



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Agenda Item 4

Minutes of a Meeting of
East Cambridgeshire District Council held at
Littleport Leisure Centre, Camel Road, Littleport,
CB6 1EW on Thursday 21st October 2021
at 6.00pm

PRESENT

Councillor Christine Ambrose Smith	Councillor Bill Hunt
Councillor David Ambrose Smith	Councillor Mark Inskip
Councillor Sue Austen	Councillor Alec Jones
Councillor Anna Bailey	Councillor Daniel Schumann
Councillor Ian Bovingdon	Councillor Alan Sharp (Chairman)
Councillor David Brown	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

Approximately 24 members of the public were in attendance at the meeting.

32. PUBLIC QUESTION TIME

At the invitation of the Chairman, three questions were asked by members of the public, which the Chairman referred to appropriate Council Members to respond to, and answers were given by those Council Members as detailed below:

i) Question from Paul Farley:

"I have been a resident of Stretham since 1986 when I left the Army, my wife Jennifer was born in and lived in Stretham her whole life, she has a long family connection to the village, her Grandfather was the last Porter at Stretham Railway Station. My daughter Laura, her partner and three children are resident in a CLT property on Manor Farm Stretham, hence my interest in the ongoing discussions concerning the future of CLTs.

Without the development of Manor Farm Laura would have been forced to leave the village of her birth to find suitable and affordable housing. Because of the CLT she has been able to remain in Stretham and her two children of school age attend the local primary school.

Many of the friends that she grew up with have had to leave Stretham due to the shortage of suitable and available housing. CLT's provide a valuable source of affordable housing enabling young families to remain in the villages where they grew up close to families/parents. The families can then provide support such as child care etc, without the CLTs life would be much more difficult for these young people who are the future guardians of village life.

I have followed the various discussions concerning the operation and future of CLTs, whilst doing so I have become increasingly concerned at the level of public vilification and harassment that Parish Councillors and CLT Trustees are subjected too, both at meetings and via social media including unwarranted and unfounded allegations of corruption. I am sure that councillors will agree that such harassment is unacceptable in any circumstances. If you were a young person considering becoming a Parish Councillor or Trustee of a local organisation and became aware of such harassment would you still put yourself forward?

It is my understanding that East Cambs District Council has no authority or legal power to dictate to or control the actions of the CLTs named in the motion, (I note that Haddenham has not been included and I suspect that this is for political reasons), therefore council time would be better spent on matters that fall under ECDC Finance and Assets matters which it can influence.

Question:

Will those conducting the review make an assessment of the public vilification and harassment of Parish Councillors and CLT Trustees and the purpose and intent behind it?"

Response from the Leader of Council, Cllr Anna Bailey:

Cllr Bailey thanked Mr Farley for his question and, given the level of public discourse to date, his willingness to attend and speak. She invited the Proposer and/or Seconder of the Motion at Agenda item 8 to respond at this point or in the later debate on the item.

Response from the Proposer, Cllr Simon Harries:

Cllr Harries stated that he would give a more detailed response in the debate on the Motion, but, in summary, his intention in proposing the review referred to in the Motion was to include all interested parties in the review and he would expect full submissions from both sides of the debate. The purpose of his proposal was to get all views out into the open in the interests of transparency and to start the process of healing within the communities in order to move forward.

ii) Question from Graham James:

"The following quotes are from the 2019 Lib Dem Election Manifesto:

People are struggling to afford good homes in the right location; house prices are too high and the possibility of owning a home seems remote for many people.

We will protect people from becoming victims of crime by focusing on what stops re-offending.

Our plan means more police, properly supported by the government and focused on the community policing that prevents crime and makes people feel safe.

A well functioning democracy should have a high standard of public debate in which citizens are supported, educated and empowered to distinguish between facts and lies; civility in public discourse is protected.

I am surprised that the paper on Community Land Trusts tabled by Councillors Dupré and Harries for today's meeting appears to be championing greater control and oversight by East Cambs District Council over local CLTs. Firstly, they are independent bodies set up under statute, registered and monitored by the Financial Service Authority. Secondly, based on previous comments by Lib Dem Councillors across social media, they have decried any support role for such groups from officers and elected members.

At the last election I voted for the Lib Dems but I do not see the attributes I listed from the Lib Dem Manifesto represented in the recent behaviour in Little Thetford where I was the Chair of the Parish Council and the CLT. I resigned owing to the threats and disruptive behaviour by a small minority of residents that I and fellow Councillors and Trustees suffered. In particular four ladies in the village (one of whom is my wife) received vile and nasty, targeted hate mail that were reported to the police as hate crimes and is being investigated as malicious communications.

In my view, whilst people in public life must remain open to legitimate question and criticism, neither they nor their families should be subject to the most horrendous abuse and intimidation.

My question is why you are allowing and encouraging Lib Dem ECDC Councillors to meet and embolden through comments on social media, a small minority of local people to spur them to become Rule and law breakers that has had a significant detrimental effect on the local community?"

Response from Cllr Lorna Dupré:

Cllr Dupré stated that she believed the question should be directed to Cllr Harries since she understood that he had been invited to meet with residents of Little Thetford.

Response from Cllr Simon Harries:

Cllr Harries stated that rather than championing increased oversight through the Motion he wanted the opposite. The Motion was about the relationship between CLTs and the Council; finding out what was happening at present and improving it for the future. He believed that CLTs should be independent and not subject to interference by the District Council. He stated his firm opposition to any cases of abuse and

his alarm at cliques forming within villages and old friends becoming enemies; all residents were from one community and as a District Councillor he hoped each community would find a way to come back together again. It was well known that he had spoken to residents from all four villages named in the CLT motion, and he stated that, in every case, the individuals had approached him. Prior to his election as an East Cambs District Councillor, he had been unaware of CLTs but had been introduced to them by investigating the situation in Kennett. Compared to other areas of the country, he considered that CLTs were run in a unique way in East Cambs and he had been contacted by residents in relation to Manor Farm (Stretham), Kennett and Little Thetford. He believed that communities should run their own affairs, not be led by himself or anyone else, he therefore wanted to understand the Council's role and relationship with local CLTs and to be confident that the interactions were right for the future.

iii) Question from Domingo Negróni:

“Councillor Harries is deliberately stoking animosity, especially with this spurious motion. Councillor Harries takes the work of NIMBYs and on the instruction of NIMBYs attacks like a rabid keyboard warrior, anyone attempting to champion CLTs, he does not bother to speak to the local people living in CLT homes, the only people he wants to hear from are those with vested interests. Councillor Harries does not have the intellectual capacity to challenge the merits of CLTs, he did not challenge the merits of the Little Thetford CLT, instead he engaged in slanders, smears, and character assassinations. Councillor Harries does not believe in fact finding, he believes in not letting the truth get in the way of a nasty tweet. Councillor Harries does not want to do real work when it is easier to inspire hate and division and keep people separated from the truth by liking slanders, sharing smears and posting hatchet jobs.

