permit questions to all Members. Accountability in both question times would be diluted if open to all. Members of the public were already able to question and hold to account all Council Members *via* many methods including in-person at monthly surgeries, and by telephone, email, or social media. A Member considered the proposal to be ill-timed, following the tone of part of the Public Question Time at the previous meeting.

Speaking as the seconder of the Motion, Cllr J Schumann suggested that members of the public may be more inclined to attend Council meetings in future if they were able to put questions to any of their elected representatives. He commented that many Members represented the Council on Outside Bodies and should be able to be publicly questioned in connection with those roles. Regarding the suggestion that the purpose of question times was to hold the Administration to account, he stressed that all Members were elected to the District Council, not just for their own Ward, and that, as decisions taken by the Council affected all residents, all Members should be accountable to all residents.

Summing up as the proposer of the Motion, Cllr Bailey stated that the Public Question Time at the previous Council meeting had shown that there was interest in questioning individual Members, and she considered that all elected Members should be willing to answer questions from the public.

9:14 pm Cllr Simon Harries left the meeting and did not return.

Following a request from a Member, the Chair stated that three separate votes would take place on the Motion:

- a) the entire Motion excluding sub-sections (iv) and (vii);
- b) sub-section (iv) – taken as a recorded vote;
- c) sub-section (vii) – taken as a recorded vote.

a) Upon being put to the vote, the Motion excluding (iv) and (vii) was unanimously carried.

b) Upon being put to the vote, sub-section (iv) was carried as follows:
FOR: (17) – Cllrs C Ambrose Smith, D Ambrose Smith, Austen, Bailey, Bovingdon, Edwards, Every, Goldsack, Huffer, Hunt, D Schumann, J Schumann, Sharp, Starkey, Stubbs, Trimarco, Webber

AGAINST: (9) – Cllrs Cane, Downey, Dupré, Inskip, Jones, Trapp, A Whelan, C Whelan, Wilson

ABSTENTIONS: (0)

c) Upon being put to the vote, sub-section (vii) was carried as follows:
FOR: (17) – Cllrs C Ambrose Smith, D Ambrose Smith, Austen, Bailey, Bovingdon, Edwards, Every, Goldsack, Huffer, Hunt, D Schumann, J Schumann, Sharp, Starkey, Stubbs, Trimarco, Webber

AGAINST: (9) – Cllrs Cane, Downey, Dupré, Inskip, Jones, Trapp, A Whelan, C Whelan, Wilson

ABSTENTIONS: (0)

It was therefore resolved:

That approval be given to the following proposed amendments to the Constitution:

- The 7-day period for Agenda despatch/publication for Council, the two Policy Committees and Audit Committee, as detailed in section 3.2 of the report, be noted, and the Access to Information Procedure Rules be amended accordingly as set out in Appendix 1 of the report;
- Council Procedure Rules 6 and 10.1 be amended to reflect the move to 7 clear working days for the despatch/publication of the full Council Agenda as detailed in section 3.3 of the report;

- Council Procedure Rule 8.1.2 be amended to designate the Monitoring Officer (Deputy Monitoring Officer in absence) as the responsible officer in relation to Public Question Time as detailed in section 3.4 of the report;
- Council Procedure Rule 8.1.4 (Questions from the Public) be amended to include all Members to which a public question can be put, as follows:

8.1.4 (revised)

The question is to any Member of the Council. They may give a verbal answer or undertake to provide a written answer to the question as soon as possible (such reply to be circulated to all Members) or they may decline to answer (for example, on the grounds that the information requested is confidential);

- Council Procedure Rule 24.1.3 for calling of Special Meetings be amended in accordance with Option 1 of Appendix 2 of the report as follows:

The Chairman of the Committee, Sub-Committee, Panel or Working Party or the Chairman of the Council may call a special meeting of the Committee, Sub-Committee, Panel or Working Party at any time. A special meeting shall also be called on the requisition of half of the whole number of the Committee, Sub-Committee, Panel or Working Party, delivered in writing to the Chief Executive. The summons to the special meeting shall set out the business to be considered thereat, and no business other than that set out in the summons shall be considered at that meeting.

- Officer delegations be amended as detailed in section 3.8 and Appendix 1 of the report.
- Council Procedure Rule 13.1 (Questions from Members) be amended to enable a Member to ask any question to any Member, as follows.

13.1 (revised)

A Member of the Council may ask any Member of Council a question either:

13.1.1 by giving the question in writing to the Chief Executive not less than 24 hours before the Council meeting; or

13.1.2 with the prior permission of the Chairman of the meeting itself on a matter of urgency which could not reasonably have met the rule under 13.1.1 (in this case Members should ensure that copies of the question are available for distribution at the meeting).

Provided always that such questions may be rejected by the Chief Executive or Chairman, if they are matters for which the authority has no responsibility or which does not affect the District; is substantially the same as the question which has been put to the Council in the

last 12 months; or requires the disclosure of confidential or exempt information.

13.2 (Deleted)

It was further resolved:

That the Legal Services Manager and the Democratic Services Manager be authorised to make any consequential changes to the Constitution arising from the agreed amendments.

60. CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY UPDATE REPORTS – OCTOBER TO DECEMBER 2021

Council received the reports (previously circulated) from the Combined Authority’s Audit & Governance Committee (17th December 2021), Overview & Scrutiny Committee (25th October, 22nd November and 13th December 2021), and Combined Authority Board (27th October and 24th November 2021).

There were no questions for the constituent Council representatives.

It was unanimously resolved:

That the Combined Authority update reports be noted.

61. ACTION TAKEN BY THE CHIEF EXECUTIVE ON THE GROUNDS OF URGENCY

The Council considered report W145, previously circulated, detailing the actions taken by the Chief Executive on the grounds of urgency with regard to the Additional Restrictions Grant Round 8 and the COVID-19 Additional Relief Fund.

A Member asked for an update on the Internal Audit review of COVID-19 grants, having been informed at a previous meeting that it would be taking place. On the invitation of the Chairman, the Finance Manager committed to providing an answer to all Members outside of the meeting.

It was unanimously resolved:

That the contents of the report be noted.

The meeting concluded at 9:25pm

Chairman.....

Date.....

LOAN TO EAST CAMBS TRADING COMPANY

Committee: Full Council

Date: 21st April 2022

Author: Finance Manager

[W175]

1.0 **ISSUE**

1.1 To respond to East Cambs Trading Company's (ECTC) request for a new loan from the Council.

2.0 **RECOMMENDATIONS**

2.1 Members are requested to:

- (i) approve the new loan facility for East Cambs Trading Company (ECTC) from 1 May 2022 under the following terms, specifically:
 - loan facility value of £7,500,000 (Seven million five hundred thousand pounds);
 - Four year loan facility with the final repayment no later than 31 March 2026;
 - Interest rate of 4.50% per annum;
 - Loan facility to be secured by a debenture detailed in 4.10.
- (ii) approve the sale of the former Paradise Pool site to ECTC for the sum of £539,650;
- (iii) authorise the Finance Manager and Legal Services Manager to complete the necessary documentation to implement 2.1 (i) and (ii) above.

3.0 **BACKGROUND**

3.1 The Council had previously provided loan funding to ECTC both as working capital and specifically for the Ministry of Defence (MoD) site in Ely. The original loans of £5,000,000 and £1,500,000 respectively were repaid in line with the loan agreements on 31st March 2021.

3.2 At the Full Council meeting on the 16th July 2020, the Council approved two further loan facilities to ECTC from the 31st March 2021, these being for £3,600,000 and £1,300,000, with repayment dates of 31st July 2023 and 31st March 2023 respectively. These amounts are currently with ECTC earning the Council interest at 3.5% per annum.

- 3.3 At the ECTC Board meeting on the 7th March 2022, the Board requested that an application be made to the Council for a new loan facility from 1st May 2022, to replace the two current loans and provide funding for the new projects intended to be taken forward by the Company in the coming months / years.
- 3.4 A copy of the Board paper is included as a confidential appendix to this paper, the information in this remains commercially confidential. I have up-dated the financial information in appendices 5 and 6 to the end of March 2022, so that members have the most up-to-date information when making their decision.

4.0 CONSIDERATIONS FOR THE COUNCIL

Reason for the Loan

- 4.1 When the loan facilities were approved in July 2020, it was known that these loan facilities would cover the Company for the period to the end of the work programme it was undertaking at that time, i.e. the completion of work at Haddenham and phase 1 at the MoD site.
- 4.2 ECTC now has the opportunity to progress three further projects:
- Former Paradise Pools Site
 - MoD phase 2
 - MoD phase 3

- 4.3 The further loan facility is therefore required to move forward with these projects, and it is therefore appropriate that ECTC request a further loan facility from the Council at this time.

Affordability for the Council

- 4.4 As at the 31st March 2022, the Council had cash holdings of over £33 million, so there are no concerns in the short-term that funding will not be available for this project from internal borrowing.
- 4.5 The current PWLB interest rate for a four year loan (as at 31st March 2022) is 2.44%, so if the Council was required to borrow to finance the loan at some point in the future, this could be accommodated within the interest rate being offered and still provide the Council with a margin to cover its administrative costs. The 4.5% interest rate has been agreed with ECTC (subject to formal approval) as this is considered to be a “commercial rate”. This rate is 1% higher than the current loan facility between the Council and ECTC and therefore offers the Council an increased margin to support its own MTFS.
- 4.6 If this loan facility is approved, the Council’s treasury management strategy will need to be reviewed and an up-dated position will be reported to Finance and Assets Committee at its November meeting, as part of the half-year up-date report.

Repayment

- 4.7 The loan facility being offered will be due for repayment on 31st March 2026, at a point when the three projects detailed in 4.2 above have been completed.

- 4.8 Clearly if at this point, the Company has other projects that it wishes to move forward with, a further loan facility may be required, but that will be a decision for Council at that time.

Security

- 4.9 As the Cambridgeshire and Peterborough Combined Authority (CPCA) have been, and indeed remain, the main lenders for the two current schemes being taken forward by ECTC, they have held security over these, which has left the Council with no security over its lending. CPCA will not be providing any funding for the new projects and it is expected that their funding of the current projects will all be repaid by 31st March 2023.
- 4.10 It is therefore intended that the Council will take from ECTC a debenture that will give it first ranking security for the debt over all unsecured assets of the Company. Prior to 31st March 2023, this will be ranked behind the CPCA security, but once that is repaid, it will mean that ECTC has top security on all of the Company's assets.

Former Paradise Pool Site

- 4.11 In the event of the above loan facility being approved, ECTC have submitted an offer for the freehold of the former Paradise Pool site at Ely to progress development as soon as possible. The Finance and Assets Committee (ref: 7 June 2021, Exempt Item 14) agreed to dispose of the site to a private developer based on draft heads of terms including a price arising from a competitive tender. (See background papers exempt).
- 4.12 Negotiations with the private developer have not been able to reach a settlement based on the original heads of terms including a commitment to £100k homes within the agreed price. ECTC have confirmed their offer is based on meeting the original heads of terms as agreed by Finance and Assets Committee. It is therefore recommended that the site be sold to ECTC.

5.0 CONCLUSIONS

- 5.1 As your Section 151 Officer, I have reviewed the information on the loan request as detailed in the Board paper (appendix 1 to this report). I have sought further information from the Finance Manager at ECTC to assure myself that based on current assumptions and the sensitivity analysis undertaken, it is my view, that with the loan funding being offered, the Company will be able to complete the projects identified and have the available funding to repay the loan facility by, at the latest, 31st March 2026.
- 5.2 I am therefore happy to recommend to Council that it should move forward and grant the Company the loan facility as detailed in this paper.

6.0 APPENDIX

6.1 Confidential Appendix A – Agenda item 5 from the ECTC Board meeting on the 7th March 2022

Background Documents

Finance & Assets Committee
- 7 June 2021
(Exempt Item 14)

Location

Room 104
The Grange
Ely

Contact Officer

Ian Smith
Finance Manager
(01353) 616470
E-mail: ian.smith@eastcambs.gov.uk

APPOINTMENT OF BOARD DIRECTOR (EAST CAMBS TRADING COMPANY)

Committee: Council

Date: 21 April 2022

Author: Chief Executive

[W176]

1.0 **PURPOSE**

1.1 To appoint a Board Director for ECTC.

2.0 **RECOMMENDATION**

2.1 Council is recommended to appoint Sally Bonnett, Corporate Unit Manager, as Board Director for ECTC.

3.0 **BACKGROUND**

3.1 Emma Grima, Director, Commercial has tendered her resignation as Board Director for ECTC. This follows her secondment (effective from 11 April 2022) to East Cambs Trading Company.

4.0 **PROPOSAL**

4.1 Under the Shareholder Agreement between the Council and ECTC, the Council is required to appoint new Directors to the Board (ref: 6.1.11). It is recommended that Sally Bonnett, Corporate Unit Manager, is appointed as Board Director of ECTC.

5.0 **FINANCIAL IMPLICATIONS/EQUALITY/CARBON IMPACT ASSESSMENT**

5.1 There are no financial implications arising from this report.

5.2 There is no requirement for an Equality Impact Assessment (EIA) or Carbon Impact Assessment.

6.0 **APPENDICES**

6.1 None.

Background Documents

Letter of Resignation,
Ms Emma Grima – 11 April 2022

Location

Room 103
The Grange
Ely

Contact Officer

John Hill
Chief Executive
(01353) 616271
E-mail: john.hill@eastcambs.gov.uk



East Cambridgeshire
District Council

**East Cambridgeshire
Local Plan - Single
Issue Review (of its
2015 Local Plan)**

Proposed Submission
Stage (Reg 19)
consultation

May 2022 to June 2022

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Introduction

East Cambridgeshire District Council is undertaking a narrowly focused Single Issue Review (SIR) of its adopted Local Plan. This document outlines the scope of the review, the proposals and how you can make representations on the proposals.

The purpose of the SIR is to partially replace a very small part of the Local Plan adopted in April 2015. The proposals set out in this document is for the vast majority of the Local Plan (2015) to remain unaltered and remain part of the development plan for East Cambridgeshire.

We consulted twice in 2021 on our initial proposals. After giving due consideration to the comments made at each stage, we have produced this final round consultation document.

How to make comments

This is a third and final opportunity for you to make your comments on the emerging SIR. Please note that we welcome comments, though please be aware that the scope of the proposals outlined is quite narrow and most aspects of the proposals are quite technical in nature.

The consultation document can be viewed at: <http://www.eastcambs.gov.uk/local-development-framework/local-plan-review> .

To respond, you can e-mail us at planningpolicy@eastcambs.gov.uk or post to:

Strategic Planning Team
East Cambridgeshire District Council
The Grange
Ely
Cambridgeshire
CB7 4EE

This is third and final consultation, undertaken under Regulation 19 of *The Town and Country Planning (Local Planning) (England) Regulations 2012* (as amended), and will be for 6 weeks. The start date for making comments is 3 May 2022, and the **closing date for all comments is at 23:59 on 13 June 2022**. Any comments received after this date will not be considered. Once the consultation has closed, it is not the task of the Council to consider the representations you make. Instead, the Secretary of State will arrange for an independent Planning Inspector to examine the SIR document. The Inspector will consider the representations that are received alongside the submitted SIR. The Inspector will determine whether or not the changes being proposed by the SIR are legally compliant and sound, or whether alternative changes are needed.

Please note, your representations must fall within the scope of this consultation. Any representations which fall outside of the scope of the consultation will not be considered. For example, any representations seeking changes to policy wording of a Local Plan 2015 policy not being consulted upon will not likely be considered.

Please note that representations received cannot be treated as confidential. If you are responding as an individual, rather than as an organisation, we will not publish your contact details (email/postal address and telephone number) or signatures online, however the original representations will be available for public viewing at our offices by prior appointment. Please do not include any telephone numbers or signatures as we do not require this information.

