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



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

COUNCIL – 25 JULY 2024 – DECISION LIST

Prior to the commencement of the meeting:

A minute's silence was observed as a mark of respect following the death of former Councillor Paul Cox, District Councillor for the Littleport West Ward from 2015 to 2019.

Item No.	Report Ref.	Item	Issue	Decision	Action by
1.	-	Public Question Time	To answer questions from members of the public.	One Public question was received and responded to as detailed at the end of the Decision List.	-
2.	-	Apologies for Absence	To receive apologies for absence from Members.	Apologies were received from Cllrs Akinwale, Brown, Cane, Holtzmann, Huffer, Pettitt, and Wade.	-
3.	-	Declarations of Interests	To receive declarations of interests from Members in respect of any items on the Agenda in accordance with the Members Code of Conduct.	No Declarations of Interests were made.	-
4.	-	Minutes – 23 May 2024	To receive the Minutes of the last Council meeting.	It was resolved: That the Minutes of the Council meeting held on 23 May 2024 be confirmed as a correct record and signed by the Chair ¹	Democratic Services & Elections Manager
5.	-	Chair's Announcements	Announcement of items of interest.	The Chair made the following announcements: <ul style="list-style-type: none">• Cllr Cane	

¹ Minute 12 (2) - Response from the Leader – First Sentence – “Conservatives first put forward in 2019”.
Following the meeting, the Leader acknowledged that Cllr Dupre was the first to support the idea in 2016.

Item No.	Report Ref.	Item	Issue	Decision	Action by
				<p>The Chair congratulated Cllr Cane and wished her good luck as the MP for the East Cambs District. The Chair also thanked Lucy Frazier for her hard work.</p> <ul style="list-style-type: none"> • Staff Achievement Awards The Chair expressed his pleasure in presenting awards for service and achievements by Council Officers. Peter Hiscott was recognised for his outstanding 55 years of service; starting with the waste service when the Council was known as Newmarket Rural District Council. 	
6.	-	To Receive Petitions	To receive public petitions.	No public petitions had been received.	-
7.	-	Notice of Motions Under Procedure Rule 10	No Motions were received.		-
8.	-	To answer Questions from Members	To receive questions from Members of Council.	Two questions from Members were received and responses given as detailed at the end of the Decision List.	-
9.	Z40	Corporate Plan	To receive the updated Action Plan 2024-25 to support the implementation of the 2023-27 Corporate Plan.	<p>It was resolved:</p> <ul style="list-style-type: none"> • That the updated Action Plan be APPROVED. • That the completed actions and progress made in the past 12 months be NOTED. 	Chief Executive
10.	Z41	Schedule of Items recommended from	<u>Finance & Assets Committee – 27 June 2024</u>	<p>It was resolved:</p> <ul style="list-style-type: none"> • That the Treasury Operations Annual Performance Review be APPROVED. 	Democratic Services & Elections Manager

Item No.	Report Ref.	Item	Issue	Decision	Action by
		Committees and other Member Bodies	Treasury Operations Annual Performance Review		
11.	Z42	The Making of both the Mepal Neighbourhood Plan and the Sutton Replacement Neighbourhood Plan	To make both the Mepal Neighbourhood Plan and the Sutton Replacement Neighbourhood Plan part of the development plan for East Cambridgeshire.	It was resolved that: a) Both Mepal Parish Council and Sutton Parish Council be congratulated on their preparation of a Neighbourhood Plan and Replacement Neighbourhood Plan respectively, and a successful referendum outcome in each case b) The Mepal Neighbourhood Plan and the Sutton Replacement Neighbourhood Plan are made part of the Development Plan for East Cambridgeshire with immediate effect.	Strategic Planning Manager
12.	Z43	ECSS Memorandum of Agreement Extension	To consider an extension to the existing Memorandum of Agreement between the Council and East Cambs Street Scene.	It was resolved that: i. An extension period as set out in 4.3 and 4.4 of the existing Memorandum of Agreement with ECSS be APPROVED. ii. The Director Legal be authorised to complete the necessary documentation to bring this decision into effect.	Director, Operations

1. Public Question Time

Question from Bill Pepper - Chair, Wicken Parish Council

Dear Cllr Vellacott

I write regarding the existing bus service which serves Wicken.

The only public transport Wicken benefits from is the weekly service, operating on a Thursday and travelling from Upware to Ely, via Wicken and Soham. The bus departs Wicken at circa 10:45, returning at circa 14:30. This has not changed for many years despite calls for an increased service.