Will Cllr Harries apologise for his lies and malicious misrepresentations, to the residents of Little Thetford and to the outgoing CLT Trustees, and if not, will Cllr Dupré be ejecting him from the Liberal Democrat Group?”

Response from Cllr Simon Harries:

Cllr Harries stated that the questioner's allegations about him were untrue. He stated that he had questioned himself in response to recent accusations and was aware of his own faults, but he was not fomenting or inciting anything. The Motion had been drafted prior to the recent events concerning Little Thetford and was unrelated to them, although they highlighted the urgency of the need for a review in his opinion. It was clear that some villages had become painfully polarised on the issue of CLTs and he believed that it was important to ask why.

33. APOLOGIES FOR ABSENCE

Apologies were received from Cllrs Charlotte Cane and Joshua Schumann.

34. DECLARATIONS OF INTEREST

Declarations of Interest were made as follows regarding Agenda Item 8: Notice of Motions under Procedure Rule 10 – Community Land Trusts:

Cllr Anna Bailey – a Board Member of East Cambridgeshire CLT.

Cllr Gareth Wilson – a Trustee of Haddenham CLT.

Cllr Lisa Stubbs – a Board Member of East Cambridgeshire CLT.

35. MINUTES – 15th JULY 2021

Cllr Bailey requested a correction to a quote attributed to her on page 8 of the Minutes. There were no other comments or amendments.

It was resolved:

That, subject to the amendment of “commercially” to “commercial” in the first bullet point of the final paragraph on page 8 of Minute 27 Corporate Plan 2021-2023 (Updated), the Minutes of the Council meeting held on 15 July 2021 be confirmed as a correct record and be signed by the Chairman.

36. CHAIRMAN’S ANNOUNCEMENTS

The Chairman emphasised the importance of Members’ safety following the dreadful events of 15th October 2021 which resulted in the death of Sir David Amess MP. He drew their attention to the related guidance recently circulated by the Legal Services Manager.

37. FORMER DISTRICT COUNCILLOR JOHN GIBB

The Chairman informed Members of the death of former District Councillor John Gibb, Liberal Democrat Member for Dullingham from 1999 to 2003. Cllr Gareth Wilson delivered the following tribute:

“John Gibb was the ultimate community politician. He seemed to know everyone in Dullingham and the surrounding villages and always worked hard for them. He never took ‘no’ for an answer when one of them needed help.

He served as their Councillor from 1999 to 2003 and chaired the Monitoring Panel for a year, ensuring that the Council was delivering high quality and cost-effective services. Before moving to Cambridgeshire John Gibb was County Councillor for the Thaxted Division in North Essex from 1993 to 1997.

He continued to be active in local politics until ill-health prevented him from activism. He will be sadly missed by all of us who knew him."

A minute's silence then was observed as a mark of respect for former Councillor Gibb.

38. SOHAM NORTH BY-ELECTION RESULT, PROPORTIONALITY & MEMBERSHIP OF COMMITTEES

Council received a report (W82, previously circulated) noting the election of Cllr Mark Goldsack as a District Councillor for the Soham North Ward, and detailing the consequential changes to the Council's political proportionality and allocation of seats on Committees.

It was unanimously resolved:

That the election of Cllr Mark Goldsack as a District Councillor for the Soham North Ward, and the allocation of seats on Committees, etc, arising therefrom (detailed in Appendix 3 of the report), be noted.

39. PETITIONS

No public petitions had been received.

40. MOTIONS

Community Land Trusts

The following Motion was proposed by Cllr Simon Harries and seconded by Cllr Lorna Dupré:

This Council recognises the important role of Community Land Trusts across the world in holding land on behalf of a place-based community, while serving as a long-term steward for affordable housing and other community assets. This Council supports the principle that development should take place in partnership with local communities, and with their support.

This Council notes that the administration has made working in alliance with CLTs across the District, and setting up its own District-wide CLT, its preferred way of meeting the need for affordable housing in East Cambridgeshire.

The Council notes however that trust in CLTs among members of the general public has been damaged as a result of concerns expressed by

residents in Wilburton, Stretham, Kennett and most recently Little Thetford, related to:

- Some decisions and actions taken by CLTs in their villages, in particular concerning developments widely seen as not appropriate in scale or location for the communities in question;
- Worries that parish councils are being unduly influenced by CLT trustees, shown by the vote of no confidence in Wilburton and resignation en masse of councillors in Little Thetford;
- Further concerns about profits gained by landowners as result of choices made by CLTs.

The Council acknowledges its own responsibilities as a result of its public support to all these CLTs and believes that it is necessary to review the issues that have arisen in the four villages noted above. This review should have a specific focus on the relationship between ECDC and the CLTs in this district, to ensure that the involvement of CLTs as an integral part of council housing policy is seen as rational, safe and unambiguous, with an effective code of conduct in place. The following process for the review is proposed:

- a. Desk research, to review all relevant documents, to be provided by the CLTs in question.
- b. Written submissions, to be invited from residents in relevant villages and from landowners associated with the developments now being proposed.
- c. Interviews, to include a minimum of three trustees (or former trustees if none are in post now) from each CLT.
- d. Public meetings in each of the four villages, in which residents will be invited to provide feedback, evidence and views.

The review should be carried out by a politically proportional working group set up by the Finance & Assets Committee at their next meeting. This activity should be completed within three months of commencement and will report initially to the Finance & Assets Committee, and to Full Council directly afterwards.