The Council respects your privacy and is committed to protecting your personal data. Further details on the Privacy Notices is available on our website <https://www.eastcambs.gov.uk/notices/privacy-notice>

Further information can be obtained from:

Strategic Planning Team (see address above)

Telephone: 01353 665555

Email: planningpolicy@eastcambs.gov.uk

Policies Map

Any reference to the term Policies Map in this document relates to the adopted Policies Map which was primarily established as part of the adoption of the 2015 Local Plan, but has been amended since by any subsequently made Neighbourhood Plans, and the county-based 2021 Minerals and Waste Local Plan. At this stage no changes are proposed or anticipated to the Policies Map as a result of this SIR.

1. What stage are we at?

- 1.1 This is the third stage (third consultation) in a process of producing a Single Issue Review (SIR) of the Local Plan. The earlier stages (also sometimes known as 'Regulation 18' consultation stages) of the Local Plan captured the issues we intended to address and set a steer as to how we proposed to tackle those issues. This third and final consultation stage (a 'Regulation 19' Publication Draft or Proposed Submission Draft Plan) consultation, reflects on the comments made at the earlier stages, and provides the Council's final proposals it intends to progress.
- 1.2 As outlined in the timetable below, the SIR Local Plan process has a number of formal statutory stages which will take place over a few years.

No.	Stage	Description	Dates each stage is proposed to take place
1	Consult on a sustainability appraisal (SA) scoping report	The SA scoping report sets out the sustainability objectives proposed to be used to appraise the economic, social and environmental effects of the emerging Local Plan policies. The SA scoping report is subject to consultation.	December 2020 Completed
2	Public participation (Regulation 18)	Opportunity for interested parties and statutory consultees to consider the options for the plan before the final document is produced. This stage may involve one or more public consultation rounds, each for a minimum 6 weeks. We have undertaken two rounds for this Single Issue Review Local Plan.	March-May 2021 Completed
			December 2021-February 2022 Completed
3	Proposed-Submission Publication (Regulation 19)	The Council publishes the draft Local Plan (parts to be amended) which is followed with a 6-week period when formal representations can be made on the Local Plan (or, in this case, representations can be made in relation to the elements being proposed for change in the Single Issue Review).	May - June 2022 (six weeks in that window) This stage
4	Submission (Regulation 22)	The Council submits the Local Plan (parts to be amended) to the Secretary of State together with the representations received at Regulation 19 stage.	July 2022
5	Independent Examination (including likely Hearing sessions) and Inspector's Report	Held by a Planning Inspector into objections raised on the Local Plan. The Inspector's Report will determine whether the Plan is 'sound' or 'not sound'. The Inspector may make recommendations (including recommended modifications) to make the plan 'sound'	From date of Submission to December 2022* (*estimate: dates set by Inspector)
6	Adoption of DPD (Local Plan)	Final stage, the Council will formally need to adopt the Local Plan and it will then be used in making planning decisions.	January or February 2023* (*estimate: date depends on completion of stage 5)

2 Why is this Single Issue Review (SIR) needed?

- 2.1 The Council's current Local Plan remains its 2015 version, adopted in April 2015¹.
- 2.2 Being greater than five years old, it was necessary (by law) to regularly review its content to determine how 'up to date' it is. The Council undertook, and published, a second formal Review in April 2020². That Review, in summary, concluded that the:
- "...Local Plan 2015 does require to be revised, but only partially and only in respect of its strategic housing policies. Of those policies, Policy GROWTH1 needs to be revised, because it has an out of date housing requirement. Other strategic housing policies may also be updated during the course of updating GROWTH1, should that be necessary.*
- The rest of the Local Plan is considered to not, at the present time, be in need of updating, therefore a full update of the Local Plan is not considered necessary.*
- However, whilst only one policy has been identified in need of updating, this does not prevent the Council from commencing preparation of a new Local Plan, in whole or part, on matters as it sees fit."*
- 2.3 The Council has considered three subsequent options to address the above conclusions. The options were as follows:
- Option 1:** Do as the Review in April 2020 concluded, and limit any update of the Local Plan to the matters identified in the Review, namely GROWTH1 and its housing requirement, and possibly, consequentially, other policies if strictly necessary; or
- Option 2:** Go beyond what the Review in April 2020 concluded, and do a more comprehensive or full new Local Plan; or
- Option 3:** Do nothing at present, and await further progression of Government's Planning White Paper to see whether to progress Option 1, Option 2 or, instead, simply wait for the new planning system to commence (under the provisions of what the Planning White Paper proposes) and start a new Local Plan on that basis.
- 2.4 Option 1 was selected by the Council as the way forward. For the avoidance of doubt, we are not seeking any representations as to whether the Council was correct to proceed on the basis of Option 1.

3 The Proposed Changes

- 3.1 The Council proposed at the first consultation round to undertake the following six 'Proposals' as part of the SIR. Your views on these (which are available in a separate Consultation Report) have been carefully considered. Other than some minor adjustments, the Council has decided to maintain the 6 Proposals.
- Proposal 1 – Scope of Changes**
- 3.2 The Council intends, in line with its April 2020 formal review of its Local Plan referred to above, to focus the changes arising from the SIR to section 3.2 (Level of Growth) and 3.5 (Delivery of Growth) of the 2015 Local Plan, and specifically:
- Paragraphs 3.2.3 – 3.2.5, under the sub-heading 'Level of housing growth';
 - Policy Growth 1, but limited to the first bullet point of Growth 1 only (which relates to the housing requirement for the district); and
 - Paragraphs 3.5.5 – 3.5.7, under the sub-heading 'Housing delivery', this being necessary as a consequence of updating the above.

¹ See <https://www.eastcambs.gov.uk/local-development-framework/east-cambridgeshire-local-plan-2015>

² See <https://www.eastcambs.gov.uk/local-development-framework/east-cambridgeshire-local-plan-2015>

Proposal 2 – Plan Period

- 3.3 The Council does not intend to amend the overall 2015 Local Plan Period of 2011-31. To do so would likely have wider implications beyond the intention of the SIR.
- 3.4 We have considered the comments made by some representors at the two consultation stages, which sought an extension of the plan period beyond 2031. However, in response, extending the plan period beyond 2031 will have considerable implications and will result, in effect, in the need for a full Plan update (for example, it will require additional substantial work such as a call for new sites, and assessing and selecting such sites for allocation in the Local Plan. It will also have a knock-on effect on other issues such as, potentially, the need for more employment land, retail floorspace and other facilities to cater for increased population, and arguably other policy updates on matters such as climate change and the natural environment). This option has already been rejected by the Council. A comprehensive update of the Local Plan will be undertaken once clarity is available in respect of a forthcoming Planning Act. Commencing a comprehensive review ahead of such changes could lead to considerable resource expenditure and the potential of such a Plan not being completed.

Proposal 3 – Site Allocations

- 3.5 The Council does not propose to provide any further allocations in its Local Plan as a consequence of this SIR. This is because the volume of existing housing site ‘commitments’ (such as sites with planning permissions and other sites which are allocated for development via the 2015 Local Plan or more recent Neighbourhood Plans) do, it considers, comfortably exceed the quantum of the new housing requirement figure arising from the SIR. Consequently, no new allocations are necessary. Further details on this are set out later in this document.
- 3.6 A number of respondents suggested we should review our site allocations and consider new sites to be allocated in the Local Plan. As discussed in paragraph 3.4, this would require a considerable work and would delay the review process significantly. That option is therefore rejected.

Proposal 4 – the Housing Requirement

- 3.7 The Council proposes to establish the new housing requirement in line with national policy (see section 4 in this document for an explanation of this). The Council is not deviating from the nationally derived housing need standard method, nor deviate from that need figure which arises to establish a different housing requirement. The Council is aware of the potential circumstances set out in national policy and guidance to create a housing requirement figure which is different from a standard method housing need figure, but sees no compelling evidence for doing so in this SIR. For example, it does not intend to seek to take any additional housing need or requirement from any other neighbouring district area, nor does it seek to ‘offload’ any housing need or requirement arising in East Cambridgeshire on to another neighbouring district area. Further, there are no fundamental economic or infrastructure investment planned for the district which could indicate a need to increase the housing requirement figure (particularly considering that the annual housing growth rate for East Cambridgeshire (as a % of existing housing stock), derived via the standard method, is already one of the highest in the country).
- 3.8 Some of the comments received at the consultation stages suggested that the national standard method for calculating housing need should be treated as a minimum, with the housing requirement set higher. Other factors, it was stated, should be considered such as economic growth and the impact of the Oxford-Cambridge Arc. Also, under the Duty-to-Cooperate with a neighbouring district, there may be a requirement for some of their housing need to be located in East Cambridgeshire. Taking these factors into account could considerably increase the housing needs for the district, representors suggested. We have carefully considered these comments, but the effect of the Oxford -Cambridge Arc is uncertain at present, does not appear to be progressing to the timetable it proposed, and its outcome (should it proceed at all) may not be known for some time. It would be unwise to delay this update to the Local Plan as a result. Also, we have not been approached by any of the neighbouring councils, who are preparing their Local Plans, seeking East Cambridgeshire to accommodate any of their housing need or requirement (indeed, to the contrary: engagement to date has confirmed no such mechanism is intended to be triggered). We are therefore confident that East Cambridgeshire will not be asked, at this final consultation stage, to take on additional housing to help meet the needs of neighbouring districts.

Proposal 5 – Broad Areas (sometimes referred to as Broad Locations)

- 3.9 At the first consultation stage, the Council said it would review the guidance in section 3.5.5-3.5.7 of the Local Plan in respect of the ‘*Broad Areas for housing*’ which the Local Plan refers to in supporting text (such Areas only being at Littleport and Soham). We acknowledge there was a mixed response to this Proposal at the first and second consultation stages, with the majority (but not unanimous) view appearing to support, in principle, leaving the Broad Areas position largely unaltered. Others sought the Broad Areas to be firmed up, whilst a few sought their deletion.
- 3.10 Following careful consideration of the representations, and following a review of the text in the Plan, the Council determined for the second consultation stage that there was no need to significantly amend the text at that stage, and therefore the ‘Broad Areas’ were proposed to remain in the Local Plan as currently set out in the adopted Local Plan: in simple terms, these are locations that indicatively “could be developed in the future” but currently with no policy status or Policies Map allocation.
- 3.11 However, the Council at that consultation stage removed any assumed supply from such sites for the period to 2031, primarily because the Council can already demonstrate a considerable excess of supply above the identified housing requirement, meaning a reliance on any supply from the Broad Areas in the period to 2031 is not necessary. Overall, the Council at the second consultation stage stated that it did not intend to ‘firm up’ such Broad Areas as formal allocations in this SIR.
- 3.12 As well as the representations received at the second SIR consultation stage, the Council has also very carefully considered the appeal decision received in February 2022 (i.e. after the second consultation period had closed) in respect of Land to the North East of Broad Piece, Soham (Appeal Ref: APP/V0510/W/21/3282449). That land falls within one of the Broad Areas for Soham, and the appeal was allowed by the Planning Inspector (M Boniface MSc MRTPI) appointed by the Secretary of State.
- 3.13 The Inspector in that case noted that:
- “Although broad locations are said to be indicative, supply is anticipated from these areas in the later part of the plan period. Indeed, some 1,800 dwellings contributing to the supply identified in the [East Cambridgeshire Local Plan] is expected at the broad locations. Therefore, the supporting text is an important consideration in this case that assists with interpretation of the policy.”*
- And
- “Furthermore, the appeal site falls within a broad location specifically identified and expected to deliver a significant quantum of development during the later part of the plan period.”*
- 3.14 The Council’s interpretation of the Inspector’s decision, when read as a whole, is that the Local Plan, when adopted in 2015 and as written, has a clear expectation that the Broad Areas (or Broad Locations as they are sometime known) will deliver housing units in the plan period to 2031. And, on the basis that the Local Plan is not undergoing a comprehensive site allocations update for this SIR, it follows that the Broad Areas should similarly be retained in the Plan. To significantly amend them now (either firmed up through site boundaries, or deleted) would be at odds with the approach elsewhere of this SIR, where the SIR is not adding new allocations or reconsidering existing allocations.
- 3.15 Thus, whilst the Council is not proposing to firm up the Broad Areas into specific allocations, it has reflected on the Inspector views which highlight the ‘expectation’ such Areas will deliver units in the plan period to 2031.
- 3.16 It is further worth pointing out that, of the five Broad Areas identified in the Local Plan (two are in Littleport, three in Soham), two of them already now have permission (one in Soham, one in Littleport). There is active interest, including applications, for the remaining three.
- 3.17 Taking all of this into account, and particularly reflecting on the appeal decision referred above, the Council is therefore proposing:
- (i) To retain the Broad Areas as identified in the supporting text in the Plan, but not ‘firm them up’ into specific allocations;

- (ii) Acknowledges the expectation of delivery from such Areas, in the plan period (which remains unaltered, at 2031);
- (iii) Updates the supporting text in the Local Plan, via this SIR, to acknowledge that the principle of development coming forward on the Broad Areas is now established.

3.18 For the avoidance of doubt, the Council is not relying on such sites to come forward in order to meet its housing requirement to the period to 2031, but should any do so this would add greater flexibility to facilitate its housing needs to be met in the period to 2031. A future Local Plan full update can revisit this position, and determine any appropriate allocations for such locations.

Proposal 6 – consequential changes

3.19 The Council at the earlier consultation stages stated that it intended to add any necessary, minor consequential changes to the plan such as brief text in section 1 of the Plan explaining the changes arising from this SIR, and the process of that SIR. No substantive comments were received on this Proposal, and the Council intends to progress it forward as originally stated.

4 What is the proposed new housing requirement figure (Proposal 4)?

4.1 Unlike in 2015 (when the current Local Plan was adopted), Government policy now prescribes how a local area determines its housing need (or 'local housing need'), under what is known as 'the standard method'³. Whilst it is possible for a local area to derive a different housing need figure using a different locally based method, national policy prescribes that such a local based method is only appropriate where "exceptional circumstances justify an alternative approach" (NPPF para 61). The Council does not consider there to be any such 'exceptional circumstances' which would apply in East Cambridgeshire.

4.2 The standard method involves a number of variables which are added into a formula to calculate the local housing need, which in turn can be converted into the starting point for a local housing requirement. The data for each variable is established by government (or associated body, such as ONS), so there is no discretion for a local area to determine what each variable is. However, each part of the formula requires the latest available evidence to be used, which can mean the actual local housing need figure can change a number of times over any year, though usually such changes result in relatively minor adjustments to the final outcome. The variables are:

- ONS forecast of household growth (which can change every 2 years, though the Government presently require the 2014 based forecasts to be used, despite more recent ones being available).
- The latest 'affordability ratio' in the local area, which is an assessment of how affordable homes are to buy, in comparison with local income in the area. This ratio is normally updated every March.
- What the 'current' or 'starting' year is. Thus, the variables may change slightly depending on the year being used as the baseline.

4.3 As at April 2022 (which now includes the March 2022 release of housing affordability ratio, which was not available at the time of the second round of consultation on this SIR), the Council understands that the latest (i.e. from 1 April 2022) local housing need for East Cambridgeshire is 599.78 dwellings per annum, which means a total of 5,398 dwellings are needed between 2022-31. The local housing need calculation is as follows (note: these steps and formula are set by Government):

Step 1: Household projections

For East Cambridgeshire, the 2014-based household projections forecast a household increase between 2022 (base year – 2022 – 39,503 households) and 2032 (year 10 – 2032 –

³ See <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

43,738) is 4,235 households **which equates to a 10 year annual average of 423.5 households.**

(source: [Live tables on household projections - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/live-tables-on-household-projections))

Step 2: affordability adjustment

The latest ratio of median house price to the median gross annual workplace- based earnings (table 5c – published 23 March 2022) is for the year 2021 and is established as being 10.66 for East Cambridgeshire.