Whilst this service is welcome, it fails to provide a viable option to private transport: many people who use the Thursday service, rely on friends, family or taxis for the return journey and the vast majority of Wicken inhabitants rely on private transport for commuting and for other day to day journeys.

Wicken Fen, a destination of national importance is visited by over 70,000 people annually and this level of tourism adds pressure on the local road network in addition to available parking at the Fen. A bus service particularly operating on a Saturday, from Ely or another origin would help alleviate such congestion as well as providing a welcome addition to the existing transport service to the village.

Under the East Cambs Local Plan 2015, it states under 8.41, Infrastructure and community facilities, Improvements to public transport services: “ The District Councils aspiration is to see existing service levels retained, and to encourage and support self-sufficient demand responsive transport services including committee transport.....” To date, no enhancement of the public transport service has been implemented.

I acknowledge you have regularly fielded questions from both parishioners and parish councillors regarding the existing limited bus service and have been both understanding and supportive within the confines you’re able to operate in. I further acknowledge you did ask the Mayor at the recent Combined Authority Overview and Scrutiny Committee for an update about the demand Response Transport in relation to Wicken. I understand that a route via Wicken is being considered in a Rural Community Study which will be ongoing until later this year.

Whilst it would be unreasonable to expect for the council to provide a multi-day, fully comprehensive public bus service for Wicken, could the Council please give an update on plans to increase the bus service to Wicken and also the time scale envisaged.

Response from Cllr Vellacott

“Thank you Bill for your very timely question.

I want to commend the fact that Wicken Parish Council supported a weekly Dial-A-Ride service, a service to the world-famous Wicken Fen, and supported two new cycle routes through the village.

I am a huge advocate of the motorist and I believe young people should be supported to work hard and obtain their freedom, but you should not be forced to own a car to live in Wicken. There is no shop, no school and no bus – some children are even taking taxpayer-funded taxis to school.

I first contacted the Mayor, Nik Johnson, when he announced that the Mayoral Precept would rise by 200%, to discuss what we could do to restore a bus service via Wicken. This tax rise was an unnecessary overstep; the Cambridgeshire and Peterborough Combined Authority has missed out on millions of Government Bus Improvement funding.

And it wasn’t due to a lack of commitment to road charging, as they claimed. I am inclined to put it down to a poor culture and six different CEOs in three years.

Whatever has gone wrong at the Combined Authority, the result is that East Cambs pays more and gets less, when some services near Cambridge are subsidised at a cost of over £100 per return journey. Nik said to me at the time that 'expanded DRT services are to be closely aligned with the newly proposed Soham to Cambridge bus route' – and I will hold him to ensuring that Wicken is linked into this.

After all, some good proposals are already present. I'm delighted that Sutton will be linked into the St Ives Busway, and Soham to Cambridge. We just need to make sure more rural dwellers can access them as well – that is only fair, as they pay the same precept.

I was pleased that this Council appointed me to the CPCA Overview and Scrutiny Committee, where the Mayor confirmed to me that a route via Wicken was being considered in a Rural Community Study. I await further details of this study in the autumn. There is to be an investment in a demand-responsive trial area in East Cambs – but the Mayor insisted that we must demonstrate community support for the project.

We can do that very easily, but we must have the assurance that the Mayor will action it using the data we provide. In any case, we are in the system and I am working closely with the Director of Place and Sustainability to make sure the word 'Wicken' appears on every document the Mayor looks at going forward. This will help to demonstrate strong community demand. I found it quite amusing that, when I was scrutinising the Mayor on this issue, he asked me if I had obtained my under-25 Tiger Card bus pass yet. I made the point that in order for that to be remotely justified, he had to give me a bus to use in the first place. The Combined Authority are also about to consult on their proposals for Bus Reform across the region, which includes some franchising elements so that which services run is in public control. That could be good news for those affected by cuts, like the No.8 service via Littleport. The consultation responses must be taken seriously, unlike some congestion charging consultations. I encourage Wicken Parish Council to participate fully in this, as I will.

It's a shame the Mayor is not focusing more on rail too. With a bus to Soham and a dual line at the station, Wicken would be linked directly to Cambridge and London. It could be transformative for local business and tourism, and excellent value for money for the taxpayer. We need carrots, not sticks, to encourage people onto public transport.