In the meantime, no further CLT project-related financial commitments should be incurred by the Council or its companies until after the report, as defined in this motion, has been considered by Full Council.

Speaking as proposer of the Motion, Cllr Harries clarified that the purpose of the Motion was not to consider the principle of CLTs, their future role or their benefits/drawbacks. His intention in submitting the Motion was specifically to examine the relationship between East Cambs District Council and the local CLTs. Two statements had been made by the Administration, either in writing or verbally, which had troubled him when considered together: firstly, that the Council intended to use CLTs as the primary vehicle for delivering affordable housing and secondly, that CLTs were entirely independent. He questioned

how both statements could be accurate. He stated that the business plans of ECTC and the Council included housing delivery by the CLTs: if CLTs were truly independent then he would expect the language used by the Council to be more tentative. Concerns had been brought to him, independently, from Kennett, Wilburton, Stretham and Little Thetford, all claiming that Council representatives had suggested that the formation of a CLT would be the only way for local people to have a say in inevitable large developments. His Motion referenced how the Council acted, not how the CLTs acted. He believed that CLTs should be left alone to work within their communities and he asked Members to read the text of the Motion in order to understand the quick and simple internal process it was requesting. The proposal was to review what was currently happening and to establish clear ground rules for relationships for the future.

Speaking in support of the Motion, a Member detailed their experiences of working with a Housing Association and with a CLT and emphasised the importance of wide-spread and consistent community involvement for a successful CLT development. Haddenham CLT had successfully delivered 54 houses, 19 of which would be affordable homes in perpetuity, for a village of ~1600 houses. There had initially been opposition to the proposed sites, but early involvement and extensive consultations with local residents, a development of appropriate size to the village, and good communications throughout had resulted in a well-received development. Successful CLTs were better-placed than Council Officers to advise newer CLTs, and the proposed review was important in order to ensure that procedures were appropriate.

Responding to the previous two speakers, a Member said that the same CLT set-up process had applied in Kennett as in Haddenham and it was not surprising to find Parish and District Councillors involved in a variety of organisations for their communities. CLTs were run by local people for local people; they chose the land and the development partner and it could be an effective way to improve local amenities. The community had a long-term benefit due to the income the CLT received from rental homes, and the local people determined the occupation eligibility rules, thereby ensuring that local people benefitted from the scheme. The Member reported the experience of an acquaintance with a young family who had recently moved into a CLT property and this person had commented that it was their first experience of having a home rather than just a house. This was an example of how CLTs changed ordinary lives for the better and Members should listen to people whose lives had been improved by CLTs.

A Member highlighted that the Council had no control over CLTs and that CLTs were also separate from Parish Councils, but that it was common for people in a local community to belong to more than one community body, group, or club. The Council would continue to assist such individuals and groups, and individual Members would help residents in their Wards. CLTs were for the people and by the people, and everyone could join their village CLT and be a part of the process. The Member claimed that, if passed, the Motion would stop

the work of Haddenham CLT since it called for all CLT work to stop, and this would constitute improper interference. The CLT development at Manor Farm was highlighted as being excellent since affordable rents were usually considered to be approximately 80% of market rate whereas at Manor Farm they were approximately 60% and in late 2020 there had been a free month to help residents due to COVID difficulties. At no cost to the public purse, the cemetery had been extended and a doctors' surgery provided.

Continuing from the previous speaker, a Member spoke in support of the work of all CLTs and questioned whether all Members truly recognised the positive difference that CLTs made to the lives of individuals. Comments questioning the involvement of Parish Councillors were insulting to hard-working individuals across the District who worked tirelessly for their local communities and in accordance with their Code of Conduct. Regarding Little Thetford CLT, a public meeting had been held in February 2021 in relation to 33 proposed new homes in the village. Some residents wanted more control over the process and it was unsurprising that residents volunteering for roles were those who were active elsewhere in community organisations. The resulting CLT was registered with the FCA in March 2021 and received technical support from the CPCA. They received a high response rate and 72% of respondents were in favour of a CLT as well as seeing a need for affordable housing in the village. From March to August 2021 three potential development sites were considered. Two were from a confidential local landowner who did not engage with the assessment process and the third was from Peterhouse, Cambridge, who were transparent throughout. Public presentations were planned for September 2021, but before they took place there had been harassment, abuse, and threats to safety which had resulted in the CLT Trustees resigning. The Motion aimed to destroy CLTs without having understood that they offer local solutions to better the lives of local people.

Another Member questioned what could be considered to be disagreeable about a Motion asking for research. They stated that CLTs should be entirely local and without interference from the Council, yet the Corporate Plan stated that the Council would work with CLTs to deliver affordable housing. Either the CLTs had nothing to do with the Council, or there was a need for oversight to confirm that the bodies were working appropriately together and the local residents were happy.

Another Member agreed that CLTs were a good vehicle for affordable housing and reiterated the importance of working and talking together in order for a CLT to be successful. They commented that there were some mixed messages, for example there had been assertions that CLTs provided affordable housing in perpetuity, as was the case in Haddenham, and yet this would not be the case on the MoD site with East Cambs CLT. In terms of membership, the meeting had heard that any local people could join but the Member had direct experience of individuals who had been refused membership of East Cambs CLT. CLTs should be about community and goodwill between people: they were a good vehicle for development but should be open and transparent.

A Member criticised the proposer of the Motion for his comments and social media activity regarding CLTs. They stated that the District Council's sole involvement with regard to Little Thetford CLT had been a £5k start-up grant and, over the last month since the CPCA stopped providing it, technical support as needed. Regarding the three potential development sites in Little Thetford, one had been the wrong side of the A10 and one had been undeliverable due to a covenant that prevented development for seven years. The outgoing trustees had together given over 3000 hours to the CLT and other village causes; they had been working towards the same aims as Haddenham CLT, but the village community had been split and damaged by those with vested land interests. The District Council and its trading company, ECTC, had no involvement with most local CLTs; the exceptions were a connection *via* ECTC with the developments in Haddenham, Soham, and Kennett. CLTs were regulated by the FCA and there was no merit in the actions called for in the Motion. The District Council had no regulatory role in overseeing CLTs, yet the Motion accused the Council of meddling whilst also asking for greater involvement. That was contradictory. CLTs gave people the opportunity to stay in the communities they were rooted in, and should be supported.