Affordability adjustment factor (using national formula) = $((10.66 - 4)/4) \times 0.25 + 1 = 1.41625$

Step 3: calculate the local housing need

423.5 (Step 1) x 1.41625 (Step 2) = 599.78

For the purpose of the SIR, therefore, **the appropriate Local Housing Need figure for East Cambridgeshire is 599.78 dwellings per annum.**

- 4.4 To calculate the total housing requirement for the 'plan period' (2011-31), it is necessary to work 'backwards' (to the plan base date of 2011) and 'forwards' (to the plan end date of 2031).
- 4.5 To do this, it is proposed to split the calculations into two halves, first for the period 2011-2022, and second for the period 2022-2031.
- 4.6 The housing requirement for 2011-22 will be established as being the housing delivered between 2011-2022. This is consistent with the national method (see NPPG Reference ID: 68-031-20190722⁴, which explains that "*Step 2 of the standard method factors in past under-delivery as part of the affordability ratio, so there is no requirement to specifically address under-delivery separately when establishing the minimum annual local housing need figure*". See also NPPG Reference ID: 2a-011-20190220 which similarly states "*The affordability adjustment is applied to take account of past under-delivery. The standard method identifies the minimum uplift that will be required and therefore it is not a requirement to specifically address under-delivery separately.*"
- 4.7 The quantum of housing delivered (net) between April 2011-March 2021 was 3,018, but at the time of writing we are uncertain of delivery in the final year of 2021/22. When known, this will be added to the total requirement figure. It will be known well before the SIR amendments are adopted.
- 4.8 This [3,018 + 2021/22 housing completions figure] is then added to the housing requirement for 2022-2031, in order to prepare the full requirement for the full plan period 2011-2031.
- 4.9 The 2022-31 housing requirement figure is proposed as matching the latest local housing need figure (there being no evidence to suggest it should be adjusted). This results in a housing requirement of 5,398 homes (i.e. 599.78 x 9).
- 4.10 Thus, in turn, this means the total housing requirement for 2011-2031 is [3,018 + 2021/22 housing completions figure + 5,398. *Indicatively, we expect that figure to be around or just under 9,000*]. It is proposed, therefore, that policy GROWTH1, as to be updated, will have a housing requirement figure to match this sum.
- 4.11 GROWTH1 will split this total housing requirement into two elements, first for the period 2011-22, and second for the period 2022-31. By doing so, this will be consistent with calculations associated with 'five year land supply' (see our website for details of our five year land supply reports⁵ as well as more information below).

⁴ See <https://www.gov.uk/guidance/housing-supply-and-delivery>

⁵ See <https://www.eastcambs.gov.uk/local-development-framework/monitoring-and-local-development-scheme>

5 Present Housing Supply

- 5.1 At least once a year, the Council publishes a Five Year Housing Land Supply report⁶. The latest version of that report is dated October 2021. A new one is not expected until summer 2022.
- 5.2 The October 2021 report identifies a total future supply (i.e. supply from 1 April 2021) of over 10,000 homes. Of this, 4,524 are believed deliverable in the period 2021-2026, and a total supply of over 8,179 in the period 2021-2031.
- 5.3 It is therefore evident to the Council that the new forward looking housing requirement (calculated as being 5,398 dwellings, 2022-2031) is far exceeded by the identified supply (of 8,179 dwellings), even allowing for a small element of that supply being used up in the year 2021/22; plus there is a further 2,008 supply beyond the plan period already identified (excluding any from the Broad Areas which are yet to have consent).
- 5.4 We are also aware of new planning permissions in 2021/22 which are not accounted for in the October 2021 Five Year Land Supply, or in the figures referred above, which would boost even further the supply going forward. For example, 175 homes at Broad Piece, Soham, that was granted consent on appeal, in February 2022.
- 5.5 It is for this reason that the Council concludes that there is no need to identify any further allocations as a consequence of this SIR, on the simple basis that supply already comfortably meets the requirement; indeed, supply (at c8,000 for the plan period, and a further c2,000 beyond the plan period) is well in excess of the requirement (c5,400 for the plan period). Put another way, there is c150% of known supply to meet the identified requirement, which provides ample headroom should any supply fail to come forward, or come forward more slowly and slip beyond 2031.
- 5.6 Indeed, if further allocations were to be made, the supply would be so great (i.e. more than 150% of need), and so considerably in excess of the identified housing requirement, that the Council would risk:
- (i) Identifying sites in less sustainable locations;
 - (ii) Market saturation, which can actually lead to less delivery (due to depressed land values / sales) rather than greater delivery; and
 - (iii) Duty to Cooperate concerns, as the excess supply could result in need being met within East Cambridgeshire which ought to be met (and is planned to be met) in a neighbouring authority(s).
- 5.7 Any new allocations will, therefore, be a matter for a future full update of the Local Plan, alongside an update in the plan period (or, potentially, via any Neighbourhood Plans prepared in the district).

6 Consultation Arrangements

- 6.1 As a reminder, we are not seeking views on any other aspect of the 2015 Local Plan, and we are not seeking any suggested new allocation sites.
- 6.2 In Section 8 are the precise changes to the Local Plan we are proposing, each with a reference number ("Proposed Change Ref 1" etc). When responding to this consultation, please reference the proposed change you are commenting upon.

7 Next steps

- 7.1 Once representations have been received, the Council will proceed to 'submit' the SIR, the representations received and other supporting material to the Planning Inspectorate (whom acts on behalf of the Secretary of State). Anyone who has made representations will be notified in due course of the examination stage of the SIR, and how you may get involved in that examination stage. We anticipate that submission will occur in July or August 2022, with the examination commencing immediately thereafter for several months.

⁶ See <https://www.eastcamb.gov.uk/local-development-framework/monitoring-and-local-development-scheme>

8 Specific Proposed Changes to the Local Plan

8.1 The following boxes identify the precise changes being proposed to the Local Plan, using a series of crossed out text and bold italics new text.

Proposed Change ref:	Explanation	Local Plan Text (as proposed to be amended)
1	Front Cover amended by addition of the following under "April 2015"	<i>(as amended [add date of adoption])</i>
2	Text Box at top of Page 1 amended as follows	<div style="border: 1px solid black; padding: 10px;"> <p>This East Cambridgeshire Local Plan Development Plan Document was adopted at a full meeting of East Cambridgeshire District Council on 21 April 2015, <i>with the exception of Policy GROWTH 1 and some of its supporting text, and some supporting text associated with Policy GROWTH 4, all of which has been updated and adopted at a full meeting of the Council on xx xxxx 20xx.</i></p> </div>
	Add new text after para 1.2.7 as follows	<p><i>1.2.8 Following consultation and independent examination over the period 2021-2023, a very limited updating of the Local Plan took place, which had the primary effect of updating the housing requirement figure in Policy GROWTH 1, together with some updating of the supporting text to Policies GROWTH 1 and GROWTH 4.</i></p> <p><i>1.2.9 Those limited updates were formally adopted by the Council on [add date of adoption], and incorporated into the Local Plan accordingly. For the avoidance of doubt, other than Policy GROWTH 1, no other Policy was updated and no new site allocations were made.</i></p>
	Amend the supporting text 3.2.3-3.2.5 as follows	<p>Level of housing growth</p> <p>3.2.3 Following the abolition of Regional Spatial Strategies, the District Council is <i>was</i> responsible for identifying a housing 'target' in the <i>2015</i> Local Plan. The right level of housing can help to support economic growth, meet local housing needs, and facilitate the delivery of infrastructure. Having a housing target also allows a local authority to work with service providers and other organisations to ensure suitable infrastructure is provided to meet the needs of new development.</p> <p>3.2.4 The housing requirement for East Cambridgeshire <i>for the 2015 Local Plan needed</i> needs to be justified and based on an objective assessment of need (paragraph 47 in <i>2012</i> National Planning Policy Framework). This involves looking at housing needs and demands</p>

(including demographic evidence, affordability levels, jobs growth) – but also taking account of supply, delivery and strategic matters which may have an impact (including land availability, infrastructure capacity and market deliverability). It also involves co-ordination with the strategy of neighbouring authorities, and working together to ensure the needs of the housing market area are met. The District's Council's housing requirement has been informed by the following key evidence documents:

- 'Technical Report on Population, Housing and Employment' (May 2013) – commissioned jointly by Cambridgeshire authorities and Peterborough and undertaken by Cambridgeshire County Council.
- A new 'All Homes' chapter in the Strategic Housing Market Assessment (SHMA) (May 2013) – looking at objectively assessed need across the Cambridge Housing Market Area. The work was jointly commissioned by the Housing Board and the Strategic Planning Unit for Cambridgeshire and Peterborough.

3.2.5 The SHMA identifies a need for 13,000 dwellings in East Cambridgeshire between 2011 and 2031. However, under the 'duty to cooperate' the District Council has reached agreement with other Cambridgeshire authorities and Peterborough Council to deliver a total of 11,500 dwellings between 2011 and 2031. This agreement, involving a redistribution of housing between some of the authorities, is set out in the 'Memorandum of Cooperation between Cambridgeshire and Peterborough authorities' (May 2013). The Memorandum concludes that the target for East Cambridgeshire should be lower than 13,000 dwellings as the Council has 'made considerable progress to date with [its] local plan reviews, and therefore have established a good understanding of their areas' development opportunities and constraints. They have also taken account of the July 2012 joint statement by Peterborough and Cambridgeshire authorities which confirmed that the strategy is to secure sustainable development by locating new homes in and close to Cambridge and Peterborough, and to other main centres of employment, whilst avoiding dispersed development.' The agreed target of 11,500 dwellings for East Cambridgeshire represents an annual rate of 575 dwellings per year. This rate is more than the previous Regional Strategy target for the district (430 per year) and is suitably challenging given the recent economic downturn and altered market conditions. Details regarding delivery are set out in Policy GROWTH 4 below. In summary, the evidence indicates that this level of housing growth:

- Will be sufficient to meet East Cambridgeshire's own housing needs, and is a coherent strategy in the context of neighbouring local authorities emerging Plans.
- Is a sustainable level of housing which should help to support the Council's strategic aim to provide a better balance between housing and employment and reduce levels of out-commuting.

		<ul style="list-style-type: none"> ● Will support the predicted growth in the local economy up to 2031. ● Can be accommodated on sufficient, suitable available sites within the district. ● Is deliverable, in terms of market supply and capacity. Will help to deliver the Council’s strategic aims of regenerating and expanding the district’s market towns, and supporting the maintenance and sustainability of villages (in the context of a declining and ageing population). ● Is consistent with the strategy for the Cambridge Sub-region (as set out in the Joint Planning Statement). ● Will be supported by appropriate levels of new infrastructure and services; and, ● Will help to facilitate the delivery of appropriate levels of affordable housing to meet local needs over the Plan period. <p>3.2.5 However, through periodic updates of the NPPF (latest version at time of writing is July 2021), Government has removed the requirement for a local planning authority to establish an ‘objectively assessed need’ for housing, and instead put in place a national standard method to determine a ‘local housing need’. Applying that standard method for East Cambridgeshire, for the period 2022-2031, it is determined that the local housing need for East Cambridgeshire is 5,398 dwellings. Following consultation and testing of this figure, it has been determined that 5,398 also becomes the housing requirement for East Cambridgeshire, for the period 2022-31 (i.e. no adjustment was necessary in translating the identified housing need into the housing requirement figure). In order to complete the housing requirement for the full plan period 2011-2031, the housing requirement for 2011-2022 is, in accordance with national guidance, determined as being the housing delivered in that period. [3,018 + 2021/22 completions – figure to be included prior to plan adoption] (net) homes were delivered in East Cambridgeshire between 2011-22, therefore that becomes the housing requirement for that same period. Overall, therefore, the total housing requirement for the plan period, as updated by the single issue review of the Local Plan which concluded in 2023, is xxxx* new dwellings for the plan period 2011-31.</p> <p>*this figure will be included on adoption of the update of the Local Plan, and will be the sum of 3,018 + 2021/22 housing completions + 5,398. As an approximation, the figure will likely be around or just under 9,000.</p>
	<p>Amend Policy GROWTH 1 as follows:</p>	<div style="border: 1px solid black; padding: 5px;"> <p><u>Policy GROWTH 1: Levels of housing, employment and retail growth</u></p> <p>In the period 2011 to 2031, the District Council will:</p> <ul style="list-style-type: none"> ● Make provision for the delivery of 11,500 xxxx* dwellings in East Cambridgeshire, comprised of a dwelling requirement of: </div>

		<ul style="list-style-type: none"> - [3,018 + 2021/22 housing completions] dwellings, for the eleven year period 2011-2022 - 5,398 dwellings for the nine year period 2022-2031 • Maximise opportunities for jobs growth in the district, with the aim of achieving a minimum of 9,200 additional jobs in East Cambridgeshire. Part of this strategy will involve making provision for a deliverable supply of at least 179 ha of employment land for B1/B2/B8 uses, and providing for home working. <p>In the period 2012 to 2031, the District Council will:</p> <ul style="list-style-type: none"> • Make provision for at least an additional 3,000m² (net) of convenience and 10,000m² (net) of comparison retail floorspace in the district. <p>-----</p> <p>* this figure will be included on adoption of the update of the Local Plan, and will be the sum of 3,018 + 2021/22 housing completions + 5,398. As an approximation, the figure will likely be around or just under 9,000</p>
	<p>Para 3.5.6 will be consequentially updated as follows:</p>	<p>3.5.6 Table 3.2 summarises how and where housing is likely to be delivered in East Cambridgeshire over the Plan period. It identifies there will be sufficient overall supply of land to meet the district’s housing requirement of 11,500 xxxxx* dwellings, as set out in Policy GROWTH 1. The latest projections (as at October 2021 September 2014) indicate that an estimated 12,000 over 11,000 additional dwellings could come forward between 2011 and 2031, with a further identifiable supply of over 2,000 dwellings beyond the plan period (i.e. post 2031). It is estimated that approximately 6,500 of these dwellings will be on new allocations, mainly on the edge of existing towns and villages. The table also includes excludes reference to, or any assumed further supply from, ‘broad locations’, which are identified in the key diagrams below. The diagrams are indicative only and identify broad areas on the edge of Soham and Littleport which were identified as ‘phase 2’ sites in the Soham and Littleport Masterplans, and could be developed in the future two of which, out of the five identified, have recently received planning permission for development. The supply from this source is not anticipated to be required in strategic terms until, as anticipated, therefore coming forward in the later part of the Plan period. Therefore, whilst the locations are broadly identified at this stage and it is intended that the specific site boundaries will be identified through the next Local Plan review, in the meantime the principle of development coming forward on the Broad Areas is now established. There is sufficient identified capacity on the edge of Soham and Littleport to enable this source of supply to be realised. The table also shows that the distribution of development accords with the locational strategy in Policy GROWTH 2, with significant new land allocations proposed on the edge of Ely, Soham and Littleport, and smaller amounts on the edge of villages where this is supported by the local community. A full list of allocation</p>

sites is set out in Policy GROWTH 4 (with site-specific policies contained in Part 2 of this Local Plan).

* this figure will be included on adoption of the update of the Local Plan, and will be the sum of 3,018 + 2021/22 housing completions + 5,398. As an approximation, the figure will likely be around or just under 9,000

Para 3.5.7, and table 3.2, will be consequentially updated as follows

3.5.7 Further details of the various sources of housing **delivered, housing** supply, the breakdown by settlement, and predicted levels of supply year on year throughout the Plan period (the ‘housing trajectory’) is set out in the **annual Authorities Annual Monitoring Report and the regularly updated (at least once a year) Five Year Housing Land Supply Report, both of which are available on the Council’s website.** ~~until the Local Plan is adopted, the latest housing trajectory for the Local Plan will be contained in a separate Background Paper on ‘Housing Supply’—see the Council’s website]. The housing trajectory in the Council’s ‘Housing Supply Paper’ September 2014 demonstrates that a five-year supply of specific deliverable sites incorporating an additional buffer of 5% can be identified in the district as required by Government. Further information on the tenure and type of dwellings is set out in Chapter 4 of this Local Plan.~~

~~Table 3.2 – Summary of estimated housing supply 2011-31~~

Location	Completions 2011/12 – 2012/13	Outstanding commitments as at 1.4.13	Large potential sites	Small windfall sites	Specific rural sites	Allocations	TOTAL
Market towns	458	950	315	241	0	5849	7782
Ely	95	145	56	68	0	3679	4043
Soham	260	256	40	114	0	1620	2290
Littleport	103	549	188	59	0	550	1449
Villages	200	321	276	421	70	659	1947
Rural windfall estimate	-	-	-	471	-	-	471
Broad locations	-	-	-	-	-	-	1,800
TOTAL	658	1271	560	1133	70	6508	12,000

Table 3.2 – Summary of estimated housing supply 2011-31*

*note: this table will be updated prior to adoption, to incorporate housing completions for year 2021/22, and updated supply figures for the period to 2031

<i>Site Status at 01 April 2021</i>		<i>Total Delivered 2011-2021</i>	<i>Total Supply 2021-2026</i>	<i>Total Supply 2026-2031</i>	<i>Total Supply 2021-31</i>	<i>Total Supply Post 2031</i>
<i>Planning permission</i>			3,930	1,760	5,690	698
<i>Dwellings allocated in development plan, without consent at April 2021</i>			346	641	987	115
<i>Dwellings on unallocated sites and without consent at April 2021</i>			1	0	1	0
<i>Other supply</i>	<i>Dwellings with insufficient evidence that they will be delivered within first five year period</i>	3,018	0	1,004	1,004	1,195
	<i>Windfall allowance</i>		150	250	400	N/A
	<i>Older people's accommodation (C2)</i>		97	0	97	0
Totals		3,018	4,524	3,655	8,179	2,008
Grand Totals			11,197 <i>(Housing Supply 2011-2031)</i>			2,008 <i>(Housing Supply Post 2031)</i>



East Cambridgeshire
District Council

**East Cambridgeshire
Local Plan - Single
Issue Review (of its
2015 Local Plan)**

Second Consultation
Report

March 2022

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Introduction

East Cambridgeshire District Council has commencing a Single Issue Review (SIR) of its adopted Local Plan.