But it starts with making sure we include everyone, and the residents of beautiful Wicken need that assurance. In terms of a timescale, I acknowledge that we may have a long way to go before the familiar rumble of a bus engine is heard picking up passengers on North Street, but we are closer than we have been in years. I am quite stubborn when necessary, and whilst I am in office, I will not rest until I arrive at a Wicken Parish Council meeting by bus.

Maybe then, I might even apply for a Tiger Card."

8. TO ANSWER QUESTIONS FROM MEMBERS

1. Question from Councillor Kelli Pettitt to the Leader of the Council:

“What is the Council doing in response to the Sunnica decision earlier this month?”

Response from the Leader of the Council:

“I am guessing that I am probably speaking for everybody across this Chamber because we are united in our extreme disappointment that after years of making the clear case that a solar farm of this magnitude is simply in the wrong place, the Secretary of State has decided, within days of taking office, to grant a development order against the wishes of the community, the four affected councils and against the expert advice of the Examiner.

There is currently no direct benefit to our communities from this site. It is deemed to have a significant impact on our communities and there are also biodiversity concerns. Added to this, unlike other Solar farms, the community will not benefit from cheaper energy, nor will the Council receive any potential business rates income from the facility because it is a national infrastructure project.

Together with Cambridgeshire County Council, Suffolk County Council and West Suffolk Council, we are examining the Secretary of State decision. As the solar farm is deemed to be nationally significant infrastructure and the development order is granted by the Government, sadly we are not able to appeal the decision itself. Instead, our only recourse is to undertake a Judicial Review of the decision, known as a JR.

A JR is not an appeal process and cannot be launched because we don't like the decision made. A JR reviews whether a decision has been made lawfully, has it considered the correct issues and has it followed the right processes. Even if a procedural issue is identified, it does not mean the decision will change, it would simply be a re-run of the decision-making process. The bar for even getting the grounds for a JR heard is incredibly high, and incredibly costly. We are working with the other Councils to understand whether there are substantive and material grounds to challenge the decision.

Any action needs to be agreed by Council as the cost and officer time is considerable. We will have to be assured by the advice we receive from the Barristers commissioned by Suffolk County and West Suffolk that there is a clear path to a successful challenge. Any decision made will have to consider the risk associated with the challenge and that the financial sustainability of the Council is not compromised.

Time is pressing and any intention to act needs to be submitted by the middle of next week. Therefore, I am meeting with Leaders from the other Councils on Monday, following receipt of the Barristers' advice, to discuss this situation further.

Finally, if we are not able to take further action or are unsuccessful in a challenge, then the Council is committed to trying to reduce the impact of this facility on our communities. We will work with the developer and other bodies to ensure biodiversity and management of the ecology on site is not an afterthought and get around the table to identify added benefits that can be brought to communities affected by the solar farm. I will also lobby the government in order that financial benefits should be held locally to get the business rates back to the Council rather than going missing into central coffers. There remains a long road ahead, but the Council is committed to holding the developer and the Government to account."

2. Question from Cllr Christine Whelan to the Leader of the Council:

"We have had a number of residents contact us about parking.

We were promised a visionary scheme by the administration 3 years ago. We have not seen a recent update on this.

Please can you confirm how many people have volunteered and how many people have been trained for this scheme?"

Response from the Leader of the Council:

"I need to remind everyone that the Council has not promised anything, this is not a Council-run scheme, this is a police matter on street parking which is a police matter, as everyone is acutely aware. From this Council, we can only make suggestions, encourage activity, and lobby for action, which I think Councillor Whelan is well aware, we've done extensively and over a long period of time. It is very frustrating that the Police have not yet taken action but if Cllr Whelan wants more details then she should direct her questions to Cambridgeshire Constabulary, whose intention it is to run the scheme, as she well knows. Members have been previously advised that the Constabulary's Change Board met at the end of November 2023 and an agreement was reached that a pilot would be explored to establish the Road Safety Police Support Volunteer (RSPSV) role but that initially their remit (and delegated powers) would be limited to road-safety issues, i.e. speeding and dangerous parking. They informed us that should the pilot be successful, proposals for expanding their role (and powers) which can include parking enforcement could be submitted.

The Police were exploring the possibility of using Special Constables for the scheme as there are some Specials who are not currently operational, and this does open various deployment possibilities as they retain full powers (including all road traffic powers).

The Director, Communities has been in touch with Superintendent Sutherland, the Constabulary lead on this and received a small update stating progress had been slower than he had hoped due to higher police operational priorities but states he would shortly be inviting expressions of interest for the role and would keep Members updated.”