Speaking as seconder of the Motion, Cllr Dupré reiterated that the Motion was not challenging the principle or merits of CLTs, and that the first paragraph of the Motion was clear in its support of the concept. However, the Council had a policy of promoting and forming CLTs and, in that context, a review was necessary for some of them. Concerns had been expressed by residents in the four villages named in the Motion regarding inappropriate proposals being forced upon communities, the relationships between Parish Councils and the trustees of CLTs, and profits made by landowners. Communities had been divided by a concept that was intended to bring them together. Whilst CLTs were required to register with the FCA, they were unregulated bodies and therefore, if residents had concerns, it was difficult to see where they could turn; in many cases there was overlap between memberships of a CLT, the Parish Council, the District Council and the local Planning Committee. Some residents who were uncomfortable with the decisions being taken regarding their local CLT felt unable to raise their concern with their local elected representative(s) because of their involvement and apparent conflicts of interests. Communities were being torn apart by the issue of CLTs and the Council needed to start to put it right.

Summing up as the proposer, Cllr Harries emphasised that he did not want to stop the work of the CLTs; the concept was sound but required more transparency. He did however want to be sure that the Council did not spend any money on CLTs until the relationship and workings had been reviewed. Responding to comments made by other Members during the debate, he reiterated that he did not want to undermine the CLTs and he believed that elected representatives were not restricted to involvement in issues within their own Ward and he had only become involved when approached directly. He explained that his intention with the Motion was to ensure that no undue interference was taking place, and that the Council's interaction with CLTs was

transparent and operating under proper business rules / code of conduct / best practice.

Following a request from a Member, a recorded vote was taken:

FOR: (9) – Cllrs Downey, Dupré, Harries, Inskip, Jones, Trapp, A Whelan, C Whelan and Wilson.

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

ABSTENTIONS: (0)

The Motion was declared to be lost.

41. QUESTIONS FROM MEMBERS

Questions were received and responses given as follows:

i) Question to the Leader of Council from Cllr Mark Goldsack:

“I am constantly asked about the legitimate position of Neighbourhood Plans and the current Local Plan in regard to possible new development applications. Could the Leader of the Council please state the current position held by East Cambs and what this means for speculative development on non-agreed sites in both the Local Plan and local Neighbourhood Plans?”

Response from the Leader of Council, Cllr Anna Bailey:

“Thank you Councillor Goldsack for your question.

The Council has just published its five year land supply report which shows that we have a seven year supply of housing land. This means that we have two years excess supply of land which is great news and puts us in a really strong position for defending appeals.

This means that we can keep assessing development proposals against all policies in our Local Plan, or where there's one in place, the Neighbourhood Plans. We have three adopted Neighbourhood Plans in East Cambs: Fordham, Sutton and Witchford and there are several more at different stages of development.

Any Neighbourhood Plan that is adopted after April 2015, the date of our Local Plan, takes priority over the Local Plan if there are conflicting policies.

So I'm delighted to say that our ability to resist unwanted speculative applications on non-allocated greenfield sites is currently strong, due to our ability to demonstrate that we have a healthy five year land supply

of deliverable housing sites, a matter referred to in a separate agenda item this evening.”

ii) Question to the Leader of Council from Cllr Lis Every:

“Following the delivery of the BP roundabout upgrade, I am pleased to see that new hi-tech and prestigious companies are coming to Lancaster Way Business Park which will lead to many jobs. It's great that the Lancaster Way roundabout itself includes a cycle/pedestrian crossing to encourage active travel to and from the business park and further afield. However, we do need to see a safe cycle/pedestrian crossing of the A10 in the area of the BP roundabout in order to really encourage people out of their cars. Can the Leader please tell Council what she has been doing to encourage delivery of this vital piece of infrastructure?”

Response from the Leader of Council, Cllr Anna Bailey:

“Thank you for your question Cllr Every. I agree that it is incredibly exciting to see new high quality businesses and jobs coming to the Enterprise Zone at Lancaster Way Business Park. These jobs are targeted at, and very often filled, by local people, supporting the efforts of this Council to reduce out-commuting and help people to live and work locally and have a better quality of life.

The final piece of what has been a very long and incredibly complicated jigsaw in a constrained funding environment is to provide a safe crossing of the A10 in the vicinity of the BP roundabout. This is something I have lobbied for extensively for many years, and I had secured the commitment of the previous Mayor of Cambridgeshire and Peterborough to deliver it. The new Mayor has not yet made any commitment to it, but I met with him on 5th August to discuss the matter in detail and from that meeting and a subsequent message from his Strategic Advisor I believe he has every intention of delivering a solution as early as possible.

During our meeting I told the Mayor about the underpass further up the A10 that was built as part of the Ely Leisure Village and how successful it had been. The District Council is therefore working with the developer of the underpass to provide information to the Mayor about it to try to help.

As a member of the Combined Authority Board I raise this issue at every relevant opportunity and more, and I will continue to do so.”

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

“At the full Council meeting on 23 February, I asked a question to the Chair of Operational Services Committee about the recent email outage, raising my concerns that further actions were needed to guarantee that the council's email system was sufficiently resilient to future outages. In his response he dismissed my concerns in a politicised answer.

At the full Council meeting on 15 July, I again asked a question to the Chair of Operational Services Committee about email outages following a further incident earlier in July which left email services unavailable for the best part of a day and a half along with several more days to recover emails. I repeated my call for a much more thorough review to learn lessons and avoid further incidents. He again dismissed my call, stating that he was satisfied with the explanation provided to him and the action taken.

Less than a fortnight later, another major email outage occurred, this time taking several weeks for all Outlook data to be restored, and with some emails sent to Council email addresses never arriving.

Does he now acknowledge that a prompt and thorough review much earlier in the year could have avoided the major disruption caused to staff and members of the public by subsequent email outages?

Is the subsequent review detailed in the email sent on his behalf on 24 August 2021 now complete?

When will the findings be shared with all Members of the Council?"

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

"I would like to thank Councillor Inskip for his questions.

On the first point: No I don't. Decisions were made from information available at the time.