The second consultation was undertaken under Regulation 18 of *The Town and Country Planning (Local Planning) (England) Regulations 2012* (as amended), for just over 8 weeks. The consultation started on Tuesday 14th December 2021, and ended at 23:59 on Monday 7th February 2022. One further round of consultation (a Regulation 19 consultation) is anticipated before the Plan proceeds to independent examination by an Inspector.

Any representations which fall outside of the scope of the consultation cannot be considered. For example, any representations seeking changes to policy wording of a Local Plan 2015 policy not being consulted upon will not likely be considered.

Response to the Consultation

We received comments from 29 consultees in response to our second consultation. It is, coincidentally, the same number as we received during the first consultation (although some differing consultees). Most respondents were from the development industry and a few were from neighbouring local authorities. A very limited volume of response were from other parties, including individuals in the district, though this is not surprising due to the very narrow scope of the changes proposed, and the technical nature of such changes.

From the comments received, some representors are relying on their original (first consultation) representations, perhaps expanding on few points. The First Consultation Report, containing a summary of such responses (and ECDC's response to them) remains on our website.

Below is a summary table, identifying the issues raised against the Single Issue Review Second Consultation Document (December 2021). Please note, these are a summary of responses received. You are able to view all the representations in full at our office, on request.

1 Consultation Responses Summary

Issue 1: Scope of Local Plan Review
Summary of issues raised by respondents
<ul style="list-style-type: none"> • As set out in previous representations, the scope and content of the plan has been decided without any public consultation or involvement and the attempts to limit engagement are in danger of resulting in legal failure. • The Council should recognise that the review should encompass the consideration of not only housing requirements but also the ability of existing provision to meet those requirements and deliver the spatial strategy as well as the potential need for new housing and employment allocations to meet housing needs overall or deliver spatial priorities. • As stated in the response to the previous local plan consultation SCC support plan led growth. It is understood that the plan review is narrow, focussing only on the number of planned homes to 2031. SCC would reiterate the concerns it raised at the previous regulation 18 consultation in March 2021. This being, that without a full local plan review there is a lack of up-to-date strategies to provide the necessary infrastructure to support growth and mitigate cumulative cross boundary impacts. In particular, impacts on junctions of the A14 and the town of Newmarket. • The Council should review their position prior to the Regulation 19 Consultation and widen the matters for this SIR to review economic and housing growth holistically and over an extended Plan period to ensure that this review of the Local Plan is found sound and delivers the required jobs and housing for its residents.
ECDC Response
<ul style="list-style-type: none"> • We note the desire by some respondents for a more comprehensive review of the Local Plan (such as to address employment needs and transport), but these are matters to be addressed in the next full Local Plan update. Please note the Council has recently adopted a supplementary planning document on climate change (and on the natural environment), which will help act as a bridge prior to the full local plan update. • We do not have evidence to indicate that the employment growth target is in need of updating, unlike the housing requirement figure for which there is clear evidence. The Council is confident that a sufficient supply of employment land still exists in the district, and spread over a good geographical area. However, this matter will be tested thoroughly as part of a future full Local Plan update.

Issue 2: Plan Period of Local Plan Review
Summary of issues raised by respondents
<ul style="list-style-type: none"> • Policy GROWTH 1 should look ahead for a minimum 15 year period from adoption but it is proposed to have a timeframe of approximately 7 or 8 years, which would be inconsistent with national policy (NPPF para 22). • It is noted that the neighbouring authorities within the housing market area that have started the review process for adopted development plan documents all propose indicative plan periods ending in 2040. • That there would likely be wider implications as a consequence of amending the plan period beyond 2031 is not, in itself, sufficient justification for not doing so.

- It is considered that the use of Standard Method to calculate housing need requires the 're-setting' of the base date for the reviewed / revised Local Plan to 2021, with a plan period that will run for at least 15 years from adoption. In practice, this suggests that the plan period for the reviewed / revised Local Plan should be 2021 to 2041, such that at least 17 years remain following adoption.
- We suggest the appropriate plan period should be up until the year 2041 to meet the requirements of the NPPF and to align the East Cambridgeshire District Council (ECDC) plan period with the proposed Greater Cambridge Local Plan.
- Policy GROWTH1 must be, on the basis of paragraph 20 in the NPPF, considered a strategic policy. The consequence of this is that any amendments to this policy should look ahead for at least 15 years following the adoption of this policy.

ECDC Response

- While the Council understands the concerns expressed in the comments received, the broad underlying message of such concerns are that the plan period should be extended, and consequently a comprehensive update of the Plan would then be needed (new housing, employment, etc. allocations, climate change, transport provision policies etc). The Council rejects that approach, because it does not seek to prepare a full local plan update at this stage, and sees no fundamental evidence suggesting a need to do so. A full local plan update is the appropriate place to extend the end date to 15 years following adoption (and bring forward the start date), and such a plan will be prepared in the context of a new planning system being brought in by Government.
- The Local Plan, as updated by the SIR, will still have around 8 years remaining once adopted, leaving ample time for a thorough update to take place, and extend the plan period well beyond 2031.

Issue 3: Site Allocations

Summary of issues raised by respondents

- The Council needs to provide evidence to establish how it intends to ensure that small and medium sized sites make an important contribution to meeting the housing requirement of the District. This includes the need to promote the development of a good mix of sites and to accommodate at least 10% of their housing requirement on sites no larger than one hectare (see NPPF Paragraph 69).
- Currently, the proposed plan does not provide a sufficient supply of housing to meet medium and long term needs, as is evident from the Council's most recent housing trajectory. It also needs to tackle the historic undersupply of new homes that has occurred over the last 10 years.
- The Council will need to allocate additional land to meet its housing need over an extended plan period i.e. a minimum of 15 years from the point of adoption as opposed to relying on a plan period which will not cover a sufficient time horizon or to account for the previous shortfall as set out earlier.
- It would be unreasonable to change the allocations and general guidance of the Local Plan. This would undermine the certainty of the plan-led system and lead to an unfair and unbalanced review.

ECDC Response

- Our evidence indicates that there are ample allocations and other commitments (such as planning consents) to comfortably meet the housing requirement to 2031.
- We work closely with developers to try to facilitate more homes to come forward, on appropriate sites and in a timely manner happen.
- The NPPF request relating to small sites will be thoroughly addressed in a future full Local Plan review, but in any event, the Council has a strong track record of granting consent for small and medium sites (1-9 units), as evidenced in our latest (October 2021) Five Year Land Supply Report (appendix B), which demonstrates over the past 20 years we have averaged the delivery of 124 homes on sites of less than 9 units (which is nearly a third of all units delivered), and we have a pipeline of several hundred with planning consent on sites of less than 10 units. Thus, whilst we do not think this NPPF matter is relevant to this SIR, if an Inspector determines it is, we are very confident such a NPPF request is being met.

Issue 4: Housing Requirement

Summary of issues raised by respondents

- Paragraph 3.6 of the consultation (which states that a review of the site allocations is not possible as it involves considerable work and would delay the review process significantly) is not a robust defense for failing to undertake this essential part of the work necessary to demonstrate the appropriateness of the amendment you are seeking to the Plan.
- The Council has failed to consider the potential that economic growth might indicate the need to provide for a higher level of housing need, and is instead proposing that the housing requirement be set at the absolute minimum possible level, some 35 dpa lower than the previous OAHN. This is counter the Government's express desire to 'significantly boost' housing supply.
- The Council needs to provide evidence to demonstrate that the existing housing site commitments will ensure that the size, type and tenure of housing delivers against what is needed for different groups in the community. In this context how does the SIR consider the requirements in paragraph 65 of the NPPF?
- As detailed in our previous representations of the first consultation, the PPG identifies other factors which need to be considered when determining the housing requirement, which includes growth strategies, planned infrastructure, previous levels of delivery and recent assessments of need such as Strategic Housing Market Assessments (SHMA) where this suggests a higher need (PPG ID 2A-010).
- We consider that a housing requirement uplift is necessary to support economic growth and that a 20% buffer above the uplift for economic growth would ensure that the plan is future-proofed and provides flexibility, choice and competition in the housing market, reflecting government guidance.
- The Standard Method figure provides a minimum starting point in determining the number of homes needed in an area. Having identified the starting point it is then necessary to determine whether that will meet needs. Economic circumstances and the need for all forms of housing must then be considered to arrive at the Full Objectively Assessed Need for plan making.
- We object to change 4, the amendments to 3.2.5. It is also telling that the proposed changes to 3.2.5 delete the bullets which state that the housing to be planned for "will be sufficient to meet East Cambridgeshire's own housing need..." and that it "Is a sustainable level of housing which should help to support the Council's strategic aim to provide a better balance between housing and employment and reduce levels of out-commuting."
- There is a high likelihood that strategic growth sites will need to be allocated over the plan period in order to meet the growth needs of the area. The NPPF state that plans for new

settlements and major urban extensions will need to look over a longer time frame, of at least 30 years, to take into account the likely timescale for delivery.

- At the time the adopted East Cambridgeshire reached its 5th anniversary of adoption there was an outstanding under provision in excess of 2,500 that should then be applied to the calculation.
- A more appropriate housing requirement is in the region of 11,900 dwellings (11,907) over whole plan period.
- No objection to the use of the Standard Methodology. We do not propose to comment further on the published requirement at this stage.
- The SIR is too narrow and that, by isolating the need to update the basis for calculating housing need, it fails to address the current evidence of under-delivery. In this way it fails to be the aspirational and deliverable plan advocated by NPPF para 16(b).
- The rate of delivery in the first ten years of the plan is said to have been 302dpa (rounded up) totalling 3,018 new homes. The required rate of delivery in the second ten years of the plan is now forecast to be 615dpa, in order to meet the need for 6,157 new homes. There is no evidence of anything having happened or having been put in place to encourage a doubling of the delivery rate.
- If the level of economic growth in Cambridge is to be sustained it will be important that its neighbours, such as East Cambridgeshire, understand whether the wider impacts of this growth would require a higher level of housing than that arrived at using the standard method.
- East Cambridgeshire will have a role in meeting the development needs identified for the Arc, and this should be assessed to determine whether an adjustment to the housing requirement is needed.
- The housing requirement in the SIR should assess whether an adjustment is required to reflect the commitment to double economic output contained in the Devolution Deal, and which applies to East Cambridgeshire.
- There are a number of transport projects identified in the Cambridgeshire and Peterborough Local Transport Plan that relate to East Cambridgeshire. These transport infrastructure projects should be assessed to determine whether an adjustment to the housing requirement is needed.
- At a minimum, the approach to the SIR is not considered to be justified, on the basis that the Council have not considered any reasonable alternatives, such as whether they need to review employment and retail needs as part of the Local Plan Review.
- Paragraph 60 (NPPF) – it is not clear how the Council contends that having a plan which essentially proposes a moratorium on new housing will ‘significantly boosting the supply of homes’. The context of this requirement should also assess the roll that the Council will take in delivering new housing development as part of the Ox-Cam framework.
- One example of this is the current severe under provision of lab and office space that is limiting research and investment in the sub-region, especially in the life science sector. A comprehensive review of the local plan offers the opportunity for East Cambridgeshire to capitalise on these emerging technologies.
- A failure to recognise these needs in neighbouring areas and, in the course of the review, to take account of changing employment patterns post-pandemic could render the resulting plan unsound.
- In order to provide the necessary clarity as to delivery expectations and supply across the plan period an annualised trajectory should be included as part of the review of the local plan.

- The Council notes the large volume of representations on this question which, for the vast majority, appear to disagree with the method proposed by the Council to update the housing requirement figure and, on the whole, are seeking a higher housing requirement figure to be established and/or a longer time frame (beyond 2031) than that proposed. This is similar to the arguments at the first SIR consultation stage.
- The approach taken by the Council is consistent with NPPF/NPPG, and exceptional circumstances (such as economic growth) for setting the housing requirement different from the national standard method (as set out in NPPF/NPPG) are not evidenced in East Cambridgeshire. There is also no evidence of any request by neighbouring authorities to seek to offload their need within East Cambs (indeed, we have evidence expressly confirming that is not being sought). The Council has considered these representations carefully, but disagrees with the suggestions.
- Some have suggested that the past under delivery of homes should be included to 'top up' the future housing requirement. The Council is following Government guidance which confirms this is not a requirement. (See *Step 2 of the standard method which factors in past under-delivery as part of the affordability ratio, so there is no requirement to specifically address under-delivery separately when establishing the minimum annual local housing need figure.* - Paragraph: 031 Reference ID: 68-031-20190722)
- In response to the comment on how a doubling of delivery will be achieved, then our AMR published on our website already demonstrates that a doubling (indeed trebling) of delivery is possible. Our low point of 162 homes delivered in 2014/15 has now increased to rates of 514 (2019/20) and 405 (2020/21) even during a covid affected year, and we are confident that these rates can be extended further to meet the updated housing requirement of c600 per annum.
- In terms of employment and retail floorspace, it is also very hard to 'plan' for such floorspace in the context of the fundamental changes to permitted development rights and Use Classes over the last few years, meaning employment, retail and residential floorspace is largely becoming interchangeable without full planning consent. Nevertheless, a good number of employment sites remain with capacity in the 2015 Local Plan.
- The Council is playing an active part in the Ox-Cam Spatial Framework, albeit its preparation appears to have recently stalled by Government, and it is uncertain when (if at all) it will be progressed. It is certainly at a very early stage at present, and is not something which can be used to determine an alternative housing requirement for East Cambridgeshire. A full East Cambs Local Plan update will be the appropriate time to take account of that Framework, if/once adopted.
- The last bullet point is agreed with, and whilst such information is already provided (in our annual Five Year Land Supply Report publication), it is agreed that a simple graph could provide greater 'snapshot' clarity of that year on year forecast growth. It will be provided as part of the next round of consultation.

Issue 5: Broad Locations

Summary of issues raised by respondents

- It is noted that the reference to Broad Locations is to be left in the Plan but that the reliance on these for any supply is to be removed. This is a considerable oversight on the Council and means that it has neglected to capitalise on an opportunity to address the housing need issues for this district.
- We support the Council's conclusion that there is no need to (significantly) amend the Plan in relation to the 'Broad Areas', and also the decision to remove any assumed supply from these.
- The SIR provides the opportunity to review the Broad Areas and to remove these indicative areas and undertake a thorough review of deliverable sites that can be brought forward

within the extended Plan period to provide new homes and jobs in sustainable locations for local residents.

- I would like to suggest that the "broad location for future growth" to the West of Kingfisher Drive in Soham should be removed from the local plan altogether for a number of reasons (traffic; highway safety; flood risk; close to Sewage Treatment works; detrimental to local residents and not a sustainable location)

ECDC Response

- Varied and mixed response on this issue. However, no strong evidence was provided to significantly amend the approach or status of the Broad Areas for housing. The Council agrees, and therefore intends to keep the intent of the Broad Areas unaltered, albeit with slightly updated explanatory text.
- Some have suggested the Broad Areas should be removed. In response, whilst the Council is not relying on them to come forward (unless consent is already given for their development), the Council do not wish to remove Broad Areas in principle and consider them to continue to offer an option for further development.
- It should also be noted that the Council continues to carefully consider the implications of the recent appeal decision on a Broad Area at Broad Piece, Soham, February 2022 (which was issued post consultation on the second consultation SIR stage), and has taken that decision into account when updating the SIR for its final consultation.

Issue 6: Affordable Housing

Summary of issues raised by respondents

- Shortfall in affordable housing provision in this district that has been acknowledged by the Council in recent appeals. This alone is sufficient recent to review the effectiveness in adopting the standard method in addressing the housing needs of the District.
- There is a need to increase the supply and delivery of affordable housing in East Cambridgeshire. Upward adjustments are required to the housing figure derived from the standard methodology for East Cambridgeshire, and those adjustments should be applied to the housing requirement for SIR.
- The latest Annual Monitoring Report confirms that on average 47 affordable homes have been completed annually over the last 10 years. This equates to the affordable need being 4x more than supply. If 30% of all new homes provided were affordable, then in order to deliver the identified affordable housing need, the Council would need to plan for 717 dpa.
- We maintain that in the absence of a creation of a new Local Plan or a full review, at the very least, all areas of non-conformity with the NPPF should be considered and included in this review, an example being a review of Policy HOU 3, Affordable Housing.
- It appears that the council does not intend to plan for or meet affordable housing needs of the District, contrary to the NPPF and consequently the plan cannot be sound.

ECDC Response

- It is acknowledged that there is a need for more affordable housing, now, and almost certainly this will continue to be the case in the future. Delivery of new affordable housing is likely to be of significant weight when considering any development proposals. However, the current Local Plan policies provide a sound framework for delivery of such homes, and

there is no need for this narrow SIR to amend such policy. A comprehensive review of the housing policies, including affordable housing policy, is a matter for a full Local Plan update to consider.

Issue 7: Other comments and other issues raised

Summary of issues raised by respondents

- The fundamental issues raised on the first consultation remain valid and have not been addressed by this second consultation, by way of either amendment or justification for a lack of amendment.
- There are other matters that are not raised in this Stage 2 consultation, e.g. affordable housing delivery, other housing needs, infrastructure improvements, and the assessment of alternative options for SIR.
- The current Local Plan provides no requirement for new development to provide any electric vehicle charging spaces and also has no requirement to deliver biodiversity net gain. It is considered to be a missed opportunity to not review the Climate Change and Green Infrastructure policies as part of the current Local Plan Review.
- The Single Issue Review Second Consultation document continues to not accord with National Policy in regards to NPPF paragraphs 11, 20, 22, 26, 61 and 62 cannot be found 'sound' given its significant failures.
- Notwithstanding this attempt to dismiss the many concerns raised in a single sentence, it is clear and evident that the Council's proposed approach is directly contrary to the NPPF / PPG.
- As part of the review, it is important to consider the context of the existing defined development limits to help establish whether a review of those defined development limits is necessary.
- Wicken Parish Council supports the strategy and approve the criteria being used to ensure the Local Plan is maintained.
- The adopted Climate Change SPD can only supplement existing policies in the current adopted Local Plan 2015 and is therefore ineffective at dealing with the Climate Emergency declared by the Council in June 2020.
- In amending GROWTH1 the Council will need to state that the number of homes it is required to deliver is a minimum.
- We would suggest that the Council need to consider amendments to HOU3 to take account of the introduction of First Homes as set out in the Written Ministerial Statement published on the 24th of May. We would suggest that the Single Issue Review is the ideal opportunity for the Council to amend its current tenure mix requirements to take account of First Homes.
- The proposed amendments do not significantly affect the comments issued by Natural England in response to the Single Issue Housing Requirements consultation, in our response dated 6 May 2021 (ref. 348030). We therefore refer you to our previous response and have no further detailed comments to make.
- We are concerned that the proposed scope of changes do not result in a positive and proactive approach to plan making and believe that significant modifications are required to

ensure the Single Issue Review is compliant with national policy and takes account the growth ambitions of the wider area i.e. Oxford-Cambridge Growth Arc.

- It is clear the Council does not wish to deviate from its original course, which was clearly decided prior to any meaningful engagement with interested parties affected by its decision to progress a single policy review.
- It is noted that the East Cambridgeshire 5 year land supply expects large numbers of dwellings to be delivered in Soham, Fordham and Burwell. Where appropriate SCC may make requests for developer contributions where there is likely to be an impact on infrastructure in Suffolk, from development in East Cambridgeshire. This would most likely be transport infrastructure, however it is known that pupils and parents cross the boundary to access school and childcare. As such there may be circumstances where education contributions are required.

ECDC Response

- We note the desire for a more comprehensive review of the Local Plan (such as to address climate change and provision for electric vehicles), but these are matters to be addressed in the next full Local Plan update.
- Other comments have also been noted, many of which are addressed in other issues raised.

Issue 8: Sustainability Appraisal Report

Summary of issues raised by respondents

- A legal requirement of the Strategic Environmental Assessment process is to identify and assess reasonable alternative policy options, but it appears that reasonable alternatives for some issues relevant to the SIR have already been rejected before the process has started.
- The SA should be revisited in respect of the conclusions drawn within Appendix B and the acknowledged positive impact of providing for a higher level of growth than the standard method.
- The SA has failed to assess the alternative of extending the Plan period to 15 years and the implications that this would have on the key sustainability issues.
- The Council's approach to identifying 'all reasonable alternatives' is inadequate and not soundly-based, and arguably does not meet the legal test with regards to the evaluation of reasonable alternatives as required in the regulations. There are other reasonable alternatives that have not been appraised as part of the SA.
- There are significant flaws in the Council's appraisal of significant effects of the options presented in the SA. Notably, there is an absence of any discernible appraisal of significant effects of the preferred option (option 1) and other options (Option 4).

ECDC Response

- In the SA documentation published, the Council has outlined its reasons for selecting the preferred option and reasons for rejecting other options including higher growth. Although higher growth does provide some positive benefits but it also has some negative effects.

- The SA has considered all reasonable alternatives, based on alternatives for achieving the purpose of the SIR. The SA cannot appraise options which are out of scope of the SIR (such as full Local Plan review)

Issue 9: Duty to Cooperate / Statement of Common Ground / Neighbouring Authorities

Summary of issues raised by respondents

- It is assumed in the SIR consultation documents that East Cambridgeshire will not be asked to accommodate unmet housing needs from neighbouring areas, but that will need to be discussed and agreed through the Duty to Cooperate process before it can be confirmed.
- It is surprising that the opportunity has not been taken to undertake a complete review of the Local Plan given the review currently being undertaken by the Greater Cambridge Combined Planning Authority, an area which has a significant influence on the District.
- The Single Issue Review Local Plan cannot be considered to be positively prepared given it has not been informed by agreements with other authorities to accommodate any unmet need. Rather, the receipt of no response from neighbouring authorities is considered to be sufficient evidence that no consideration of unmet need is required.
- To ensure that the examining Inspector can find this Plan sound, we would strongly suggest that the Council review their Duty to Co-operate processes immediately so that this legal requirement can be addressed prior to the submission of this Plan for examination.
- If there are unmet needs in a neighbouring area the Council must consider these as part of the plan making process and make reasoned judgements as to why it cannot support such a request, if it arises, rather than make such statements from the outset.
- It is of critical importance that the Council works alongside the other Cambridgeshire authorities to ensure that any wider cross boundary issues are addressed. It may be the case that these need to be addressed through SOCGs with the other LPAs. In addition, East Cambridgeshire plays an important role within the Oxford-Cambridge Growth Arc and therefore must seek to build upon this to support economic growth with an aligned housing requirement figure.
- The Council is obliged to provide evidence of constructive, ongoing and active engagement on strategic matters affecting more than one planning area. This should come in the form of draft Statements of Common Ground (SOCGs) with the relevant prescribed bodies. However, at present, the Council has not prepared any draft or finalised SOCGs with its neighbours at this time. It is therefore unclear what, if any, effective engagement has occurred to date in relation to the SIR.
- Some specific matters were raised by prescribed bodies (Suffolk County Council) which would indicate that these constitute 'strategic matters' that would fall to be addressed under the Duty. However, the DTCS only provides a summary of the issues raised by SCC, but provides no clarity on how this issue has been or will be addressed, or whether they consider to be a 'strategic matter' in any event.
- Huntingdonshire District Council have no objections to the approach set out in East Cambridgeshire District Council's East Cambridgeshire Local Plan - Single Issue Review (of its 2015 Local Plan) Stage 1: Second consultation Dec 2021-Feb 2022. The single issue review identifies the level of housing growth required and ensures that the current plan is up to date; it does not prevent the Council from commencing preparation of a new Local Plan, in whole or part on matters at a later date if it is deemed necessary. Huntingdonshire

District Council adopted Huntingdonshire's Local Plan to 2036 in May 2019 and can therefore confirm that they are not currently looking towards neighbouring authorities to assist in meeting their housing need.

- Thank you for consulting Cambridge City Council and South Cambridgeshire District Council. We don't consider that the East Cambridgeshire Single Issue Review has any implications for Greater Cambridge, and as such won't be making any comments to this consultation.

ECDC Response

- We have liaised closely with neighbouring districts in the preparation of the SIR.
- With the exception of Suffolk County Council, no objections from neighbouring authorities have been received, and no DtC concerns raised.
- In respect of Suffolk CC, whilst it does not raise any outright objections or concern from a DtC perspective, its brief representations raise the point that a more comprehensive plan update would be the opportunity to consider wider (cross-border) infrastructure requirements. ECDC agrees with this point, but also considers that this SIR is not the appropriate time for such a comprehensive infrastructure planning exercise (because no new sites are being allocated) – that can be completed alongside a full Local Plan update in due course.
- Overall, ECDC continues to expect to neither seek nor offload any housing need from or to its neighbours, and all responses and conversations to date with neighbouring authorities has indicated full agreement with this position.
- For the avoidance of doubt, ECDCs representations to emerging Local Plans of neighbouring authorities have also confirmed that ECDC is neither seeking to receive or to offload housing need in to their respective areas, and no such authority has sought to receive or offload housing need from its are to East Cambridgeshire as part of their emerging Local Plans.

2 Next steps

- 2.1 After carefully considering issues raised from the first and second consultations, the Council will update the SIR document for the proposed submission consultation.

East Cambridgeshire District Council



East Cambridgeshire Local Development Scheme

April 2022

Draft – For Full Council Meeting on 21 April 2022

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Preface

This East Cambridgeshire Local Development Scheme (LDS) was approved by East Cambridgeshire District Council at a meeting of its Council on 21 April 2022 and came into effect immediately. It replaces the previous LDS, dated 22 October 2020.

If you require any further information regarding the Scheme, please contact a planning policy officer of Strategic Planning Team on (01353) 665555 or by email to planningpolicy@eastcambs.gov.uk

This LDS is produced under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended).

East Cambridgeshire Local Development Scheme 2022 to 2023

1. Introduction

- 1.1 The Local Development Scheme (LDS) is a timetable which sets out the Development Plan Document(s) (DPDs) that a local planning authority intends to produce over the next few years. Such DPDs are also often more commonly known as Local Plan(s) for an area.
- 1.2 This East Cambridgeshire LDS sets out the timetable for East Cambridgeshire for the period 2020 to 2023. It explains when the Council intends to reach key stages in the preparation of a new Local Plan. This LDS replaces the East Cambridgeshire LDS which was adopted in October 2020, albeit in reality it is very similar in content to the October 2020 version but with a very slight update to the timetable in Table 1.

The Local Plan and Supporting Documents

- 1.3 National planning policy is headlined by the 'National Planning Policy Framework' (NPPF). Locally, the East Cambridgeshire planning policy framework comprises more than just DPDs (Local Plan).
- 1.4 In summary, the local set of documents comprises the following:
- **Development Plan Documents (DPDs):** These are documents (often referred to as 'Local Plans') that form part of the statutory development plan for the area. They are prepared by the relevant plan-making authority and are subject to independent examination by a planning inspector appointed by the Secretary of State. For East Cambridgeshire, as at April 2022, they are the East Cambridgeshire Local Plan (April 2015), and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (Adopted July 2021). This LDS explains that the East Cambridgeshire Local Plan (2015) is in the process of being partially updated.
 - **Policies Map:** This is a map on an Ordnance Survey base for the whole of a local planning authority's area which shows where policies in the development plan apply. The Policies Map may include inset maps for particular areas to show information at a larger scale. The Policies Map is updated each time that a relevant document (i.e. a DPD or a Neighbourhood Plan) is adopted.
 - **Supplementary Planning Documents (SPDs):** These can cover a wide range of issues on which the planning authority wishes to provide guidance to supplement the policies and proposals in its DPDs (Local Plan). They do not form part of the statutory development plan and are not subject to independent examination. The District Council can decide to produce an SPD on any appropriate subject whenever the need arises. There is no requirement for this LDS to set out a timetable for the production of any SPDs.
 - **Neighbourhood Plans:** Local communities, including Parish and Town Councils, can now prepare Neighbourhood Plans (NPs) putting in place policies to guide the future development of their area. Any NP must be in general conformity with 'strategic policies' in DPDs (Local Plan) and with national policy. NPs are not able to propose lower levels of development than those set out in up to date Local Plans but could propose higher levels, or offer other detailed policy proposals. It is up to local communities to decide if it wants to produce a Neighbourhood Plan and so it is not appropriate for this LDS to specify when, or for where, they will be

produced. Any NP, if adopted, has the same status as a DPD. At the time of writing, three Neighbourhood Plans (Sutton, Fordham, Witchford) have been completed in East Cambridgeshire. Others are under preparation.

- **Statement of Community Involvement (SCI):** This is a document that explains how the local planning authority will engage the community in the preparation, alteration and review of planning documents, and in development control decisions. It is required to specify how and at what stages people will have the opportunity to be involved in planning for their area. A refresh of East Cambridgeshire's SCI was published in July 2018.
- **Authority's Monitoring Report (AMR):** This is a report which must be produced by the local planning authority (on an annual basis) to explain how the LDS and other planning policies are being implemented and the extent to which policies in the Local Plan are being achieved.

1.5 Further details on the adopted East Cambridgeshire documents can be found in Table 2 and Table 3 in this LDS, and on our website (<https://www.eastcambs.gov.uk/local-development-framework/planning-policy>).

Joint Working Arrangements and Joint Local Plans

1.6 The District Council has a good track record of joint working with other authorities, and has especially close ties with other Cambridgeshire districts.

1.7 However, there are no plans to establish formal joint working arrangements or a joint committee (under section 29 of the Planning and Compulsory Purchase Act 2004) with any other local planning authority, but the District Council will fulfil its responsibilities under the duty to co-operate requirements of s33A of the Planning and Compulsory Purchase Act, and be open to the possible production of joint evidence studies, and, if appropriate, the preparation of a joint plan or SPDs.

2.0 Local Plan Timetable

2.1 There are a number of stages involved in producing a DPD (Local Plan). This process allows for opportunities for the public to be involved, early resolution of conflicts/objections, and an Independent Examination. The stages in producing a Local Plan, and the intended time of those stages for the new Local Plan, are set out in Table 1.

3.0 Subject Matter and Geographical area of the emerging Single Issue Review of the East Cambridgeshire Local Plan (DPD)

3.1 To meet the requirements of section 15 (2)(b) of the Planning and Compulsory Purchase Act 2004, it is confirmed that the subject matter of the emerging Single Issue Review of the 2015 Local Plan (DPD) for East Cambridgeshire will cover:

- An update to Policy GROWTH1
- Consequential update to the supporting text associated with GROWTH1
- Updated explanatory text to explain the Single Issue Review
- If necessary, consequential update to other policies (or supporting text) in the Local Plan which arise from the updating of Policy GROWTH1

3.2 Whilst not forming part of the Local Plan, there may be consequential amendments to the Policies Map, to reflect the amendments arising from above.