In my email I informed Members that there would be an internal review which would focus on the following four areas:

First – Why the exchange database failed. This element of the review is in progress. The IT team is working with Microsoft and, so far, no obvious point of failure has been identified.

Second – Failings with the back-up provider. This element of the review is in progress.

Third – Reviewing our support contract. This element of the review is about to commence.

Fourth – What can we do to mitigate future downtime. This element of the review is underway but will not conclude until the completion of the Office 365 migration.

The migration to Office 365 is underway and the IT team is currently working on migrating the staff mailboxes. The migration needs to complete before all of the points in the internal review can be addressed.

I will ask the Director Operations to share the outcome of the internal review with all Members once it is complete.”

iv) Question to the Leader of Council from Cllr Simon Harries:

“At the full Council meeting held on 23 February 2021, the Council resolved to request further investigation of the implications and benefits of the Fens Biosphere designation for East Cambridgeshire, and instructs the Chief Executive to write to Cambridgeshire ACRE to seek further information.

Can the Leader of the Council update the Members on the progress of those investigations over the last 8 months, including a summary of each of the meetings the Chief Executive has held to progress the investigation and when he plans to report back to Members?”

Response from the Leader of Council, Cllr Anna Bailey:

“Thank you for your question.

After the approval of the motion the Chief Executive wrote to Cambridgeshire Acre to inform them of the decision to explore the potential designation in more detail and advised that the Director Commercial would be the lead officer.

Subsequent to this the Director Commercial has met with Cambridgeshire Acre on three occasions, one of the meetings included the Chair and Vice-Chair of the Fens Biosphere steering group.

The meetings focused on getting a better understanding of the background as to how the Fens Biosphere came to being and what work could be done by the Steering Group, working with the Council to explore the implications.

In addition, with the assistance of Cambridgeshire Acre, the Director Commercial and the Strategic Planning Manager met with North Devonshire Councils as they already have a designation. The meeting focused on the interplay between the designation and planning policy and it was noted that the Biosphere there was driven by the District Councils collectively.

In the late summer there was a change in personnel at Cambridgeshire Acre and the Fens Biosphere Steering Group took the decision to employ a consultant to assess the project. The Director Commercial met with the consultant, only this Tuesday, to better understand the direction of travel for the future of the potential Biosphere Designation. The consultant is currently meeting with all of the local authorities to understand the status quo and will meet with the Director Commercial again at the end of November to provide an update on progress.”

42. **PARKING ENFORCEMENT**

(a) Presentation by Superintendent James Sutherland, Cambridgeshire Police

Council received a presentation from Superintendent James Sutherland regarding a proposed pilot scheme for a volunteer scheme to, in part, tackle parking issues in the District.

He explained that in much of Cambridgeshire parking enforcement was no longer a police matter and instead responsibility lay with the Local Authority; whether to take on that responsibility was a matter for each Local Authority to decide. The police prioritised addressing serious crime and safety and as such were unlikely to ever have sufficient resources or time to address parking to the satisfaction of local residents. There had been no police traffic wardens in East Cambs for approximately 20 years: the responsibility had been transferred to Police Community Support Officers (PCSOs) but their numbers had now reduced from almost 200 to around 40 within the County and consequently their ability to effectively manage parking enforcement had deteriorated. A new workable solution was needed to address the parking issues within the District.

Various parking enforcement options considered for East Cambs and other areas of the County, including legal options such as the previously-discussed Community Safety Accreditation Scheme (CSAS), had now proved to be legally or operationally not possible. However, projects such as Community Speedwatch drew upon volunteers in order to increase capacity and free up police officers for tasks that only they could undertake. Section 38 of the Police and Crime Act 2017 permitted the Constabulary to bestow powers to volunteers acting on behalf of the Police Service Volunteers (PSV). To Supt Sutherland's knowledge, this had not previously been used in Cambridgeshire, or for parking enforcement anywhere in the country, but had been used elsewhere in order to address speeding uses. The proposal was to create a new volunteer role to address a range of road safety issues including parking in "hot spot" areas. Other responsibilities would include adding legal weight to the Community Speedwatch initiative, and providing road safety education in schools. A pilot scheme would be run initially to recruit and train a small number of volunteers; it was entirely police-led in consultation and partnership with the Council.

The Chairman thanked Supt Sutherland for his presentation and invited questions for him from Members.

Several Members thanked Supt Sutherland for his informative presentation and asked a range of questions for which answers were given as summarised below. Supt Sutherland emphasised that where he was unable to provide the detail requested, this should not be considered to be evasive, rather to the best of his knowledge a similar scheme had not been undertaken before and inevitably that meant there were unknown factors.

- In his professional opinion the volunteer scheme would not be as effective as civil parking enforcement (CPE), since CPE generally utilised full-time professionals. However, the volunteer scheme would be an improvement on the current situation and he believed that in East Cambs there were likely to be repeat offenders causing many of the issues and they would be deterred by the knowledge that the scheme was in place. This situation in this District was different from that in, for example, Cambridge City where parking issues were mainly attributable to tourists and visitors.
- The pilot scheme would initially involve approximately 4 – 6 volunteers. There was a desire to ensure that it was big enough to be meaningful but not too large, and must be operationally realistic.
- No time commitment for the individual volunteers had been determined at this stage. In general, members of the Special Constabulary were required to commit to a minimum number of hours due to the large investment in their training, whereas volunteer roles were usually narrower and therefore volunteers were quicker to train, making it less necessary to set minimum time expectations. Special constables would be involved in the training and mentoring of the volunteers on the proposed pilot scheme.
- Personal safety of volunteers was crucial and it was recognised that issuing parking tickets could be confrontational. Training would have an emphasis on engaging and educating, as well as in de-escalation of potential conflicts. Volunteers would be likely to work in pairs and have police radios which would enable them to call for assistance, if necessary. The selection of candidates with appropriate skills and behaviours would also be important.
- A suitably motivated small team, suitably targeted towards the relatively small number of “hot spots” in the District could achieve a great deal. A deterrent effect had been seen on speeding when Speedwatch volunteers had been seen in villages; the presence and regularity of PSVs for parking could raise an awareness that would have a similar effect.
- Some form of uniform would be provided, both for personal safety (e.g. high-visibility items) and for public understanding and legitimacy.
- Villages could not fund their own PCSO for parking enforcement or other duties since the police could not charge for services that they were already required to perform in the public domain.
- If the pilot scheme was successful, then it could be expanded into more villages throughout the District. The role would be one of road safety, not just parking, and as such could tackle multiple issues.

The Chairman and Members of the Council thanked Supt Sutherland for his attendance and extremely informative presentation, and expressed their appreciation by a round of applause.

(b) Parking Enforcement – Referral-Up from Operational Services Committee

Council considered a report (W83, previously circulated) detailing the referral-up of a Parking Enforcement agenda item from the Operational Services Committee meeting held on 13th September 2021.

The Chief Executive introduced the report and highlighted the timeline of governance issues and the importance of the appendices which included both the original report to the Operational Services Committee (13 September 2021) and the answers to questions posed by Cllr Inskip in response to that report. He emphasised that this was a police-led pilot and the Council were requested to support the police and be available if they wanted help, for example with communications.

Cllr Bailey proposed a Motion, seconded by Cllr Huffer, to revise the recommendations in the report as follows:

This Council agrees to:

- (i) support the Cambridgeshire Police Pilot Scheme to integrate community-based enforcement of speeding, anti-social and illegal parking under Section 38 of the Police and Crime Act 2017;
- (ii) support the proposals from Cambridgeshire Police to target identified 'hot spots' in the District with enhanced on street enforcement in 2021/22;
- (iii) invite Superintendent James Sutherland, Cambridgeshire Police (or representative) to a future meeting to report on the evaluation of the pilot, when appropriate;
- (iv) request that Operational Services Committee review the effectiveness of the targeting of enforcement activity in 'hot spots' by October 2022;
- (v) provide necessary support to Cambridgeshire Police (when requested) to implement the above initiatives;
- (vi) not to implement CSAS in East Cambridgeshire (subject to a further review by end of 2022).

The proposer reminded Members that Supt Sutherland had personally championed the pilot and stated that it was a police-led initiative that should be supported by the Council. Civil Parking Enforcement (CPE) had been dismissed in October 2020 as an unacceptable risk to the Council since it could not be implemented in a rural area without requiring subsidy. In addition, as compliance increased in such a system, the income from it would necessarily decrease thereby requiring further subsidy. Once implemented, the decision to use CPE would be irreversible and, since Council Tax could not be used to pay

for it, the introduction of parking charges would be inevitable. Doing nothing to address the current dangerous and/or awkward parking in the District would be unacceptable and the proposal from the police merited support. The pilot scheme had a wider remit than parking since it included road safety and would therefore give Speedwatch the ability to issue fines. As a small District it was likely that people would comply once they were aware that enforcement was in place.

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

To add additional recommendations:

- vii) To note that whilst the Cambridgeshire Police Pilot Scheme will hopefully lead to some increment improvements to on-street parking enforcement, it will not provide the step change in enforcement needed to comprehensively address the long-term blight of illegal parking experienced in East Cambridgeshire.
- viii) To further note that 96.6% of local authorities in England have adopted Civil Parking Enforcement and most of the remainder are in the processing of introducing CPE, taking the total to almost 98.8%. Many of these councils retain provision of free parking in parts of their district.
- ix) To instruct officers to immediately commence research on the implementation of Civil Parking Enforcement, learning from those authorities that have been able to maintain free parking in key locations and implement schemes in a cost-effective manner.
- x) To prepare proposals to be presented to Operational Services Committee to enable the council to work with the county council to introduce an effective scheme of Civil Parking Enforcement across East Cambridgeshire which enables the retention of free parking in the centre of Ely whilst continuing with paid parking at Angel Drove and The Dock.
- xi) To prioritise the development of these proposals to make up for time lost over the past year and to minimise the period during which the district be dependent on part-time volunteers for parking enforcement.

The proposer of the amendment stated that parking problems existed across the District and could not be solved by a small number of volunteers; therefore the Council should take responsibility. The parking issue had been identified 12 months previously and two solutions had been identified which the Liberal Democrat Group had at the time believed to be flawed and legally doubtful. No work had been done regarding CPE despite 96.6% of councils having adopted it. Once all councils that had committed to moving to CPE had done so, East Cambs would be one of only four councils that had not, the Isles of Scilly being

another. Twelve months had passed with no progress towards addressing the parking concerns and the current proposal involved all responsibility remaining with an already very stretched police force. The amendment sought to ensure that the Council also made proper contributions to solving the problem by actively researching other potential solutions including the use of CPE alongside retaining free parking. It recognised that the pilot scheme represented a useful interim solution, but the Superintendent himself had expressed doubts that the scheme could ever be as effective as CPE. Therefore, this Council should take responsibility itself for addressing the issues.

Two Members challenged the concept of CPE, in particular the unfairness of charging for some car parking in the District whilst maintaining free parking in other locations. Cllr Inskip clarified that he was not proposing to add charges to existing free car parks; he sought to learn from other councils that had a mix of free and paid-for parking.

Several Members expressed their full support for the pilot scheme as a good concept that would make a useful contribution to addressing parking issues. However, they also supported a full review of other potential solutions, in particular that a costed analysis of CPE should be undertaken, together with details of its efficiency compared with that of other options. Full researching of CPE was required in order to make informed decisions on it.

As the seconder of the Amendment, Cllr Dupré reminded Members that the Superintendent had confirmed that the original proposal would not be as effective as CPE. She also reminded them that most Local Authorities, including those with free parking in parts of their district, had adopted CPE. The amendment was straightforward in requesting research as to what CPE would involve, using worked examples and clear facts. The vast majority of Local Authorities made it work. A year had passed since the initial proposals for PCSOs or CSAS and consequently there was now a greater urgency for the Operational Services Committee to receive detailed proposals for consideration. The Superintendent had been impressive and there were no doubts regarding Cambridgeshire Police's ability to run the pilot scheme, but he had acknowledged that it would not be as good as CPE.