3.3 The Local Plan (as amended by the Single Issue Review) will continue to cover the whole administrative area of East Cambridgeshire.

Table 1: Timetable for Production of a new Development Plan Document

	2020				2021								2022								2023																			
	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A				
East Cambridgeshire Local Plan				1			2										2				3	4			5*				6*											

No.	Stage	Description	Dates each stage is proposed to take place
1	Consult on a sustainability appraisal (SA) scoping report	The SA scoping report sets out the sustainability objectives proposed to be used to appraise the economic, social and environmental effects of the emerging Local Plan policies. The SA scoping report is subject to consultation.	Dec 2020 (COMPLETED)
2	Public participation (Regulation 18)	Opportunity for interested parties and statutory consultees to consider the options for the plan before the final document is produced. This stage may involve one or more public consultation rounds, each for a minimum 6 weeks. We intend two rounds for the forthcoming Single Issue Review Local Plan.	March-April 2021 (COMPLETED)
			January-February 2022 (COMPLETED)
3	Proposed-Submission Publication (Regulation 19)	The Council publishes the draft Local Plan which is followed with a 6 week period when formal representations can be made on the Local Plan (or, in the forthcoming case, representations can be made in relation to the elements being proposed for change in the Single Issue Review).	May – July 2022
4	Submission (Regulation 22)	The Council submits the Local Plan to the Secretary of State together with the representations received at Regulation 19 stage.	July 2022
5	Independent Examination (including likely Hearing sessions) and Inspector's Report	Held by a Planning Inspector into objections raised on the Local Plan. The Inspector's Report will determine whether the Plan is 'sound' or 'not sound'. The Inspector may make recommendations (including recommended modifications) to make the plan 'sound'	From date of Submission to December 2022 (*estimate: dates set by Inspector)
6	Adoption of DPD (Local Plan)	Final stage, the Council will formally need to adopt the Local Plan and it will then be used in making planning decisions.	January or February 2023 (*estimate: date depends on completion of stage 5 – it could be slightly earlier or later than Jan-Feb 2023)

Table 2: Adopted Development Plan Documents in force in East Cambridgeshire (as at April 2022)

Document title	Status	Geographical area	Role and content	Adoption Date
East Cambridgeshire Local Plan	DPD	Administrative area of East Cambridgeshire	Sets out the vision, objectives and overall strategy for the spatial development of East Cambridgeshire up to 2026, together with detailed planning policies and site allocations. Prepared by East Cambridgeshire District Council	Adopted April 2015
Cambridgeshire and Peterborough Minerals and Waste Local Plan	DPD	Administrative areas of Cambridgeshire and Peterborough	<p>The Minerals and Waste Local Plan, prepared jointly by Cambridgeshire County Council and Peterborough City Council, sets the framework for all minerals and waste developments until 2036. It sets out policies to guide mineral and waste management development and will:</p> <ul style="list-style-type: none"> • ensure a steady supply of minerals (construction materials e.g. sand and gravel) to supply the growth that is planned for the area • enable us to have new modern waste management facilities, to manage our waste in a much better way than landfill <p>It will be used by developers when putting forward proposals and by councils when considering planning applications.</p>	Adopted July 2021

Table 3: Adopted ('Made') Neighbourhood Plan Documents in force in East Cambridgeshire (as at April 2022)

Document title	Status	Geographical area	Role and content	Adoption (or 'Made') Date
Fordham Neighbourhood Plan	NP	Fordham Parish Council area	The Fordham Neighbourhood Plan sets out a local blueprint for how Fordham should develop sustainably in the best interest of the village, in the context of the wider Local Plan. Detailed policies and allocations in the neighbourhood plan will help to deliver this.	'Made' on 18 December 2018
Sutton Neighbourhood Plan	NP	Sutton Parish Council area	Sutton Neighbourhood Plan has a vision for the parish where its unique character is appreciated and cherished, the quality of the environment is maintained and continues to improve, the opportunities presented to all, young and old, to live and prosper continue to be enhanced, and the life led by its residents remains a healthy and happy one. Detailed policies and allocations in the neighbourhood plan will help to deliver this.	'Made' on 30 May 2019
Witchford Neighbourhood Plan	NP	Witchford Parish Council area	The Witchford Neighbourhood Plan sets out a local blueprint for how Witchford should develop sustainably in the best interest of the village, in the context of the wider Local Plan. Detailed policies and identification of sites in the neighbourhood plan, such as Local Green Spaces, will help to deliver this.	'Made' on 21 May 2020

EAST CAMBRIDGESHIRE LOCAL PLAN (SINGLE ISSUE REVIEW) – PROPOSED SUBMISSION VERSION

Committee: Full Council

Date: 21 April 2022

Author: Richard Kay – Strategic Planning Manager

[W177]

1.0 ISSUE

1.1 To update Members on progress with the very limited update of our Local Plan; seek agreement to proceed to final consultation; seek agreement to submit the update of our Local Plan to the Planning Inspectorate for independent examination; and seek agreement to approve an update to our Local Development Scheme (Local Plan timetable).

2.0 RECOMMENDATION(S)

2.1 That Council:

- I. Authorises the final round of consultation (known officially as a Regulation 19 proposed submission publication draft plan) to take place on the very limited partial update of the 2015 Local Plan, as set out at Appendix 1, for six weeks (likely during May-June 2022); AND its subsequent submission to the Secretary of State for the purpose of independent examination;
- II. Approves the updated Local Development Scheme, set out at Appendix 3.
- III. Delegates to the Strategic Planning Manager the ability to agree and consult upon a set of proposed modifications during the examination process (most likely at the very end of the examination process), if asked by the Inspector to do so.

3.0 BACKGROUND/OPTIONS

Introduction

3.1 Previous reports to Full Council (such as in February and October 2019, October 2020 and October 2021) provided detailed background as to Council's position in respect of planning policy, but in short, the current main 'framework' of planning policy in the district is as follows:

- East Cambridgeshire Local Plan – April 2015
- Adopted Neighbourhood Plans for Fordham, Sutton and Witchford (with other Neighbourhood Plans at emerging stages)
- A collection of Supplementary Planning Documents (SPDs) covering a variety of thematic areas.

- 3.2 One decision arising from the 22nd October 2020 Full Council meeting was approval for the Council to prepare a very limited update of a small part of its 2015 Local Plan. Where just a small part of a Local Plan is to be updated (rather than a completely new plan), it is often referred to as a 'Single Issue Review' (SIR). In our case, the SIR is focussed solely on the housing requirement (or housing 'target') that East Cambridgeshire should plan for, for the period 2011-31. For a number of reasons, it was determined that the housing requirement figure in the 2015 Local Plan was now 'out of date' and in need of updating. The SIR would achieve this update, but leave the rest of the Plan (other than some of its explanatory text) unaltered.
- 3.3 It is important to bring the housing requirement figure up to date because it is fundamental to assessing whether or not the Council can demonstrate it has a sufficient supply of housing sites to meet nationally prescribed requirements (the 'five year land supply test') as well as demonstrate whether the district has built a sufficient number of homes in the past 3 years (the 'housing delivery test'). If the Council fails either of those national tests, then there are significant consequences as to how the Council must consider planning applications, with speculatively applications on unallocated sites much more likely to be submitted by developers, and in turn such applications have a stronger likelihood of being approved (whether by the Council or on appeal).

Single Issue Review (SIR) of the 2015 Local Plan

- 3.4 The Council's Local Plan remains its 2015 version, having reluctantly withdrawn its emerging replacement one in 2019.
- 3.5 As reported to Full Council in October 2020, being greater than five years old it is necessary (by law) to regularly review its content to determine how 'up to date' it is. The Council undertook, and published, its last formal Review in April 2020. That Review, in summary, concluded that the:

"...Local Plan 2015 does require to be revised, but only partially and only in respect of its strategic housing policies. Of those policies, Policy GROWTH1 needs to be revised, because it has an out of date housing requirement. Other strategic housing policies may also be updated during the course of updating GROWTH1, should that be necessary.

The rest of the Local Plan is considered to not, at the present time, be in need of updating, therefore a full update of the Local Plan is not considered necessary.

However, whilst only one policy has been identified in need of updating, this does not prevent the council from commencing preparation of a new Local Plan, in whole or part, on matters as it sees fit."

- 3.6 Having reached the above conclusion, Full Council subsequently agreed in October 2020 to commence preparation of a limited update of the Local Plan, focussing on the matters identified in the Review, namely GROWTH1 and its housing requirement, and possibly, consequentially, other policies if strictly necessary. The

options to 'do nothing' or undertake a more comprehensive Local Plan update (including new allocations) were rejected by Full Council.

- 3.7 In essence, the update of Policy Growth 1 and the housing requirement figure it contains is arguably a largely factual update. This is because national policy stipulates the rules in terms of what the housing need should be for a local area (known as the 'local housing need' (LHN) for an area) and the method for working it out (the 'national standard method'). The variables and data used in the standard method are all based on nationally published formula and statistics, so there is no scope to arrive at any local housing need figure other than one derived by the standard formula using government published data. Theoretically, a local area could set its housing requirement figure (i.e. the target number of homes it actually is to be tested against) as being different from the local housing need figure, but in reality, the vast majority of councils seem to simply use the local housing need figure as their housing requirement figure.
- 3.8 Exceptions to this rule could be if a council administrative area:
- was to offload any housing need on to a neighbouring council area (and hence lower its own housing requirement);
 - was to received additional housing need from a neighbouring council (and hence increase its own housing requirement); or
 - was to adjust its housing need figure due to 'exceptional circumstances' such as increasing the number in order to match high employment growth or infrastructure investment programmed in the area (and hence its housing requirement figure would be set higher than its housing need).
- 3.9 There continues to be no significant evidence to suggest that East Cambridgeshire should apply any such exceptions listed above, therefore the housing requirement figure should, officers recommend, be set at the local housing need figure (note: some representors object to this approach, predominantly those from the development industry seeking a higher housing target – they believe there is evidence to suggest the housing requirement should be higher than the housing need. See Appendix 2 for further details on their arguments, but officers do not agree the points made warrant an increase to the housing requirement figure).
- 3.10 A first round (of three) consultation took place in March-May 2021, and generated a relatively small number of responses. A second round consultation took place in Dec 2021-Feb 2022. A summary of the second round responses, and the officer recommended position, is attached at Appendix 2 (responses to the first round were published on the website in 2021, and remain available to view). Unsurprisingly, considering the very limited and technical update of the Local Plan, the responses continue to be primarily from the development industry, and the volume of responses remains low.
- 3.11 Whilst the responses have been carefully considered, officers do not recommend that the proposed SIR be fundamentally amended in approach to that set out in the second round consultation document. For example, we see no reason to meet some representor requests to: extend the plan period; undertake wider policy update; or include new site allocations in the updated Plan. These are all matters

which can await a full review of the Local Plan. Further and more detailed responses to the representations received can be seen in Appendix 2.

SIR Third (and Final) Round consultation

- 3.12 Attached at Appendix 1 is a recommended 'Proposed Submission' third and final round consultation document, for Full Council approval. The proposals of the first and second round are largely taken forward, though the housing requirement figure has been updated again to meet the latest government data (the new data brings the housing need figure down slightly, to a headline 600 dwellings per year, for 2022 onwards). In addition, there has been some updating of the supporting text in the Local Plan in relation to the Broad Areas (or Broad Locations), following the recent appeal decision at Broad Piece, Soham, a site which falls within a Broad Area.
- 3.13 Full Council is asked to approve the third round consultation document, and authorise it for consultation, and subsequent submission to the Secretary of State for examination, as explained below.

Next Steps

- 3.14 If Full Council approve the recommendations, then a number of important steps will take place:
- 3.15 First, the SIR Local Plan (and associated supporting material) will be subject to public consultation for six weeks, during May-July 2022 (hopefully within May-June).
- 3.16 In simple terms, the consultation is open to everybody (including those who have not made any representations to date), but the crucial aspect to understand is that all representations received are not subsequently considered by officers or the Council, but instead are considered by an independent Inspector.
- 3.17 Second, after the close of the consultation in June or July 2022, officers will thereafter upload all representations on to our website, summarise the key issues raised, publish all evidence base material and 'submit' the SIR Local Plan and associated material to the Secretary of State (or, in practice, to the Planning Inspectorate). This is scheduled to all happen by the end of July or August 2022.
- 3.18 Third, as soon as the SIR Local Plan is 'submitted', the SIR is taken out of the hands of the Council and its officers, and is in the hands of an Inspector appointed to 'examine' the SIR Local Plan.
- 3.19 Fourth, that Inspector will examine the SIR Local Plan and consider all representations received, and will likely hold a 'Hearing' session as part of the examination, whereby those who wish to verbally raise their objections with the Inspector will get their chance to do so. Officers will sit at all days of the 'Hearing', to defend the contents of the SIR Local Plan.

- 3.20 Fifth, ultimately, the Inspector will prepare an Inspector's Report, which will contain a list of 'main modifications'. Main modifications are further changes that the Inspector considers necessary, before the Plan can be updated and adopted. These are binding on the Council, if it wants to adopt the Local Plan.
- 3.21 Throughout this examination process, there may be times when the Inspector will indicate that he/she is considering recommending a particular modification, and will normally ask officers whether it could offer a set of suggested wording to meet the concern. As such, Full Council needs to delegate authority to the Strategic Planning Manager to negotiate such possible modifications with the Inspector during the examination process, to enable the smooth running of the examination. These modifications are in effect owned by the Council as the examination proceeds i.e. they are not formally agreed by the Inspector at this stage (though, in practice, they are informally agreed by the Inspector, as it would be pointless coming up with a modification which the Inspector clearly had fundamental objections to).
- 3.22 Such modifications are normally subject to a round of light-touch consultation, before the Inspector formally considers them (though all of this is a matter for the Inspector to decide, and is not set down in regulation). What happens next is that the Inspector normally then uses such a set of draft modifications to complete the Inspector's Report, though the final set of modifications is entirely in the hands of the Inspector. This is all a rather complex process, both technically and legally, but can be explained in more detail should this be necessary.

Local Development Scheme (LDS)

- 3.23 The timetable for preparing a Local Plan (including an SIR Local Plan update) must, by law, be advertised via a document known as a 'Local Development Scheme' (LDS). Our current version was approved by Full Council in 2020, and we have aligned accurately to the forecast timetable it set out. However, due to the low level of representations received to date, officers consider the timetable can be speeded up slightly for the period from now to adoption, and therefore an updated LDS is attached for Full Council approval. The updated timetable forecasts that the final consultation round can take place May-July (for 6 weeks in that period) and the SIR be adopted by February 2023, though this is subject to the length of the examination period.

Programme Officer

- 3.24 It is a requirement of the examination process to have a Programme Officer in place. Whilst appointed and paid for by the Council, the Officer reports to and acts on behalf of the Inspector. Due to the nature of this very limited SIR, the role will be a very limited part time role, with tasks set by the Inspector.
- 3.25 All communication with the Inspector, whether by ourselves or any objector, must go through the Programme Officer. No direct communication with the Inspector is permitted, except of course during the formal 'hearing' sessions of the examination, which is chaired by the Inspector.

- 3.26 Officers are in the process of securing a part time Programme Officer, which is likely to be in-house.

Future Full Council involvement in the Local Plan

- 3.27 Reflecting the stage we are at, if Full Council approves the recommendations set out, then in reality it is unlikely that Full Council will receive an agenda item which requires a decision relating to the Local Plan for a few months, and unlikely before early 2023 (there's a small chance it could be late 2022). Of course, Members can be kept informed of progress throughout those months, but it is not envisaged that decisions will need to be made.
- 3.28 If all goes well, the next formal decision Full Council will need to make will be when the Inspector's Report is received, and the final SIR proposals can, if Full Council agree, be incorporated into the 2015 Local Plan.