Summing up as proposer of the Motion, Cllr Bailey stated that CPE had been considered in detail in 2009, when the public had been vociferously opposed to the introduction of parking charges, and nothing had changed since then. Fenland District Council were considering introducing CPE and the cost was estimated to be £400k; she questioned where that money would come from in East Cambs, as Council Tax could not be increased to fund CPE, and asserted that it would lead to an ongoing funding shortfall. She reminded Members that if free parking in Ely was to remain then charges would have to be introduced in the other Council-owned car parks (Soham, Littleport and Burwell) and/or in on-street locations. In conclusion, she stated that the current Conservative Administration would not be willing to introduce CPE and therefore Officer time should not be dedicated to researching it.

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

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

AGAINST: (16) – Cllrs C Ambrose Smith, D Ambrose Smith, Austen, Bailey, Bovington, Brown, Edwards, Every, Goldsack, Huffer, Hunt, D Schumann, Sharp, Starkey, Stubbs and Webber.

ABSTENTIONS: (0)

The Amendment was declared to be lost.

During subsequent debate on the Motion several Members again criticised the lack of willingness to investigate CPE as a way to alleviate pressure on the police and substantially improve dangerous and anti-social parking in the District. However, they also supported the Superintendent's proposed scheme because, in addition to parking, it addressed other road safety issues such as speeding, and would be an improvement on the current situation.

A Member spoke about Ely's relative success in attracting and retaining independent shops which, together with its heritage and markets, brought many visitors to the city. The collaborative decision to increase the city's parking spaces and not charge for them had been highly successful. There was, however, a problem with vehicles being parked on yellow lines, overstaying in car parks, and other anti-social parking issues by a small minority and it needed to be tackled without taking funds away from other essential services. Lots of ideas had been considered and the pilot scheme was attractive since it would not require large investment of taxpayers' funds. The Community Safety Partnership were supportive and would work closely with the police to make it successful.

A Member emphasised the importance of the scheme being implemented throughout the District, not just in Ely, and suggested that Members could give ideas of places in their own Wards where there were significant issues. Another Member expressed concern about recruiting sufficient volunteers since their experience with Community Speedwatch had demonstrated that this could be difficult.

Speaking as the seconder of the Motion, Cllr Huffer agreed with an earlier speaker that there were also issues in villages and emphasised that the pilot was an exciting development since it would focus attention on speeding as well as parking and would be targeted wherever there was need. Volunteers may be easier to recruit than for Community Speedwatch since the scheme carried real sanctions and would therefore be more effective. The item had been referred to Full Council by the Operational Services Committee because it merited full analysis and debate, that had now happened and it was clear that

the proposed pilot scheme would improve parking and speeding issues in the District.

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

FOR: (26) – Cllrs C Ambrose Smith, D Ambrose Smith, Austen, Bailey, Bovingdon, Brown, Downey, Dupré, Edwards, Every, Goldsack, Harries, Huffer, Hunt, Inskip, Jones, D Schumann, Sharp, Starkey, Stubbs, Trapp, Trimarco, Webber, A Whelan, C Whelan and Wilson.

AGAINST: (0)

ABSTENTIONS: (0)

The Motion was declared to be carried.

It was resolved:

i) that the Cambridgeshire Police Pilot Scheme to integrate community-based enforcement of speeding, anti-social and illegal parking under Section 38 of the Police and Crime Act 2017, be supported.

ii) that the proposals from Cambridgeshire Police to target identified 'hot spots' in the District with enhanced on-street enforcement in 2021/22 be supported.

iii) that Superintendent James Sutherland, Cambridgeshire Police (or representative), be invited to a future meeting to report on the evaluation of the pilot, when appropriate.

iv) that the Operational Services Committee be requested to review the effectiveness of the targeting of enforcement activity in 'hot spots' by October 2022.

v) that necessary support be provided to Cambridgeshire Police (when requested) to implement the above initiatives.

vi) that CSAS not be implemented in East Cambridgeshire (subject to a further review by end of 2022).

43. RECOMMENDATIONS FROM COMMITTEES AND OTHER MEMBER BODIES

Council considered report W84, previously circulated, detailing recommendations from the Finance & Assets Committee and the Licensing Committee as follows:

1. Finance & Assets Committee – 22nd July 2021

Treasury Operations Annual Performance Review

It was unanimously resolved:

That the report on the Council's Treasury operations during 2020/21, including the prudential and treasury indicators as set out in Appendix A1 of the report, be approved.

2. Licensing Committee – 4th October 2021

Gambling Act 2005 Statement of Licensing Principles – Three Year Review

It was unanimously resolved:

That the Gambling Act 2005 – Statement of Principles for Licensing be approved for adoption to come into effect on 31 January 2022 following a period of publication to be not less than 28 days.

44. EAST CAMBRIDGESHIRE LOCAL PLAN (SINGLE ISSUE REVIEW) – SECOND CONSULTATION

Council considered a report (W85, previously circulated) providing a progress update on the very limited partial update of the 2015 Local Plan, and seeking authorisation for the second round of consultation.

The Strategic Planning Manager introduced the report and reminded Members of the importance of a Local Plan. The first consultation on the Single Issue Review (SIR) had resulted in a limited number of suggestions, mostly from the development industry, as detailed in Appendix 2 of the report. It was his firm opinion that no fundamental amendments to the SIR were required as a consequence of the responses received. In particular, the Council had a good land supply in the short term and there were around 10,000 new homes identifiable on development sites, so there was no evidence that more were needed.

Cllr Bailey moved the recommendation in the report, seconded by Cllr Brown. She stated that the report was essentially a technical update and the second consultation was required as part of the SIR process and so should be approved. The Council had very recently published its Five Year Land Supply Report which demonstrated an equivalent of seven years' supply and therefore placed it in a strong position for defending appeals. She thanked Officers for their professional and sound guidance on these issues, and in particular highlighted the Planning team's help to protect the 5-year land supply.

Another Member spoke in favour of the recommendation but also expressed reservations about the Local Plan becoming outdated. Whilst understanding that the Government's uncertainty regarding policy was causing the Council to be reluctant to commit to developing a new Local Plan at this stage, a Local Plan was needed that was more reflective of key issues such as electric car charging points and air quality.

The seconder, Cllr Brown, had nothing to add and the proposer, Cllr Bailey reminded Members that the previous emerging Local Plan (2019) had been withdrawn due to the substantial revisions made by the Inspector which were not supported by the Council.

It was unanimously resolved:

That the second round of consultation on the very limited partial update of the 2015 Local Plan, as set out in Appendix 1 of the report, be approved.

45. COMMUNITY INFRASTRUCTURE LEVY INFRASTRUCTURE LIST AND GOVERNANCE

Council considered a report (W86, previously circulated) regarding changes to the Community Infrastructure Levy (CIL) Infrastructure List and Governance Arrangements.

The Director Commercial introduced the report and explained that it updated the Infrastructure List and some of the allocations. Paragraph 3.6.2 of the report detailed the proposed changes to the Infrastructure List to reflect commitments that had been fully met and additions that were required. In terms of proposed changes to the governance arrangements for CIL, paragraph 3.7.3 of the report explained the current allocations and the proposed changes which would enable the Council to meet its existing commitments and start to save for new requirements.

She thanked Cllr Dupré for spotting an omission in Appendix 5 which had now been updated and circulated:

Immediately prior to the table on page 1, "Income will be distributed as follows" had been replaced by "Authority is delegated to the Director Commercial, in consultation with the Leader of Council, to distribute CIL receipts in the following manner".

Consequently, the report's recommendation had also been updated such that (ii) would read "Approve the draft Governance Arrangements as set out in Appendix 5 (revised)".

Cllr Bailey, seconded by Cllr Hunt, proposed a Motion to approve the revised recommendations in the report. She thanked the Director Commercial and the Infrastructure & Strategy Manager for their oversight of the substantial CIL funds. The Council was delivering badly-needed infrastructure throughout the

District; there had been large projects for Ely as well as many wider community-based assets together with funds for Parish Councils to meet their obligations. The proposals added to the list more health care providers, a wider definition for community facilities, and water management and flood prevention.

Cllr Dupré then proposed the following Amendment, seconded by Cllr Harries:

To add text to the end of recommendation (i) such that it reads “(i) that the draft Infrastructure List, as set out in Appendix 3 of the report, be approved but retaining A142/Witchford Road roundabout on the list.”

Cllr Dupré stated that the Council’s £150k contribution to the A142/Witchford Road roundabout had worsened an already problematic junction. It was important to support people being able to travel without cars and the roundabout was a serious deterrent to walkers and cyclists. It was therefore sensible to keep the roundabout on the CIL list until the problem was resolved.

As seconder, Cllr Harries reminded Members that the cross-party Bus, Cycle, Walk Working Party had all agreed that there was an issue with the roundabout in that the new design added a further degree of speed and danger to those attempting to cross it. The works at the roundabout had not provided a way to cycle or walk to Lancaster Way from Ely and the Council should therefore remain involved to find a solution.

Responding as proposer of the Motion, Cllr Bailey explained that the A142/Witchford Road roundabout was the one adjacent to Lancaster Way, not the problematic A10/A142 “BP roundabout” which appeared to be the one referred to by the previous speakers. The latter roundabout had not been on the CIL list and therefore she could not support the amendment. She informed Members that, as stated in her response to Member question (ii) in Minute 41 above, she had been working with the Combined Authority Mayor regarding the BP roundabout and it was a firm commitment of the CPCA in the current Transport Plan; therefore, she was working hard to ensure it was also in the new Transport Plan.

On being put to the vote, the Amendment was declared to be lost with 9 votes in favour and 17 votes against with 0 abstentions.

During subsequent debate on the Motion, a Member commended the addition of healthcare and flood/water items to the list but commented that the two previously-discussed roundabouts were integrally connected and the lack of provision to cross the A10 meant that the aim of the redevelopment had not been completed to the satisfaction of the users. In addition, the historic decision to contribute £1m to the A14 project had been misguided since it represented only 0.07% of the project’s cost while being a huge sum of money for the Council.

Speaking as the seconder of the Motion, Cllr Hunt reiterated that the A142/Witchford Road roundabout and the nearby A10/A142 roundabout were

entirely separate and it was therefore right to remove the completed former project from the list. He gave credit to the Officers for a healthy and balanced list.

Summing up as the proposer of the Motion, Cllr Bailey gave further detail regarding the background to the responsibilities for the A10/A142 roundabout and highlighted that the District Council were not involved. Nonetheless, a solution was needed and she had been in discussions with the Combined Authority Mayor who was supportive.

It was unanimously resolved:

i) that the draft Infrastructure List, as set out in Appendix 3 of the report, be approved.

ii) that the draft Governance Arrangements, as set out in Appendix 5 (revised) of the report, be approved.

iii) that a contribution of £40,000 per annum, for 25 years, be made from the CIL income to the A14 Improvements project.

iv) that the Deputy Monitoring Officer be authorised to make the necessary changes to the Council's Constitution.

46. CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY REPORTS FROM THE CONSTITUENT COUNCIL REPRESENTATIVES ON THE COMBINED AUTHORITY

Council received the reports (previously circulated) from the Combined Authority's Audit & Governance Committee (30th July 2021), Overview & Scrutiny Committee (26th July and 23rd August 2021), and Combined Authority Board (28th July and 25th August 2021).

Cllr Bailey was asked for further information regarding item 3.1 "Implementation of the revised Affordable Housing Programme" at the Combined Authority Board 29th September 2021. She explained that it had been confirmed that there was no affordable housing programme at the Combined Authority after March 2022. There had been an attempt to enforce eight affordable housing principles but this had received no support. Discussions were taking place with the Government as Combined Authorities were no longer being given housing funds directly, they would come from Homes England instead.

It was unanimously resolved:

That the reports from the Constituent Council representatives on the Combined Authority, be noted.

47. ACTION TAKEN BY THE CHIEF EXECUTIVE ON THE GROUNDS OF URGENCY – ADDITIONAL RESTRICTIONS GRANTS

The Council considered report W87, previously circulated, detailing the actions taken by the Chief Executive on the grounds of urgency in respect of Additional Restrictions Grants (Round 6) and Little Thetford Parish Council.

It was unanimously resolved:

That the actions taken by the Chief Executive on the grounds of urgency relating to Additional Restrictions Grant Round 6 and to Little Thetford Parish Council, as detailed in the report, be noted.

The meeting concluded at 9:25pm