4.1 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

- 4.1 The financial implications which arise from approval of the recommendations are mostly in two parts. First, the costs associated with the ongoing consultation and preparation of the Local Plan. These costs can be met from existing budgets. Second, by proceeding to submission and examination of the Local Plan, the Council has to commit to resourcing a Programme Officer and an Inspector. Whilst the Programme Officer is relatively low cost (a very limited part time, experienced administrative role, likely secured from within the Council), the Inspector fees can be more significant. Such fees are charged on a day basis, set by legislation, and the Council must sign an agreement in advance stating it will pay such fees, whatever the outcome. Arrangements are being put in place to meet these costs.

4.2A Carbon Impact Assessment (CIA) concluded the following:

Directly, the recommendations in the agenda report will have a neutral effect. This is because the recommendations do not directly make decisions which subsequently have a carbon impact. Future decisions which flow from the recommendations (i.e. by this Council on the contents of an updated Local Plan) could have a negative or positive effect, but that will be a matter to assess and determine at the point of making those decisions.

- 4.3 An Equality Impact Assessment (INRA) is not required, for the same reasons as above.

5.0 APPENDICES

Appendix 1 – Local Plan SIR Round 3 ‘Proposed Submission’ consultation

Appendix 2 – Consultation Report on Round 2 consultation

Appendix 3 – Updated Local Development Scheme

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
East Cambridgeshire Local Plan, April 2015	Room12A The Grange Ely	Richard Kay Strategic Planning Manager (01353) 616245 E-mail: richard.kay@eastcambs.gov.uk



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Cambridgeshire & Peterborough Combined Authority

Reports from Constituent Council Representatives on the Combined Authority

Audit and Governance Committee
28 January 2022
Councillor David Brown

Overview and Scrutiny Committee
24 January 2022
Councillor Lorna Dupré
Councillor Alan Sharp

Combined Authority Board
26 January 2022
Councillor Anna Bailey

The above meetings have taken place in January 2022.

Audit and Governance Committee – 28th January 2022

The Audit and Governance Committee met on 28th January 2022; the decision summary is attached as Appendix 1.

Overview and Scrutiny Committee – 24th January 2022

The Overview and Scrutiny Committee met on 24th January 2022; the decision summary is attached as Appendix 2.

Combined Authority Board – 26th January 2022

The Combined Authority Board met on 26th January 2022; the decision summary is attached as Appendix 3.

The agendas and minutes of the meetings are on the Combined Authority's website – Link in the appendices.

Audit and Governance Committee Decision Summary

Meeting: 28 January 2022

Agenda/Minutes: [Audit and Governance Committee – 28 January 2022](#)

Chair: John Pye (Chair and Independent Person)

Summary of decisions taken at this meeting

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
1	Apologies and Declarations of Interests	Apologies were received from Cllr Ian Benney, substituted by Cllr Jan French. No disclosable interests were declared.
2	Chair's Announcements	The Chair made the following announcements:
3	Minutes of the Previous Meeting and Action Notes	The minutes from the meeting held on 17 th December 2021 were agreed as a correct record. Nick Sweeney, Residential Development Manager was in attendance (via zoom) to provide a verbal update on an outstanding action regarding the Housing risks on the Corporate register. The Actions from the previous meeting were noted.
4	Combined Authority Update	The Committee received a verbal update from the Chief Executive Officer for the Combined Authority, Eileen Milner.

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
5	Internal Audit	<p>The Committee received the report from the Internal Auditor, Dan Harris (RSM) which provided an update on the progress being made against the internal audit plan for 2021/22.</p> <p>The Committee noted the progress report.</p>
6	Review of Governance and Ways of Working	<p>The Committee received the report from the Interim Head of Governance which provided the Committee with an overview of the purpose of the review of governance and ways of working at the Combined Authority and the evidence being gathered to inform the review.</p> <p>The Committee noted the report and requested that a further update be brought to this Committee at the March meeting.</p>
7	Financial Strategies	<p>The Committee received the report from the Senior technical Accountant which requested that the Audit and Governance Committee review the proposed Capital, Investment and Treasury Management Strategies and MRP Statement for 2022/23</p> <p>The Committee noted the report.</p>
8	Trading Companies	<p>The Committee received the report from the Monitoring Officer which provided the Committee with an update to the draft terms of reference in relation to the review and assessment of the Combined Authority's trading companies in line with the statutory powers invested in the Committee.</p> <p>With six votes for and one abstention the Committee approved the terms of reference of the Committee in relation to the Combined Authority trading companies.</p>

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
9	Work Programme	<p>The Committee received and noted the work programme with the below additions being agreed.</p> <p>The Committee requested that as part of the risk register report for the next meeting that further detail on the Covid impact be provided.</p> <p>The Chair requested that the standard items that were due to come to the Committee at future meetings be added into the work programme.</p> <p>The upcoming development session where the committee would undertake a self-assessment exercise would be held virtually with potential dates to be circulated to members.</p> <p>The Annual report for the Committee should be brought to the March meeting for the member to review before being presented at the AGM for the CA Board in June.</p>
10	Date of next meeting	<p>The Committee would next meet on Friday, 11 March 2022 at 10:00</p> <p>Venue to be confirmed.</p>

Overview and Scrutiny Committee Decision Summary

Meeting: 24 January 2022

Agenda/Minutes: [Overview and Scrutiny Committee – 24 January 2022](#)

Chair: Cllr Lorna Dupré

Summary of decisions taken at this meeting

Item	Topic	Decision [<i>None of the decisions below are key decisions</i>]
1.	Apologies	No apologies received.
2.	Declarations of Interest	No declaration of interests were made.
3.	Minutes of the Previous Meeting	The minutes of the last meeting were agreed as an accurate record.
4.	Public Questions	None received.
5.	Chair of Transport and Infrastructure in attendance.	<p>Mayor Nik Johnson was in attendance (via zoom) in his capacity as the Chair for the Transport and Infrastructure Committee. Director for Transport, Rowland Potter was also in attendance.</p> <p>The Committee had been invited to submit questions prior to the meeting for the Chair of Transport; the O&S Chair invited those members who had submitted questions to read their questions and receive the written response and ask further supplementary questions.</p> <p>An additional question on e-scooters was also allowed.</p>

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
		Full list of questions and responses are attached as an appendix to the minutes.
6.	Draft Sustainable Growth Ambition Statement and 2022/23 Draft Budget and Medium-term Financial Plan (MTFP) 2022 to 2026	<p>The Committee received the report from the Chief Finance Officer and the Director for Delivery and Strategy which provided the Overview and Scrutiny Committee with an update to the consultation of the draft Sustainable Growth Ambition Statement and the draft 2022-23 Budget and Medium-Term Financial Plan (MTFP) and also provided the Committee with responses to questions asked and comments made on the draft SGAS and budget/MTFP by members of the Overview and Scrutiny Committee at their consultation meeting of 13 December 2021</p> <p>In response to a question on the 500k housing team and its current reduced role; officers advised this was being looked at and a response including a timeframe would be provided to the Committee.</p> <p>The Chair requested some clarity on whether there would be a second consultation on the MTFP given the lack of detail provided and officers agreed to check with the legal team and provide a response, but it would likely be for the CA Board to decide whether a further consultation was required.</p> <p>The Committee noted the reports and response provided.</p>
7.	Accommodation Strategy	<p>The Committee received the report from the Residential Development Manager which informed the Overview and Scrutiny Committee that Combined Authority Leaders approved a strategy and process for identifying and securing office accommodation on 8th December 2021.</p> <p>The Committee requested that a further update be provided at a future meeting.</p>

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
		The Committee thanked the officers and noted the report.
8.	Combined Authority Forward Plan	<p>The Forward Plan was noted.</p> <p>Cllr Coles and Cllr Miscandlon as the Lead Members for Skills advised that they had asked 11 questions at the Skills Committee held earlier that month and they would circulate these once available.</p> <p>Cllr Coles suggested that he take on the Rapporteur role to consider Community Learning and would provide a scoping document at the next meeting.</p> <p>Cllr Van De Weyer as the Lead Member for Housing advised that there would be a consideration of the purpose and function for the Combined Authority Housing activities and that this should be considered at the March meeting to enable this to be fed into the CA Board item.</p> <p>Cllr Atkins as Lead Member for Climate Change advised that the CA Board would be the Climate Change Strategy at their meeting in March and that the Committee should add this to their work programme.</p> <p>Cllr Dew as Lead Member for the Business Board advised that there was good ongoing work in relation to the University of Peterborough and that the Business Board had appointed two new Board members.</p>
9.	CA Board Agenda	No questions were submitted for the CA Board.
10.	Work Programme	The Committee received the report which requested that members discuss and agree items for the work programme.

Item	Topic	Decision [<i>None of the decisions below are key decisions</i>]
		<p>The Committee agreed to not hold the reserve meeting in February.</p> <p>The Committee noted the work programme.</p>
11.	Date and Time of Next Meeting	The next meeting of the Committee is on Monday, 26 th March at 11:00 at Sand Martin House.

Combined Authority Board Decision Summary

Meeting: 26 January 2022

Agenda/Minutes: Combined Authority Board - 26 January 2022

Chair: Mayor Dr Nik Johnson

Summary of decisions taken at this meeting

Combined Authority Board Decision Summary

Meeting: Wednesday 26 January 2022

Part 1 - Governance Items

1.1 Announcements, Apologies for Absence and Declarations of Interest

Apologies were received from Councillor Anna Bailey, substituted by Councillor Josh Schumann; Councillor Edna Murphy – Fire Authority; Darryl Preston- Police and Crime Commissioner; and Jan Thomas – Clinical Commissioning Group.

The following declarations of interest were made:

Item 1.4 - Public Questions: Mayor Dr Nik Johnson, as a resident of Gransden Parish and Councillor Bridget Smith as district councillor for Gamlingay.

Item 3.4 – Market Towns Programme: Approval of Recommended Projects (Funding Call 7) – Councillor Josh Schumann as a Trustee of Viva Arts. Having taken the advice of the Monitoring Officer, Councillor Schumann spoke on this item but abstained from voting.

Item 4.1 – Local Transport and Connectivity Plan Update: Councillor Boden declared an interest as a Trustee of the community transport body which delivered the Route 68 bus service in Wisbech.

Various reports: Mr Austen Adams as a Director of Metalcraft Ltd and a shareholder in the company.

1.2 Minutes of the Combined Authority Board meeting on 24 November 2021 and Action Log

The minutes of the meeting on 24 November 2021 were approved as an accurate record and signed by the Mayor.

The action log was noted.

1.3 Petitions

No petitions were received.

1.4 Public Questions

Two public questions were received. The first was from Gamlingay Parish Council and a copy of that question and response (when published) can be viewed [here](#). The second was received too late to be considered and will receive a written response.

Part 2 – Finance

2.1 Budget Monitor Update – January 2022

It was resolved to:

- a) Note the financial position of the Combined Authority for the year to date.
- b) Note the completion, and clean audit opinion, of the 2020-21 accounts of the Combined Authority, and its subsidiaries.

- c) Approve the Combined Authority's continued use of the PSAA to appoint the suppliers of External Audit services for 5 financial years beginning 1st April 2023. (c£44k p.a. for 5 years). d) Note the increase in the ICT External Support budget per ODN 324- 2022

2.2 Sustainable Growth Ambition Statement, 2022/23 Budget and Medium-Term Financial Plan 2022 to 2026

It was resolved to:

- a) ~~Adopt the Sustainable Growth Ambition Statement (WITHDRAWN)~~
- b) Approve the revenue budget for 2022/23 and the Medium-Term Financial Plan 2022/23 to 2025/26.
- c) Approve the Capital Programme 2022/23 to 2025/26 d) Note the Section 73 Officer's statutory Section 25 statement
- d) Note the Section 73 Officer's statutory Section 25 statement.

2.3 Mayor's Budget 2022-23

It was resolved to:

Approve the Mayor's draft budget for 2022-23

Part 3 – Combined Authority Decisions

3.1 Allocation of Additional Home to School Transport Funds - Academic Year 2021-22

It was resolved to:

Allocate the balance of Additional Home to School Transport grants in line with the audited expenditure figures of each Authority below:

Cambridgeshire County Council: £344,211
Peterborough City Council: £208,340
Cambridgeshire and Peterborough Combined Authority: £50,522

subject to funding confirmation from the Department for Education.

3.2 Transport Levy 2022-23

It was resolved to:

- a) Approve the amount and apportionment of the Transport Levy for the 2022-23 financial year as set out below:

Total Levy: £13,229,793

- i. Peterborough City Council: £3,544,817
- ii. Cambridgeshire County Council: £9,684,976

3.3 Market Towns Programme - Reprofile of Budget

It was resolved to:

Approve the reprofile of the Market Town Budgets set out in paragraph 2.3 of the report.

3.4 Market Towns Programme – Approval of Recommended Projects (Funding Call 7)

It was resolved to:

Approve project proposals received under Market Towns Programme received from East Cambridgeshire District Council for the town of Soham to the sum of £470,000.

3.5 Greater South-East Energy Hub - Mobilisation of Schemes and Reprofiting of Budget

It was resolved to:

1.
 - a) Approve the creation of budget lines as set out in 8.1 to deliver the services set out in the MoU for the £118,389,025 Sustainable Warmth programme.
 - b) Delegate Authority to the Chief Executive, in consultation with the Chief Finance Officer and Monitoring Officer, to enter into contracts for Managing Agent(s), works or other, as required, to expend the funding for the Sustainable Warmth programme, as set out in 3.9
2.
 - a) Note the ongoing work with BEIS to produce a recovery plan for the Green Homes Grant (LAD 2 programme)
 - b) Approve the formation of the CPCA Programme Board for the Energy Hub programme.
 - c) Delegate authority to the Chief Executive and Monitoring Officer to approve the Terms of Reference for the CPCA Programme Board by 31st January 2022.
3. In line with the LAD2 variation letter received from BEIS, approve the corresponding reprofiling of the LAD2 and Public Sector Decarbonisation Fund budgets.
4.
 - a) Approve the creation and amendment of budget lines as set out in 5.1 (a to d) to deliver the services set out in the seventh variation to the Local Energy Capacity Support MoU for c.£2,164,358 and Social Housing Decarbonisation Fund – Technical Assistance Facility Online Hub MoU as detailed in 5.1(e) for £150,000.
 - b) To award a grant of £1.5m to The London Borough of Hounslow Council as Lead Authority for the Net Zero Investment Design & Scoping Programme.

- c) Delegate authority to the Chief Executive, in consultation with the Chief Finance Officer and Monitoring Officer, to enter into agreements and approve the budgets corresponding to the BEIS funding agreements.

3.6 Progress Against Devolution Deal Commitments

It was resolved to:

- a) Note the Devolution Deal Report from Overview and Scrutiny Committee in Appendix 1.
- b) Note the reporting on Devolution Deal progress in its new format, which reflects the Overview and Scrutiny Committee's comments, as set out in Appendix 2.

3.7 Affordable Housing Scheme - Proposed Variation to Loan Relating to Former Alexander House, Ely

It was resolved to:

- a) Approve the extension of the maturity of the existing £4.84m Loan Facility with Laragh Homes from 25 months (7th February 2022) to 28 months (7th May 2022).
- b) Increase the number of potential monthly drawdowns against the facility from 25 to 28.
- c) To agree that the rate of interest to be applied to the loan from 7th February 2022 will be 6% over base, until the loan is fully repaid.

By recommendation to the Combined Authority Board

Part 4 – Transport and Infrastructure Committee recommendations to the Combined Authority Board

4.1 Local Transport and Connectivity Plan Update

It was resolved to:

- a) Note progress on the Local Transport and Connectivity Plan (LTCP).
- b) Provide feedback and agree to amended timetable for delivering the Local Transport and Connectivity (LTCP) programme.
- c) Agree to a programme of public consultation for twelve weeks commencing in May 2022.
- d) Delegate authority to the Head of Transport to prepare the public consultation, and to brief members of the CA Board and Transport and Infrastructure on its content.

4.2 Fengate Access Study

It was resolved to:

- a) Approve the drawdown of £150,000 to complete the Full Business Case stage of the project.
- b) Approve the slippage of the remaining in-year subject to approval budget and note the need for a further reprofile exercise once the revised project timeframe is established in January.

4.3 Fengate Phase 2 University of Peterborough Access

It was resolved to:

- a) Approve the University of Peterborough Access Study Package Assessment Report – Outline Business Case Phase 1.
- b) Approve the drawdown of £1.8m in respect of the costs associated with the Outline Business Case Phase 2, and to conclude a Grant Funding Agreement with Peterborough City Council on terms approved by the Head of Transport and Chief Legal Officer/ Monitoring Officer.
- c) Approve the submission of the updated application at Appendix 2 to the Department of Transport's Major Route Network Programme fund.

4.4 St Ives and A141 Strategic Outline Business Case

It was resolved to:

- a) Approve the development and costing up of the next stage of the project for Outline Business Case and Preliminary design.
- b) Approve the programme for, and costing up of, the Local Improvement schemes for St Ives.

4.5 A10 Outline Business Case

It was resolved to:

- a) Note the outputs of the Cambridgeshire County Council Highways and Infrastructure Committee paper.
- b) Delegate authority to the Head of Transport, in consultation with the Monitoring Officer and Chief Finance Officer, to develop the scope for the delivery of the Outline Business Case.

- c) Approve the release of £2m funding from the Department for Transport, to be spent in 2022-23, for the delivery of the Outline Business Case, and agree reprofiling the remaining 2021-22 budget into 2022-23.
- d) Subject to an extension to the existing DfT grant being agreed, delegate authority to the Head of Transport, in consultation with the Monitoring Officer and Chief Finance Officer, to issue a capital grant funding agreement for the delivery of the outline business case by Cambridgeshire County Council.

Part 5 – Skills Committee recommendations to the Combined Authority Board

5.1 University of Peterborough Phase 3 Business Case

It was resolved to:

1. Approve the University of Peterborough Phase 3 Business Case
2. Approve the use of option a) in section 4.2, to use the existing special purpose vehicle Peterborough HE Property Company Ltd (Prop Co 1), for the delivery of Phase 3 of the University Programme, as the owner and developer of the second teaching building.
3. Consent, as shareholder, to modification of the Shareholders Agreement relating to Peterborough HE Property Company Ltd (Prop Co 1), on such terms as the Chief Executive of the CPCA in consultation with the Chief Legal Officer (Monitoring Officer), and the Deputy Chief Finance Officer (s73 Officer) may agree, to include at a minimum the maintenance by the CPCA of the drag along rights, described at paragraph 4.2 of the report to the Skills Committee of 17 January 2022 (link below) and in order to reflect the share allotments as noted in paragraph 4 below.
4. Consent, as shareholder, to Peterborough HE Property Company Ltd (Prop Co 1):
 - a) issuing the following shares:
 - i. To Peterborough City Council, shares to the value of £20m (in consideration of it investing £20m of Levelling Up Fund (LUF) funding)

- ii. To CPCA, shares to the value of £2m (in consideration of it investing £2m of Local Growth Fund funding)
- iii. To Anglia Ruskin University, shares to the value of £4m in consideration of it investing £4m)

and note that the share issue should be completed by 31 March 2022

- b) Agreeing revisions to the Development Management Agreement to extend the delivery specification in relation to the project management and delivery services and associated support services to relate also to Phase 3.
 - c) Entering into a land transfer with PCC to acquire the Phase 3 land and then enter into an agreement for lease, and lease with ARU Peterborough in respect of the Phase 3 Building, and such consequential and other ancillary agreements on such terms as the Chief Executive of the CPCA in consultation with the Chief Legal Officer (Monitoring Officer), and the Deputy Chief Finance Officer (s73 Officer) may agree.
 - d) Adopting a revised Business Plan, including such changes as are necessary to reflect the construction works and agreement for lease, and lease to ARU-Peterborough of the Phase 3 building in addition to the Phase 1 building.
5. Delegate authority to the Chief Executive of the CPCA in consultation with the Chief Legal Officer (Monitoring Officer), and the Deputy Chief Finance Officer (s73 Officer) to agree:
- a) such changes to the Collaboration Agreement providing that changes to the delivery obligations (and respective timings) are made as described in 5.2 of this report.
 - b) In respect of the Collaboration Agreement, such changes in respect of increased target for student numbers, the curriculum model, and the site and building plan as described in paragraph 5.2 of this report.
 - c) The Development Management Agreement, such changes in respect of the provision of programme management services to Propco1, related to the Phase 3 construction project, are made as described in 5.2 of this report.

- d) To create or modify any such other documents as the Chief Legal Officer (Monitoring Officer) advises are necessary to give effect to the recommendations

5.2 Health and Care Sector Work Academy

It was resolved to:

- a) Approve the new profiled spend in accordance with the approved extension of the innovative employment pilot on recruitment and progression in the Health & Care Sector.
- b) Note the performance of the Health and Care Sector Work Academy to date.

5.3 Employment and Skills Strategy and Action Plan

It was resolved to:

- a) Approve the Employment and Skills Strategy.
- b) Note that the Employment and Skills Strategy will be incorporated in the wider Economic Growth and Skills Strategy, due to be published in March 2022.

5.4 Growth Works Management Review - January 2022

It was resolved to:

- a) Note the Growth Works programme performance up to 31st October 2021.

Part 6 – Housing and Communities Committee Recommendations to the Combined Authority

6.1 Digital Connectivity Business Case

It was resolved to:

- a) Approve the Digital Connectivity Business Case included as Appendix 1 to this report.
- b) Approve £4.5m budget from the subject to approval line in the Medium-Term Financial Plan for 2022/23 to 2024/25.

Part 7 – Business Board recommendations to the Combined Authority Board

7.1 Strategic Funding Management Review January 2022

It was resolved to:

- a) Approve the revised strategic approach for targeting Category 1 of the Business Board recycled funds.
- b) Approve the criteria for the project scoring assessment of applications to the Business Board recycled funds.
- c) Approve the process for investing Business Board recycled funds as stated at Category 1 and 2.

Part 8 – Governance Reports

8.1 Combined Authority Board and Committee Membership Changes January 2022

It was resolved to:

- a) Note the appointment by Cambridge City Council of Councillor Anna Smith as its substitute member on the Combined Authority Board for the remainder of the municipal year 2021/2022
- b) Ratify the appointment by Cambridge City Council of Councillor Katie Thornburrow as its member on the Transport and Infrastructure Committee for the remainder of the municipal year 2021/2022.
- c) Ratify the appointment by Cambridge City Council of Councillor Richard Robertson as its substitute member on the Transport and Infrastructure Committee for the remainder of the municipal year 2021/2022.
- d) Ratify the appointment by Cambridge City Council of Councillor Cllr Niamh Sweeney as its member on the Skills Committee for the remainder of the municipal year 2021/2022.
- e) Note the appointment by Peterborough City Council of Councillor Mohammed Haseeb as its substitute member on the Audit and Governance Committee for the remainder of the municipal year 2021/2022.
- f) Note the named substitute representative for the Police and Crime Commissioner's Office (John Peach).
- g) Note the appointment by Fenland District Council of Councillor Jan Smith as its substitute member on the Audit and Governance Committee for the remainder of the municipal year 2021/2022.

8.2 Annotated Forward Plan – 14 January 2022

It was resolved to approve the Forward Plan for January 2022.

East Cambridgeshire District Council Additional Restrictions Grant Scheme Round 9

On 21 December 2021, the Government announced that a further £102 million would be made available for Local Authorities, through a top-up to the Additional Restrictions Grant (ARG) to support businesses severely impacted by coronavirus restrictions and the rise of the Omicron variant.

The ARG scheme remains discretionary. Local Authorities continue to have the freedom to determine the eligibility criteria for these grants.

East Cambridgeshire's ARG top-up allocation is £171,696.12. £64,036.00 of this has been distributed to businesses via the ARG Round 8 scheme, £107,660.12 remains unallocated. This must be paid to businesses by 31 March 2022 or be returned to Government. A further ARG scheme for these business sectors will be delivered using the remaining funding.

The remaining ARG funding will be used to provide additional grant support for those businesses impacted by the rise of the Omicron variant.

Grants will be paid to those eligible businesses that have received an Omicron Hospitality and Leisure Grant.

Grants will be allocated by the date that a business's Omicron Hospitality and Leisure Grant application was received by the Council. Independent businesses will be prioritised over national businesses and community facilities.

Eligible businesses

The ARG Round 9 scheme is for hospitality, leisure and accommodation businesses on the Valuation Office Agency (VOA) ratings list only.

Hospitality: For the purposes of this scheme, a hospitality business can be defined as a business whose main function is to provide a venue for the consumption and sale of food and drink:

- Businesses offering in-person food and drink services to the general public.
- Businesses that provide food and/or drink to be consumed on the premises, including outdoors.

Leisure: For the purposes of this scheme, a leisure business can be defined as a business that provides opportunities, experiences and facilities, in particular for culture, recreation, entertainment, celebratory events and days and nights out.

- Businesses that may provide in-person intangible experiences in addition to goods.
- Businesses that may rely on seasonal labour.
- Businesses that may assume particular public safety responsibilities.
- Businesses that may operate with irregular hours through day, night and weekends.

Accommodation: For the purposes of this scheme, an accommodation business can be defined as a business whose main lodging provision is used for holiday, travel or other purposes:

- Businesses that provide accommodation for 'away from home' stays for work or leisure purposes.
- Businesses that provide accommodation for short-term leisure and holiday purposes.

Support type	Types of business
Hospitality	Food courts Public houses/pub restaurants Restaurants Roadside restaurants Wine bars Cafés
Leisure	Casinos and gambling clubs Cinemas Museums and art galleries Stately homes & historic houses Theatres Zoos & safari parks Amusement parks Wedding venues Events venues Night clubs & discotheques Arenas Concert halls Tourist attractions Theme parks Amusement arcades Soft play centres or areas Indoor riding centres Clubs & institutions Village halls & scout huts, cadet huts, etc.
Accommodation	Caravan parks Caravan sites and pitches Chalet parks Coaching inns Country house hotels Guest houses Hostels Hotels Lodge Holiday apartments, Cottages or bungalows Campsites Boarding houses Canal boats or other vessels B&Bs Catered holiday homes Holiday homes

Businesses must also:

- Be based in England and operate in East Cambridgeshire.
- Have a business rates account.

- Have been trading on 30 December 2021. For the purposes of this grant scheme, a business is considered to be trading if it is engaged in business activity. This should be interpreted as carrying on a trade or profession, or buying and selling goods or services in order to generate turnover.

Businesses excluded from the fund:

- Businesses that have already received grant payments that equal the maximum permitted levels of subsidy will not be eligible to receive funding.
- Businesses that are in administration, insolvent or where a striking-off notice has been made, are not eligible for funding under this scheme.
- Businesses that are not within the ratings system will not be eligible to receive funding under this scheme.
- The definition of a hospitality business excludes food kiosks and businesses whose main service (generating 50% or more of income) is a takeaway.
- The definition of a leisure business excludes all retail businesses, coach tour operators, and tour operators.
- The definition of an accommodation business excludes private dwellings, education accommodation, residential homes, care homes, residential family centres and beach huts.

Subsidy Allowance

There are three subsidy allowances for the COVID-19 Business Grant Schemes:

- Small Amounts of Financial Assistance Allowance – you're allowed up to £335,000 (subject to exchange rates) over any period of 3 years.
- COVID-19 Business Grant Allowance – you're allowed up to £1,900,000.
- COVID-19 Business Grant Special Allowance - if you have reached your limits under the Small Amounts of Financial Assistance Allowance and COVID-19 Business Grant Allowance, you may be able to access a further allowance of funding under these scheme rules of up to £10,000,000, provided certain conditions are met.

For more information about COVID-19 Business Grant Subsidy Allowances, please visit https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1044354/omicron-hospitality-and-leisure-grant-guidance.pdf

How to apply

The Council will automatically pay this grant to eligible businesses who have previously successfully applied for the Omicron Hospitality and Leisure Grant.

The grant is payable to the person who according to the billing authority's records was the ratepayer in respect of the property on 30 December 2021.

Where East Cambridgeshire District Council has reason to believe that the information held about the ratepayer on 30 December 2021 is inaccurate, the council may withhold or recover the grant and take reasonable steps to identify the correct ratepayer.

Any changes to the rating list (rateable value or to the hereditament) after 30 December 2021 will not be taken into account.

Businesses whose details have changed, or business circumstances have changed (for example, the business has permanently closed, has gone into administration, become insolvent or had a striking-off notice, or the business has reached Subsidy Allowance limits), should email details to covid19businessgrants@eastcambs.gov.uk or telephone 01353 665555

How much funding will be provided to businesses?

This is a one-off grant.

- Businesses with a rateable value of exactly £15,000 or under on 30 December 2021 will receive a payment of £533.
- Businesses with a rateable value over £15,000 and less than £51,000 on 30 December 2021 will receive a payment of £800.
- Businesses with a rateable value of exactly £51,000 or over on 30 December 2021 will receive a payment of £1,200.

Managing the risk of fraud

The Council will not accept deliberate manipulation or fraud and any business caught falsifying their records to gain grant money may face prosecution and any funding issued will be subject to claw back, as may any grants paid in error. All information is subject to internal and external audit checks.

Sharing Information

East Cambridgeshire District Council will share data for efficient system administration and to protect the Public Purse, subject to the GDPR. This will include sharing data with Anglia Revenues Partnership, Central Government and other Local Authorities. Grant recipients may be contacted for research purposes, and their data will be shared with BEIS for research and evaluation purposes.

By applying for an Additional Restrictions Grant all applicants give authority to East Cambridgeshire District Council to share data for efficient system administration and to protect the Public Purse, subject to the GDPR. This will include sharing data with Anglia Revenues Partnership, Central Government and other Local Authorities. Grant recipients may be contacted for research purposes, and their data will be shared with BEIS for research and evaluation purposes.

Grant income

Grant income received by a business is taxable, therefore funding paid under the Additional Restrictions Grant scheme will be subject to tax. Only businesses which make an overall profit once grant income is included will be subject to tax.

ACTION TAKEN BY THE CHIEF EXECUTIVE ON THE GROUNDS OF URGENCY

Committee: Council

Date: 21 April 2022

Author: John Hill, Chief Executive

[W178]

1.0 **ISSUE**

1.1 To note the action taken by the Chief Executive on the grounds of urgency.

2.0 **RECOMMENDATION**

2.1 That the action taken by the Chief Executive on grounds of urgency be noted.

3.0 **BACKGROUND**

(a) Additional Restrictions Grant – Round 9

3.1 The Additional Restrictions Grant is a discretionary funding scheme for local authorities to support businesses in their local economies during periods of lockdown relating to the COVID-19 pandemic. This grant is in addition to the Local Restrictions Support Grant, Restart Grant and Omicron Hospitality and Leisure Grant funding for businesses with a business rates account.

3.2 On 21 December 2021, the Government announced that a further £102 million would be made available for Local Authorities, through a top-up to the Additional Restrictions to support businesses severely impacted by coronavirus restrictions and the rise of the Omicron variant.

3.3 East Cambridgeshire's ARG top-up allocation is £171,696.12. £64,036.00 of this has been distributed to businesses via the ARG Round 8 scheme, £107,660.12 remains unallocated. This must be paid to businesses by 31st March 2022 or be returned to Government. A further ARG scheme for these business sectors will be delivered using the remaining funding.

3.4 The eligibility criteria and priority groups are detailed in the proposed scheme, which is attached at Appendix 1 for your information.

3.5 The decision on the grounds of urgency will enable the Council to implement the scheme and benefit those eligible businesses as soon as possible and ensure the funding is paid to businesses before the 31st March 2022 deadline. The Council will be required to complete weekly returns to the Department of Business, Energy and Industrial Strategy.

3.6 Under the Constitution, the Chief Executive is required to consult with the Leader of the Council prior to delegated decisions being made and

subsequently inform the Chairman of Council and Leaders of the other Political Groups on the Council.

4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

4.1 There are no additional financial implications.

4.2 Equality Impact Assessment (INRA) not required for the purposes of this report.

5.0 APPENDICES

Appendix 1 – ARG Round 9 Eligibility Criteria

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Urgent Action Memo dated: 16 March 2022	Room 103 The Grange Ely	John Hill Chief Executive (01353) 665555 john.hill@eastcambs.gov.uk